

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

December 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: 6:02 pm., Council Chambers, North Las Vegas City Hall,
2200 Civic Center Drive

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

STAFF PRESENT: Jory Stewart, Planning & Development Director
Robert Eastman, Principal Planner
Mary Aldava, Planner
Jeremy Davis, Planner
Nick Vaskov, Deputy City Attorney II
Jennifer Doody, Development & Flood Control
Clete Kus, PW, Transportation Planner
Janice Carr, Fire Department
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Joseph Carvalho, Son of Commissioner Angelo Carvalho

WELCOME: Chairman Jay Aston

Chairman Jay Aston introduced Joseph and Alexander Carvalho, sons of Commissioner Angelo Carvalho, and Ami Trivedi, daughter of Commissioner Dilip Trivedi, who were invited to attend the meeting.

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF NOVEMBER 22, 2005.**

ACTION: APPROVED WITH CORRECTION; COMMISSIONER STEVE BROWN WAS PRESENT AT THE NOVEMBER 22, 2005 MEETING

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

CONSENT AGENDA

A. PW-199-05 (24014) D & D FREHNER OFFSITES: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY D & D STEEL, INC. AND ACCEPT THE CASH-IN-LIEU OF BOND IN THE AMOUNT OF \$19,794.41.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

B. PW-200-05 (24015) EL CAMINO BAPTIST CHURCH: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY CONTRACTORS BONDING AND INSURANCE COMPANY TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$118,814.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

C. PW-201-05 (24016) CARMENA, UNIT 1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY SAFECO INSURANCE COMPANY OF AMERICA TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$269,340.50.

ACTION: APPROVED

MOTION: Commissioner Shull
SECOND: Commissioner Leavitt
AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho
NAYS: None
ABSTAIN: None

D. PW-202-05 (24017) CARMENA, UNIT II: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY SAFECO INSURANCE COMPANY OF AMERICA TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$583,210.38.

ACTION: APPROVED

MOTION: Commissioner Shull
SECOND: Commissioner Leavitt
AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho
NAYS: None
ABSTAIN: None

E. PW-203-05 (24018) BUENA VISTA SPRINGS, PHASE 2: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY RELIANCE INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$21,597.24.

ACTION: APPROVED

MOTION: Commissioner Shull
SECOND: Commissioner Leavitt
AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho
NAYS: None
ABSTAIN: None

- F. **PW-204-05 (24020) BUENA VISTA SPRINGS III: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY RELIANCE INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$12,837.87.**

ACTION: APPROVED

MOTION: Commissioner Shull
SECOND: Commissioner Leavitt
AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho
NAYS: None
ABSTAIN: None

- G. **PW-205-05 (24021) SHADOW SPRINGS, PHASE 1, UNIT 4: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY LUMBERMENS MUTUAL CASUALTY COMPANY TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$755,734.38.**

ACTION: APPROVED

MOTION: Commissioner Shull
SECOND: Commissioner Leavitt
AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho
NAYS: None
ABSTAIN: None

- H. **PW-206-05 (24022) SHADOW SPRINGS, PHASE 2, UNIT 2A: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY FIDELITY AND DEPOSIT COMPANY OF MARYLAND TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$278,227.29.**

ACTION: APPROVED

MOTION: Commissioner Shull
SECOND: Commissioner Leavitt
AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho
NAYS: None
ABSTAIN: None

Item No. 1 was heard next

NEW BUSINESS

1. **AMP-73-05 (23559) STORAGE ONE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STORAGE ONE ON BEHALF OF AV NEVADA 2, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-26-501-007.**

Item Nos. 1 and 2 were heard together.

It was requested by the applicant to continue AMP-73-05 to January 11, 2006.

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

Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas, NV 89081, President of the Pearl Cove II Homeowners Association stated his comments were also on behalf of the Homeowners Association. He understood applications went through changes when they were continued but did not feel the project could be changed enough to make it appropriate for the site. There was a proposed three story project 120 to 150 feet from residential and on the other side of the street was zoned R-1 and further down Lawrence Street there were homes. Regardless, whether the access was for emergencies only, there would still be traffic on Lawrence going to and from the proposed project and he did not feel Lawrence could handle the added traffic. Mr. Sauer stated a condition should be added which said the gates would be locked at 9 p.m. and there would be no key pad access after hours.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 11, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

2. **ZN-98-05 (23556) STORAGE ONE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STORAGE ONE ON BEHALF OF AV NEVADA 2, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF MINI-WAREHOUSING. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-26-501-007.**

Item Nos. 1 and 2 were heard together.

It was requested by the applicant to continue ZN-98-05 to January 11, 2006.

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

Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas, NV 89081, President of the Pearl cove II Homeowners Association stated his comments were also on behalf of the Homeowners Association. He understood applications went through changes when they were continued but did not feel the project could be changed enough to make it appropriate for the site. There was a proposed three story project 120 to 150 feet from residential and on the other side of the street was zoned R-1 and further down Lawrence Street there were homes. Regardless, whether the access was for emergencies only, there would still be traffic on Lawrence going to and from the proposed project and he did not feel Lawrence could handle the added traffic. Mr. Sauer stated a condition should be added which said the gates would be locked at 9 p.m. and there would be no key pad access after hours.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 11, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

Item No. 7 was heard next.

