

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

January 11, 2006

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

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

**CALL TO ORDER:** 6:03 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 - Absent  
Commissioner Steve Brown - Absent  
Commissioner Dilip Trivedi - Present  
Commissioner Angelo Carvalho - Present

**STAFF PRESENT:** Jory Stewart, Planning & Zoning Director  
Marc Jordan, Planning Manager  
Robert Eastman, Principal Planner  
Terence Capers, Planner  
Nick Vaskov, Deputy City Attorney II  
Randy Cagle, PW, Real Property Services Manager  
Madeleine Jabbour, Public Works  
James Frater, Fire Department  
Tony Taylor, Parks Planner  
Jo Ann Lawrence, Recording Secretary

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

**PLEDGE OF ALLEGIANCE:** Commissioner Angelo Carvalho

**WELCOME:** Chairman Jay Aston

**MINUTES**

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF DECEMBER 13, 2005.**

ACTION: APPROVED

MOTION: Commission Leavitt

SECOND: Chairman Jay Aston

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

NAYS: None

ABSTAIN: Commissioner Carvalho

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF DECEMBER 14, 2005.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**CONSENT AGENDA**

A. **PW-01-06 (24164) REINHARDT SFR: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY HANS & MARGARET J. REINHARDT AND ACCEPT THE CASH-IN-LIEU OF BOND IN THE AMOUNT OF \$13,624.45.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**B. PW-02-06 (24165) GOWAN ROAD IMPROVEMENTS: APPROVE THE COMMERCIAL DEVELOPMENT OFF-SITE IMPROVEMENTS AGREEMENT BY LAS VEGAS PAVING CORPORATION AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$85,780.55.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**C. PW-03-06 (24166) CENTENNIAL & COMMERCE PARCEL MAP: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY LAGRANGE, LLC AND ACCEPT THE IRREVOCABLE STANDBY LETTER OF CREDIT IN THE AMOUNT OF \$600,000.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**D. PW-04-06 (24167) SHADOW SPRINGS, PHASE 2, UNIT 6: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY FIDELITY & DEPOSIT COMPANY OF MARYLAND TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$915,927.93.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**E. PW-05-06 (24168) TONOPAH SUBSTATION: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY FIDELITY & DEPOSIT COMPANY OF MARYLAND TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$40,413.23.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**F. PW-06-06 (24169) FIFTH & FARM, UNIT 1A: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY FIDELITY & DEPOSIT COMPANY OF MARYLAND TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$1,203,788.74.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**G. PW-07-06 (24171) FIFTH & FARM, UNIT 1B: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY FIDELITY & DEPOSIT COMPANY OF MARYLAND TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$276,823.03.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**H. PW-08-06 (24172) FIFTH & FARM, UNIT 1C: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY FIDELITY & DEPOSIT COMPANY OF MARYLAND TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$260,926.05.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**I. PW-09-06 (24173) CAMINO AL NORTE OFFICE PARK: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY CAMINO AL NORTE VENTURES, LLC AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$209,297.88.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**Item No. 11 was heard next.**

**NEW BUSINESS**

1. **AMP-01-06 (23852) CENTENNIAL ESTATES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STANDARD PACIFIC HOMES, ON BEHALF OF STANDARD PACIFIC LAS VEGAS, INC., 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 DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DONNA STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-23-401-002.**

Item Nos. 1 and 2 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of AMP-01-06.

**Dean Rasmuson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89117** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

- **Tony Mosti, 920 Rome Boulevard, North Las Vegas, NV 89086** stated he was in favor of the proposed project.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

2. **ZN-02-06 (23853) CENTENNIAL ESTATES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STANDARD PACIFIC HOMES, ON BEHALF OF STANDARD PACIFIC LAS VEGAS, INC., PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT AND A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DONNA STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-23-401-002.**

Item Nos. 1 and 2 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-02-06.

**Dean Rasmuson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89117** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

- **Tony Mosti, 920 Rome Boulevard, North Las Vegas, NV 89086** stated he was in favor of the proposed project.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

3. **ZN-04-05 (23710) RIVERWALK RANCH TWILIGHT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY D. R. HORTON, INC., PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ELIMINATE LANDSCAPING IN THE 5-FOOT PLANTING AREA BETWEEN RETAINING WALLS ALONG THE DRAINAGE CHANNEL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF TROPICAL PARKWAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-203-002.**

The application was presented by Terence Capers, Planner on behalf of Staff who indicated Staff was recommending that ZN-04-05 be denied.

The applicant was not present.

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

Chairman Aston closed the Public Hearing.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Chairman Aston recognized Sam Chambers, Assistant City Manager.



**4. UN-01-06 (23821) IMAGINE COMSTOCK SCHOOL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LENORA FRAZIER-WILLIAMS, ON BEHALF OF SCHOOLHOUSE FINANCE, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A CHARTER SCHOOL. THE PROPERTY IS GENERALLY LOCATED WEST OF COMSTOCK DRIVE AND APPROXIMATELY 250 FEET SOUTH OF CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-21-101-002.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-01-06 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 of this site shall be in compliance with all Codes and Ordinances in effect at the time of building permit issuance. If there is a conflict with the conditions mention herein, the more restrictive shall apply.
3. 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.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. City of Las Vegas concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
8. 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.

9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. Fire access lanes shall be located in accordance with Fire Code Requirements.
11. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

**Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw and Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> 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: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Marc Jordan, Planning Manager reminded the applicant that the item would be forwarded to City Council for final consideration because it was a school.

5. **UN-03-06 (23846) ANN & ALLEN CONVENIENCE STORE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE OFFICES AT ANN ALLEN COMMONS, LLC, ON BEHALF OF THE OFFICES AT ALIANTE COMMONS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE WASHING ESTABLISHMENT (DRIVE-THRU). THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-802-021.**

Item Nos. 5 and 6 were presented together.

The application was presented by Terence Capers, Planner on behalf of Staff who indicated Staff was recommending approval of UN-03-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That UN-03-06 is site specific and non-transferable.
3. Development of the site shall comply with the Commercial Development Standards and Design Guidelines.
4. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road and Allen Lane.

9. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
10. The property owner is required to sign a restrictive covenant for utilities.
11. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
12. All off-site improvements must be completed prior to final inspection of the first building.

**Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> 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: Commissioner Carvalho**

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

**NAYS: None**

**ABSTAIN: None**

6. **UN-04-06 (23845) ANN & ALLEN CONVENIENCE STORE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE OFFICES AT ANN ALLEN COMMONS, LLC, ON BEHALF OF THE OFFICES AT ALIANTE COMMONS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-802-021.**

Item Nos. 5 and 6 were presented together.

The application was presented by Terence Capers, Planner on behalf of Staff who indicated Staff was recommending approval of UN-04-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That UN-04-06 is site specific and non-transferable.
3. Development of the site shall comply with the Commercial Development Standards and Design Guidelines.
4. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road and Allen Lane.

9. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
10. The property owner is required to sign a restrictive covenant for utilities.
11. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
12. All off-site improvements must be completed prior to final inspection of the first building.

**Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> 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: Commissioner Carvalho**

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

**NAYS: None**

**ABSTAIN: None**

7. **UN-85-01 (23818) CENTENNIAL MARKETPLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF CENTENNIAL LOSEE CENTER, LLC AND SAINT MARKS PLACE, LLC, PROPERTY OWNERS, FOR AN EXTENSION OF TIME ON A PREVIOUSLY APPROVED USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE STORE WITH GAS PUMPS AND CAR WASH. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LOSEE ROAD AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-24-401-001 AND 124-24-401-002.**

The application was presented by Terence Capers, Planner on behalf of Staff who indicated Staff was recommending UN-85-01 be denied as the application does not comply with SPR-55-05. Should the Planning Commission desire approval, Staff recommends the following conditions:

1. Standard Conditions: 10, 11, and 12.
2. That the use permit shall be valid only upon Planning Commission approval of a site plan for the overall shopping center.
3. That building elevations shall be revised to be more consistent with the proposed restaurant/lounge at the subject site as well as the overall shopping center.
4. That the gas canopy match the building in design, material and finish.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
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. One driveway will be permitted on Centennial Parkway. The driveway will be limited to right in/right out movements.

10. Driveways permitted on Losee Road must meet the standards set forth in the *City of North Las Vegas Municipal Code* section 17.24.130 and shall be limited to right in/right out movements, except at the mid-block location where a left turn into the development may be acceptable. Full access to Losee Road will not be permitted.
11. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway and Losee Road.
12. 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.
13. 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 or 234.3.
14. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100.B:
  - a. Centennial Parkway
  - b. Losee Road
  - c. Rome Boulevard
15. All required right-of-way dedications shall be completed within forty-five (45) days or this application shall become null and void.
16. The Rome Boulevard geometrics shall be designed and constructed per the *City of North Las Vegas 60' Standard Street Section with Offset Sidewalk*.
17. 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.
18. The property owner is required to grant a roadway easement for commercial driveway(s).
19. 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.



20. A revocable encroachment permit for landscaping within the public right of way is required.
21. 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.
22. The property owner is required to sign a restrictive covenant for utilities.
23. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code* and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
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 with the first phase of development.

**George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant stating they were asking to extend the use permit for the convenience store so, if the deal with CVS Pharmacy was not completed, they would go back to the convenience store and would amend the site plan as necessary to reflect a convenience store on the corner and asked for the Commission's approval.

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

Chairman Aston closed the Public Hearing.

Chairman Aston asked if Public Work's concern was on the convenience store or the pharmacy. Mr. Capers responded Public Works had issues with the site plan that was submitted for the convenience store with gas pumps. Chairman Aston asked for Public Works to comment on the application. Randy Cagle of Public Works responded Public Works had issues with driveway locations and some other issues. The site plan had not been fully reviewed. Chairman Aston asked if the application was not for a site plan review, why issues were being raised regarding the site plan. Marc Jordan, Planning Manager responded there was a use permit approved for a convenience store and gas pumps, which was approved in 2001 and since that time, the applicant submitted a site plan review that did not show the convenience store, which was approved and is active at this time, therefore, Staff was recommending denial of the extension of time because it was not part of the site plan review.

