

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

February 8, 2006

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

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

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

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

STAFF PRESENT: Jory Stewart, Planning and Zoning Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Vicki Adams, Planner
Nick Vaskov, Deputy City Attorney II
Randy Cagle, PW, Real Property Services Manager
Clete Kus, PW, Transportation Planner
Janice Carr, Fire Department
Tony Taylor, Parks Planner
Jo Preston, Police Department
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Dilip Trivedi

WELCOME: Chairman Jay Aston

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF JANUARY 11, 2006.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: Commissioner Shull

CONSENT AGENDA

A. PW-12-06 (24441) ANN RD./DECATUR BLVD. COMMERCIAL CENTER: APPROVE THE COMMERCIAL DEVELOPMENT OFF-SITE IMPROVEMENTS AGREEMENT BY ANN & DECATUR 2005, LLC AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$316,713.93.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

B. PW-13-06 (24443) TWILIGHT AT RIVERWALK RANCH: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY D.R. HORTON, INC. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$2,845,642.49.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

C. PW-14-06 (24444) DONNA DEER SPRINGS, UNIT 1C: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$378,305.65.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

D. PW-15-06 (24445) DONNA DEER SPRINGS UNIT 2B: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$444,562.42.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

E. PW-16-06 (24446) DIAMANTE EAST: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY TOUSA HOMES DBA ENGLE HOMES AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$1,034,659.78.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

F. PW-17-06 (24447) DIAMANTE WEST: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY TOUSA HOMES DBA ENGLE HOMES AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$811,351.23.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

G. PW-18-06 (24448) 5TH & GOWAN M-2 PROJECT: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$340,563.25.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

H. PW-19-06 (24449) ANN ROARING SURF: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY RICHMOND AMERICAN HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$462,414.83.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

I. PW-20-06 (24450) PANATTONI CREEKSIDE, PHASE 1: ACCEPT THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY LOSEE ROAD INVESTORS, LLC AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$522,125.00.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

J. PW-21-06 (24451) SUNRISE UTILITIES: ACCEPT THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY SUNRISE UTILITIES, LLC AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$185,840.16.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Item No. 12 was heard next.

NEW BUSINESS

1. **ZN-10-06 (24181) 350 LA MADRE WAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ANDREA WALKER, ON BEHALF OF HEATHER DARLENE DIAZ, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT 350 EAST LA MADRE WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-34-701-040.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of ZN-10-06.

Andrea Walker, 1249 Hassel Avenue, Las Vegas, NV 89106 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, Shull, Brown, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

2. **ZN-08-06 (24195) MT. HOOD & TROPICAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HUGHES WATER & SEWER, LTD. ON BEHALF OF NEW VEGAS PARTNERS, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN O-L OPEN LAND DISTRICT TO AN M-2 GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF MOUNT HOOD STREET AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 123-27-201-011.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-08-06.

Stacey Truesdale, of Jones Vargas, 3773 Howard Hughes Parkway, Las Vegas, NV 89109 appeared on behalf of the applicant stating she concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

3. **SPR-02-06 (24192) MT. HOOD & TROPICAL. AN APPLICATION SUBMITTED BY HUGHES WATER AND SEWER, LTD, ON BEHALF OF NEW VEGAS PARTNERS, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN O-L OPEN LAND DISTRICT (PROPOSED M-2 GENERAL INDUSTRIAL DISTRICT) TO ALLOW APPROXIMATELY 85,000 SQUARE FEET OF OFFICE/WAREHOUSE SPACE AND APPROXIMATELY 199,069 SQUARE FEET OF EXTERIOR STORAGE. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF MT. HOOD STREET AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 123-27-201-011.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of SPR-02-06 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances, the development shall comply with the Industrial Development Standards.
2. The development shall comply with the Industrial Development Standards, including but not limited to the following:
 - a. Six-foot wide landscaped islands within each parking row for every 15 parking spaces contained within the row and at the ends of each row.
 - b. Screening by decorative walls or landscaped berms with a minimum height of 3'6" above the finished grade at the rear of the setback must be provided for the parking spaces along Tropical Parkway and Mt. Hood Street.
 - c. An outdoor plaza area is required (minimum size is 250 square feet).
 - d. A consistent level of detailing and finish is required for all sides of the building.
3. An exception to the Industrial Development Standards to waive the required 20-foot landscape buffer along the north and west property line, has been granted.
4. Roof ladders and scuppers must be designed into the interior of the building.
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 civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Tropical Parkway and Mt. Hood Street.

8. The property owner is required to grant a roadway easement for commercial driveway(s).
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.
13. Right-of-way dedication for a CAT bus turn-out is required on Tropical Parkway near Mt. Hood Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
14. 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.
15. Fire access lanes shall be located in accordance with Fire Code requirements.
16. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
17. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.

Stacey Truesdale, of Jones Vargas, 3773 Howard Hughes Parkway, Las Vegas, NV 89109 appeared on behalf of the applicant stating she concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

4. **UN-69-05 (24186) RUBY TUESDAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RT LAS VEGAS FRANCHISE, LLC ON BEHALF OF MESA INVESTMENTS, LLC, AND APK REALTY & INVESTMENTS, PROPERTY OWNERS, FOR AN AMENDMENT (BUILDING EXPANSION) TO AN APPROVED USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT FOR THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A SUPPER CLUB. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND REVERE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-04-713-003.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-69-05 subject to the following conditions with the deletion of Condition No. 8:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The submitted floor plan shall be revised to meet the Business Licences and Regulations (Title 5) requirements including that only one (1) bar seat is allowed per fifteen (15) restaurant seats and that the salad bar shall be separated from the bar area by a barrier sufficient to prevent access by minors.
3. A trellis or other covering shall be added above the outdoor service area.
4. A solid metal gate shall be used screen the outdoor service area.
5. UN-69-05 is site specific and non-transferable.
6. UN-69-05 shall comply with the conditions of approval for SPR-38-04 and T-1126.
7. Approval of a drainage study update is required prior to submittal of the civil improvement plans.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

Michael Bradshaw, 3753 Howard Hughes Parkway #200, Las Vegas, NV 89109 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

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

5. **UN-54-05 (24191) KENNEDY TAVERN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CORRIGAN INVESTMENTS, ON BEHALF OF NVE COMMERCIAL, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR AN APPROVED USE PERMIT IN AN MPC C-2 MASTER PLANNED COMMUNITY GENERAL COMMERCIAL DISTRICT FOR THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A BAR/TAVERN. THE PROPERTY IS GENERALLY LOCATED WEST OF ALIANTE PARKWAY AND APPROXIMATELY 800 FEET NORTH OF DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-20-612-015.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-54-05 subject to the following conditions:

1. That the development shall be in compliance with Chapter 5.26 of the North Las Vegas Municipal Code. (North Las Vegas Liquor Control Ordinance)
2. The applicant shall submit a traffic study update for review and approval.
3. The applicant shall submit a drainage study update for review and approval.
4. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
5. The commercial development shall be in compliance with the Aliante Commercial Development Standards and Design Guidelines.
6. The Development shall comply with all conditions of approval for SPR-35-04.
7. The applicant shall provide a signed and stamped survey as evidence that the primary entrance of the proposed tavern is not within 400 feet of a religious institution, city-owned park, school, or child-care facility licensed for more than twelve children. The evidence shall be provided prior to the application for a building permit.
8. The applicant shall provide a signed and stamped survey as evidence that there are no other taverns within 1,500 feet of the proposed location. The evidence shall be provided prior to the application for a building permit.
9. That UN-54-05 shall expire August 8, 2006.

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

Chairman 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, Shull, Brown, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

6. **AMP-05-06 (24185) CRAIG & WALNUT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TWC CONSTRUCTION ON BEHALF OF AML DEVELOPMENT 3, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF INDUSTRIAL TO HDR HIGH DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CRAIG ROAD AND APPROXIMATELY 160 FEET EAST OF WALNUT ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 140-06-601-005 AND 140-06-713-003.**

Item Nos. 6 and 7 were presented together.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of AMP-05-06.

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

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

Jake Weible of Basic Food Flavors, 3950 E. Craig Road, North Las Vegas, NV 89030 stated he was opposed to the rezoning as it went against Council's goals set in March, 2005 to stop the egress into industrial areas with housing. He pointed out they were a food flavors manufacturer and there were odors emitted from the facility and storage of hazardous chemicals on site.

Chairman Aston closed the Public Hearing.

Mr. Garcia stated they would offer a nuisance easement, which provided protection to Basic Food Flavors so that all property owners would be required to sign a disclosure statement, which would provide an easement agreement restricting them from challenging or attacking anything relative to the operation of the business.

Chairman Aston asked Staff which application a condition regarding the nuisance agreement could be placed. Mr. Eastman responded the condition could be placed on the site plan review or the tentative map.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

7. **ZN-09-06 (24184) CRAIG & WALNUT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TWC CONSTRUCTION ON BEHALF OF AML DEVELOPMENT 3, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CRAIG ROAD AND APPROXIMATELY 160 FEET EAST OF WALNUT ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 140-06-601-005 AND 140-06-713-003.**

Item Nos. 6 and 7 were presented together.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of ZN-09-06.

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

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

Jake Weible of Basic Food Flavors, 3950 E. Craig Road, North Las Vegas, NV 89030 stated he was opposed to the rezoning as it went against Council's goals set in March, 2005 to stop the egress into industrial areas with housing. He pointed out they were a food flavors manufacturer and there were odors emitted from the facility and storage of hazardous chemicals on site.

Chairman Aston closed the Public Hearing.

Mr. Garcia stated they would offer a nuisance easement, which provided protection to Basic Food Flavors so that all property owners would be required to sign a disclosure statement, which would provide an easement agreement restricting them from challenging or attacking anything relative to the operation of the business.

Chairman Aston asked Staff which application a condition regarding the nuisance agreement could be placed. Mr. Eastman responded the condition could be placed on the site plan review or the tentative map.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

8. **VN-05-06 (24180) CANNERY CASINO WAREHOUSE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CANNERY CASINO AND HOTEL ON BEHALF OF THE CANNERY CASINO AND HOTEL, LLC, PROPERTY OWNER, FOR A VARIANCE IN A C-3 GENERAL SERVICE COMMERCIAL DISTRICT TO ALLOW A 14-FOOT FRONT SETBACK, WHERE 30 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-02-701-006.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending denial as the applicant indicated the proposed expansion would bring his storage area to be even with his existing screen walls around the mechanical equipment along Aero Jet Way; however, the applicant had not indicated how the proposed variance was not brought on by himself or how his lot was in a unique circumstance that did not affect other properties in the area.