3. **ZN-97-05 (23568) COMMERCIAL LOFTS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY EAST BAY CONSTRUCTION ON BEHALF OF THE RONALD REISS TRUST, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF A MIXED USE DEVELOPMENT WHICH WOULD INCLUDE 44 UNITS OF COMMERCIAL/INDUSTRIAL OFFICE-WAREHOUSING ON THE FIRST FLOOR WITH A RESIDENTIAL COMPONENT ON THE SECOND FLOOR. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CLAYTON STREET AND COLTON AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-08-803-006.**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending ZN-97-05 be continued as the preliminary development plan submitted did not comply with the Industrial Development Standards. Staff was also concerned the proposed parking would not accommodate the needs of all residents, employees, guests and customers. In addition, Staff's calculations of usable open space showed the development was deficient by approximately 6,600 square feet of open space and the Parks and Recreation Department was recommending the item be continued. If the Planning Commission determined approval was warranted, the following conditions were recommended:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. The residential portion of the development shall comply with the Multi-Family Development Standards.
3. The office/warehouse portion of the development shall comply with the Industrial Development Standards, including but not limited to the following:
 - a. Sidewalks will need to be located at least six (6) feet from the facade of the building to provide planting beds for foundation landscaping.
 - b. Any area of a parking lot which abuts a public street will need to be setback from the property line a minimum of 20 feet.
 - c. A six (6) foot wide landscape island is required within each parking row for every 15 parking spaces contained within a row and at the end of each row.
 - d. Pedestrian linkages to the open space and amenities will need to be provided.

4. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the open space/park areas showing landscaping and amenities. Prior to submittal of the final development plan, the applicant must schedule a meeting with the Parks and Recreation Director or designee to determine what amenities will be required of the private park areas.
5. That all open space shall be provided in accordance with the Multi-Family Development Standards. Open space areas shall be clearly defined and approved as part of the Final Development Plan. If necessary, revisions shall be required to satisfy the minimum open space requirements.
6. That the building design, parking lot landscaping, foundation landscaping and perimeter landscaping shall comply with the Industrial Development Standards.
7. Exterior roof ladders and down spouts shall not be permitted.
8. The development shall comply with all parking requirements.
9. Any outdoor storage of materials or vehicles shall be prohibited.
10. That the proposed businesses within the development shall be limited to office and warehouse uses only, consistent with the floor plan submitted with the preliminary development plan. Outside storage of materials or vehicles shall be prohibited.
11. A café consistent with the preliminary development plan shall be considered a principally permitted use.
12. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
13. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
14. Approval of a drainage study is required prior to submittal of the civil improvement plans.
15. Approval of a traffic study is required prior to submittal of the civil improvement plans.

16. 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.
17. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Clayton Street.
18. No parking allowed on Colton Street or Clayton Street; the developer shall install no parking signs.
19. The garages shall be used for vehicle parking only; all other uses are prohibited. Deed restrictions or Covenants, Conditions and Restrictions shall be required.
20. 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. Clayton Street
 - b. Colton Street
21. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
22. The property owner is required to grant a roadway easement for commercial driveway(s).
23. 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.
24. A revocable encroachment permit for landscaping within the public right of way is required.
25. All recorded easements must be shown on the site plan; easements not currently shown may require modifications to the site plan.
26. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
27. The property owner is required to sign a restrictive covenant for utilities.

28. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
29. All off-site improvements must be completed prior to final inspection of the first building.

Scott Baker, 7225 South Bermuda Road, Las Vegas, NV appeared on behalf of the applicant stating he was agreeable to a 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 JANUARY 11, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

4. UN-132-05 (23580) MAGICAL TOTS ACADEMY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY OFFICES AT ALIANTE COMMONS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO ALLOW A CHILD CARE FACILITY. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND WILLIS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-30-802-021.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-132-05 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.
2. That the applicant must comply with the conditions of approval for Ordinance 2148 (The Aliante Commons Development Agreement).
3. The development shall comply with the Commercial Development Standards and Design Guidelines.
4. The use permit is site specific and non-transferrable.
5. The applicant shall submit a traffic study update for review and approval.

Frank Grant, 3230 South Buffalo, Las Vegas, NV 89117 appeared on behalf of the applicant asking for a continuance to January 11, 2006. When the application for the day care facility was submitted, Staff was not aware of the Development Agreement. The Agreement has a provision that the following special uses shall not require the approval of a special use permit within the commercial portion of the subject property:

- a. With bank and financial institutions
- b. with child care facilities

Unfortunately, information regarding the Development Agreement was sent to the Planner, but they were not in the office, so the applicant wanted to give Staff time to review the Agreement.

Mr. Eastman agreed with the applicant that a continuance was warranted, since they did not have a copy of the Development Agreement and it would give Staff time to review it. If the applicant was correct, the application could be withdrawn.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 11, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

5. UN-131-05 (23577) CRAIG & NORTH 5TH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STORAGE ONE ON BEHALF OF THE BEAUDEE CORPORATION, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A MINI-WAREHOUSING FACILITY WITH TRUCK RENTAL. THE PROPERTY IS GENERALLY LOCATED EAST OF NORTH FIFTH STREET AND APPROXIMATELY 500 FEET NORTH OF CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-02-214-002.

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of UN-131-05 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-131-05 is site specific and non-transferable.
3. The site design and building elevations must be in compliance with the Commercial Development Standards and Design Guidelines.
4. The parking and storage of rental vehicles shall be prohibited within 100 feet of Craig Road and outside of the screen wall. Parking and storage of rental vehicles shall not occupy any drive aisles or required parking spaces for customers.
5. That an eight (8) foot decorative masonry screen wall be provided along all property lines that complies with Zoning Ordinance (Title 17) requirements.
6. The development of this site shall be in compliance with all standards set forth in Section 17.24.020.C.15 of the Zoning Ordinance (Title 17).
7. Sign locations and type are conceptual. Final review of signs shall take place upon submission of a building permit application.
8. Wall signage shall be permitted on the south and west facing building walls only.
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. North 5th Street
10. The North 5th Street section and geometrics are subject to review and approval of the Director of Public Works, or his designee.