Mr. Garcia stated if the use permit were approved and the applicant came back with a convenience store, they would apply for a new site plan review.

Chairman Aston stated if the use permit were extended, the applicant would still need to come in with a new site plan.

Commissioner Dean Leavitt asked Mr. Jordan if he stated the convenience store had never been part of the site plan review. Mr. Jordan responded that was correct. The site plan was approved last year and did not show a convenience store at the corner of Losee Road and Centennial Parkway. Mr. Garcia stated a site plan was submitted with the zoning and the use permit, with the understanding it was not a final site plan.

Chairman Aston asked Staff if the conditions of approval include a condition that the site plan would have to be revised and brought back before the Commission. Mr. Jordan responded a condition could be added to that effect. Chairman Aston recommended adding that as a condition.

Marc Jordan read Condition No. 26 into the record as follows:

26. Prior to the applicant obtaining a building permit, a site plan review for the entire site shall be reviewed and approved by the Planning Commission.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE ADDITION OF CONDITION NO. 26 TO READ:

26. PRIOR TO THE APPLICANT OBTAINING A BUILDING PERMIT, A SITE PLAN REVIEW FOR THE ENTIRE SITE SHALL BE REVIEWED AND APPROVED BY THE PLANNING COMMISSION.

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Carvalho

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

**NAYS:** None

**ABSTAIN:** None

8. **ZN-34-97 (23819) MEADOWS BUILDING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY FLETCHER H. MAJORS ALC, ON BEHALF OF THE MEADOWS HOSPITAL, LLC AND NLV HEALTHCARE DEVELOPMENT, LP, PROPERTY OWNERS, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD PLANNED UNIT DEVELOPMENT DISTRICT TO REMOVE CONDITION #19 OF THE ORIGINAL ORDINANCE, WHICH WOULD ALLOW THE RETAIL PAD TO BE BUILT BEFORE THE PRINCIPAL BUILDING. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF TROPICAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-605-002, 124-26-605-004 AND 124-26-605-005.**

The application was presented by Terence Capers, Planner on behalf of Staff who indicated Staff was recommending denial of ZN-34-97.

**Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating an amendment to the PUD was requested to allow a bank to be built before the hospital. The applicant has entered into a joint venture agreement with Iasis Group. Iasis also operates the North Vista Hospital in North Las Vegas. Some of the people involved in the hospital site are also involved with the Board of Directors for Bank West. Through their relationships, they are trying to bring in some other uses to the site, so they are asking that the bank be allowed to be built prior to the hospital. The use would be complimentary to the medical offices and hospital and asked for the Commission's approval. Ms. Lazovich did not agree with the condition recommended by Staff if the application were approved.

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

Chairman Aston closed the Public Hearing.

Chairman Jay Aston asked which buildings had already been approved. Ms. Lazovich responded an amendment to allow two medical office buildings to be built before the hospital had already been approved by City Council. Chairman Aston asked what stipulations were required as far as the off-site improvements for the medical buildings. Ms. Lazovich responded there was not a specific condition regarding the off-site improvements. Chairman Aston asked if the Commission just looked at the improvements along Losee Road, if the applicant would agree to that. Ms. Lazovich asked for a couple of minutes to consider the question.

Randy Cagle of Public Works explained the intent of the condition was for the improvements on the parcel where the drug store and bank site were, adjacent to those two buildings on the corner of Losee Road and Tropical Parkway.

Ms. Lazovich stated they understood the condition to be all of the off-sites on the project so they had not talked to their client about the interpretation given by Mr. Cagle, so she could not say whether or not she was agreeable because she had not discussed it with her client. Mr. Cagle stated the off-site improvement requirements were imposed by the Director of Public Works and it probably did not need to be discussed at this point.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITION.

**MOTION:** Commissioner Leavitt

**SECOND:** Vice-Chairman Cato

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

**NAYS:** None

**ABSTAIN:** None

9. **AMP-03-06 (23855) ROME & GOLDFIELD II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BLUE HERON, ON BEHALF OF DIAMOND CREEK ESTATES, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MHDR MEDIUM HIGH DENSITY RESIDENTIAL TO VHDR VERY HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF NORTH FIFTH STREET AND ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-22-701-009.**

Item Nos. 9 and 10 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of AMP-03-06.

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

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

- **Bill Bowes, 6544 Butterfly Sky, North Las Vegas, NV 89084 and Bobbie Stegeman, 6509 Butterfly Sky Street, North Las Vegas, NV 89084** appeared on behalf of the Shadow Crossings Home Owners Association. Mr. Bowes stated there was a lot of crime in their community and was opposed to higher density housing. Ms. Stegeman stated in the past three or four months, they had been trying to get their neighborhood to the point where this type of development might be okay in the future, but at this point, they were seeing a high rate of crime in their community and she felt higher density at this time would increase the problems in the area rather than helping to fix them.

Chairman Aston explained, in looking at the plan for North 5<sup>th</sup> Street, the Commission was excited about it and as there was more development up and down the corridor, it would help increase the property values in the area.

Mr. Bowes asked if a site plan was required before the development was approved. Mr. Aston responded the current application was for the master plan and the zoning. Mr. Bowes stated the HOA was opposed to the application.

Chairman Aston closed the Public Hearing.

Ms. Lazovich stated they still had to submit a site plan review, so the residents would have an opportunity to see what would be built. She stated there would be some type of mid-rise, which would look nice and fit in well with the area. She could not guarantee what would be in the site plan review, but the question would be answered at that time. She stated that on North 5<sup>th</sup> Street, south of Centennial Parkway, a couple of different apartment projects had been approved, so there would be a mixture of uses.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

10. **ZN-03-06 (23857) ROME & GOLDFIELD II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BLUE HERON, ON BEHALF OF DIAMOND CREEK ESTATES, 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 NORTHWEST CORNER OF NORTH FIFTH STREET AND ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-22-701-009.**

Item Nos. 9 and 10 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-03-06.

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

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

- **Bill Bowes, 6544 Butterfly Sky, North Las Vegas, NV 89084 and Bobbie Stegeman, 6509 Butterfly Sky Street, North Las Vegas, NV 89084** appeared on behalf of the Shadow Crossings Home Owners Association. Mr. Bowes stated there was a lot of crime in their community and was opposed to higher density housing. Ms. Stegeman stated in the past three or four months, they had been trying to get their neighborhood to the point where this type of development might be okay in the future, but at this point, they were seeing a high rate of crime in their community and she felt higher density at this time would increase the problems in the area rather than helping to fix them.

Chairman Aston explained, in looking at the plan for North 5<sup>th</sup> Street, the Commission was excited about it and as there was more development up and down the corridor, it would help increase the property values in the area.

Mr. Bowes asked if a site plan was required before the development was approved. Mr. Aston responded the current application was for the master plan and the zoning. Mr. Bowes stated the HOA was opposed to the application.

Chairman Aston closed the Public Hearing.

Ms. Lazovich stated they still had to submit a site plan review, so the residents would have an opportunity to see what would be built. She stated there would be some type of mid-

rise, which would look nice and fit in well with the area. She could not guarantee what would be in the site plan review, but the question would be answered at that time. She stated that on North 5<sup>th</sup> Street, south of Centennial Parkway, a couple of different apartment projects had been approved, so there would be a mixture of uses.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**Item No. 14 was heard next.**



11. **AMP-02-06 (23872) RACEWAY BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CROSS CREEK DEVELOPMENT, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS, TO REMOVE SHATZ STREET BETWEEN ANN ROAD AND EL CAMPO GRANDE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-002.**

It was requested by the applicant to continue AMP-02-06 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: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

12. **T-1234 (23854) RACEWAY BUSINESS PARK. AN APPLICATION SUBMITTED BY CROSS CREEK DEVELOPMENT, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2 GENERAL INDUSTRIAL DISTRICT CONSISTING OF ONE (1) LOT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND HOLLYWOOD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-002.**

It was requested by the applicant to continue T-1234 to January 25, 2006.

ACTION: CONTINUED TO JANUARY 25, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

13. **VAC-01-06 (23874) RACEWAY BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CROSS CREEK DEVELOPMENT, LLC, PROPERTY OWNER, TO VACATE A 33-FOOT-WIDE EASEMENT ON THE EASTERLY SIDE OF SHATZ STREET AND TO VACATE THE DEDICATED 30 FEET OF RIGHT-OF-WAY ON SHATZ STREET BETWEEN ANN ROAD AND EL CAMPO GRANDE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-002.**

It was requested by the applicant to continue VAC-01-06 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, Vice-Chairman Cato, Commissioners Leavitt, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

14. **ZN-01-06 (23606) CENTENNIAL/BEESELY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICHARD CRANE, ON BEHALF OF ESTHER ETSUKO O'CONNELL TRUST, JAMES AND LINDA MCCLUNG, AND SHIRLEY R. CAMERON, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN O-L OPEN LAND DISTRICT TO AN M-2 GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED WEST OF BEESELY DRIVE AND APPROXIMATELY 350 FEET SOUTH OF CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 123-27-101-012.**

It was requested by the applicant to continue ZN-01-06 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, Vice-Chairman Cato, Commissioners Leavitt, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

**Item No. 28 was heard next.**

**Chris Givant, 6757 West Charleston, Las Vegas, NV 89146** asked who requested ZN-01-06 be continued, as she had just spoken to the applicant prior to the meeting and thought the application was being heard at this meeting.

Marc Jordan, Planning Manager stated he did not have a request to continue ZN-01-06.

Chairman Jay Aston asked for a motion to reopen the hearing on ZN-01-06.

ACTION: REOPEN ITEM NO. 14, ZN-01-06

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None  
ABSTAIN: None

The hearing on ZN-01-06 was reopened.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-01-06.