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 Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

9. ZOA-03-06 (24187) CAMINO AL NORTE OFFICE PARK (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY CAMINO AL NORTE VENTURES, LLC, TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 17.20.090 (C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT), TO INCLUDE THE FOLLOWING ADDITIONS TO (B) PRINCIPALLY PERMITTED USES: ANIMAL HOSPITALS; ART SUPPLY STORES; BANKS AND FINANCIAL INSTITUTIONS; BARBER SHOPS; BEAUTY PARLORS; BOOK AND STATIONERY STORES; CANDY AND ICE CREAM STORES; FLORIST SHOPS; GIFT SHOPS; HOBBY, STAMP AND COIN SHOPS; JEWELRY AND METAL CRAFT STORES; MEDICAL, DENTAL AND HEALTH CLINICS; MASSAGE ESTABLISHMENTS; ALL PROFESSIONAL OFFICES; OFFICE SUPPLY STORES, OPTICIANS; PHOTOGRAPHIC STUDIOS; AND TRAVEL AGENCIES; AND TO INCLUDE THE FOLLOWING ADDITIONS TO (C) SPECIAL USES: CHILD CARE FACILITIES; DANCING OR THEATRICAL STUDIOS; LIGHT APPLIANCES SALES AND SERVICE; CIGAR AND TOBACCO STORES; HEALTH AND EXERCISE CENTERS; LOCK AND KEY SHOPS; PICTURE FRAME SHOPS; AND WATCH REPAIR SHOPS; 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-03-06 with the following amendments:

Add to Section 17.20.090.B

Principally Permitted Uses.

Medical and Dental health Clinics
Optician
Photographic Studio
Travel Agency

Add to Section 17.20.090.C

Special uses Subject to Section 17.24.020.

Banks and Financial Institutions

Chat Patel, Project Manager for Camino Al Norte LLC, and Rick Abelson, Property Owner, 2610 W. Horizon Ridge #201-G, Henderson, NV 89052 appeared on behalf of the applicant. Mr. Patel stated they concurred with Staff recommendation and asked the Commission's permission to allow beauty parlors, florists, gift shops, hobby stores, and massage establishments as permitted uses in a C-P District.

Commissioner Harry Shull stated he would be abstaining on this item as he may have an interest in an institution that would be occupied in the building.

Commissioner Shull left Chambers at 6:36 p.m.

Mr. Eastman stated it was Staff's position that the additional uses requested by the applicant were more of a commercial retail use and services and were not appropriate to the C-P zone. The applicant was requesting retail uses that were more appropriate in a C-1 or C-2 District and should not be permitted in a Professional Office District; therefore, Staff was not supporting approval of the additional uses as requested.

Nick Vaskov, Deputy City Attorney stated if it was the Commission's desire to approve the additional uses as requested by the applicant, a massage establishment would be more appropriate as a special use and not a permitted use since it was a privileged business license.

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

Chairman Aston closed the Public Hearing.

Vice-Chairman Jo Cato asked if the use for a florist, gift shop and hobby shop would be similar to a travel agency, where there was not a lot of foot traffic. Mr. Eastman responded the difference was that the hobby store or gift store was a retail use and the question of interpretation would be whether a Toys R Us was a gift and a hobby store and then whether a large box retailer such as a Michael's could be considered, which was an arts and craft store and could have a much larger impact. Staff was concerned about allowing any of those types of retail uses in the Office District.

Jory Stewart, Planning & Zoning Director reminded the Commission of the original purpose of a Professional Office Commercial District, which was to provide for development of low density business such as the professional office, which was harmonious and compatible with residential neighborhoods. When talking about a zoning amendment, a text amendment, it must be kept in context of the entire City, not a specific site.

Vice-Chairman Cato asked if a massage establishment could be added as a special use permit. Marc Jordan, Planning Manager responded a massage establishment was a special use in C-1 and C-2 Districts. Because a massage establishment was a privileged license, the use would have to be a special use permit and come back at a later time and go through the legal process of the notification for the Commission to consider.

Commissioner Dean Leavitt was concerned about the original request and felt some of the uses requested by the applicant could be considered and was leaning toward approving the uses recommended by Staff. Pawn shops and payday loans also came under the use for financial institutions, so he was extremely reluctant to consider a positive vote.

Mr. Vaskov clarified the City currently has a moratorium on new applications for any businesses offering deferred deposit services, which would be check cashing and short term loans. If the special use was approved, no applications would be accepted on those uses until the moratorium expired on May 20, 2006. Commissioner Leavitt stated the door would then be open for more pawn shops and payday loan establishments. Mr. Vaskov responded the City was currently developing new regulations for payday loan operators, deferred deposit services, which would be in place prior to the expiration of the moratorium.

Commissioner Dilip Trivedi asked Staff why banks were not a permitted use anywhere in the City and why they were in the same category as financial institutions. Mr. Jordan responded in 1998 when the zoning ordinance was adopted by the City, all requirements for banks were listed and one was the drive up facilities that banks usually have, which are very similar to a fast food restaurant and require a special use permit. Commissioner Trivedi asked why banks were not allowed in a C-1 or C-2 District. Commissioner Trivedi asked the applicant if they had tried changing the zoning from a C-P District to C-1 or C-2. Mr. Patel stated that had looked into it and discussed it with Staff, but they were too far into the project to change at this point. Commissioner Trivedi asked Staff it was too late to request a zone change. Mr. Jordan responded it was not. The applicant had the right to apply and would also have to apply for an Amendment to the Comprehensive Plan at the same time to be able to support C-1. In previous conversations with Mr. Patel, several years ago, when the area was first considered for commercial, Staff had not indicated the desire to have C-1 Neighborhood Commercial at that location; but, since that time, it had not been reevaluated. The applicant had the option to apply for C-1, but there would be another notification and public hearing process.

Commissioner Steve Brown felt it would be unwise to make a change to the ordinance to fit one situation and would not be able to support anything more than what was recommended by Staff.

Chairman Jay Aston stated he agreed with Commissioner Brown.

Deputy City Attorney Vaskov commented on Commissioner Trivedi's question regarding banks. There was no definition for banks, so they fell under financial institutions, which would include payday loans and those types of businesses, which created a problem in separating those types of uses. There have been some preliminary discussions about coming up with a definition for banks and separating them from financial institutions. Director Stewart concurred with Deputy City Attorney Vaskov.

Commissioner Leavitt explained to the applicant that if he was not happy with the Commission's decision, he had the right to appeal to City Council.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: Commissioner Brown

ABSTAIN: Commissioner Shull

Planning & Zoning Director Jory Stewart clarified the zoning ordinance amendment (ZOA-03-06) would automatically go forward to City Council for final consideration.

Commissioner Harry Shull returned to Chambers at 6:50 p.m.

OLD BUSINESS

10. **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 AND JANUARY 11, 2006)**

Item Nos. 10 and 11 were presented together.

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval with HDR, High Density Residential; however, the submitted proposal does not meet the guidelines of the Comprehensive Plan. Over the past week, three letters were received in opposition from Robert and Susan Wood, David Lund and Kirk and Beverly Leadbetter.

Stephanie Allen of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant. She gave some history on the property. Since the Master Plan and the Commercial zoning were put in place, things had significantly changed in the area. There was no longer going to be a ramp at Valley Drive and I-215, so the commercial properties were no longer viable for commercial use. The site was currently Master Planned for low density residential and zoned C-2. The application was for Very High Density, which would allow up to 50 units per acre. In meeting with the neighbors, they understood this was a significant concern as Aliante was directly to the north of the project, but the parcel was outside of Aliante. In an effort to reduce some of the neighbors concerns, they reduced their application for the Master Plan to High Density Residential, which cut the density in half and also reduced the zoning request from R-4 to R-3, which was appropriate and compatible to the area, because surrounding the parcel to the west was a PUD development which was approved at 18 units per acre; to the south and east there were R-3 zoned parcels and R-1 to the north.

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

- **Louis Reimer, 4012 Rice Bird Way, North Las Vegas, NV 89084** stated he was opposed as it would impact the streets, parks, schools and create air and noise pollution in the area. He felt the proposed project was out of character with the uses in the area and that R-1 would be an appropriate use.

- **Carol Reimer, 4012 Ricebird Way, North Las Vegas, NV 89084** stated she was opposed to changing the zoning from C-2 to an R-3 but would be happy with R-1, R-2, or C-2. She was opposed to buildings three stories or higher.
- **Lou & Arlene Rizzo, 4222 W. El Campo Grande, North Las Vegas, NV 89031** were opposed and agreed with previous comments.
- **Michele Gey, 6037 Harvest Dance Street, North Las Vegas, NV 89031** was opposed and agreed with previous comments.
- **Ed Wieger, 5717 Rock Dove Way, North Las Vegas, NV 89084** was opposed and agreed with previous comments. He stated the Fresno City Council, Austin City Council, The Chattanooga City Council were also having the same problem, with population density increased with most of the constituents. He submitted a petition with 200 signatures of residents who were opposed to the application. Mr. Wieger also indicated he had spoken with the Washburn Police Substation who stated there was increased crime with apartments and constituency of transients who come and go. The schools would also be overcrowded and property values would decline. He was concerned the R-3 would be apartments or possibly condos.
- **Norman Wilbus, 5837 Gentle Creek, North Las Vegas, NV 89031** stated he was the president of Creek Side, was opposed and agreed with comments previously made.
- **Davis Ross, 6440 Raptor Court, North Las Vegas, NV 89084** stated he was opposed and agreed with comments previously made.
- **Bryan Flippin, 4102 Cotton Creek, North Las Vegas, NV 89031** stated he was opposed to the application.
- **Jean Marley, 4016 Ricebird Way, North Las Vegas, NV 89084** stated she was opposed to the application.
- **Donald Marley, 4016 Ricebird Way, North Las Vegas, NV 89084** stated he concurred with other comments and was opposed to the application.
- **Hong Melody Deng-Lee, 4025 Ricebird Way, North Las Vegas, NV 89084** stated she concurred with previous comments and was opposed to the application.

- **Keith Turgiss, 6416 Raptor Court, North Las Vegas, NV 89084** stated he was opposed and asked the Commission to consider that Aliante was a premium master planned community and the proposed development would not enhance it. When Aliante was designed, they did not want apartment complexes within the community.
- **Lei Lavarias, 6440 Raptor Court, North Las Vegas, NV 89084** stated she was opposed to the high density and agreed with all previous comments.
- **Marline Dobbins, 3917 Ricebird Way, North Las Vegas, NV 89084** stated she was opposed and did not want higher density as it would bring down the living standards of the communities surrounding the proposed project. Apartments were a temporary residence with people moving in and out constantly.
- **Richard Gey, 6037 Harvest Dance Street, North Las Vegas, NV 89031** stated he was opposed to the application. He purchased his home with the knowledge of the zoning in the area and would like it to remain as it was.
- **Patricia Fritzing, 3905 Ratite Way, North Las Vegas, NV 89084** stated she was opposed and agreed with previous comments.
- **Roland Dobbins, 3917 Ricebird Way, North Las Vegas, NV 89084** stated he was opposed and would like a development that was compatible with the area.
- **Tim Duerson, 3719 Robin Knot Court, North Las Vegas, NV 89084** stated he was opposed the application. He purchased his home knowing there would be commercial development on the proposed site and was opposed to high density as it was not appropriate and would be agreeable to R-1.
- **Carin Blair, 3723 Robin Knot Court, North Las Vegas, 89084** stated she was opposed as the schools were overcrowded, parks would be overcrowded, increased traffic and vandalism and decreased property values. Solutions to the problem could be to use retail and office park space so there would be a combination of both or keep R-2 which is single family homes. She asked the Commission to consider the people living in the area and not the money in the pockets of multi-family developers.
- **Dianne Hanrahan, 3720 Robin Knot Court, North Las Vegas, NV 89084** was not present, but card was turned in on her behalf as being opposed to the proposed project.