11. All development along North 5th Street shall provide a twenty foot landscape and pedestrian access easement/common element adjacent to the right-of-way.
12. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along North 5th Street.
13. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
14. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
15. Approval of a drainage study is required prior to submittal of the civil improvement plans.
16. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
17. Approval of a traffic study is required prior to submittal of the civil improvement plans.
18. 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.
19. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
20. The property owner is required to grant a roadway easement for commercial driveway(s).
21. 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.
22. A revocable encroachment permit for landscaping within the public right of way is required.
23. The property owner is required to sign a restrictive covenant for utilities.

24. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
25. All off-site improvements must be completed prior to final inspection of the first building.
26. As North 5th Street is a planned, limited access corridor, left turn access may be restricted in the future.
27. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
28. Fire apparatus access roads that are secured by gates shall comply with the Fire Code.

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

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

Dr. Jean Brady, 4507 Shannon Jean Court, North Las Vegas, NV 89081 turned in a petition of approximately 100 residents who were opposed to the project. She stated the proposed structure would impede the view of the mountains and City and would depreciate property values and the appearance of the proposed structure was not conducive to the greater good of the community. She was agreeable to a two-story building but not three stories.

Linda Raha, 725 Gullwing Lane, North Las Vegas, NV 89081 stated she was opposed to a three story building as it was too tall and the lights would shine into the residential area and would increase traffic in the area.

Randall Raha, 725 Gullwing Lane, North Las Vegas, NV 89081 stated he was opposed to a three story structure but did not object to a two story unit.

Michael Brady, 4507 Shannon Jean Court, North Las Vegas, NV 89081 stated he was opposed to the proposed project as the structure was too high and felt the lights would shine on the neighboring homes.

Mr. Garcia stated the property was zoned C-2, Commercial, which allowed structures to be as high as 60 feet and the proposed structure was 32 feet, they were below the single-family height limits and the C-1, Commercial height limits and were not close to the C-2, commercial limits. If they were to build an office building, which would be fully permitted within this area, and go three stories, they would be higher than 32 feet and if they went five stories, there would be no privacy because there would be windows looking out the back and the traffic and circulation issues would be much more intense than what was being proposed. He stated mini storage facilities typically generate a small amount of traffic, so the parking demands were relatively low. The lighting issues addressed by the residents could be dealt with by using lower level lighting and direct lighting fixtures. In addition, there was a trail that ran along the wash that would provide additional screening and buffering.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

6. **AMP-72-05 (23567) PICERNE @ CENTENNIAL & NORTH 5TH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT CORPORATION ON BEHALF OF THE PT CORPORATION AND NORTH 5TH CENTENNIAL, 1 LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF NEIGHBORHOOD COMMERCIAL TO VERY HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-503-001, 124-27-503-007, 124-27-503-008 AND 124-27-503-009.**

Commissioner Harry Shull left Chambers at 6:35 p.m.

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of AMP-72-05.

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.

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

Chairman Aston closed the Public Hearing.

Commissioner Shull returned to Chambers at 6:37 p.m.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

Item No. 8 was heard next.

7. **ZN-96-05 (23566) PICERNE @ CENTENNIAL & NORTH 5TH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT CORPORATION ON BEHALF OF THE PT CORPORATION AND NORTH 5TH CENTENNIAL, 1 LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 278 MULTI-FAMILY UNITS AND 10,000 SQUARE FEET OF COMMERCIAL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-503-001, 124-27-503-007, 124-27-503-008 AND 124-27-503-009.**

It was requested by the applicant to continue ZN-96-05 to January 25, 2006.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 25, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

Item No. 19 was heard next.

8. **VAC-39-05 (23530) CENTENNIAL WEST LLC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTENNIAL WEST, LLC, PROPERTY OWNER, TO VACATE THE SOUTHERLY TEN (10) FEET OF CENTENNIAL PARKWAY BETWEEN MOUNT HOOD STREET AND SHATZ STREET. THE ASSESSOR'S PARCEL NUMBER IS 123-27-501-001.**

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of VAC-39-05.

Dennis Layton of Horizon Surveys, 9901 Covington Cross Drive, Suite 190, Las Vegas, NV 89144 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 Carvalho

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

9. SPR-56-05 (23531) CENTENNIAL MARKETPLACE. AN APPLICATION SUBMITTED BY CENTENNIAL DEVELOPMENT 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 APPROXIMATELY 240 FEET WEST OF COMMERCE STREET AND SOUTH OF CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-102-001 AND 124-27-102-002.

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending denial of SPR-56-05, as where the approved parking was located, it would create an unsafe situation for its drivers and customers as the approved site plan showed the delivery drivers and customers would need to cross the main entrance into the site on foot each time they make a delivery, which would become a matter of health and safety; however, should the Commission determine approval was warranted, Staff recommended 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. The commercial development shall be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to a consistent building design for all buildings and pads including the gas canopy.
3. Recessed lighting shall be used for the gas canopies.
4. Exterior down spouts and exterior roof ladders are not allowed, and shall be located within the building.
5. That if SPR-56-05 is approved both SPR-05-05 and UN-08-05 shall be considered null and void.
6. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
7. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
8. Approval of a drainage study is required prior to submittal of the civil improvement plans.
9. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.