**Kris Givant, 6757 West Charleston Blvd. Suite B, Las Vegas, NV 89146** 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: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**Item No. 15 was heard next.**

15. **VN-01-06 (23814) MENDOZA RESIDENCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICARDO MENDOZA-RAMOS AND CHRISTINE MENDOZA, PROPERTY OWNERS, FOR A VARIANCE IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 5-FOOT CORNER SIDE YARD SETBACK, WHERE 10 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 3904 WEST DELHI AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-07-711-008.**

The application was presented by Terence Capers, Planner on behalf of Staff who indicated Staff was recommending denial of VN-01-06 as the applicant had not proven any physical hardship on the property.

**Christine Mendoza, 3904 West Delhi Avenue, North Las Vegas, NV 89032** stated they wanted to expand the size of their home as the high cost of housing prohibited them from buying a larger home. The proposed addition was five foot over the 10 foot setback allowed from the property line, but should not interfere with the neighborhood and should not obstruct visibility at the corner.

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

Chairman Aston closed the Public Hearing.

Chairman Aston asked the applicant to show a copy of the plot plan. He asked if there was 20 feet from the front of the garage to the street. Ms. Mendoza responded that was correct. Chairman Aston asked the depth of the garage. Ms. Mendoza responded it was the size of a standard two-car garage and she agreed with Chairman Aston that the depth was probably approximately 20 feet. Chairman Aston asked if the rear of the garage was even with the house. Ms. Mendoza responded it was. Chairman Aston asked Public Works, Traffic, since the addition was 40 feet from the street if there were any line of site issues. Madeleine Jabbour responded the site visibility triangle must be maintained, so they would need at least 20 feet from the property line. Chairman Aston asked if there was landscaping between the sidewalk and the block wall. Ms. Mendoza stated there was concrete all the way up to the block wall. Chairman Aston asked if Staff could recommend approval, if the applicant was willing to add landscaping on the side of the home.

Marc Jordan, Planning Manager stated they were always willing to entertain landscaping next to the home and the sidewalk, the problem was, the applicant needed to demonstrate hardship and with the property being rectangular in size, if the variance was approved, they would be getting something the other residents in the development did not enjoy and could set a precedence for future expansion of other homes in the development.

Chairman Aston stated from the site plan, it looked like the applicants' home was further from the sidewalk than the home behind it. Mr. Jordan stated from looking at the site plan, it appeared the applicant's home was probably 15 feet from the sidewalk, which was five feet more than what was required, so the lot behind, may meet the minimum setback of 10 feet.

Commissioner Dean Leavitt asked the applicant what was currently in her back yard. Ms. Mendoza responded the yard had artificial turf and a play area.

Commissioner Dilip Trivedi asked the minimum rear setback requirement. Mr. Jordan responded the minimum requirement was 15 feet. He added, the minimum front setback requirement for the living space was 15 feet, so there would be an area in the front of the home approximately 25 feet in which they could expand and meet all setback requirements.

Ms. Mendoza stated they had considered that and had spoken to several builders but because of the way the housing was in the neighborhood, and the roof lines, it would be much more expensive to add to the front of the home than it would be to add on to the side or the rear.

Commissioner Leavitt explained he understood the applicant's situation but, was concerned, if this expansion was allowed, it would set a precedent for future additions of this type. He also asked the applicant if they had already had architectural plans drawn up. Ms. Mendoza responded they had.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: Chairman Aston

ABSTAIN: None

16. **ZOA-14-05 (23370) AMEND TITLE 17 (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY DURA-KOOL ALUMINUM PRODUCTS, INC. TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 17.20.020 (R-E), SECTION 17.20.030 (R-EL), SECTION 17.20.040 (R-1), SECTION 17.20.060 (R-2), AND SECTION 17.20.070 (R-3), TO SPECIFY THAT A COVERED PATIO NOT ENCROACH CLOSER THAN 5 FEET TO THE SIDE AND REAR YARD PROPERTY LINES, MEASURED TO THE POST, WITH A MAXIMUM 2-FOOT OVERHANG; ALSO TO AMEND SECTION 17.24.050(G)(1) TO ADD THE TEXT, "MEASURED TO THE SUPPORTING POSTS WITH A MAXIMUM 2-FOOT OVERHANG"; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending that ZOA-14-05 be denied because from an aesthetic purpose and for landscaping purposes, landscaping would be very difficult to be installed or to be allowed to grow within the three feet.

**Cole Frick, 5325 South Polaris Street, Las Vegas, NV 89118** appeared on behalf of the applicant stating as the City continued to grow, the lot sizes were becoming smaller; therefore, the rear setbacks were becoming smaller. He showed instances in Phoenix, AZ where three feet was required and Los Angeles, CA where two feet was required from the end of the patio cover and three feet to the support post. He stated the City of Henderson was more restrictive but the section on patio covers says a patio cover can come within five feet of the rear property line and also allows a 20 inch overhang to go into the encroachment, as long as there was a five foot masonry fence around the rear of the property, which they were not opposed to. The City of Las Vegas measures from the supporting post; however, the overhang of a patio may not extend closer than three feet from the property line. The County measured from the property line to the end of the cover but when the setbacks are measured for a home, the measurement is to the actual home, not the eave. As of October, 2005, the County changed their rules to allow a two foot overhang, measuring from the property line to the post.

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

- **Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas, NV 89081** stated he bought in an R-1 neighborhood because he did not like the "California style setbacks" where they are next to nothing. He stated the eaves on a home were typically 12 to 15 inches, which was a lot less than two feet. Mr. Sauer felt the requested change was about profit and trying to get more home on the same amount of property and was adamantly opposed to this application.



Chairman Aston closed the Public Hearing.

Mr. Frick stated, in response to Mr. Sauer's comments, the issue was not about profit, the residents were not happy with a small patio cover.

Chairman Jay Aston asked Staff if the proposed text amendment was product specific or setback specific. Mr. Eastman responded the amendment was setback specific and allowed an intrusion of a patio cover and was not specific to this manufacturer.

Chairman Aston asked if the Fire Department had any concerns. James Frater of the Fire Department responded the National Standard of the International Building Code allowed up to three feet from the property line without any rated construction, so if this was treated similarly, the Fire Department would not have any issues.

Chairman Aston asked Staff's major concern with the requested amendment. Mr. Eastman responded the main concern was the aesthetic look to the neighborhood and the impact it would have on any proposed landscaping residents would have in their yard. If a patio cover was installed that extended to within three feet of the property line, landscaping would be minimal.

Commissioner Dean Leavitt stated the applicant represented this would only apply to back yards that had a block wall fence and asked if that representation was correct. Mr. Eastman responded spine walls were not required, perimeter walls were required, so if a home backed up to a perimeter wall, then his representation was correct; however, if there was an interior wall, the rear wall would not be required by the design standards, then there potentially could be no wall between two homes. Commissioner Leavitt asked if the lots that had aluma wood or a vinyl fencing would be considered in the same text as a block wall. Mr. Eastman responded they would.

**ACTION:** APPROVED

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Carvalho

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

**NAYS:** Vice-Chairman Cato

**ABSTAIN:** None

**17. ZOA-01-06 (23875) CNLV - APPEALS (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS, TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 17.28.050, TO ALLOW THE CITY MANAGER OR THEIR DESIGNEE TO APPEAL DECISIONS OF THE PLANNING COMMISSION; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of ZOA-01-06.

Chairman Jay Aston recognized Councilman Shari Buck.

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, Vice-Chairman Cato, Commissioners Leavitt, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

18. **ZOA-02-06 (23876) CNLV - VARIANCES (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS, TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 17.28.030(B), TO DELETE THE WORDS "OR PARCELS", MAKING A VARIANCE PARCEL SPECIFIC, THEREBY NOT ALLOWING MULTIPLE PARCELS TO BE AFFECTED BY A SINGLE VARIANCE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of ZOA-02-06

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, Vice-Chairman Cato, Commissioners Leavitt, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

19. **FDP-01-06 (23712) RUNVEE HOBART 3B. AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES ON BEHALF OF R & S WASHBURN LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 239 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND WALNUT ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-30-701-002.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending continuance of FDP-01-06 to the February 8, 2006 Planning Commission meeting to allow Staff time to review revisions submitted during the past week.

**Dean Rasmuson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89117** appeared on behalf of the applicant stating the project was on its final leg and it was critical to keep the project moving. Mr. Rasmuson stated the changes to the plan were very minor as follows: The landscape architect had not shown the meandering sidewalk along Walnut Road, so that had been added; the landscape architect failed to show the appropriate plant material, which is governed by code and the items listed in the Staff Report can be incorporated into the development without causing major modifications; synthetic lawn was shown in the open space area and he was willing to change that to turf; the optional three story dwellings had been eliminated; he stated they had met with Public Works Traffic Department and were given the suggestion to use textured colored concrete at the intersections as traffic calming devices, but the landscape architect had not included those.

Chairman Jay Aston asked for Public Works comments regarding the applicant's comments. Madeleine Jabbour of Public Works responded she had not seen any plans showing traffic calming devices on the project and was not sure if the applicant might have met with someone else in the Public Works Department. Mr. Rasmuson stated he had met with Kevin Futch, who had asked for stamped colored concrete at all intersections as the traffic calming device. Ms. Jabbour stated she had not seen the revised plan, and would like to see the plan before approval was granted. Randy Cagle of Public Works stated it did not appear there would be a final map, ready for approval, before the February 8, 2006 Planning Commission Meeting, so he felt a continuance should not be a problem. The flood control channel agreement still needed to be addressed, and as of this time, had failed to do that. It would take several weeks to get that issue resolved.

Commissioner Dilip Trivedi asked if turf was still being recommended. Chairman Aston responded Staff was willing to remove the turf and allow synthetic lawn.

Chairman Aston stated since Staff was not ready for the application to move forward, it should be continued and asked if two weeks was enough time to resolve all of the issues. Staff indicated it should be continued to February 8, 2006.