- **Charles Rose, 6027 Orca Lilly, North Las Vegas, NV 89031** stated Aviary Parkway went across I-215 a couple hundred yards to the south of where Valley Drive would have crossed, which would allow traffic access to the proposed site. He stated the proposed development would overload the infrastructure already in place and overcrowd area schools, which were already overcrowded.
- **William Jones, 5855 Watercolor, North Las Vegas, NV 89031** stated he was opposed as undesirable qualities would come with the rezoning. The residents of Aliante were fortunate as they had not dealt with these types of rezonings. There had been rezoning in the Creekside area directly to the south of the proposed site, from R-1 to R-3. Since that time, the crime in the area had increased and there was also graffiti.
- **Ken Klosterman, 6127 Stage Hills Place, North Las Vegas, NV 89031** presented a petition with over 193 signatures of people in Highland Hills who were opposed to the proposed rezoning. He was opposed to the rezoning as the infrastructure could not handle higher density. The elementary school had six portable classrooms which were already overcrowded. The crime in the area had already increased and would be worse with higher density and he agreed with all previous statements.
- **George Grace, 6014 Carmel Bluff Street, North Las Vegas, NV** stated he purchased his home with the knowledge of the zoning in the area. He would not have purchased a home close to property zoned for high density housing. He would be agreeable to R-1 zoning or the commercial that it was currently zoned.
- **Garrick Chinn, 4017 Ricebird Way, North Las Vegas, NV 89084** stated his back yard was directly across from the proposed site and he did not want to lose his privacy and did not want the traffic congestion a high density project would cause.
- **Bret Shugart, 3714 Caribbean Blue Avenue, North Las Vegas, NV 89031** stated he moved to the area to escape high density housing. He would be agreeable to R-1 zoning as high density would bring more crime to the area.
- **Tina Carnes, 3731 Caribbean Blue Avenue, North Las Vegas, NV 89031** stated she purchased her home with the knowledge of the zoning and did not want it changed. There were currently no apartments in the area, so she did not feel apartments would blend in with the neighborhood. With apartments comes more crime, graffiti and overcrowding of schools and parks and more traffic congestion.

- **Rodney Carnes, 3731 Caribbean Blue Avenue, North Las Vegas, NV 89031** stated he chose his home because he liked the parks and the area and because it was quiet and he was opposed to the proposed rezoning.

Vice-Chairman Jo Cato left Chambers at 7:25 p.m. Vice Chairman Cato returned to Chambers at 7:29 p.m.

- **Al Campos, 3930 Passing Storm Lane, North Las Vegas, NV 89031** stated he was opposed and did not want his quality of life changed.
- **Dawn Hedin, 3937 Robin Knot Court, North Las Vegas, NV 89084** stated she was opposed and agreed with previous comments. She did not want a density higher than R-1.
- **Jared Tippetts, 5833 Gentle Creek Lane, North Las Vegas, NV 89031** stated he was opposed to the rezoning as it would bring crime to the area. When he purchased his home he made sure there were no apartments or high density housing around them.
- **Mellissa Whitney, 3913 Ricebird Way, North Las Vegas, NV 89084** stated she was opposed to the proposed rezoning. She would be in support of commercial or R-1 zoning on the proposed site. If the zoning was changed from commercial, she would like people to have ownership so they were equally invested in maintaining the community she believed in.
- **Scott Whitney, 3913 Ricebird Way, North Las Vegas, NV 89084** stated he was opposed to the rezoning. He invested his time and money in a City that in the past was not considered a desirable place to live but based on the information he received and feedback he heard, he decided to move to North Las Vegas and had invested a large amount on his home and did not want it devalued.
- **Jan Pierce, 3820 Rock Dove Way, North Las Vegas, NV 89031** stated she was opposed to the proposed rezoning. She purchased her home because of the single story homes, the wide streets, a master plan that showed signs of caring about single family homes and commercial property, which was also single story and blended well with the community. The change in the housing market was not a reason for their community to change with it.
- **Doris Wenzel, 3827 Shimmering Creek Avenue, North Las Vegas, NV 89031** stated they purchased their home in North Las Vegas with the knowledge there was no high density housing in the area and was opposed to high density.

- **James Wenzel, 3827 Shimmering Creek Avenue, North Las Vegas, NV 89031** stated he was opposed and agreed with previous comments. With high density population, it had been proven that crime would increase.
- **Rick Lemmon, 5902 Willis, North Las Vegas, NV 89031** stated he was opposed to the rezoning.
- **Vlad Gorb, 5929 Gentle Creek Lane, North Las Vegas, NV 89031** stated he was opposed to the rezoning as it would cause more traffic congestion.
- **Daniel Nevarez, 6104 Golden Harmony, North Las Vegas, NV 89031** stated he was opposed and agreed with previous comments. The crime rate would increase with high density housing

Commissioner Dilip Trivedi left Chambers at 7:41 p.m. Commissioner Trivedi returned to Chambers at 7:43 p.m.

- **Tara Younker, 5915 Creekside Sands Lane, North Las Vegas, NV 89031** stated there were currently condos behind her home and as soon as they were built, the homes in the area were being broken into and vehicles were being stolen, the traffic in the area was already congested and she was opposed to multi-family homes. She stated she had invested a large amount of money in here landscaping and was afraid to invest more money as here home would be devalued.
- **William Younker, 5915 Creekside Sands Lane, North Las Vegas, NV 89031** stated he was opposed and concurred with all other comments.
- **Matthew Tripp, 4107 Cotton Creek Avenue, north Las Vegas, NV 89031** stated he was opposed to the rezoning.
- **Janette Jones, 4107 Cotton Creek Avenue, North Las Vegas, NV 89031** stated she was opposed to the rezoning and agreed with all other comments.
- **Lene Fried, 4021 Cotton Creek, North Las Vegas, NV 89031** stated she was opposed to the rezoning.
- **Amy Flippin, 4102 Cotton Creek, North Las Vegas, NV 89031** stated she was opposed to the rezoning.
- **Sharon Navarrette, 4205 Mountain Rose Avenue, North Las Vegas, NV 89031** stated she was opposed to the rezoning and agreed with all other comments.

- **Dolly Epstein, 4109 Mountain Rose Avenue, North Las Vegas, NV 89031** asked the Commission to deny the application.
- **Tony Navarrette, 4205 Mountain Rose Avenue, North Las Vegas, NV 89031** stated he was opposed and agreed with all other comments.
- **Leon Sauls, 5913 Willis Street, North Las Vegas, NV 89031** stated he was opposed to the rezoning.
- **Susan Jackel, 6042 Carmel Bluff Street, North Las Vegas, NV 89031** stated she was opposed and concurred with all other comments.
- **Meshel Clements, 3938 Passing Storm Lane, North Las Vegas, NV 89031** stated her privacy would be greatly affected by the proposed project and she was a school teacher in the area and the schools were already very overcrowded and she was opposed to the proposed rezoning.
- **Trisha Glenn, 4113 Carrie Hills, North Las Vegas, NV 89031** stated she had friends who worked at Goynes Elementary and some of the classrooms had 45 children, which was not conducive to good teaching. She purchased her home knowing that Aliante would be there and the value of living below Aliante would be similar to living in Summerlin and she did not want to lose that quality of life and was opposed to the rezoning.

Chairman Aston closed the Public Hearing.

Ms. Allen explained Valley Drive was planned to be an overpass and the commercial zoning was developed because of the overpass. The PUD development to the west was originally zoned commercial, but since had been rezoned to R-2. They requested a change to the Master Plan and zoning due to the changes that had already taken place. She stated Avante Homes had a vested interest in the area and the community and in enhancing the area. Avante had every intention of developing the site and did not anticipate developing apartments on the site but they were proposing multi-family with R-3 zoning but it would be condos or townhomes but had not yet determined what product it would be. Ms. Allen stated they could propose a solution to buffering the northern area if the neighbors were amenable to it. Avante was willing to go with R-2 development on the northern portion of the site in an effort to buffer some of the homes in that area and to transition a little more into the R-3 zoning, which was zoned directly east and south of the site. To the west was a PUD, with 18 units per acre in an R-3 development. If the Commission was willing to consider that, they were willing to designate a couple hundred feet of R-2 development and then R-3 development. As far as transitioning and various

product types, she heard Summerlin mentioned and she understood Aliante, as well as the Avante developments and the entire area was a very nice community and had a variety of products, like Summerlin. Aliante was originally planned to have multi-family but it had not developed that way. Currently, there were no apartments in Aliante but there were condos and tri-plexes located within the Aliante Master Plan, which was what made it a unique and valued community. Ms. Allen stated traffic and drainage studies would be submitted and must be approved by Staff prior to development of the site. The site can only be developed within the guidelines of code, so they would not be building anything higher than what was allowed by code. She stated the Master Plan needed to be changed because commercial was no longer viable as a portion Valley Drive had been vacated by the developer to the west and would never go over I-215; therefore, if someone were to try to create a commercial development on the site, it was a dead end and would not be able to get a major anchor tenant. The site was surrounded by 18 units per acre and R-3 development with the exception of the homes to the north, which were R-1 and behind the R-3 there were some lower density residences but the zoning of R-2 transitioned to R-3 was more than appropriate for the area and Avante Homes would build a nice product and enhance the neighborhood and requested the Commission's approval. She also stated it would not be apartments but would be a for sale product so there would not be a concern of renters.

Chairman Jay Aston asked Staff if when looking at Centennial Parkway, the Master Plan of Streets and Highways followed the southern boundary of the proposed site and currently stopped at Valley. Staff responded it dead ends at Valley. Chairman Aston asked if Valley would eventually come all the way through. Cleve Kus of Public Works responded Valley Drive would connect into Centennial Parkway and Centennial would ultimately connect into Decatur Boulevard via Tropical Parkway. North of Centennial Parkway, if Valley was to continue, it would provide access to parcels immediately on the west and east that front Valley Drive and would never continue over the I-215 Beltway. Chairman Aston asked if Centennial Parkway was 100 feet. Mr. Kus responded it was in the developed areas and was on the Master Plan of Streets and Highways as a 100 foot wide right-of-way roadway. Chairman Aston asked the width where it joined with Valley Drive going south to Tropical Parkway. Mr. Kus responded that portion of Valley Drive was 80 feet. Chairman Aston asked if it would remain 80 feet. Mr. Kus responded it would. Chairman Aston asked how close commercial was to the proposed site. Mr. Jordan responded the nearest commercial would be off of Decatur Boulevard and Ranch House Road and El Campo Grande and Decatur Boulevard. Chairman Aston stated he understood the challenges of the property staying commercial due to the access but also appreciated the comments from the residents and if he were to look for transitional zoning, he would be more inclined to go for R-1 on the top and maybe R-2 on the bottom.

Commissioner Angelo Carvalho stated he agreed with Chairman Aston's comments and the parks were overcrowded from other neighborhoods, and the school was overcrowded. He felt the developer could meet with the community and develop a better plan and was not in support of the application.

Vice-Chairman Jo Cato thanked the residents for coming out and stated she agreed with Chairman Aston that the transitional zoning she would support would be from R-1 to R-2. She stated she had a daughter who attended school in that area and had to tutor her at night because of the overcrowding of the school.