10. 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.
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 Centennial Parkway and Commerce Street.
13. Right-of-way dedication and construction of a flared intersection is required at Centennial Parkway and Commerce Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
14. Right-of-way dedication and construction of a CAT bus turn-out is required on Commerce Street near Centennial Parkway. It is suggested that the applicant provide the bus stop placement within the exclusive right turn lane for the property per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.3.
15. 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.
16. A revocable encroachment permit for landscaping within the public right of way is required.
17. 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.
18. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
19. All Nevada Power Company easements and poles must be shown. The poles shall be fully located within the landscape area and if the relocation of any poles is required it will be at the expense of the developer.
20. The property owner is required to grant a roadway easement for commercial driveway(s).

21. The property owner is required to sign a restrictive covenant for utilities.
22. This item shall comply with the conditions of approval for T-1185.
23. 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. Centennial Parkway
 - b. Commerce Street
24. That Building "E" shall not be required to be located at the front of the site at the minimum setback line.

Michael Bradshaw, 3068 Sunset Road, Suite 7, Las Vegas, NV 89120 appeared on behalf of the applicant stating the design that was originally approved had the parking to the rear of the building which eliminated four parking stalls. It gave ingress and egress as there was a driveway that would exit on Centennial Parkway and a driveway that would exit onto Commerce Street. With parking in the rear, there would be two ingress/egress points which would create more congestion for on-site circulation, where the new plan was one in and one out. Pizza Hut would be at the front of the site and the cars would pull in and exit in the same location versus parking along the south side of the ingress/egress point which would have pedestrian traffic going across the driveway and they would increase the landscaping along the front portion of the property.

Commissioner Dean Leavitt stated normally he would agree with Staff; however, he was in support of the waiver as there was parking all along Commerce Street and if Building "E" was fronted, it could cause more congestion.

Commissioner Harry Shull stated he concurred with Commissioner Leavitt's comments.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

10. SPR-65-05 (23464) TAND, INC. OFFICE & WAREHOUSE. AN APPLICATION SUBMITTED BY TAND INC., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW APPROXIMATELY 5.78 ACRES OF OFFICE AND WAREHOUSE. THE PROPERTY IS LOCATED APPROXIMATELY 265 FEET NORTH OF CRAIG ROAD AND EAST OF VANDENBERG STREET. THE ASSESSOR'S PARCEL NUMBER IS 140-06-610-016.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of SPR-65-05 subject to 13 conditions with Condition No. 14 added to read: "The entire storage area shall be paved with concrete or asphaltic concrete." The 13 conditions of approval are as follows:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. Approval of SPR-65-05 does not include site plan approval of remaining parcel.
3. That development shall comply with Industrial Standards and Design Guidelines, including but not limited to providing the use of changes in color, materials and/or relief such as the inclusion of belt lines, pilasters, pop outs etc..
4. The development shall comply with the current parking requirements.
5. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan
6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
9. The property owner is required to grant a roadway easement for commercial driveway(s).

10. The property owner is required to sign a restrictive covenant for utilities.
11. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
12. Any required off-site improvements must be completed prior to final inspection of the first building.
13. A minimum of (1) one hour fire resistance on the exterior wall must be constructed on the zero lot property line.

Ned Cole, 3801 Robar Street, Las Vegas, NV appeared on behalf of the applicant stating the storage yard was primarily for the use of storing pipe and materials that are used for underground construction and also some landscape materials. There were also a substantial amount of vehicles that would be stored on the site and he had no problem paving the areas where the vehicles would be driving. He did not feel the owner would want to asphalt the entire site, and concurred with Staff recommendation.

Robert Eastman stated the Design Standard for parking requirements, was that the vehicles would need to be stored on a paved surface and if there were trucks or trailers, they would need to be stored on a paved surface, but the landscaping material would not need to be stored on a paved surface.

Chairman Jay Aston asked for new wording on the condition. Mr. Eastman read Condition No. 14 as follows: "All vehicle storage areas and drive isles shall be paved with concrete or asphaltic concrete."

Mr. Cole agreed to the wording of the new condition.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE ADDITION OF CONDITION NO. 14 TO READ:

14. VEHICLE STORAGE AREAS AND DRIVE AISLES SHALL BE PAVED WITH CONCRETE OR ASPHALTIC CONCRETE.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

11. T-1231 (23562) LOS CABOS I AND LOS CABOS II. AN APPLICATION SUBMITTED BY LOS CABOS I AND LOS CABOS II EQUITY LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 410 CONDOMINIUMS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LONE MOUNTAIN ROAD AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-02-510-002 AND 139-02-610-002.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending continuance of T-1231 as requested by the Parks and Recreation Department, to allow the applicant to show additional recreational facilities; however, if the Commission desires approval, Staff recommends 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 property owner is required to grant a roadway easement for commercial driveway(s).
3. Prior to submittal of any final maps or construction-related documents, the applicant shall provide a conforming tentative map indicating compliance with all applicable codes and conditions.
4. The following modified list of amenities shall be provided as a minimum:
 - A. Circuitous lighted paths with exercise stations and mile markers spaced along paths
 - B. At least 2 differing age appropriate IPEMA approved play structures for children (ref: ASTM Playground Equipment for Public Use, sec. 6.2-6.3) with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
 - C. At least one large open space area for group / organized play, w/drinking fountain
 - D. One large group shade area / gazebo (30' diameter), lighted
 - E. Four (4) Picnic tables and barbecue grills
 - F. Five (5) Benches spaced along park pathways
 - G. Dog stations at grass areas
 - H. Details of amenities to be provided
 - I. Pedestrian crossings shall be stamped and colored concrete
 - J. Permits are required for all structures, including playground units and auxiliary play equipment, except as exempted by the CNLV Municipal Code, Building Administrative Code Section 15.72.140 B. & C.