ACTION: CONTINUED TO FEBRUARY 8, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**20. T-1233 (23830) LONE MOUNTAIN ESTATES III. AN APPLICATION SUBMITTED BY CELEBRATE HOMES, ON BEHALF OF CELEBRATE HOMES 43 LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATES DISTRICT CONSISTING OF 16 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-32-401-005 AND 124-32-401-006.**

The application was presented by Terence Capers, Planner on behalf of Staff who indicated Staff was recommending continuance to allow the applicant sufficient time to address Staff concerns as stated in the Staff Report. If the Commission desires to approve T-1233, the following conditions are recommended:

1. Unless expressly authorized through a variance, waiver or another approved method; the development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Single-Family Development Design Standards, including but not limited to the following:
  - a. Corner lot landscaping to be provided along Lots 13, 14, 15 and 16.
  - b. The proposed private drainage easement from "E" Street to Kenny Way will also need to serve as pedestrian access and comply with Section 17.24.210.D.4.a.
3. That the tentative map be redesigned with Lots 13 and 14 fronting "E" Street and Lots 15 and 16 fronting "C" Street.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. 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.
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. The applicant shall construct half street improvements along the frontage of APN 124-32-401-004.

8. Right-of-way dedication and construction of a CAT bus turn-out is required on Allen Lane near Lone Mountain Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
9. Adjacent to any eighty (80) foot right-of-way, a common lot and/or landscape and pedestrian access easement , with a minimum width of five (5) feet, shall be provided behind the required bus turn-out.
10. Approval of a traffic study is required prior to submittal of the civil improvement plans.
11. A queuing analysis is required if the community is to be gated.
12. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Allen Lane and Lone Mountain Road.
13. 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. Allen Lane
  - b. Lone Mountain Road
  - c. Verde Way
  - d. Kenny Way
14. A minimum right-of-way width of 60 feet shall be provided for the subdivision entrance street.
15. Sixty (60) foot minor residential collector streets, including the subdivision entrance streets, shall be designed and constructed per the *City of North Las Vegas 60' Standard Street Section with Offset Sidewalk*.
16. The property owner is required to grant roadway easements where public and private streets intersect.
17. All common elements shall be labeled and are to be maintained by the Home Owners Association.
18. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.

19. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
20. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
21. A revocable encroachment permit for landscaping within the public right of way is required.
22. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
23. Proposed residential driveway slopes shall not exceed twelve percent (12%).
24. 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.

**Marc Jones, 3610 North Rancho Road, Las Vegas, NV 89130** appeared on behalf of the applicant stating he concurred with all of Staff recommended conditions except for Condition No. 2.b. He asked that the condition be deleted as they did not want the public accessing the neighborhood from that area as it was intended to be used for drainage. He also asked for Condition No. 3 to be deleted as traffic would not be a circulation problem, and it was common to have an entrance coming into a subdivision with lots facing the entrance street.

Commissioner Leavitt was in support of the application with the deletion of Condition Nos. 2.b and 3.

Jory Stewart, Planning & Zoning Director indicated the intent of Condition No. 2.b was not to provide public access to the neighborhood but to provide the neighborhood access to the street, with the idea being to encourage walking rather than getting in the car to drive out of the neighborhood, children walking out to the sidewalk going to a neighboring community and would not need to walk all through the neighborhood to one entrance. The entrance was not intended to be public access, but pedestrian access to promote walkability within the development and to have ingress and egress out of the neighborhood.

Mr. Jones explained it was a drainage easement and they preferred not to have the nuisance flow in the access and they were providing ample space for public access at that entrance to the project. If the project were larger, he would agree with Staff, but there were only sixteen homes in the community.



Chairman Aston asked if the drainage channel was concrete. Mr. Jones responded the flood study had not been done, so they were not sure. There was a nuisance drain in there, so they can provide other improvements. Chairman Aston stated Condition No. 2.b could be left open so it could be discussed later with Staff. Mr. Jones asked how that would be put into the record. Chairman Aston stated the wording, "or as approved by the Director of Public Works" would be added to the end of the condition. Mr. Jones was agreeable to the amendment to Condition No. 2.b.

Mr. Jones asked for clarification on Condition No. 1. He asked if the application were being conditioned, and the code said something different, if the code overrode the conditions. Nick Vaskov, Deputy City Attorney explained the specific conditions would supercede the general conditions.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 3 AND CONDITION NO. 2.b AMENDED TO READ:

2.b. THE PROPOSED PRIVATE DRAINAGE EASEMENT FROM "E" STREET TO KENNY WAY WILL ALSO NEED TO SERVE AS A PEDESTRIAN ACCESS AND COMPLY WITH SECTION 17.24.210.D.4.a OR AS APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

There was a break in proceedings at 7:57 p.m.

The meeting reconvened at 8:12 p.m.

21. **T-1235 (23851) ANN & NORTH 5<sup>TH</sup> COMMERCIAL. AN APPLICATION SUBMITTED BY KENNEDY COMMERCIAL ON BEHALF OF ANN FIFTH INVESTORS LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF ONE (1) RETAIL COMMERCIAL LOT . THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-34-502-001.**

The application was presented by Terence Capers, Planner on behalf of Staff who indicated Staff was recommending approval of T-1235 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 proposed tentative map shall comply with all the conditions of approval of ZN-44-02 and FDP-27-05.
3. 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 5<sup>th</sup> Street
  - b. Ann Road
4. Right-of-way dedication and construction for a flared intersection, including a right turn lane, is required at Ann Road and North 5<sup>th</sup> Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
5. The North 5<sup>th</sup> Street section and geometrics are subject to review and approval of the Director of Public Works, or his designee.
6. All development along North 5<sup>th</sup> Street shall provide a twenty foot landscape and pedestrian access easement/common element adjacent to the right-of-way.
7. The North 5<sup>th</sup> Street access is limited to right in/right out.
8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along North 5<sup>th</sup> Street and Ann Road.

9. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
10. All street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
11. 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.
12. Approval of a drainage study is required prior to submittal of the civil improvement plans.
13. Acceptance of this Tentative Map shall not be construed to be approval of any flood control/storm drain facilities shown; approval of any drainage concepts or facilities are contingent upon the approval of the Technical Drainage Study for the development.
14. 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.
15. 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.
16. Approval of a traffic study is required prior to submittal of the civil improvement plans.
17. 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.
18. The developer may be required to construct a raised median within Ann Road and North 5<sup>th</sup> Street. The median shall be constructed per *Clark County Area Uniform Standard Drawing* numbers 218 and 219 "A" type island curb.
19. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.

20. 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.
21. The property owner is required to grant a roadway easement for commercial driveway(s).
22. 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.
23. A revocable encroachment permit for landscaping within the public right of way is required.
24. The property owner is required to sign a restrictive covenant for utilities.
25. All off-site improvements must be completed prior to final inspection of the first building.

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

**Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas, NV 89081** asked the applicant to work with Public Works and other departments to provide temporary lanes for travel, rather than shutting down Ann Road and North 5<sup>th</sup> Street when the half street improvements were done.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

22. **SPR-01-06 (23847) MOUNTAIN VIEW TOWNHOMES. AN APPLICATION SUBMITTED BY MOUNTAIN VIEW TOWNHOUSE, LLC ON BEHALF OF DURANGO ELKHORN, LLC ETAL, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW 210 MULTIFAMILY DWELLING UNITS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF NORTH FIFTH STREET AND AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-202-001, 124-26-202-002, 124-26-202-003, 124-26-202-004 AND 124-26-202-005.**

**Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant requesting that SPR-01-06 be continued to the January 26, 2006 meeting to allow them to submit a final site plan which would confirm requested changes.

ACTION: CONTINUED TO JANUARY 25, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

23. **T-1232 (23715) CENTENNIAL CONDOMINIUMS. AN APPLICATION SUBMITTED BY OVATION DEVELOPMENT ON BEHALF OF OVATION-AGT JV LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT CONSISTING OF 341 CONDOMINIUM UNITS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND MCCARRAN STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-25-102-001.**

It was requested by the applicant to continue T-1232 to January 25, 2006.

ACTION: CONTINUED TO JANUARY 25, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**Item No. 30 was heard next.**

**24 SPA-01-06 (23831) RAINBOW BRIGHT. AN APPLICATION SUBMITTED BY LYDIA CARTER ON BEHALF OF VEGAS VIEW CHURCH OF GOD IN CHRIST, PROPERTY OWNER, FOR A SITE PLAN APPEAL IN THE R-A/FA REDEVELOPMENT AREA DISTRICT/FOCUS AREA SUBDISTRICT TO ALLOW AN EXPANSION OF A LEGAL NON-CONFORMING USE BY ALLOWING A CHILD CARE CENTER. THE PROPERTY IS LOCATED AT 1906 GLIDER STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-23-310-030.**

The application was presented by Robert Eastman, Planning Manager on behalf of Staff who indicated Staff was recommending SPA-01-06 be denied as the day care would intensify the use of the church, which is a non-conforming use and would normally not be allowed.

**Derrick and Lydia Carter, 906 Mandolin Way, North Las Vegas, NV** appeared on this item. Mr. Carter stated they applied for the special use permit and were denied as the day care was intensifying the use of the church. He explained that the church did not own the day care, but there was a lease agreement that covered the cost of the utilities for the day care center. The day care was separate from the church with its own entrance and parking, separate playground and there was a solid brick wall separating the two uses. He felt since there was previously a day care at the church, this day care should be grandfathered in and they were not intensifying the use of the church.

Chairman Jay Aston asked what was in the building other than the church. Mr. Carter responded the detached building was a bible college. Chairman Aston asked the zoning on the parcel. Mr. Eastman responded it was zoned RA/FA Redevelopment Area District/Focus Area Subdistrict. Chairman Aston asked if this would be similar to a strip mall or store front where there could be different uses. Mr. Eastman stated that possibly from the exterior of the site, on Gilder Street, it appears as one large building and, while there may be interior walls to prevent access from the church to the day care, it is not readily apparent when viewing it from the outside. Chairman Aston asked if the use could be approved under a different application and asked if it had to be approved as a site plan review or it could be viewed as a use permit. Mr. Eastman responded if the appeal was granted, a use permit would be applied for.