Commissioner Dean Leavitt stated he agreed with comments from his colleagues. He stated any area in the Clark County School District experiencing growth had the same problems with overcrowding and time would remediate the situation.

Chairman Aston asked the applicant if she was looking for an up/down vote or a continuance if it did not look like the application was going to be approved. Ms. Allen responded she would agree to a continuance and work with the neighbors to see what options they had as far as some transitional zoning and requested a two week continuance.

Chairman Aston stated it was clear the applicant understood the direction the Commission wanted the application to go and hoped the neighbors were willing to work with the applicant. Chairman Aston asked the applicant if she was willing to work with the neighbors on a lower density project. Ms. Allen stated she understood the Commission's desire and was willing to work with the neighbors and come back in two weeks with some revisions. Chairman Aston asked if two weeks was adequate. Ms. Allen stated she was willing to continue for 30 days.

Commissioner Steve Brown asked what C-2 uses were allowed on the subject property without getting permission from the Commission. Marc Jordan, Planning Manager responded C-2 was a retail service type district and allowed retail establishments such as florist shops, furniture stores, hobby stores, shopping centers, department stores, grocery stores, and fast food with a special use.

Commissioner Dilip Trivedi suggested when the application came back before the Commission, that it be made time certain and be the first item on the agenda. He also commented he appreciated the neighbors coming out and opposing the project but should realize they live in the second fastest growing City in the country with a current population of 185,000 people in an 80 square mile area, which translated to roughly 2500 people per square mile and there were 1200 families trying to move in every month. The property values were going up because there were more people moving in and the City could not turn their back on them. The Planning Staff, Planning Commission and City Council are put in an awkward position when considering these types of applications and asked the applicant and neighbors to work out a solution.

Vice-Chairman Cato agreed with Commissioner Trivedi but disagreed with some of his comments. She understood condos and apartments were needed in the community due to the growth; but, she thought there were areas appropriate for those uses. If there was a community with homes already there, apartments were not appropriate as it changed the

dynamics of a certain lifestyle. The Commission and the City were on the right path and there were some areas not yet developed where R-3 and R-4 had been approved. When a community was going to be built around those high density uses, the residents had the ability to know what would be in those areas before they purchased a home.

Commissioner Trivedi asked Staff if they knew how many apartment complexes were currently existing in North Las Vegas. Planning & Zoning Director Jory Stewart responded the information was available but did not have it with her. They were seeing a demand for multi-family because the market investment in that area was very high at this time. They were trying to evaluate if that was healthy and in what percentage relative to other development, commercial, industrial and residential, what the healthy amount was, but had not yet completed that study. Commissioner Trivedi asked if was possible to bring it up at the next meeting. Ms. Stewart stated she did not know if it would be completed by that time but she could give him what was available.

Mr. Jordan stated if the applicant met with the neighbors and changed the zoning to R-1 and R-2, before the next meeting, they would need to submit revised boundary maps showing the split of the new proposal and the legal descriptions for both.

Ms. Allen stated she was willing to submit new boundary maps.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO MARCH 8, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

11. **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 AND JANUARY 11, 2006)**

The following comments were carried forward from Item No. 10, AMP-68-05

Item Nos. 10 and 11 were presented together.

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval with HDR, High Density Residential; however, the submitted proposal does not meet the guidelines of the Comprehensive Plan. Over the past week, three letters were received in opposition from Robert and Susan Wood, David Lund and Kirk and Beverly Leadbetter.

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- **Tina Carnes, 3731 Caribbean Blue Avenue, North Las Vegas, NV 89031** stated she purchased her home with the knowledge of the zoning and did not want it changed. There were currently no apartments in the area, so she did not feel apartments would blend in with the neighborhood. With apartments comes more crime, graffiti and overcrowding of schools and parks and more traffic congestion.
- **Rodney Carnes, 3731 Caribbean Blue Avenue, North Las Vegas, NV 89031** stated he chose his home because he liked the parks and the area and because it was quiet and he was opposed to the proposed rezoning.

Vice-Chairman Jo Cato left Chambers at 7:25 p.m. Vice Chairman Cato returned to Chambers at 7:29 p.m.

- **Al Campos, 3930 Passing Storm Lane, North Las Vegas, NV 89031** stated he was opposed and did not want his quality of life changed.
- **Dawn Hedin, 3937 Robin Knot Court, North Las Vegas, NV 89084** stated she was opposed and agreed with previous comments. She did not want a density higher than R-1.
- **Jared Tippetts, 5833 Gentle Creek Lane, North Las Vegas, NV 89031** stated he was opposed to the rezoning as it would bring crime to the area. When he purchased his home he made sure there were no apartments or high density housing around them.
- **Mellissa Whitney, 3913 Ricebird Way, North Las Vegas, NV 89084** stated she was opposed to the proposed rezoning. She would be in support of commercial or R-1 zoning on the proposed site. If the zoning was changed from commercial, she would like people to have ownership so they were equally invested in maintaining the community she believed in.
- **Scott Whitney, 3913 Ricebird Way, North Las Vegas, NV 89084** stated he was opposed to the rezoning. He invested his time and money in a City that in the past was not considered a desirable place to live but based on the information he received and feedback he heard, he decided to move to North Las Vegas and had invested a large amount on his home and did not want it devalued.
- **Jan Pierce, 3820 Rock Dove Way, North Las Vegas, NV 89031** stated she was opposed to the proposed rezoning. She purchased her home because of the single story homes, the wide streets, a master plan that showed signs of caring about single family homes and commercial property, which was also single story and blended well with the community. The change in the housing market was not a reason for their community to change with it.
- **Doris Wenzel, 3827 Shimmering Creek Avenue, North Las Vegas, NV 89031** stated they purchased their home in North Las Vegas with the knowledge there was no high density housing in the area and was opposed to high density.
- **James Wenzel, 3827 Shimmering Creek Avenue, North Las Vegas, NV 89031** stated he was opposed and agreed with previous comments. With high density population, it had been proven that crime would increase.
- **Rick Lemmon, 5902 Willis, North Las Vegas, NV 89031** stated he was opposed to the rezoning.

- **Vlad Gorb, 5929 Gentle Creek Lane, North Las Vegas, NV 89031** stated he was opposed to the rezoning as it would cause more traffic congestion.
- **Daniel Nevarez, 6104 Golden Harmony, North Las Vegas, NV 89031** stated he was opposed and agreed with previous comments. The crime rate would increase with high density housing

Commissioner Dilip Trivedi left Chambers at 7:41 p.m. Commissioner Trivedi returned to Chambers at 7:43 p.m.

- **Tara Younker, 5915 Creekside Sands Lane, North Las Vegas, NV 89031** stated there were currently condos behind her home and as soon as they were built, the homes in the area were being broken into and vehicles were being stolen, the traffic in the area was already congested and she was opposed to multi-family homes. She stated she had invested a large amount of money in here landscaping and was afraid to invest more money as here home would be devalued.
- **William Younker, 5915 Creekside Sands Lane, North Las Vegas, NV 89031** stated he was opposed and concurred with all other comments.
- **Matthew Tripp, 4107 Cotton Creek Avenue, north Las Vegas, NV 89031** stated he was opposed to the rezoning.
- **Janette Jones, 4107 Cotton Creek Avenue, North Las Vegas, NV 89031** stated she was opposed to the rezoning and agreed with all other comments.
- **Lene Fried, 4021 Cotton Creek, North Las Vegas, NV 89031** stated she was opposed to the rezoning.
- **Amy Flippin, 4102 Cotton Creek, North Las Vegas, NV 89031** stated she was opposed to the rezoning.
- **Sharon Navarrette, 4205 Mountain Rose Avenue, North Las Vegas, NV 89031** stated she was opposed to the rezoning and agreed with all other comments.
- **Dolly Epstein, 4109 Mountain Rose Avenue, North Las Vegas, NV 89031** asked the Commission to deny the application.
- **Tony Navarrette, 4205 Mountain Rose Avenue, North Las Vegas, NV 89031** stated he was opposed and agreed with all other comments.

- **Leon Sauls, 5913 Willis Street, North Las Vegas, NV 89031** stated he was opposed to the rezoning.
- **Susan Jackel, 6042 Carmel Bluff Street, North Las Vegas, NV 89031** stated she was opposed and concurred with all other comments.
- **Meshel Clements, 3938 Passing Storm Lane, North Las Vegas, NV 89031** stated her privacy would be greatly affected by the proposed project and she was a school teacher in the area and the schools were already very overcrowded and she was opposed to the proposed rezoning.
- **Trisha Glenn, 4113 Carrie Hills, North Las Vegas, NV 89031** stated she had friends who worked at Goynes Elementary and some of the classrooms had 45 children, which was not conducive to good teaching. She purchased her home knowing that Aliante would be there and the value of living below Aliante would be similar to living in Summerlin and she did not want to lose that quality of life and was opposed to the rezoning.

Chairman Aston closed the Public Hearing.

Ms. Allen explained Valley Drive was planned to be an overpass and the commercial zoning was developed because of the overpass. The PUD development to the west was originally zoned commercial, but since had been rezoned to R-2. They requested a change to the Master Plan and zoning due to the changes that had already taken place. She stated Avante Homes had a vested interest in the area and the community and in enhancing the area. Avante had every intention of developing the site and did not anticipate developing apartments on the site but they were proposing multi-family with R-3 zoning but it would be condos or townhomes but had not yet determined what product it would be. Ms. Allen stated they could propose a solution to buffering the northern area if the neighbors were amenable to it. Avante was willing to go with R-2 development on the northern portion of the site in an effort to buffer some of the homes in that area and to transition a little more into the R-3 zoning, which was zoned directly east and south of the site. To the west was a PUD, with 18 units per acre in an R-3 development. If the Commission was willing to consider that, they were willing to designate a couple hundred feet of R-2 development and then R-3 development. As far as transitioning and various product types, she heard Summerlin mentioned and she understood Aliante, as well as the Avante developments and the entire area was a very nice community and had a variety of products, like Summerlin. Aliante was originally planned to have multi-family but it had not developed that way. Currently, there were no apartments in Aliante but there were condos and tri-plexes located within the Aliante Master Plan, which was what made it a unique and valued community. Ms. Allen stated traffic and drainage studies would be submitted and must be approved by Staff prior to development of the site. The site can only be developed

within the guidelines of code, so they would not be building anything higher than what was allowed by code. She stated the Master Plan needed to be changed because commercial was no longer viable as a portion Valley Drive had been vacated by the developer to the west and would never go over I-215; therefore, if someone were to try to create a commercial development on the site, it was a dead end and would not be able to get a major anchor tenant. The site was surrounded by 18 units per acre and R-3 development with the exception of the homes to the north, which were R-1 and behind the R-3 there were some lower density residences but the zoning of R-2 transitioned to R-3 was more than appropriate for the area and Avante Homes would build a nice product and enhance the neighborhood and requested the Commission's approval. She also stated it would not be apartments but would be a for sale product so there would not be a concern of renters.