Mike Brennan, 2001 South Rainbow, Las Vegas, NV appeared on behalf of the applicant stating the easement was currently in place. He also stated the second paragraph of the Staff Report addressed the open space, saying it was not clear what existed on the open spaces. He stated there were two pools, two club houses, two jacuzzes and there was a very large open space to the north of the second pool and in that open space they were proposing a gazebo as requested. There was also two playgrounds that were being addressed. The playgrounds may not be up to IPEMA, as they were existing when the property was purchased, but they would replace them if necessary and bring them up to current code. There were currently barbeques in place on the picnic sites and they were willing to add picnic tables. The floor plans had been submitted. Given the fact the development was an existing development, he believed it would be difficult and disruptive to the community to add a circuitous path with exercise stations around the development. He suggested they be allowed to put it in another area, possibly around the perimeter and, if necessary, have it go through the grassy areas. He added, if the Commission felt it was necessary, they would be happy to comply. He requested approval on the condition that prior to the final map submission, they had met with the Parks and Recreation Department and had addressed and alleviated all of their concerns.

Commissioner Dean Leavitt asked the applicant what was being done to assist the displaced tenants. Mr. Brennan responded the tenants were being offered the first option to purchase the units. The project was being done in phases. They were taking one or two building, giving the tenant the option to purchase, and then starting the conversion process. Commissioner Leavitt asked the time line for completion. Mr. Brennan responded the estimated time for completion was 12 months.

Commissioner Harry Shull asked the applicant if he concurred with the four conditions recommended by Staff.

Bill Childs of Redrock Engineering responded they agreed with all conditions with the exception of the request for the circuitous path, Condition No. 4.a. Putting an eight foot pathway through the development would be extremely difficult and they were open to suggestions other than a jogging path which would destroy landscaping that was currently in place and asked for Condition No. 4.a to be deleted or amended.

Commissioner Shull asked if this was an apartment complex that they were putting a tentative map on. Mr. Brennan responded it was originally constructed as an apartment complex and added, there were exercise rooms in the two clubhouses.

Chairman Jay Aston explained many of Staff concerns could have been addressed, if the applicant had met with Parks and Recreation Staff and suggested Condition No. 4.a be amended so the applicant could work out the lighting and other details with Parks and Recreation.

Mr. Brennan responded he did not have a problem with that as long as they could get an approval on the project tonight and that could be made a condition of approval prior to submittal of the final map.

Commissioner Leavitt suggested Condition No. 4.a be left as is, with the addition of the wording, "or as amended with final approval of the Parks and Recreation Department."

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

4.A. CIRCUITOUS LIGHTED PATHS WITH EXERCISE STATIONS AND
MILE MARKERS SPACED ALONG PATHS, OR AS AMENDED,
WITH FINAL APPROVAL BY PARKS AND RECREATION.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

12. T-1230 (23507) CENTENNIAL AND LOSEE. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT CONSISTING OF ONE (1) RETAIL COMMERCIAL LOT . THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ROME STREET AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-24-401-001 AND 124-24-401-002.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of T-1230 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, ordinances, and design standards.
2. That T-1230 shall comply with the conditions of approval for SPR-55-05.
3. That all subdivision signs (approximately nine) as indicated on tentative map be removed prior to construction. Subdivision signs were not indicated on SPR-55-05 site plan.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. 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.
6. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics and thickness of the pavement sections will be determined by the Department of Public Works.
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.

9. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway and Losee Road.
10. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Centennial Parkway and Losee Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
11. Right-of-way dedication and construction of a CAT bus turn-out is required on Losee Road near Centennial Parkway per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
12. 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. Centennial Parkway
 - b. Losee Road
 - c. Rome Boulevard
13. The Rome Boulevard geometrics shall be designed and constructed per the *City of North Las Vegas 60' Standard Street Section with Offset Sidewalk*.
14. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
15. The property owner is required to grant a roadway easement for commercial driveway(s).
16. 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.
17. A revocable encroachment permit for landscaping within the public right of way is required.
18. 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.
19. The property owner is required to sign a restrictive covenant for utilities.

20. All off-site improvements must be completed with the first phase of development.
21. Applicant shall provide Sanitary Sewer Network Analysis per Section 2.2 of the latest edition of the "Design and Construction Standards for Wastewater Collection Systems (DCSWCS) to be reviewed and approved by City of North Las Vegas Utilities Department prior to submitting Civil plans.

George Garcia 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.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

OLD BUSINESS

13. **UN-100-05 (22648) CENTENNIAL PLAZA PAD 5 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED PUD PLANNED UNIT DEVELOPMENT DISTRICT) TO ALLOW A CHILD CARE FACILITY. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 200 FEET SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 200 FEET EAST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-002. (CONTINUED OCTOBER 12 AND 26, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated the applicant was requesting a use permit for a day care facility. Staff is in support of the proposed use permit. The applicant's representative has shown another site plan that was slightly different from the one presented to the Commission in their packet. It may or may not comply with the set-back requirements. It is greater than the 20 feet shown on the plan in the packet but Staff was not able to confirm if it was actually 30 feet and in compliance. The applicant indicated to Staff that they would be in compliance or they would amend the day care facility building to be in compliance with the set-back requirement. If it was the Commission's desire to entrust compliance to Planning Staff, then Staff recommended approval of UN-100-05; otherwise, continuance was recommended for two weeks or 30 days to allow the applicant time to submit a site plan that was in compliance with all zoning requirements. The recommended conditions are as follows:

1. That, unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.
2. That the applicant must comply with the conditions of approval for ZN-78-05.
3. That this use permit is null and void if ZN-78-05 is not approved.
4. The development shall comply with the Commercial Development Standards and Design Guidelines, including, but not limited to, all required landscape buffers and consistent detailing on all four (4) sides of the building.
5. The use permit is site specific and non-transferrable.
6. The applicant must demonstrate that there is a minimum 400 foot separation between the proposed day care facility and the proposed supper club located south of Centennial Parkway.

7. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
8. Fire access lanes shall be designed in accordance with Fire Code requirements.
9. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Stephanie Allen of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating they would comply with any set-back requirements for the day care facility as mentioned by Staff. They are 350 feet from the approved sushi restaurant to the north of the facility and presented a letter from the tenant, La Petite Academy, addressing the fact they were aware a sushi restaurant had been approved on the site and that it was within 350 feet from the proposed day care facility and they had no concerns regarding that.

Chairman Jay Aston asked if there was another restaurant on the site. Ms. Allen responded there was a proposed restaurant on the southwest portion of the work/live loft area with a patio that was approved with the PUD. There currently was no tenant for that restaurant but it was subject to design review.

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

Chairman Aston closed the Public Hearing.

Chairman Aston asked if the use permit for the restaurant with no tenant had already been approved. Ms. Allen responded it was approved with the PUD zoning package. Chairman Aston asked if the day care tenant was also aware of that use. Ms. Allen responded the letter stated they were aware of both restaurants.

Ms. Allen asked that Condition No. 6, which required a 400 foot separation from the restaurants, be deleted.

Mr. Eastman stated Staff was in agreement with the deletion of Condition No. 6.

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

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

14. **AMP-58-05 (22882) INTEGRITY TOWNHOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY INTEGRITY PROPERTY SOLUTIONS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LIGHT INDUSTRIAL TO HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-15-401-010. (CONTINUED NOVEMBER 9 AND 22, 2005)**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending approval of AMP-58-05.

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

Chairman Jay Aston opened the Public Hearing.

Ms. Allen stated she had spoken with the applicant, and he would like to hold Item No. 15, ZN-84-05, to January 11, 2006, to allow the applicant additional time to work with Staff on some unfinished issues with the site plan.

The following participants came forward:

Pat Harris, 328 Duke Avenue, North Las Vegas, NV 89030 asked the Commission to deny the application as she felt the site was not large enough for 38 townhomes and it would add more traffic congestion at the intersection of Carey Avenue and Commerce Street. She was also concerned about the possibility of increased crime in the area.

Theresa Fountain, 505 Rossmoyne Avenue, North Las Vegas, NV 89030 stated she had watched the neighborhood she lived in go back and forth from bad to good and at this time the neighborhood was very nice because the City had made property owners clean up their property and she felt by developing the corner of Carey Avenue and Commerce Street with townhomes would be a mistake, as it would bring crime back to the area. Ms. Fountain stated she was also speaking on behalf of **Mike Jerkins, 312 Rossmoyne Avenue, North Las Vegas, NV 89030**.

Robert and Delores Mellner, 432 Rossmoyne, North Las Vegas, NV 89030 stated she was opposed to the application as she felt it would bring crime back to the area.

Sharon Washington, 532 Duchess Avenue, North Las Vegas, NV 89030 stated she was opposed to the application as she felt the townhomes would become Section 8 housing and there would be more crime.

Tiffany Shorter, 305 Princess Avenue, North Las Vegas, NV 89030 stated she was opposed to the application as the proposed project would bring more traffic congestion and crime to the area. She also submitted a petition signed by residents in the area who were also opposed to the project.

Chairman Aston closed the Public Hearing.

Stephanie Allen stated she appreciated the comments from the residents of the neighborhood and addressed some of their concerns. The property to the north had not been developed and was part of a proposed development. She pointed out there was a significant buffer between where the residents lived and the site of the proposed project and any impact as far as height or set-back would be minimal and was willing to work with the neighbors regarding specific requests of further buffering. There was also a significant landscape buffer with meandering paths and walkways. She explained the townhomes were a for sale product and did not feel they would hurt surrounding property values and would be a nice addition to the area.

Commissioner Dean Leavitt stated he had mixed feelings about the project as he could see the benefit of the proposed project and also understood the concern of the residents and agreed there was less crime in the area and was disappointed with some of the City's departments, but indicted the Police Department had been doing a better of patrolling the area and felt a SEPTED analysis should have been done on the proposed project.

Commissioner Angelo Carvalho stated he agreed with the residents in the area of the proposed project and understood their concerns and was not in support of the application.

Ms. Allen stated she would continue the application to January 11, 2006 to continue to work with the neighbors to try to come up with a design they would be agreeable to.

Commissioner Jay Aston stated he was familiar with the history of the area around the site of the proposed development. He felt the product was nice but did not feel it was right for the area because it was apparent from the development to the west, that even single-family housing was not working in the area.

Commissioner Harry Shull agreed the project was not right for the area and was opposed to the application. He pointed out the project to the west was in trouble due to the financing and the way development was being done, not because the development was not right for the area.

Commissioner Aston asked Ms. Allen if she needed to meet with her client or if she had a time frame for the continuance. Ms. Allen responded she would like the application continued to January 11, 2006.

Commissioner Aston stated maybe some assurance could be given to the neighbors regarding for sale units and maybe to lessen the density a little, as he felt they had some valid concerns.