Nick Vaskov, Deputy City Attorney explained the options were the appeal would be approved and the applicant could seek a special use permit for the day care. By granting the appeal, they would be saying the day care did not intensify the use of the parcel and that was important because the use was not allowed under current code.

Commissioner Angelo Carvalho stated he agreed with Chairman Aston, as the day care was a separate entity from the church, it could be treated as such.

Commissioner Dean Leavitt felt the use should be allowed and the applicant be given the opportunity to address the requirements of a special use permit. He explained to the applicant if the appeal was granted, when the special use permit came before the Commission, and if it was approved, they would still need to be heard before the Redevelopment Agency, because the location of the use was in the Redevelopment area and that Board gave the final determination for approval.

Commissioner Dilip Trivedi asked if the child care were allowed, if more parking was necessary. Mr. Eastman responded when the applicant applied for the use permit, they would need to show they had adequate parking for the day care in addition to the existing uses on the property. Commissioner Trivedi asked if there was enough room on the property for parking. Mr. Eastman responded he did not know how many parking spaces there were currently but it looked like they were currently under parked and the day care would make the facility more under parked, so he did not feel they would meet the parking requirements. Commissioner Trivedi asked if there were other child care facilities in the neighborhood. Mr. Carter responded there were no other child care facilities in the neighborhood and as far as the parking was concerned, for the size of the day care, they would only need three parking spaces and there were plenty of parking spaces at the rear of the building to be used for the day care. The church had an agreement with Jerry's Nugget to use their parking lot and the church owns another parcel across the street which is also used for parking. Commissioner Trivedi stated since there had be a child care facility on the property previously, he was in support of the application.

Vice-Chairman Jo Cato stated she was in support of the application.

**ACTION: APPROVED**

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Carvalho**

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

**NAYS: None**

**ABSTAIN: None**



**OLD BUSINESS**

25. **UN-117-05 (22940) DOW INDUSTRIES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DOW INDUSTRIES ON BEHALF OF WILLIAM D. DECKER AND MICHAEL D. AND THEA M. DECKER, PROPERTY OWNERS, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A TEMPORARY OFFICE BUILDING. THE PROPERTY IS GENERALLY LOCATED NORTH OF LA MADRE WAY AND APPROXIMATELY 500 FEET EAST OF LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-36-301-006 AND 124-36-301-007. (CONTINUED NOVEMBER 9, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending continuance of UN-117-05 to allow the applicant to submit a revised site plan indicating the location of the temporary trailer. However, if the Planning Commission determines approval is warranted, the following conditions are recommended:

1. That, unless expressly authorized through the variance, waiver or another method, this development shall comply with all applicable codes and ordinances; and
2. That the temporary trailer shall be comply with the M-2, General Industrial setback requirements.
3. That the trailer shall be ADA-compliant.
4. That the existing temporary trailer shall be removed until the applicant can demonstrate construction or remodeling of a permanent building is imminent
5. That UN-117-05 shall expire on November 9, 2006.
6. That all areas where vehicles will be driven, stored and/or moved shall be paved with concrete or asphaltic concrete. Said paved areas shall be appropriately identified on the submitted building plans.
7. That UN-117-05 is site-specific and non-transferable.
8. That the existing landscaping along La Madre Way shall comply with the Industrial Development Design Standards
9. That a minimum eight (8) foot high block wall or landscape screen shall be provided along the east west and north property lines for screening of outdoor storage.

10. All required improvements shall be completed prior to the issuance of a Certificate of Occupancy or prior to application of a Business License, whichever occurs first.

**Greg Langham, Vice-President of Dow Industries, 3606 E. LaMadre Way, North Las Vegas, NV 89081** stated they had put a double wide trailer in their yard and were going to extend their building but after some feasibility studies, they determined it was not in their budget. He stated the trailer had been on the site for approximately a year and a half. When it was brought in, they had obtained a State permit but had not gotten a permit from the City of North Las Vegas. They are currently in the process of moving to a new building and asked to be allowed to use the trailer on the property for 120 days and then they would remove it.

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

Chairman Aston closed the Public Hearing.

Chairman Jay Aston asked the period of time a temporary office building was allowed. Mr. Eastman responded the ordinance required that the applicant demonstrate construction or remodeling was imminent before it can be approved. Typically, temporary offices were originally for areas where work was being done on a site and the office space was either going to be expanded or office space built, not date specific with a time limit. Chairman Aston stated if the applicant had already made an effort to acquire other office space, he felt the application should be approved for 90 days.

Commissioner Dean Leavitt agreed with Chairman Aston, as it was unfortunate these types of situations slip between notification and identification and thanked the applicant for trying to correct the situation and felt the request for 120 days was reasonable.

Chairman Aston asked if a condition would need to be added to allow the 120 day use.

Mr. Eastman responded Condition No. 5 could be amended to read: "That UN-117-05 shall expire on May 11, 2006."

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 5 AMENDED TO READ:

5. THAT UN-117-05 SHALL EXPIRE ON MAY 11, 2006.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

- 26. T-1225 (23028) INTERNATIONAL VILLAGE. AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA, LLC ON BEHALF OF ZOMACK 1, LLC, D'NAL 3, LLC, 5440 W. SAHARA, LLC AND CAREFREE HOLDINGS, LP / TEMPLETON GROUP, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT (PROPOSED FOR R-2, TWO FAMILY) CONSISTING OF 102 SINGLE-FAMILY AND 200 MULTI-FAMILY DWELLINGS. THE PROPERTY IS LOCATED APPROXIMATELY 2200 FEET NORTHEAST OF THE INTERSECTION OF VALLEY DRIVE AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-501-006, 139-07-510-026 THRU -030, 139-07-510-035 THRU -040, 139-07-510-043 THRU -044, 139-07-510-046 THRU -047, 139-07-510-054 THRU -060, 139-07-510-065, 139-07-602-003, 139-07-603-001, 139-07-610-044 THRU -052, AND 139-07-610-056 THRU -066. (CONTINUED NOVEMBER 9 AND 22, AND DECEMBER 14, 2005)**

Chairman Jay Aston stated he would be abstaining as the company he works for was involved with the application and turned the meeting over to Vice-Chairman Jo Cato.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of T-1225 subject to the following conditions listed in memo dated November 22, 2005:

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 AMP-62-05 and ZN-88-05 are not approved by the City Council.
3. The single family component of this tentative map shall comply with the Single Family Development Standards, including that ten (10) feet of corner/side lot landscaping (which may include sidewalk) be provided adjacent to all local streets.
4. The developer shall disclose to the prospective home buyers that the two-family buildings shall be required to maintain consistent exterior paint color and roofing materials between individual dwelling units and that provisions and enforcement of such shall be provided within the CC&R's.
5. This tentative map shall be revised prior to submittal of the final map if the applicant does not receive an approval for a waiver of the Subdivision Ordinance (Title 16) requirement for a seven-foot setback between the driveway and the property line.

6. All required landscaping areas and open space areas shall be labeled as common elements and be maintained by the homeowners association.
7. Perimeter and end walls shall be owned and maintained by the homeowners association.
8. The developer shall disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
9. The developer shall include all property in T-1224, T-1225 and ZN-87-05 in a master homeowners association with the responsibility for maintenance of common elements and landscaping areas shown on the submitted tentative map that are not specifically reserved for the use of residents of T-1225. Provisions and enforcement of such shall be provided for within the CC&R's.
10. Measures to achieve a noise level reduction, outdoor to indoor, of 25 decibels must be incorporated into the design and construction.
11. The developer shall submit a final subdivision plan and improvements plans for the International Village development to the Southern Nevada Water Authority, and shall obtain approval of said plans prior to filing the final map for this tentative map.
12. Written verification must be submitted to the Clark County Health Department from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the map or plan has been approved with regard to water pollution and sewage disposal in accordance with the Nevada Water Pollution Control Law.
13. A letter from the appropriate sewer agency must be submitted to the Clark County Health Department stating that service from the existing system of community sewerage will be extended to the subdivision and the community facility for treatment will not be caused to exceed its capacity and the discharge permit requirements by this added service or that the facility will be expanded to provide for the added service.
14. A letter from the appropriate water utility must be submitted to the Clark County Health Department stating that it will supply water for domestic and fire protection purposes, that the system has the necessary facilities to treat water to meet the standards of the Water Supply Regulations Part I, and that the capacity is available to meet the demands of the system.
15. Improvement plans must be submitted to the Clark County Health District for review and approval before the final map can be signed. Include "Finished Floor"

- elevations and "Sanitary Sewer Manhole" rim elevations on all utility plans to expedite review of the required sewer "BACK WATER VALVES" on the improvement plans.
16. The typical lot layout and setbacks included with this tentative map shall be considered conceptual, and lots and setbacks shall conform to the requirements of the R-2, Two Family Residential District.
  17. The developer shall be responsible for the landscaping and maintenance of White Ash and Buckthorn on the tentative map.
  18. Five (5) copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review and approval to the Department of Public Works and the Department of Planning and Development prior to submittal of the final map and civil improvement plans.
  19. Approval of this application and site plan is contingent upon vacations that have not been approved or submitted at this time. Should the applicant not acquire approval of the subject vacations, modifications to the Tentative Map will be required.
  20. The Conforming Tentative Map shall not be approved prior to approval of the subject vacations.
  21. 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.
  22. Approval of a drainage study is required prior to submittal of the civil improvement plans.
  23. 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.
  24. 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.

25. 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.
26. Approval of a traffic study is required prior to submittal of the civil improvement plans.
27. All common elements shall be labeled and are to be maintained by the Home Owners Association.
28. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
29. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
30. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
31. A revocable encroachment permit for landscaping within the public right of way is required.
32. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
33. Proposed residential driveway slopes shall not exceed twelve percent (12%).
34. 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.
35. Right-of-way dedication and construction of a CAT bus turn-out is required on Valley Drive near Gowan Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
36. Adjacent to any eighty (80) foot right-of-way, a common lot and/or landscape and pedestrian access easement , with a minimum width of five (5) feet, shall be provided behind the required bus turn-out.
37. 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.