Chairman Jay Aston asked Staff if when looking at Centennial Parkway, the Master Plan of Streets and Highways followed the southern boundary of the proposed site and currently stopped at Valley. Staff responded it dead ends at Valley. Chairman Aston asked if Valley would eventually come all the way through. Clete Kus of Public Works responded Valley Drive would connect into Centennial Parkway and Centennial would ultimately connect into Decatur Boulevard via Tropical Parkway. North of Centennial Parkway, if Valley was to continue, it would provide access to parcels immediately on the west and east that front Valley Drive and would never continue over the I-215 Beltway. Chairman Aston asked if Centennial Parkway was 100 feet. Mr. Kus responded it was in the developed areas and was on the Master Plan of Streets and Highways as a 100 foot wide right-of-way roadway. Chairman Aston asked the width where it joined with Valley Drive going south to Tropical Parkway. Mr. Kus responded that portion of Valley Drive was 80 feet. Chairman Aston asked if it would remain 80 feet. Mr. Kus responded it would. Chairman Aston asked how close commercial was to the proposed site. Mr. Jordan responded the nearest commercial would be off of Decatur Boulevard and Ranch House Road and El Campo Grande and Decatur Boulevard. Chairman Aston stated he understood the challenges of the property staying commercial due to the access but also appreciated the comments from the residents and if he were to look for transitional zoning, he would be more inclined to go for R-1 on the top and maybe R-2 on the bottom.

Commissioner Angelo Carvalho stated he agreed with Chairman Aston's comments and the parks were overcrowded from other neighborhoods, and the school was overcrowded. He felt the developer could meet with the community and develop a better plan and was not in support of the application.

Vice-Chairman Jo Cato thanked the residents for coming out and stated she agreed with Chairman Aston that the transitional zoning she would support would be from R-1 to R-2. She stated she had a daughter who attended school in that area and had to tutor her at night because of the overcrowding of the school.

Commissioner Dean Leavitt stated he agreed with comments from his colleagues. He stated any area in the Clark County School District experiencing growth had the same problems with overcrowding and time would remediate the situation.

Chairman Aston asked the applicant if she was looking for an up/down vote or a continuance if it did not look like the application was going to be approved. Ms. Allen responded she would agree to a continuance and work with the neighbors to see what options they had as far as some transitional zoning and requested a two week continuance.

Chairman Aston stated it was clear the applicant understood the direction the Commission wanted the application to go and hoped the neighbors were willing to work with the applicant. Chairman Aston asked the applicant if she was willing to work with the neighbors on a lower density project. Ms. Allen stated she understood the Commission's desire and was willing to work with the neighbors and come back in two weeks with some revisions. Chairman Aston asked if two weeks was adequate. Ms. Allen stated she was willing to continue for 30 days.

Commissioner Steve Brown asked what C-2 uses were allowed on the subject property without getting permission from the Commission. Marc Jordan, Planning Manager responded C-2 was a retail service type district and allowed retail establishments such as florist shops, furniture stores, hobby stores, shopping centers, department stores, grocery stores, and fast food with a special use.

Commissioner Dilip Trivedi suggested when the application came back before the Commission, that it be made time certain and be the first item on the agenda. He also commented he appreciated the neighbors coming out and opposing the project but should realize they live in the second fastest growing City in the country with a current population of 185,000 people in an 80 square mile area, which translated to roughly 2500 people per square mile and there were 1200 families trying to move in every month. The property values were going up because there were more people moving in and the City could not turn their back on them. The Planning Staff, Planning Commission and City Council are put in an awkward position when considering these types of applications and asked the applicant and neighbors to work out a solution.

Vice-Chairman Cato agreed with Commissioner Trivedi but disagreed with some of his comments. She understood condos and apartments were needed in the community due to the growth; but, she thought there were areas appropriate for those uses. If there was a community with homes already there, apartments were not appropriate as it changed the dynamics of a certain lifestyle. The Commission and the City were on the right path and there were some areas not yet developed where R-3 and R-4 had been approved. When a community was going to be built around those high density uses, the residents had the ability to know what would be in those areas before they purchased a home.

Commissioner Trivedi asked Staff if they knew how many apartment complexes were currently existing in North Las Vegas. Planning & Zoning Director Jory Stewart responded the information was available but did not have it with her. They were seeing a demand for multi-family because the market investment in that area was very high at this time. They were trying to evaluate if that was healthy and in what percentage relative to other development, commercial, industrial and residential, what the healthy amount was, but had not yet completed that study. Commissioner Trivedi asked if was possible to bring it up at the next meeting. Ms. Stewart stated she did not know if it would be completed by that time but she could give him what was available.

Mr. Jordan stated if the applicant met with the neighbors and changed the zoning to R-1 and R-2, before the next meeting, they would need to submit revised boundary maps showing the split of the new proposal and the legal descriptions for both.

Ms. Allen stated she was willing to submit new boundary maps.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO MARCH 8, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

There was a break in proceedings at 8:18 p.m.

The meeting reconvened at 8:35 p.m.

Item No. 15 was heard next.

12. **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 AND JANUARY 11, 2006)**

It was requested by the applicant to continue AMP-73-05 to February 22, 2006.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant explaining the engineers were preparing an analysis regarding the bridge. They had a letter from the abutting property owner but had not had a chance to go through the engineering issues with Staff to be sure the bridge was acceptable in terms of its feasibility.

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

Harvey Ferber, 1504 Lazy Hill Ranch, North Las Vegas, NV stated he would hold comment.

Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas, NV 89081 asked that the applicant not wait until 5:30 the day of the meeting to ask for a continuance.

Commissioner Dean Leavitt explained when an applicant requested a continuance, it was the Commission's right to refuse the request.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO FEBRUARY 22, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

13. **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 AND JANUARY 11, 2006)**

It was requested by the applicant to continue ZN-98-05 to February 22, 2006.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant explaining the engineers were preparing an analysis regarding the bridge. They had a letter from the abutting property owner but had not had a chance to go through the engineering issues with Staff to be sure the bridge was acceptable in terms of its feasibility.

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

Harvey Ferber, 1504 Lazy Hill Ranch, North Las Vegas, NV stated he would hold comment.

Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas, NV 89081 asked that the applicant not wait until 5:30 the day of the meeting to ask for a continuance.

Commissioner Dean Leavitt explained when an applicant requested a continuance, it was the Commission's right to refuse the request.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO FEBRUARY 22, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

14. **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. (CONTINUED JANUARY 11, 2006)**

It was requested by the applicant to continue FDP-01-06 to February 22, 2006.

ACTION: CONTINUED TO FEBRUARY 22, 2006

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

15. 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. (CONTINUED JANUARY 11 AND 25, 2006)

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

Lazell Preator, Integrity Engineering, 2480 East Tompkins Avenue #232, Las Vegas, NV 89121 appeared on behalf of the applicant stating he concurred with Staff recommendation. Mr. Preator explained the project by stating the site was at the corner of Hollywood between El Campo Grande and Ann Road. The two major washes create a ridge at the edge of the property which was why they would like to vacate Shatz Street. Also, Hollywood was the only street that connects I-15 or anything to the north and Las Vegas Boulevard to the south. The union training facility was to the south and Shatz Street dead ends at Ann Road. There had never been an easement through the union property and if there was, it was vacated so long ago, it was not showing up on the records. That easement was missing between Howdy Wells and Las Vegas Boulevard. In talking to Nevada Department of Transportation (NDOT), they stated they would not support another entrance onto Las Vegas Boulevard until at least Mt. Hood due to the volume of traffic on Las Vegas Boulevard. The first street having a potential of being an east/west street past the Air Force Base was Tropical Parkway to the north; therefore, traffic must be funneled east/west to Hollywood or to the potential intersection farther to the west, so they were requesting the vacation of Shatz Street. Another reason for vacating Shatz Street was because there was a great deal of fall at the corner of Shatz and El Campo Grande, which made accessing the large lots impossible from Shatz Street. They created common access drives wide enough for the Fire Department and would also serve as a public access between Ann Road and El Campo Grande. The property owner to the west wanted pull-through lots similar to what was proposed by the applicant.

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, Shull, Brown, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

16. 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. (CONTINUED JANUARY 11 AND 25, 2006)

The application was presented by Marc Jordan, Planning Manager who indicated Staff was recommending approval of VAC-01-06 subject to the following added condition read into the record:

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

Lazell Preator, Integrity Engineering, 2480 East Tompkins Avenue #232, Las Vegas, NV 89121 stated 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 RECOMMENDATION WITH THE ADDITION OF CONDITION NO. 1 AS FOLLOWS:

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

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

17. 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. (CONTINUED JANUARY 11 AND 25, 2006)

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of T-1234 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method; the development shall comply with all applicable codes, ordinances, and design standards.
2. That T-1234 shall comply with the conditions of approval for SPR-52-05.
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. Clark County Regional Flood Control District concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. Clark County Public Works concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
7. 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.
8. 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.
9. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the actual thickness of the pavement sections will be determined by the Department of Public Works.

10. 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.
11. Approval of a traffic study is required prior to submittal of the civil improvement plans.
12. 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.
13. Should the approved traffic study and/or City Traffic Engineer require a raised median within Hollywood Boulevard, El Campo Grande and/or Ann Road, the median(s) shall be constructed per *Clark County Area Uniform Standard Drawing* numbers 218 PCC and 219 "A" type island curb.
14. Dedication and construction of the following right-of-way, 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. Hollywood Boulevard
 - b. El Campo Grande
 - c. Ann Road
 - d. Shatz Street (should the associated VAC and AMP be denied)
 - e. CAT bus turn-out per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1, – Location(s) to be determined by the City Traffic Engineer and RTC.
 - f. Flared intersection(s), including a right turn lane, per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1, – Location(s) to be determined by the City Traffic Engineer.
15. 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.
16. 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.

17. The property owner is required to grant a roadway easement for commercial driveway(s).
18. 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.
19. A revocable encroachment permit for landscaping within the public right of way is required.
20. The property owner is required to sign a restrictive covenant for utilities.
21. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
22. All off-site improvements must be completed prior to final inspection of the first building.

Lazell Preator, Integrity Engineering, 2480 East Tompkins Avenue #232, Las Vegas, NV 89121 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

18. **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. (CONTINUED JANUARY 11 AND 25, 2006)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending continuance of SPR-01-06 because City Council had not yet approved the accompanying Amendment to the Master Plan or the zoning request, so the site plan may be premature as they were proposing a density of 21 dwelling units per acre, which was a much higher density than was originally supported by Staff and if City Council were to approve a lower zoning or land use category, it would require a complete revision to the site, so Staff felt approval of the site plan as presented was premature. A continuance would also allow the applicant to address concerns of Parks and Recreation.

Stephanie Allen of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating currently the PUD development was 210 units. They had worked with Staff to address some of the concerns, which were not all shown on the site plan, but agreed to conditions recommended by Staff. She understood the Fire Department wanted another fire access point on the site plan and they had worked with the Fire Department and agreed to add an access on North 5th Street for fire access only. She asked the Commission for approval to change the density in Condition No. 30 from 210 units per acre to 186 units per acre, which would not materially affect the site but would shrink the number of buildings and reduce the density and provide more open space. Ms. Allen stated she agreed with all amenities listed in Condition No. 29 with the addition of (L) That they would provide that the pathway provided throughout would connect to the pool area.

Commissioner Dean Leavitt asked Tony Taylor of Parks and Recreation to verify the applicant gave a fair representation of the understanding of the conditions listed by Parks and Recreation.