Commissioner Dilip Trivedi stated a residential project on the site would be better than commercial or industrial and asked the applicant the price point of the units. Ms. Allen responded that would depend on the market but townhomes were selling in the \$200,000's but was not sure.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 11, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

15. **ZN-84-05 (22887) INTEGRITY TOWNHOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY INTEGRITY PROPERTY SOLUTIONS, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 38 TOWNHOUSES. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-15-401-010. (CONTINUED NOVEMBER 9 AND 22, 2005)**

It was requested by the applicant to continue ZN-84-05 to January 11, 2006.

Chairman Jay Aston opened the Public Hearing. The following comments were carried forward from Item No. 14., AMP-58-05:

Pat Harris, 328 Duke Avenue, North Las Vegas, NV 89030 asked the Commission to deny the application as she felt the site was not large enough for 38 townhomes and it would add more traffic congestion at the intersection of Carey Avenue and Commerce Street. She was also concerned about the possibility of increased crime in the area.

Theresa Fountain, 505 Rossmoyne Avenue, North Las Vegas, NV 89030 stated she had watched the neighborhood she lived in go back and forth from bad to good and at this time the neighborhood was very nice because the City had made property owners clean up their property and she felt by developing the corner of Carey Avenue and Commerce Street with townhomes would be a mistake, as it would bring crime back to the area. Ms. Fountain stated she was also speaking on behalf of **Mike Jerkins, 312 Rossmoyne Avenue, North Las Vegas, NV 89030**.

Robert and Delores Mellner, 432 Rossmoyne, North Las Vegas, NV 89030 stated she was opposed to the application as she felt it would bring crime back to the area.

Sharon Washington, 532 Duchess Avenue, North Las Vegas, NV 89030 stated she was opposed to the application as she felt the townhomes would become Section 8 housing and there would be more crime.

Tiffany Shorter, 305 Princess Avenue, North Las Vegas, NV 89030 stated she was opposed to the application as the proposed project would bring more traffic congestion and crime to the area. She also submitted a petition signed by residents in the area who were also opposed to the project.

Chairman Aston closed the Public Hearing.

Stephanie Allen stated she appreciated the comments from the residents of the neighborhood and addressed some of their concerns. The property to the north had not been developed and was part of a proposed development. She pointed out there was a significant buffer between where the residents lived and the site of the proposed project and any impact as far as height or set-back would be minimal and was willing to work with the neighbors regarding specific requests of further buffering. There was also a significant landscape buffer with meandering paths and walkways. She explained the townhomes were a for sale product and did not feel they would hurt surrounding property values and would be a nice addition to the area.

Commissioner Dean Leavitt stated he had mixed feelings about the project as he could see the benefit of the proposed project and also understood the concern of the residents and agreed there was less crime in the area and was disappointed with some of the City's departments, but indicted the Police Department had been doing a better of patrolling the area and felt a SEPTED analysis should have been done on the proposed project.

Commissioner Angelo Carvalho stated he agreed with the residents in the area of the proposed project and understood their concerns and was not in support of the application.

Ms. Allen stated she would continue the application to January 11, 2006 to work with the neighbors to try to come up with a design they would be agreeable to.

Commissioner Jay Aston stated he was familiar with the history of the area around the site of the proposed development. He felt the product was nice but did not feel it was right for the area because it was apparent from the development to the west, that even single-family housing was not working in the area.

Commissioner Harry Shull agreed the project was not right for the area and was opposed to the application. He pointed out the project to the west was in trouble due to the financing and the way development was being done, not because the development was not right for the area.

Commissioner Aston asked Ms. Allen if she needed to meet with her client or if she had a time frame for the continuance. Ms. Allen responded she would like the application continued to January 11, 2006.

Commissioner Aston stated maybe some assurance could be given to the neighbors regarding for sale units and maybe to lessen the density a little, as he felt they had some valid concerns.

Commissioner Dilip Trivedi stated a residential project on the site would be better than commercial or industrial and asked the applicant the price point of the units. Ms. Allen

responded that would depend on the market but townhomes were selling in the \$200,000's but was not sure.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 11, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

16. **UN-122-05 (23263) CINGULAR WIRELESS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CINGULAR WIRELESS ON BEHALF OF INTERNATIONAL SMELTING COMPANY, PROPERTY OWNER, FOR A USE PERMIT IN AN R-E RANCH ESTATES DISTRICT TO ALLOW A TELECOMMUNICATIONS TOWER (MONOPALM) AND A MODIFICATION TO THE REQUIREMENT FOR A 200-FOOT SEPARATION FROM RESIDENTIAL PROPERTIES. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ELAINE STREET AND WITTIG AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 124-22-101-009. (CONTINUED NOVEMBER 22, 2005)**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending denial of UN-122-05 as the proposed cell tower site was surrounded on the north, east, west, and south by residential parcels and Staff believed allowing a monopalm and equipment shelter at this location would dictate future development of the surrounding areas. Staff felt it would be more appropriate to locate on one of the parcels zoned C-3, General Service Commercial to the west of the site, the parcel zoned PSP, the public school site located to the south of Dorrell Lane or the parcels at the northwest corner of Dorrell and Commerce Street which were rezoned to commercial and granted a use permit for a mini-warehouse facility. Any of the parcels close to the proposed site would appear to be more appropriate for a telecommunication tower.