38. 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
39. This development shall comply with NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
40. This tentative map shall be revised to exclude property not included in the revised boundary map for ZN

**Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating he concurred with Staff recommendation and would continue working with the neighbors in the area as they submit subsequent applications.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Chairman Aston

- 27. T-1224 (22999) INTERNATIONAL VILLAGE. AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA, LLC ON BEHALF OF ZOMACK 1, LLC, D'NAL 3, LLC, AND 5440 W. SAHARA, LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 118 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF VALLEY DRIVE AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-601-006, 139-07-601-007, 139-07-601-010, 139-07-601-011, 139-07-601-014, 139-07-601-015, 139-07-601-016, 139-07-601-017, 139-07-601-034, 139-07-601-035, 139-07-601-046, 139-07-601-037, 139-07-601-038, 139-07-601-039, 139-07-601-040, 139-07-601-041, 139-07-601-042, 139-07-601-044, 139-07-601-045, 139-07-601-047, 139-07-601-049, 139-07-601-017, 139-07-601-046, 139-07-601-048, 139-07-601-050, 139-07-601-051, 139-07-601-052, 139-07-601-054, 139-07-601-055, 139-07-601-056, 139-07-601-073, 139-07-601-074 AND 139-07-601-075. (CONTINUED NOVEMBER 9 AND 22, AND DECEMBER 14, 2005)**

Chairman Jay Aston stated he would be abstaining as the company he works for was involved with the application and turned the meeting over the Vice-Chairman Jo Cato.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of T-1224 subject to the following conditions listed in memo dated November 22, 2005:

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 comply with the Single Family Development Standards, including:
  - a. Ten (10) feet of corner/side lot landscaping (which may include sidewalk) shall be provided adjacent to all local streets.
  - b. A minimum of fifteen (15) feet of perimeter landscaping (which may include sidewalk) shall be provided along Gowan Road and Valley Drive.
  - c. Pedestrian gates shall be located at the south terminus of Lilum and Austin Bay and at the western terminus of Alpine Meadow, and shall be located in a common element.
3. All required landscaping areas and open space areas shall be labeled as common elements and be maintained by the homeowners association.
4. Perimeter and end walls shall be owned and maintained by the homeowners association.



5. The developer shall disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
6. The developer shall include all property in T-1224, T-1225 and ZN-87-05 in a master homeowners association with the responsibility for maintenance of common elements and landscaping areas shown on the submitted tentative map that are not specifically reserved for the use of residents of T-1224. Provisions and enforcement of such shall be provided for within the CC&R's.
7. Measures to achieve a noise level reduction, outdoor to indoor, of 25 decibels must be incorporated into the design and construction.
8. The developer shall submit a final subdivision plan and improvements plans for the International Village development to the Southern Nevada Water Authority, and shall obtain approval of said plans prior to filing the final map for this tentative map.
9. The developer shall provide a means of Fire Department access from Gowan Road onto Austin Bay.
10. Written verification must be submitted to the Clark County Health Department from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the map or plan has been approved with regard to water pollution and sewage disposal in accordance with the Nevada Water Pollution Control Law.
11. A letter from the appropriate sewer agency must be submitted to the Clark County Health Department stating that service from the existing system of community sewerage will be extended to the subdivision and the community facility for treatment will not be caused to exceed its capacity and the discharge permit requirements by this added service or that the facility will be expanded to provide for the added service.
12. A letter from the appropriate water utility must be submitted to the Clark County Health Department stating that it will supply water for domestic and fire protection purposes, that the system has the necessary facilities to treat water to meet the standards of the Water Supply Regulations Part I, and that the capacity is available to meet the demands of the system.
13. Improvement plans must be submitted to the Clark County Health District for review and approval before the final map can be signed. Include "Finished Floor" elevations and "Sanitary Sewer Manhole" rim elevations on all utility plans to expedite review of the required sewer "BACK WATER VALVES" on the improvement plans.

14. The developer shall be responsible for the landscaping and maintenance of White Ash on the tentative map.
15. Five (5) copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review and approval to the Department of Public Works and the Department of Planning and Development prior to submittal of the final map and civil improvement plans.
16. Approval of this application and site plan is contingent upon vacations that have not been approved or submitted at this time. Should the applicant not acquire approval of the subject vacations, modifications to the Tentative Map will be required.
17. The Conforming Tentative Map shall not be approved prior to approval of the subject vacations.
18. 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.
19. Approval of a drainage study is required prior to submittal of the civil improvement plans.
20. 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.
21. 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.
22. 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.
23. Approval of a traffic study is required prior to submittal of the civil improvement plans.

24. All common elements shall be labeled and are to be maintained by the Home Owners Association.
25. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
26. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
27. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
28. A revocable encroachment permit for landscaping within the public right of way is required.
29. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
30. Proposed residential driveway slopes shall not exceed twelve percent (12%).
31. 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.
32. Right-of-way dedication and construction of a CAT bus turn-out is required on Valley Drive near Gowan Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
33. Adjacent to any eighty (80) foot right-of-way, a common lot and/or landscape and pedestrian access easement , with a minimum width of five (5) feet, shall be provided behind the required bus turn-out.
34. 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.
35. 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

36. This development shall comply with NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
37. This tentative map shall be revised to exclude property that is not included in the boundary exhibit.
38. The minimum lot size shall 6,000 square feet as required in the R-1, Single Family Residential District.

**Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating he concurred with Staff recommendation and would continue working with the neighbors in the area as they submit subsequent applications.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Chairman Aston

**Item No. 32 was heard next**

28. **AMP-68-05 (23434) CENTENNIAL & VALLEY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY AVANTE HOMES ON BEHALF OF HHINV, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LOW DENSITY RESIDENTIAL TO VERY HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF VALLEY DRIVE AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-30-510-004. (CONTINUED DECEMBER 14, 2005)**

Item Nos. 28 and 29 were heard together.

It was requested by the applicant to continue AMP-68-05 to February 8, 2006.

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

- **Ed Wieger, 3717 Rock Dove Way, North Las Vegas, NV 89084** indicated he was told at the December 14, 2005 meeting the developer would get together with the residents, which had not been done. He had approximately 250 residents ready to attend the meeting but was able to notify them not to attend the meeting as they heard the item was going to be continued.

Chairman Aston asked the applicant's representative to get in touch with the residents in attendance to let them know what was going on.

Mr. Wieger asked if the applicant was able to start excavation of the area and start work on the project before it was approved. Chairman Aston responded they were not. Mr. Wieger stated there was work being done on the property.

- **Jason Frizzell, 3413 Ashby Field, North Las Vegas, NV 89084** stated he was opposed to high density.
- **Gene Rose, 6027 Orca Lilly Street, North Las Vegas, NV 89031** asked how many times the application had been continued. Staff indicated it was the second request for continuance.

The following participants filled out cards in opposition, but held their comments:

- **Carrie B. Thomas, 305 Rossmoyne Avenue, North Las Vegas, NV 89030**
- **Bret Shugart, 3714 Caribbean Blue, North Las Vegas, NV 89031**
- **Adrian Maldonado, 6131 Sage Hills Place, North Las Vegas, NV 89031**

Chairman Jay Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO FEBRUARY 8, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

29. **ZN-94-05 (23437) CENTENNIAL & VALLEY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY AVANTE HOMES ON BEHALF OF HHINV, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-2 GENERAL COMMERCIAL DISTRICT TO AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF VALLEY DRIVE AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-30-510-004. (CONTINUED DECEMBER 14, 2005)**

Item Nos. 28 and 29 were heard together.

It was requested by the applicant to continue ZN-94-05 to February 8, 2006.

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

- **Ed Wieger, 3717 Rock Dove Way, North Las Vegas, NV 89084** indicated he was told at the December 14, 2005 meeting the developer would meet with the residents, which had not been done. He had approximately 250 residents ready to attend the meeting but was able to notify them not to attend the meeting as they heard the item was going to be continued.

Chairman Aston asked the applicant's representative to get in touch with the residents in attendance to let them know what was going on.

Mr. Wieger asked if the applicant was able to start excavation of the area and start work on the project before it was approved. Chairman Aston responded they were not. Mr. Wieger stated there was work being done on the property.

- **Jason Firzzell, 3413 Ashby Field, North Las Vegas, NV 89084** stated he was opposed to high density.
- **Gene Rose, 6027 Orca Lilly Street, North Las Vegas, NV 89031** asked how many times the application had been continued. Staff indicated it was the second request for continuance.

The following participants filled out cards in opposition, but held their comments:

- **Carrie B. Thomas, 305 Rossmoyne Avenue, North Las Vegas, NV 89030**
- **Bret Shugart, 3714 Caribbean Blue, North Las Vegas, NV 89031**
- **Adrian Maldonado, 6131 Sage Hills Place, North Las Vegas, NV 89031**

Chairman Jay Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO FEBRUARY 8, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**Item No. 23 was heard next.**



30. **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, AND DECEMBER 28, 2005)**

Item Nos. 30 and 31 were presented together.

It was requested by the applicant to continue AMP-58-05 indefinitely.

Chairman Jay Aston asked the applicant to explain why the continuance was necessary as the application had been continued more than twice.

**Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of his colleague, Stephanie Allen. He stated there had been two hearing items on this matter over the past month. At the last hearing, it was his understanding the Planning Commission had directed the applicant to look at the application from the very high density to a lower density. A neighborhood meeting was set up, which was scheduled for January 5, 2006. Ms. Allen attended the meeting, but, unfortunately, nobody showed up. They also listened to some of the dialogue that took place at the City Council meeting with respect to a zoning matter that was in the general vicinity adjacent to the site. He stated they were requesting an indefinite continuance because they were trying to reach out to the neighborhood and would like to meet with them, because it may not necessarily be a residential development, as the property is zoned commercial, so they may have to look for an appropriate commercial use.