Tony Taylor of Parks and Recreation stated the applicant was willing to agree to all conditions but Condition No. 29.e called for a 30' gazebo which was way too large. If the applicant were to agree with conditions as listed, they would have to comply or come back before the Commission for an amendment and recommended the condition be amended at this time. Ms. Allen thanked Mr. Taylor for pointing that out and asked if the size could be removed as the applicant planned to put in an outdoor living room area as opposed to a gazebo.

Commissioner Steve Brown asked if there should be a condition if the accompanying items were not approved by City Council that this application would be null and void. Mr. Eastman responded he was working on a condition to address that issue.

Ms. Allen stated Condition No. 2 stated the application was null and void if the zoning and amendment to the Master Plan were not approved by City Council

Mr. Eastman stated the condition he was working on involved the actual density of the project. He read the Condition No. 31 for the record as follows: *The density of SPR-01-06 shall not exceed the amount allowed in ZN-93-05 or AMP-67-05. If a conflict occurs, the more restrictive shall apply.*

Chairman Aston asked Mr. Taylor if he was addressing the pathway, Condition No. 29.L, being added by the applicant. Mr. Taylor responded the first item was a circuitous lighted pathway and the memo received from the applicant indicated there would be a pathway but it was at the southern end of the property. The pathway was supposed to wind in and out through the area, especially with a swimming pool, the pathway should somehow connect with the swimming pool. It was an addition to Condition No. 2.A. Mr. Eastman suggested 29.a be amended to read: *Circuitous light paths which will connect to the pool area.* Chairman Aston asked if Condition 29.E would be amended. Mr. Taylor responded the word (30') could be removed and Staff would work with the applicant on designing the outdoor area.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 29.A, 20.E AND 30 AMENDED AND THE ADDITION OF CONDITION NO. 31 AS FOLLOWS:

29.A. CIRCUITOUS LIGHT PATHS WHICH WILL CONNECT TO THE POOL AREA.

29.E. ONE LARGE GROUP SHADE AREA/GAZEBO, LIGHTED

31. THE DENSITY OF SPR-01-06 SHALL NOT EXCEED THE AMOUNT ALLOWED IN ZN-93-05 OR AMP-67-05. IF A CONFLICT OCCURS, THE MORE RESTRICTIVE SHALL APPLY.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None
ABSTAIN: None

Mr. Eastman stated Condition No. 30 should have been changed to state the development shall not exceed 186 units instead of the 210 as listed.

Commissioner Leavitt amended his motion to add the amendment to Condition No. 30.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 29.A, 29.E AND 30 AMENDED AND THE ADDITION OF CONDITION NO. 31 AS FOLLOWS:

29.A. CIRCUITOUS LIGHT PATHS WHICH WILL CONNECT TO THE POOL AREA.

29.E. ONE LARGE GROUP SHADE AREA/GAZEBO, LIGHTED

30. THIS DEVELOPMENT SHALL NOT EXCEED 186 DWELLING UNITS, OR THE DENSITY ASSOCIATED WITH THE APPLICABLE COMPREHENSIVE PLAN LAND USE CATEGORY AND/OR ZONE DISTRICT, WHICHEVER IS LESS.

31. THE DENSITY OF SPR-01-06 SHALL NOT EXCEED THE AMOUNT ALLOWED IN ZN-93-05 OR AMP-67-05. IF A CONFLICT OCCURS, THE MORE RESTRICTIVE SHALL APPLY.

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

19. 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. (CONTINUED JANUARY 11 AND 25, 2006)

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of T-1232 subject to conditions listed in revised memo dated February 8, 2006 as follows:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. This development shall comply with the conditions of approval for SPR-16-04.
3. The following modified list of amenities shall be provided as a minimum:
 - a. Circuitous lighted paths
 - b. A minimum of 20 24-inch box trees per acre
 - c. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
 - d. At least one large open space area for group / organized play
 - e. One large group shade area (27 feet X 50 feet) with tables, trash receptacles and fireplace
 - f. Swimming pool with clubhouse (will provide exercise room and media room), outdoor showers
 - g. Seven Picnic tables and barbecue grills
 - h. Benches spaced along park pathways
 - i. Mile markers spaced along paths
 - j. Pedestrian crossings shall be stamped and colored concrete
 - k. Details of amenities to be provided
4. The property owner is required to grant a roadway easement for commercial driveway(s).

5. The driveway on Azure Avenue shall be used for emergency access only.
6. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Pete J. Laas of Vpoint, 1009 Whitney Ranch Drive, Henderson, NV 89014 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

- 20. ZN-05-06 (24042) MONTECITO PAVILIONS MIXED USE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE MONTECITO COMPANIES ON BEHALF OF TROPICAL-LAMB, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-2 GENERAL COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 160,000 SQUARE FEET OF RETAIL/OFFICE, 21,000 SQUARE FEET OF OFFICE, AND 350 DWELLING UNITS OF MULTI-FAMILY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF TROPICAL PARKWAY AND LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-30-601-003, 123-30-601-005 AND 123-30-601-006. (CONTINUED JANUARY 25, 2006)**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of ZN-05-06 subject to conditions listed in revised memo dated February 8, 2006 with the addition of Condition No. 35 which reads (conditions misnumbered in memo):

35. Dedication of the following rights-of-way is required within 45 days of the City Council approval date or this application shall become null and void:
- a. Tropical Parkway, including the required bus turnout.
 - b. Lamb Boulevard, including the flared intersection right turn lane.
 - c. Azure Avenue

Additionally, Staff had spoken with the applicant during the break, and agreed to changing Condition Nos. 2 and 3. Marc Jordan, Planning Manager read all amendments into the record as follows:

- 2. The residential portion of the development shall comply with the Multi-family Development Standards. This condition may be modified, waived, replaced or altered to the extent those changes are consistent with the goals, policies, objectives, standards and guidelines of a future mixed use zoning ordinance amendment or other code requirements of the City as adopted by the City Council upon the submittal of a Final Development Plan.
- 3. The commercial/office portion of the development shall comply with the Commercial Development Standards and Design Guidelines. This condition may be modified, waived, replaced or altered to the extent those changes are consistent with the goals, policies, objectives, standards and guidelines of a

future mixed use zoning ordinance amendment or other code requirements of the City as adopted by the City Council upon the submittal of a Final Development Plan

4. A Final Development Plan shall be required for Planning Commission review and approval. The Final Development Plan shall provide details of the open space/park areas showing landscaping, amenities, and a phasing plan for the installation of all open space areas and amenities.

The original conditions of approval as listed in the revised memo are as follows:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. The residential portion of the development shall comply with the Multi-Family Development Standards.
3. The commercial / office portion of the development shall comply with the Commercial Development Standards and Design Guidelines.
4. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the open space/park areas showing landscaping and amenities.
5. All open space and plaza areas shall be provided as shown on the Preliminary Development Plan.
6. Tandem parking will be allowed in the townhome portion of the development (Parcel B) for 14% of the units.
7. The residential portions of the development (Parcel A and Parcel B) shall not exceed 55 feet in height to the top of the roof.
8. The commercial / office portion of the development shall not exceed 44 feet in height, to the top of the building, with the exception that one (1) 70-foot tower shall be permitted.
9. The uses permitted in the commercial portion of the development shall be limited to those allowed in the C-1, Neighborhood Commercial District as principally permitted uses or as special uses subject to Title 17 § 24.020, with the exception that the following shall not be permitted:

- a. Automobile drive-in theater
 - b. Automobile service
 - c. Automobile washing establishments
 - d. Mini-warehousing
 - e. Mortuaries
 - f. Pawnshop
10. The commercial square footage shown on the preliminary development plan is considered conceptual and shall be reduced if it is found that there is insufficient parking, buffer area or open space, upon submittal of the final development plan.
 11. The number of multi-family units shown on the preliminary development plan is considered conceptual and shall be reduced if it is found that there is insufficient parking, buffer area, and open space, upon submittal of the final development plan.
 12. The overall design of the site and buildings shall comply with the Commercial Development Standards and Design Guidelines. This condition may be modified, waived, replaced or altered to the extent those changes are consistent with the goals, policies, objectives, standards and guidelines of a future mixed use zoning ordinance amendment or other code requirements of the City, as adopted by the City Council upon the submittal of a final development plan.
 13. Special pavers, bricks or patterned concrete shall be provided for all entry areas and walkways, as shown on the preliminary development plan.
 14. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
 15. Approval of a drainage study is required prior to submittal of the civil improvement plans.
 16. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
 17. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
 18. Should the developer not be required to participate in the Lamb Boulevard S.I.D., 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. Tropical Parkway, including the bus turnout.
 - b. Lamb Boulevard, including the flared intersection/right turn lane.
 - c. Azure Avenue
 - d. Raised median(s) within Lamb Boulevard and Tropical Parkway may be required per the approved traffic study. The median(s) shall be constructed per *Clark County Area Uniform Standard Drawing* numbers 218 and 219 "A" type island curb.
19. Approval of a traffic study is required prior to submittal of the civil improvement plans.
 20. 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.
 21. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Lamb Boulevard and Tropical Parkway.
 22. Right-of-way dedication and construction of a CAT bus turn-out is required on Tropical Parkway near Lamb Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
 23. 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.
 24. The property owner is required to grant a roadway easement for commercial driveway(s).
 25. 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.
 26. A revocable encroachment permit for landscaping within the public right of way is required.
 27. 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.
28. 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.
 29. The property owner is required to sign a restrictive covenant for utilities.
 30. All off-site improvements must be completed prior to final inspection of the first building.
 31. At minimum, the developer will be required to provide the following amenities:
 - a. Circuitous lighted paths;
 - b. Twenty (20) 24-inch box trees per acre;
 - c. Two (2) locations with two (2) differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramadas. Units to be set in Parcel A and Parcel B;
 - d. At least one (1) large open space area for group / organized play;
 - e. One (1) large group shade area / gazebo (30' diameter), lighted. This is in addition to the shelter at the playground units;
 - f. Swimming pool with cabana and shaded seating areas;
 - g. Eight (8) picnic tables and barbecue grills;
 - h. Benches spaced along park pathways;
 - i. Exercise stations and mile markers spaced along paths;
 - j. Plaza areas shall include a shade structure, picnic table, bbq grill, and trash receptacle.
 - k. Pedestrian crossings shall be marked and signed;
 - l. Dog stations near grass areas and other convenient locations;
 - m. Details of amenities to be provided.

32. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
33. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
34. A minimum of two (2) means of Fire Department access is required for Unit 1, Parcel A.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared along with **Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109** on behalf of the applicant. Mr. Garcia stated he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 2, 3, AND 4 AMENDED AND THE ADDITION OF CONDITION NO. 35 AS FOLLOWS:

2. THE RESIDENTIAL PORTION OF THE DEVELOPMENT SHALL COMPLY WITH THE MULTI-FAMILY DEVELOPMENT STANDARDS. THIS CONDITION MAY BE MODIFIED, WAIVED, REPLACED OR ALTERED TO THE EXTENT THOSE CHANGES ARE CONSISTENT WITH THE GOALS, POLICIES, OBJECTIVES, STANDARDS AND GUIDELINES OF A FUTURE MIXED USE ZONING ORDINANCE AMENDMENT OR OTHER CODE REQUIREMENTS OF THE CITY AS ADOPTED BY THE CITY COUNCIL UPON THE SUBMITTAL OF A FINAL DEVELOPMENT PLAN.
3. THE COMMERCIAL/OFFICE PORTION OF THE DEVELOPMENT SHALL COMPLY WITH THE COMMERCIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES. THIS CONDITION MAY BE MODIFIED, WAIVED, REPLACED OR ALTERED TO THE EXTENT THOSE CHANGES ARE CONSISTENT WITH THE GOALS, POLICIES, OBJECTIVES, STANDARDS AND GUIDELINES OF A FUTURE MIXED USE ZONING ORDINANCE AMENDMENT OR OTHER CODE REQUIREMENTS OF THE CITY AS ADOPTED BY THE CITY COUNCIL UPON THE SUBMITTAL OF A FINAL DEVELOPMENT PLAN.