John Wright of Cingular Wireless, 3763 Howard Hughes Parkway, Las Vegas, NV 89109 appeared on behalf of the applicant stating they were dispatched by Cingular Wireless to locate a suitable facility that would cover Clark County 215 in the north part of North Las Vegas and were given a map with a circle on it and told to find something in that area. Letters were sent to everyone in the area and two responses were received. They chose the location furthest to the north, as they needed to shoot up and down 215 and were able to come to an agreement with the landowner for the subject parcel and submitted an affidavit and request for the set-back waiver to the residential. He stated his engineers would not let him locate on the properties further to the south because they were too far south of the projected coverage area and it was necessary to stay as close to 215 as possible and asked for the Commission's approval. He added the applicant would be providing paved access from the proposed facility to Elaine Street down to Dorrell Lane and to the corner where the commercial property was.

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

Stephanie Allen of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of a property owner to the south of the proposed site, Storage West, stating, for the record, that the property owner

currently had Mountain Union Telecom, LLC, who had a pending application for a cellular tower on the C-2 parcels directly to the south of the proposed cell tower and would be more than happy to accommodate Cingular Wireless on their site.

Chairman Aston closed the Public Hearing.

Mr. Wright reiterated he had approached the engineers many times to move to a more acceptable parcel but was told they were too far south and would not work. They had talked to Mountain Union Telecom because they co-locate on four other towers but when they were looking, Mountain Union Telecom did not know if they would close the deal on that particular site, so they proceeded with the current application.

ACTION: DENIED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

AYES: Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: Chairman Aston

ABSTAIN: None

17. **VAC-36-05 (23442) GOLDFIELD II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TANEY ENGINEERING ON BEHALF OF WILLIAM LYON HOMES, INC., PROPERTY OWNER, TO VACATE A 10-FOOT-WIDE PORTION OF THE NORTHERLY SIDE OF LONE MOUNTAIN ROAD COMMENCING APPROXIMATELY 125 FEET EAST OF THE INTERSECTION OF DEEM DRIVE AND LONE MOUNTAIN ROAD AND PROCEEDING EAST APPROXIMATELY 150 LINEAL FEET. THE ASSESSOR'S PARCEL NUMBER IS 124-34-804-005. (CONTINUED DECEMBER 14, 2005)**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending approval of VAC-36-05 subject to the following condition:

1. The vacation must record concurrently with the final map. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.

Robert Cunningham, 4445 South Jones Boulevard, Las Vegas, NV 89103 stated he agreed with Staff recommendation but asked for two years to record the final map.

Clete Kus of Public Works stated Public Works would not have a problem extending recordation of the final map to two years.

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

Commissioner Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH CONDITION NO. 1 AMENDED TO READ:

1. THE VACATION MUST RECORD CONCURRENTLY WITH THE FINAL MAP. SHOULD THE ORDER OF VACATION NOT RECORD WITHIN TWO YEARS FROM THE APPROVAL DATE, THE VACATION SHALL BE DEEMED NULL AND VOID.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

18. **VAC-38-05 (23446) GOLDFIELD III (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TANEY ENGINEERING ON BEHALF OF GOLDFIELD 20, LLC, PROPERTY OWNER, TO VACATE A 10-FOOT-WIDE PORTION OF THE SOUTHERLY SIDE OF LONE MOUNTAIN ROAD COMMENCING AT GOLDFIELD ROAD AND PROCEEDING EAST APPROXIMATELY 625 LINEAL FEET TO DEEM DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-03-503-001. (CONTINUED DECEMBER 14, 2005)**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated staff was recommending approval of VAC-38-05 subject to the following condition:

1. The vacation must record concurrently with the final map. Should the Order of Vacation not record within one years from the approval date, the vacation shall be deemed null and void.

Robert Cunningham, 4445 South Jones Boulevard, Las Vegas, NV 89103 appeared on behalf of the applicant asking that Condition No. 1 be amended to allow the final map to record within two years.

Clete Kus of Public Works stated Public Works would not have a problem extending recordation of the final map to two years.

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

Commissioner Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH CONDITION NO. 1 AMENDED TO READ:

1. THE VACATION MUST RECORD CONCURRENTLY WITH THE FINAL MAP. SHOULD THE ORDER OF VACATION NOT RECORD WITHIN TWO YEARS FROM THE APPROVAL DATE, THE VACATION SHALL BE DEEMED NULL AND VOID.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

19. **SPR-63-05 (23421) DECATUR HORSE CENTER. AN APPLICATION SUBMITTED BY GENEVIEVE RAMIREZ, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A REDUCTION IN A FOUNDATION LANDSCAPING. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF HORSE DRIVE AND DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-07-301-009. (CONTINUED DECEMBER 14, 2005)**

Withdrawn by the applicant.

Item No. 20 was heard next.

20. **SPR-62-05 (23397) CENTENNIAL AND COMMERCE. AN APPLICATION SUBMITTED BY CCD TEMPLE, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO ALLOW A WAIVER TO PLACE AIR CONDITIONING CONDENSERS ON ROOFS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ROME BOULEVARD AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-813-001 THRU 124-22-813-085. (CONTINUED DECEMBER 14, 2005)**

It was requested by the applicant to continue SPR-62-05 indefinitely.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

AYES: Chairman Aston, Commissioners Leavitt, Shull, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

Item No. 3 was heard next.

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Jory Stewart, Planning & Zoning Director handed out Draft copies of the North Fifth Street Land Use Plan for the Commission to review and asked them to Call Ned Thomas with any questions.

CHAIRMAN'S BUSINESS

Commissioner Harry Shull stated his Son and Grandson were in the audience.

ADJOURNMENT

The meeting adjourned at 7:54 p.m.

APPROVED: January 25, 2006

/s/ Jay Aston
Jay Aston, Chairman

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