Chairman Jay Aston opened the Public Hearing. The following participants filled out card but declined comment at this time:

- **Pat Harris, 328 Duke Avenue, North Las Vegas, NV 89030**
- **Carrie Thomas, 305 Rossmoyne Avenue, North Las Vegas, NV 89030**

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED INDEFINITELY

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

31. **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, AND DECEMBER 28, 2005)**

Item Nos. 30 and 31 were presented together.

It was requested by the applicant to continue ZN-84-05 indefinitely.

Chairman Jay Aston asked the applicant to explain why the continuance was necessary as the application had been continued more than twice.

**Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of his colleague, Stephanie Allen. He stated there had been two hearing items on this matter over the past month. At the last hearing, it was his understanding the Planning Commission had directed the applicant to look at the application from the very high density to a lower density. A neighborhood meeting was set up, which was scheduled for January 5, 2006. Ms. Allen attended the meeting, but, unfortunately, nobody showed up. They also listened to some of the dialogue that took place at the City Council meeting with respect to a zoning matter that was in the general vicinity adjacent to the site. He stated they were requesting an indefinite continuance because they were trying to reach out to the neighborhood and would like to meet with them, because it may not necessarily be a residential development, as the property is zoned commercial, so they may have to look for an appropriate commercial use.

Chairman Jay Aston opened the Public Hearing. The following participants filled out card but declined comment at this time:

- **Pat Harris, 328 Duke Avenue, North Las Vegas, NV 89030**
- **Carrie Thomas, 305 Rossmoyne Avenue, North Las Vegas, NV 89030**

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED INDEFINITELY

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

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

**32. 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. (CONTINUED DECEMBER 28, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending AMP-73-05 be denied as the drainage channel is a natural barrier between the commercial and the residential already existing to the west and should remain as a buffer between the two uses. Additionally, Lawrence Street, since it has developed with residential, has single family homes fronting on Lawrence; therefore Staff does not feel commercial use at the proposed site was appropriate and the use could create a negative impact on those single family homes.

**George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant stating the area had a commercial character and Lawrence Street provided the dividing line to the north and south. He stated the main concerns of the Staff and residents had been addressed. A design has been provided that contemplates a bridge that would cross over the channel and connect to the commercial site, so all access would be from Losee Road and Centennial Parkway and would provide connectivity to the corner and the commercial and would provide an adequate buffer to the residents to the west. There would be no direct access to Lawrence Street and there would be no signage on that side. Mr. Garcia handed out a list of suggested conditions of approval which indicated their agreement with the homeowners association and neighbors along Lawrence Street and the agreement had been signed by the HOA and Storage One. The conditions would be incorporated into the PUD to make a compatible project.

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

- **Harvey Ferber, 1504 Lazy Hill Ranch Way, North Las Vegas, NV 89081** stated he wanted to make certain if the bridge was not built, that the project could not be built.

Chairman Aston responded the verbiage would be applied to the zoning application under the PUD, which was the only place conditions could be applied.

Mr. Ferber was also concerned about the three story building and the traffic on Lawrence Street. On Lawrence Street there were homes facing the street and on

Tropical Parkway there was a middle school being built and he is concerned about the increased traffic. He was concerned, if a commercial project went in, then the property directly to the south would become available for commercial use instead of residential. He realized no promises could be made but he was asking if this project was approved, if it would make a difference on how future requests for zone changes would be viewed. He asked for some indication from the Commission that, if this application were approved, it would not open the flood gates to the property to the east, going down Lawrence Street. Chairman Aston responded it would be difficult for the Commission to make any promises on land use. Mr. Ferber appreciated the Commission's position but wanted to be assured the Commission would not give extra weight to an applicant's request for rezoning to commercial simply because there was already commercial in the area.

- **Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas, NV 89081** stated he was speaking as a home owner and president of the Home Owners Association for his community. He stated there was already a lot of impact on Lawrence Street, which was a 60 foot street that dead ends at the south into the Cannery Hotel. He stated the applicant was already using this project as justification to put commercial to the south. He stated he was opposed and asked that property on Lawrence Street be kept residential.

Chairman Aston closed the Public Hearing.

Marc Jordan, Planning Manager stated Staff or the Commission would not be able to provide any assurances that the project would be developed as shown, but one thing Staff looks at when they review Amendments to the Comprehensive Plan was they were considering neighborhood, not a PUD. Hypothetically, if this were to be neighborhood commercial and then approved with a PUD with the bridge structure and six months to a year later the applicant was not able to construct the bridge, there was a good chance they could ask to amend the PUD to remove the bridge and allow access on Lawrence Street or there was the chance they could ask for C-1 zoning of which conditions could not be placed and, at that point, because the Comprehensive Plan, if it were in place for neighborhood commercial, Staff would have to support the application, because of the Comprehensive Plan and because access had to be given to the property, the access would be on Lawrence Street. If this application was approved, there was no guarantee there would not be future access to the development from Lawrence Street.

Mr. Garcia stated the mall across the street was approved with no guarantee it would be built or that any of the developments approved throughout the City would be built. He stated the developer was highly credible and was the leading mini storage builder in the valley. They had gone to the effort of providing a PUD and worked with the neighbors through numerous meetings and understood what they needed to do and had committed to the neighbors to do that. With more commercial in the area, there was more need for

mini storage. There were two 40 story residential buildings and the commercial uses would be using the mini storage facility. They have provided connectivity that makes the property unique by going through the channel with direct access to Centennial Parkway and Losee Road with no access to a residential street. He agreed to address the issues of the neighbors and provide the guarantees they asked about to the extent that it was ever practical to give guarantees, he provides those assurances and the Commission could support them by adding the conditions he submitted to the PUD. He understood on the bridge that the bridge had to be designed and approved by Public Works and the Regional Flood Control District, but they just finished one in the County over the Las Vegas Wash for a project that was twice the size of this project and it took approximately eight months to work through the process.

Commissioner Dean Leavitt asked Mr. Garcia how the property owners on the other side of the channel felt about the proposed bridge. Mr. Garcia responded it was the same property owner and Storage One was buying that property so there was no issue in negotiating access to the property. Commissioner Leavitt stated he had concerns because there were drawings but no information supporting that the property owners were in support of the bridge. Commissioner Leavitt asked what type of study would be required with respect to the bridge. Randy Cagle of Public Works responded Staff had serious concerns whether the bridge could actually be built and would like to see the application continued indefinitely to allow Staff to review the bridge to determine whether it could even be built, as it severely impacts the flood control channel and the trail system along the channel.

Mr. Jordan stated the conditions of the PUD only apply to this property, not the property to the east where the bridge would be constructed. There was also a tavern to the east of where the bridge would be touching down and the tavern was slightly over 1500 feet from another approved tavern, so there was no room for that tavern to adjust one way or the other to make room for the bridge.

Mr. Garcia stated he would agree to continue the application to address some of the issues. For clarification, in the last report there was an extensive discussion about the bridge and the problems associated with it. Their engineer met with Public Works and that dialogue was taken out of the report because they thought the issue had been addressed. He stated he would bring proof they had an agreement with the property owner on the east side of the channel. Mr. Garcia asked to continue to the February 8, 2006 meeting so he could meet with Public Works to present sufficient information, not a full bridge design but enough information so everyone would feel comfortable with the project.

Chairman Aston asked what the attendance was at the neighborhood meetings. Mr. Garcia responded at the first meeting there was approximately eight people and at the last meeting there were approximately two or three in attendance.

Mr. Ferber stated he was the president of the Home Owners Association to the west of the property and there were approximately 400 homes and there were 18 homes facing Lawrence Street. Mr. Ferber stated he extended the invitation to attend the neighborhood meetings to those who live in the homes facing Lawrence.

Commissioner Leavitt stated Mr. Garcia had asked for a two week continuance and Mr. Cagle had recommended an indefinite continuance and asked for clarification.

Mr. Cagle stated he was the Staff person the applicant's engineer met with and recommended the information be received prior to any decision being made, so their engineer was aware of it and stated it might be possible to review in 30 days.

Mr. Garcia agreed to a 30 day continuance.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO FEBRUARY 8, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None



33. **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. (CONTINUED DECEMBER 28, 2005)**

Comments from Item No. 32 were carried forward as follows:

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending ZN-98-05 be denied as the drainage channel is a natural barrier between the commercial and the residential already existing to the west and should remain as a buffer between the two uses. Additionally, Lawrence Street, since it has developed with residential, has single family homes fronting on Lawrence; therefore Staff does not feel commercial use at the proposed site was appropriate and the use could create a negative impact on those single family homes.

**George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant stating the area had a commercial character and Lawrence Street provided the dividing line to the north and south. He stated the main concerns of the Staff and residents had been addressed. A design has been provided that contemplates a bridge that would cross over the channel and connect to the commercial site, so all access would be from Losee Road and Centennial Parkway and would provide connectivity to the corner and the commercial and would provide an adequate buffer to the residents to the west. There would be no direct access to Lawrence Street and there would be no signage on that side. Mr. Garcia handed out a list of suggested conditions of approval which indicated their agreement with the homeowners association and neighbors along Lawrence Street and the agreement had been signed by the HOA and Storage One. The conditions would be incorporated into the PUD to make a compatible project.

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

- **Harvey Ferber, 1504 Lazy Hill Ranch Way, North Las Vegas, NV 89081** stated he wanted to make certain if the bridge was not built, that the project could not be built.

Chairman Aston responded the verbiage would be applied to the zoning application under the PUD, which was the only place conditions could be applied.

Mr. Ferber was also concerned about the three story building and the traffic on Lawrence Street. On Lawrence Street there were homes facing the street and on Tropical Parkway there was a middle school being built and he is concerned about the increased traffic. He was concerned, if a commercial project went in, then the property directly to the south would become available for commercial use instead of residential. He realized no promises could be made but he was asking if this project was approved, if it would make a difference on how future requests for zone changes would be viewed. He asked for some indication from the Commission that, if this application were approved, it would not open the flood gates to the property to the east, going down Lawrence Street. Chairman Aston responded it would be difficult for the Commission to make any promises on land use. Mr. Ferber appreciated the Commission's position but wanted to be assured the Commission would not give extra weight to an applicant's request for rezoning to commercial simply because there was already commercial in the area.