4. A FINAL DEVELOPMENT PLAN SHALL BE REQUIRED FOR PLANNING COMMISSION REVIEW AND APPROVAL. THE FINAL DEVELOPMENT PLAN SHALL PROVIDE DETAILS OF THE OPEN SPACE/PARK AREAS SHOWING LANDSCAPING, AMENITIES, AND A PHASING PLAN FOR THE INSTALLATION OF ALL OPEN SPACE AREAS AND AMENITIES.

35. DEDICATION OF THE FOLLOWING RIGHTS OF WAY IS REQUIRED WITHIN 45 DAYS OF THE CITY COUNCIL APPROVAL DATE OR THIS APPLICATION SHALL BECOME NULL AND VOID:
 - A. TROPICAL PARKWAY, INCLUDING THE REQUIRED BUS TURNOUT.
 - B. LAMB BOULEVARD, INCLUDING THE FLARED INTERSECTION RIGHT TURN LANE.
 - C. AZURE AVENUE.

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

21. **AMP-69-05 (23433) DECATUR/RANCH HOUSE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PULTE HOMES ON BEHALF OF BERMUDA AND BOULEVARD, LLC, ET AL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF REGIONAL COMMERCIAL TO HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF DECATUR BOULEVARD AND RANCH HOUSE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-30-101-009. (CONTINUED DECEMBER 14 AND JANUARY 25, 2005)**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of AMP-69-05 for Medium High Density Residential (MHDR).

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant along with **Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109**. Mr. Garcia stated previously the property was identified as high density residential and was then changed to commercial because the entire area was all part of a commercially zoned area that was going to be a large commercial development. Since that time, the character of the area had changed making it more feasible for residential development. The project is a town house product, ranging from just over 1500 feet to just under 2,000 square feet in size.

Chairman Jay Aston opened the Public Hearing. The following people filled out a card in opposition to this application, but were not present for comment:

- **Tara & Wm. Younker, 5915 Creekside Sands Lane, North Las Vegas, NV 89031.**

Chairman Aston closed the Public Hearing.

Chairman Aston stated, since the proposed density was 13.78, it was close to medium high density, but the density could go as high as 25 units per acre. He asked Staff if their concern was that if the Master Plan were changed to high density, the applicant could withdraw the zoning application at a later date. Mr. Jordan responded Staff was concerned because the applications were submitted at different times, so when they were evaluated, the Amendment to the Master Plan was evaluated by itself because they did not know what was planned. Staff was concerned that high density would allow up to 25 units per acre, even if the PUD were approved, there would not be anything from preventing the applicant from amending the PUD or applying for a new zone district that would be in compliance

with the high density.

Commissioner Steve Brown asked Staff if they had concerns about high density versus medium high density as far as traffic issues were concerned. Mr. Jordan responded the Staff Report addressed the issue that high density would increase the volume of traffic and when looking at Ranch House Road as being a 60 foot right-of-way, plus with Rice Avenue proposed to be vacated, there were concerns with the amount of traffic that high density would impact the roadways in that area.

Mr. Garcia explained if high density were desired on the site, the applicant had legal access on Decatur Boulevard. When the County condemned the property and put it back on the market, they provided for legal access directly at Ranch House Road. The proposed plan closed off that direct access from traffic.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

22. ZN-04-06 (24043) DECATUR/RANCH HOUSE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PULTE HOMES ON BEHALF OF BERMUDA & BOULEVARD, LLC ET AL, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-2 GENERAL COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 151 DWELLING UNITS OF MULTI-FAMILY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF DECATUR BOULEVARD AND RANCH HOUSE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-30-101-009. (CONTINUED JANUARY 25, 2006)

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending that ZN-04-06 be continued indefinitely to allow the applicant time to address issues in the analysis section of the Staff Report, including redesigning the project to show required landscaping areas; however, if the Commission determined the waivers were appropriate and approval was warranted, the following conditions were recommended (Conditions in Staff Report were misnumbered):

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The submitted elevations shall be considered "conceptual" and are not binding. The City reserves the right to provide detailed comments on these items at such time that the applicable Final Development Plan is submitted for Planning Commission consideration.
3. This planned unit development shall not exceed 148 dwelling units, or the density associated with the applicable Comprehensive Plan land use category, whichever is less.
4. This planned unit development shall comply with the parking requirements established in the Zoning Ordinance (Title 17) for multifamily development.
5. The developer shall meet jointly with the Departments of Parks and Recreation and Planning and Zoning to discuss the design and usability of proposed open space areas and the amenities to be provided prior to submitting a final development plan.
6. This planned unit development shall comply with the Multiple Family Development Standards, including that:

- a. All buildings shall have a minimum spacing of twenty (20) feet between buildings.
- b. Buffer landscaping may be reduced to the dimensions shown on the preliminary development plan except that trees shall be provided as shown on the conceptual landscaping plan, as approved by staff. If it is found that live groundcover and trees cannot be planted within five (5) feet of a structure or that a five (5) foot planting area is an insufficient size for the planting of trees, then the landscaping areas shall be increased a minimum of five (5) feet. Large variety trees shall be planted a minimum of every fifteen (15) feet on center, as approved by staff.
- c. Perimeter landscaping may be reduced to zero (0) feet along the 215 Beltway and the Decatur Boulevard interchange. Landscaping areas shall be provided on the inside of the wall with the minimum dimensions as shown on the preliminary development plan, as approved by staff. If it is found that live groundcover and trees cannot be planted within five (5) feet of a structure or that a five (5) foot planting area is an insufficient size for the planting of trees, then the landscaping areas shall be increased a minimum of five (5) feet. Large variety trees shall be planted a minimum of every fifteen (15) feet on center, as approved by staff.
- d. A minimum of fifteen (15) feet of perimeter landscaping (which may include sidewalk) shall be provided along Ranch House Road and portions of Montgomery Street.
- e. Refuse collection areas of sufficient size and number shall be provided.
- f. A minimum of 50 percent of the development's open space amenities be accessible within 300 feet of any dwelling unit.
- g. Individual outdoor areas or patios shall not encroach into required buffer landscaping areas.
- h. Internal pedestrian walkways, separate from drive aisles, shall be provided. Pedestrian walkways shall be constructed of stamped and dyed concrete, as approved by staff.
- i. Pedestrian gates and walkways shall be provided to external sidewalks, as approved by staff.
- j. Trash enclosures shall be provided on the Final Development Plan unless the developer provides evidence with the Final Development Plan application that individual waste collection will be provided by Republic Services.

7. Small variety deciduous trees shall be planted on each side of each garage entrance way, as shown on the conceptual landscape plan. The trees shall be a minimum 24" box (minimum 1-½ inch caliper measured six inches above the top of the root ball). Additional live ground cover shall be planted to provide 60% ground coverage, as approved by staff. The planting area for said trees and ground cover shall be labeled a common element and shall be maintained by the homeowners association. If it is determined through the soils report that landscaping cannot be planted within five (5) feet of a wall, then landscaping shall be provided in a sealed planter or another alternative method, as approved by staff.
8. Perimeter walls shall be owned and maintained by the Homeowner's Association.
9. A minimum of 106,373 square feet of open space shall be provided that meets the minimum size requirements established in the Zoning Ordinance (Title 17), as approved by staff.
10. All required open space and required landscaping areas shall be labeled as common elements and shall be maintained by the homeowners association.
11. At a minimum, the following list of amenities shall be provided within the open space:
 - a. Circuitous lighted paths with marked pedestrian crossings
 - b. A minimum of 20 24-inch box trees per acre
 - c. At least two (2) differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade structure
 - d. At least one large open space area for group/organized play
 - e. 8 Picnic tables and barbeque grills
 - f. Benches spaced along park pathways
 - g. Exercise stations and mile markers spaced along paths
 - h. Plaza area shall include a swimming pool and cabana, a shade structure, picnic table, bbq grill, and trash receptacle
 - i. Dog stations near grass areas and other convenient locations
 - j. Details of amenities to be provided
12. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
13. A minimum of two means of Fire Department access is required into this development.

14. 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.
15. Approval of a drainage study is required prior to submittal of the civil improvement plans.
16. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
17. Clark County Public Works concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
18. City of Las Vegas concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
19. 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.
20. Approval of a traffic study is required prior to submittal of the civil improvement plans.
21. A queuing analysis is required.
22. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Decatur Boulevard.
23. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. Ranch House Road
 - b. Montgomery Street (portion)

24. Sixty (60) foot minor residential collector streets may be required to be designed and constructed per the *City of North Las Vegas 60' Standard Street Section with Offset Sidewalk*.
25. The property owner is required to grant roadway easements where public and private streets intersect.
26. All common elements shall be labeled and are to be maintained by the Home Owners Association.
27. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
28. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
29. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
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. Appropriate subdivision 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.
33. 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.
34. All off-site improvements must be completed prior to final inspection of the first building.
35. The applicant must apply for a vacation of a portion of Ranch House Road. Should that vacation be denied, this application shall become null and void.
36. Fire access lands shall be designed in accordance with Fire Code requirements.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating there was a secondary fire access on the east side of the project. He stated they met with Tony Taylor of Parks & Recreation and agreed to the addition of some amenities as requested. Mr. Garcia stated they had worked with the Traffic Department regarding the landscaping, where it was reduced to five feet and pointed out they were against the 215 Beltway and there would only be a sound wall and ramp and did not feel landscaping should be required in that area. There was a substantial amount of landscaping on the western side. He stated they could reduce Ranch House Road to a 51 foot street cross section that would be appropriate for the type of traffic in that location, which would allow more landscape area along the back of the project. Along the northeast corner, was the drainage channel, which left a substantial portion of property that was part of the Southern Nevada Public Lands Act (SNPLA) funds for the trail. Along the east side, there was five foot of landscaping because the street was created.

Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 stated after reviewing the conditions listed on the revised memo dated February 8, 2006, she would like to amend Condition No. 7, which related to what would be provided, in terms of landscaping, between each of the garages. She understood the goal was to install landscaping to break up the massing, but would like to use planters. Mr. Jordan stated Condition No. 7 could be amended to read: "Landscaping containing a small variety tree and ground cover shall be provided in a sealed planter, or other alternative method as approved by Staff, on each side of each garage entranceway and shall be maintained by the homeowners association (HOA). Ms. Lazovich agreed to the amendment of Condition No. 7.

Chairman Jay Aston opened the Public Hearing. The following people filled out a card in opposition to this application, but were not present for comment:

- **Tara & Wm. Younker, 5915 Creekside Sands Lane, North Las Vegas, NV 89031.**

Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt stated the Fire Department referenced prohibiting parking on one side of the street and had not heard comments regarding that and asked if there was adequate parking available. Mr. Garcia responded there was adequate parking and did not have a problem with the condition imposed by the Fire Department. Mr. Jordan stated Staff had no objections to the parking requirements.

Commissioner Steve Brown asked if I-215 was level with the project site. Clete Kus of the Public Works Department responded the Beltway was a County road project and the final design of the roadway in that area had not been completed but would probably occur over the next year. Commissioner Brown asked if in the Aliante area, it was a requirement to

landscape next to the Beltway. Robert Eastman, Principal Planner responded there was landscaping on the entry features but on the residential development, there was no landscaping. Commissioner Brown asked if the City or County would landscape those areas. Jory Stewart, Planning & Zoning Director responded the County had not landscaped any of the Beltway, so it would be an enhancement the City would have to initiate and fund. Commissioner Brown asked if there was a circuitous path to the pool. Mr. Garcia responded there was a path to the pool area. Commissioner Brown stated he could not accept the five foot landscape buffers, as it would cause water damage problems in the future.

Commissioner Dean Leavitt asked Mr. Garcia if he had entertained providing foot passage access to the future trails in the northeast area of the project. Mr. Garcia responded they had not, but agreed it was a good idea and would agree to add access. Commissioner Leavitt asked if a condition to that effect should be added. Mr. Jordan responded it should be added as a condition. Ms. Lazovich stated they agreed to that condition, but wanted to make it clear the community would be gated, so the access would be gated so it was accessible only to the residents.

Mr. Garcia stated they agreed to a minimum of 10 feet of landscaping along the northern wall to avoid the issue of water damage.

Mr. Eastman stated Condition No. 6.b would be amended to read: "Buffer landscaping may be reduced to 10 feet on the preliminary development plan" and the rest of the condition could remain; however, most of it would not be needed. Commissioner Brown stated he did not want the 20 foot landscaping reduced to 10 feet. Mr. Eastman stated then Condition No. 6.c would be amended to read: "Perimeter landscaping may be reduced to 10 feet along the 215 Beltway and the Decatur Boulevard interchange." Ms. Lazovich stated that was incorrect, as that was on the outside, so she believed they needed to amend Condition No. 6.b. to make sure that on the inside of the project there was landscaping as requested by Commissioner Brown.

Ms. Lazovich suggested Condition No. 6.b could be amended to read: "That there must be a 10 foot landscape buffer along the northern property line." Mr. Jordan stated some of the northern property line exceeds 10 feet, so they were trying to prevent the areas over 10 feet from being reduced to 10 feet. Ms. Lazovich suggested the amendment then read: "The landscaping along the northern boundaries, presently shown as five feet, on the preliminary development plan, must be increased to a minimum of 10 feet on Street E." Mr. Jordan stated the last sentence would remain, "Large variety trees shall be planted a minimum of every fifteen (15) feet on center, as approved by Staff. Mr. Eastman stated the first sentence in Condition No. 6.c would be amended to read: "Perimeter landscaping may be reduced to 10 feet along the 215 Beltway." and the rest of the condition to remain as originally written.

Commissioner Brown asked if there was something in the ordinance that prohibited planting within five feet of a structure. Mr. Eastman responded if the soils report stated they could not plant within five feet, then there are mitigating factors they must provide but the landscaping still must be provided.

Mr. Jordan stated Condition No. 6.c supports the decision of eliminating the perimeter landscaping but the intent was to make sure the landscaping was provided even if there was a problem with the soils report.

Mr. Jordan stated Staff was not recommending approval of the waivers and they were recommending continuance. Staff indicated if the Commission determined the waivers were appropriate and approval was warranted, then it be approved with the conditions listed in revised memo dated February 8, 2006. The zoning ordinance required 25 feet of perimeter landscaping adjacent to any street, any arterial that was either 80 feet or 100 feet in width, such as Decatur Boulevard and the I-215 Beltway. Mr. Jordan stated Condition No. 6.b could be amended as read into the record by Ms. Lazovich with the exception of leaving the last sentence as written and Condition No. 6.c could be amended to read: "Perimeter landscaping may be reduced to (0) feet along the 215 Beltway and the Decatur Boulevard interchange."

Commissioner Harry Shull stated the landscaping along the outside of the wall was still on the property of the applicant and in looking at the proposed plan, it appeared the wall was on the property line. According to what had been stated by Staff, they need to pull the wall back 25 feet and landscape on the outside of the freeway. He was not opposed to the landscaping because, if that was the criteria the City wanted, that was the entrance to the City. The way the plan was drawn, the wall was on the property line and he was opposed to giving up landscaping on the perimeter of the project. He suggested the application be continued to allow the applicant to work out details with Staff, as at this point, it was very confusing.

Chairman Aston asked if there was a precedent on the landscaping along the 215 Beltway. Director Stewart responded it was too early to know if there was a precedent. The negotiations with Aliante were not successful at getting perimeter landscaping and they were currently in negotiations with the properties that would flank a great deal of the Beltway through the rest of the City but this was an important gateway into the City and the City Council had made it clear in their Vision 2025 Plan that they merit special consideration. Chairman Aston asked if, in the future, when driving down I-215, and individual property owners were required to landscape the outside of the walls along the Beltway, when the County did whatever they were going to do, if it would match and be contiguous or if there would be all sorts of different landscaping. Commissioner Shull stated you had to start some place and this was the beginning and you may be able to get the other property owners to landscape as desired by the City.

Ms. Lazovich stated she represented a property on the east side of the drainage channel and they were not required to landscape on the outside of the wall adjacent to I-215.

Ms. Lazovich stated the project would not work if landscaping were on the outside of the wall; so, if the application were continued, she did not want there to be the expectation that she would come back in two weeks showing any type of landscaping. Ms. Lazovich requested that there was a motion on the PUD that addressed that. If the Commission wanted to impose the condition, when they go before Council, they would ask for that condition to be removed or that the Commission grant the waiver. If the application was held for two weeks, the same issue would be discussed.

Commissioner Leavitt explained one of the purposes of the Planning Commission was to hear the rebuttal and make a sound decision before the applicant went to City Council. In the attempt, and under good faith, that City Council did not have to spend 40 minutes on a few modifications. It was his hope, whether the application was continued or not, that the applicant do their due diligence to correct the problems before the application was heard by City Council.

Commissioner Dilip Trivedi asked Staff if there was a definition of the gateway to the City or if there was a design directive. Director Stewart responded the Vision 2025 Plan discussed the gateways to the City in the context of the major entrances into the City, but was not specific. There was a gateway plan for the Redevelopment Areas that was very specific and actually had designed drawing for those gateways, so it was an implied gateway in the Vision 2025 Plan. Commissioner Trivedi asked if the applicant was requested to provide two sets of buffers, one 25 feet outside of the sound wall and another 10 or 20 feet inside the wall and, if so, that would be unreasonable. Mr. Jordan responded the perimeter landscaping for major arterials was 25 feet which may include the sidewalk. Inside the wall, it would be 20 feet in most areas but it seemed like the direction of the Commission was to reduce it to 10 feet in the areas that were indicated as five on the plan. If the application were continued for two weeks, Staff would craft the conditions requiring a minimum of 10 feet on the inside of the wall and would work with the applicant regarding the outside and it would have to be approved by the Commission.

ACTION: CONTINUED TO FEBRUARY 22, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: Vice-Chairman Cato

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Planning & Zoning Director Jory Stewart stated they had distributed a copy of the North 5th Street Transit Supported Land Use Plan at the Joint Meeting with the City Council and asked if there were any comments. The Plan would be presented at the February 22, 2006 Planning Commission Meeting.

Director Stewart also explained the importance of landscape buffers. She explained there was a Storage One built, who asked for a waiver of their landscape buffers and there was an elevation change between where the storage units were being built and the adjoining residential property. The transition was not done well so Staff was trying to come up with a better way of doing things and communicating better with Public Works. To add insult to injury, the landscape buffer was reduced from 20 feet to 10 feet and now there was a line of trees at the top of a hill and then the perimeter wall was below and the homes being built were looking at a hill and then at the top of the hill, where the second story bedroom windows are, they will have a row of trees with a wall and a parking lot; so, when a vehicle pulls in with their headlights on, the lights would shine into the bedroom windows. To help solve some of these types of problems, the buffers need to be taken more seriously, because one of the most important transitions between different land uses, was the landscape buffer.

CHAIRMAN'S BUSINESS

Commissioner Dean Leavitt asked Staff if, in a case like Item No. 4, UN-69-05, Ruby Tuesday, the application could be handled administratively, as the applicant had been held up for over six months from the rest of the project being completed and having their grand opening. He wanted to see some uniformity on how applications were handled.

Director Stewart stated there was uniformity; it came back to public hearings. She stated anything having to do with a liquor license had been very important and touchy with City council and they had wanted to see it. It may be possible to allow a minor deviation for a supper club but the Council would want to see taverns. Commissioner Leavitt stated he did not have a problem with that but was trying to expedite processes. He stated on Item No. 5, UN-54-05, Kennedy Tavern, he had heard there was a challenge with locating the plans and that the plans had not been set aside and the building permits would already be issued and they would not have to come before the Commission. He did not know if that was true but he felt sometimes professionalism was being questioned and he appreciated the times when developers let him know Staff had done a good job.

Marc Jordan, Planning Manager explained the department was recently compared to the City of Henderson and gave a few statistics. In Henderson there are Planners who only review plans. Last year, on average, the Henderson's Planners reviewed about 224 applications each, where our Planners reviewed around 116 each. The difference was, that was all Henderson's planners did for the entire year. In North Las Vegas, the Planners reviewed over 2,000 building permits each. So, each Planner reviewed almost 2100 to 2200 projects compared to the 224 that Henderson reviewed. He stated the Planners were very diligent in reviewing the plans. In the case referred to by Commissioner Leavitt, he did not know what the hold up was because it only took 45 days for the item to go before the Commission. The Commission did not know the applicant was told well in advance what was needed and did not do it. They might not share the fact that they spent a lot of time not fixing the problems. Mr. Jordan stated the Planners were very busy which was proven by the statistics. He also pointed out the Planners also do the landscape inspections. In Henderson, even those who review the permits, do not do the landscape inspections. They are done by someone else. Mr. Jordan stated there was usually an inside story the Commission was not aware of. The Planners also review final maps, parcel maps, and reversionary maps for Public Works. Final maps are reviewed in the paper stage and once they were complete, they came back for final approval in the mylar stage which Henderson also has a separate staff for.

Director Stewart stated in the preliminary budget, two plans examiners were requested to help take some of the plans examination load from the Planners, because one of the things being shifting toward, was more complex design review and in order to get into design review things, liked mixed use and the North 5th Street Corridor Plan and start doing specific plans for areas and neighborhood plans, the planners time would need to be freed up.

Commissioner Leavitt stated received an e-mail from Michelle Bailey-Hedgepath, who made reference to a meeting for Planning Commissioners and Visioning 2025 people, with Carl Neu.

ADJOURNMENT

The meeting adjourned at 10:30 p.m.

APPROVED: March 8, 2006

/s/ Jay Aston
Jay Aston, Chairman

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