- **Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas, NV 89081** stated he was speaking as a home owner and president of the Home Owners Association for his community. He stated there was already a lot of impact on Lawrence Street, which was a 60 foot street that dead ends at the south into the Cannery Hotel. He stated the applicant was already using this project as justification to put commercial to the south. He stated he was opposed and asked that property on Lawrence Street be kept residential.

Chairman Aston closed the Public Hearing.

Marc Jordan, Planning Manager stated Staff or the Commission would not be able to provide any assurances that the project would be developed as shown, but one thing Staff looks at when they review Amendments to the Comprehensive Plan was they were considering neighborhood, not a PUD. Hypothetically, if this were to be neighborhood commercial and then approved with a PUD with the bridge structure and six months to a year later the applicant was not able to construct the bridge, there was a good chance they could ask to amend the PUD to remove the bridge and allow access on Lawrence Street or there was the chance they could ask for C-1 zoning of which conditions could not be placed and, at that point, because the Comprehensive Plan, if it were in place for neighborhood commercial, Staff would have to support the application, because of the Comprehensive Plan and because access had to be given to the property, the access would be on Lawrence Street. If this application was approved, there was no guarantee there would not be future access to the development from Lawrence Street.

Mr. Garcia stated the mall across the street was approved with no guarantee it would be built or that any of the developments approved throughout the City would be built. He stated the developer was highly credible and was the leading mini storage builder in the

valley. They had gone to the effort of providing a PUD and worked with the neighbors through numerous meetings and understood what they needed to do and had committed to the neighbors to do that. With more commercial in the area, there was more need for mini storage. There were two 40 story residential buildings and the commercial uses would be using the mini storage facility. They have provided connectivity that makes the property unique by going through the channel with direct access to Centennial Parkway and Losee Road with no access to a residential street. He agreed to address the issues of the neighbors and provide the guarantees they asked about to the extent that it was ever practical to give guarantees, he provides those assurances and the Commission could support them by adding the conditions he submitted to the PUD. He understood on the bridge that the bridge had to be designed and approved by Public Works and the Regional Flood Control District, but they just finished one in the County over the Las Vegas Wash for a project that was twice the size of this project and it took approximately eight months to work through the process.

Commissioner Dean Leavitt asked Mr. Garcia how the property owners on the other side of the channel felt about the proposed bridge. Mr. Garcia responded it was the same property owner and Storage One was buying that property so there was no issue in negotiating access to the property. Commissioner Leavitt stated he had concerns because there were drawings but no information supporting that the property owners were in support of the bridge. Commissioner Leavitt asked what type of study would be required with respect to the bridge. Randy Cagle of Public Works responded Staff had serious concerns whether the bridge could actually be built and would like to see the application continued indefinitely to allow Staff to review the bridge to determine whether it could even be built, as it severely impacts the flood control channel and the trail system along the channel.

Mr. Jordan stated the conditions of the PUD only apply to this property, not the property to the east where the bridge would be constructed. There was also a tavern to the east of where the bridge would be touching down and the tavern was slightly over 1500 feet from another approved tavern, so there was no room for that tavern to adjust one way or the other to make room for the bridge.

Mr. Garcia stated he would agree to continue the application to address some of the issues. For clarification, in the last report there was an extensive discussion about the bridge and the problems associated with it. Their engineer met with Public Works and that dialogue was taken out of the report because they thought the issue had been addressed. He stated he would bring proof they had an agreement with the property owner on the east side of the channel. Mr. Garcia asked to continue to the February 8, 2006 meeting so he could meet with Public Works to present sufficient information, not a full bridge design but enough information so everyone would feel comfortable with the project.

Chairman Aston asked what the attendance was at the neighborhood meetings. Mr. Garcia responded at the first meeting there was approximately eight people and at the last meeting there were approximately two or three in attendance.

Mr. Ferber stated he was the president of the Home Owners Association to the west of the property and there were approximately 400 homes and there were 18 homes facing Lawrence Street. Mr. Ferber stated he extended the invitation to attend the neighborhood meetings to those who live in the homes facing Lawrence.

Commissioner Leavitt stated Mr. Garcia had asked for a two week continuance and Mr. Cagle had recommended an indefinite continuance and asked for clarification.

Mr. Cagle stated he was the Staff person the applicant's engineer met with and recommended the information be received prior to any decision being made, so their engineer was aware of it and stated it might be possible to review in 30 days.

Mr. Garcia agreed to a 30 day continuance.

Chairman Aston stated the Public Hearing would remain open.

**ACTION:** CONTINUED TO FEBRUARY 8, 2006

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Carvalho

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

**NAYS:** None

**ABSTAIN:** None

34. **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. (CONTINUED DECEMBER 28, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending ZN-97-05 be continued to allow the applicant time to address Parks and Recreation Staff concerns regarding the recreation space above the café and to allow the applicant time to add amenities to the walking path along the west side of the property. Additionally, because of the proposed covered patio on the café, the café is now in violation of the corner setbacks and would need to be either moved or the building designed to comply with the setbacks. However, if the Planning Commission determines approval is warranted, the following conditions, as listed in the memo dated January 11, 2006, 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 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.
4. The café shall comply with a minimum 20-foot front and corner side setback.
5. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the open space/park areas showing landscaping and amenities. 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.

6. 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.
7. That the building design, parking lot landscaping, foundation landscaping and perimeter landscaping shall comply with the Industrial Development Standards.
8. Exterior roof ladders and down spouts shall not be permitted.
9. The development shall comply with all parking requirements.
10. Any outdoor storage of materials or vehicles shall be prohibited.
11. 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.
12. A café consistent with the preliminary development plan shall be considered a principally permitted use.
13. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
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. Approval of a traffic study is required prior to submittal of the civil improvement plans.
17. 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.
18. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Clayton Street.

19. No parking allowed on Colton Street or Clayton Street; the developer shall install no parking signs.
20. The garages shall be used for vehicle parking only; all other uses are prohibited. Deed restrictions or Covenants, Conditions and Restrictions shall be required.
21. 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
22. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
23. The property owner is required to grant a roadway easement for commercial driveway(s).
24. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
25. A revocable encroachment permit for landscaping within the public right of way is required.
26. All recorded easements must be shown on the site plan; easements not currently shown may require modifications to the site plan.
27. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
28. The property owner is required to sign a restrictive covenant for utilities.
29. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
30. All off-site improvements must be completed prior to final inspection of the first building.

31. At a minimum the following amenities shall be provided with the open space areas:
- a. Recreation site to include a café and sitting area, plus other recreational activities to be located in the building/loft set aside for the café. A list of amenities that will be provided in the area will be required.
  - b. Dog stations at any grassy areas that could be accessible to dogs.
  - c. Meandering pathway, benches and picnic sites to be added to the buffer area on the west side of the property.

**Scott Baker, 7225 South Bermuda Road, Las Vegas, NV 89119** appeared on behalf of the applicant stating the amenities would include benches and barbeque areas which they were willing to provide. He stated the corner could be redesigned to meet the setback for the café. He stated the Parks and Recreation Department indicated the Planning Department was requiring more and the Planning Department indicated Parks and Recreation was requiring more and he was confused about what was being requested. He understood that because of the extensive landscaping provided around the perimeter and around the buildings, that the additional landscaping being required by Parks and Recreation was no longer necessary.

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

Chairman Aston closed the Public Hearing.

Chairman Aston stated he liked the project but because it was a mixed use, it was considered as a PUD, so all details must be worked out with Staff for the zoning to be approved.

Commissioner Dean Leavitt stated the project was very nice but with a PUD, once the zoning was complete, the door was closed, so Staff concerns needed to be addressed. He was excited about the project and this was the first project of this type in North Las Vegas.

**Kayne Nelson, 2124 Main Street, Suite 145, Huntington Beach, CA 92648** stated he was the developer and asked if clear detail of what was wanted would come from the Planning Department or Parks and Recreation. Chairman Aston responded he could meet with Staff at the end of the meeting and they might be able to set up a meeting so they could meet with all concerned parties at the same time and get everything resolved. Mr. Nelson asked what type of continuance was recommended. Commissioner Leavitt suggested two weeks. Tony Taylor of Parks and Recreation agreed a two week continuance was sufficient.



Commissioner Leavitt stated one of Staff's concerns was there were no amenities identified to be on the second floor above the café possibly an exercise room could be added. Mr. Nelson stated it was just a matter of clarification.

Commissioner Dilip Trivedi was in support of the project and asked if the application could be approved with the condition that Staff could process it administratively. Chairman Aston responded that would be up to the Planning Staff but it seemed they were recommending a continuance.

Mr. Eastman stated if it was the Commission's desire to approve ZN-97-05, conditions could be added. Additionally, since it was a PUD, it was subject to a final development plan that would still come forward to this body for approval.

Chairman Aston asked Tony Taylor of Parks and Recreation if he was agreeable. Mr. Taylor responded he was agreeable.

Chairman Aston asked Staff if they had a condition to add. Mr. Eastman responded Condition Nos. 5 and 6 in the memo dated January 11, 2006 addressed those concerns and required the applicant to meet with Parks and Recreation and have their approval prior to submittal of the final development plan.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS**

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Carvalho**

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

**NAYS: None**

**ABSTAIN: None**

**35. 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. (CONTINUED DECEMBER 28, 2005)**

The application was presented by Terence Capers, 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.

**Todd McIntosh of Kennedy Commercial 3230 S. Buffalo Drive #105, Las Vegas, NV 89117** 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 Carvalho**

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

**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 9:36 p.m.

APPROVED: February 8, 2005

/s/ Jay Aston  
Jay Aston, Chairman

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