

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

May 10, 2006

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

BRIEFING: 5:36 pm., Conference Room, North Las Vegas City Hall,
2200 Civic Center Drive

Planning & Zoning Director Jory Stewart let the Commission know there was a tour planned for the Pig Farm if anyone was interested. The date and time had not yet been determined.

Ms. Stewart also let the Commission know there would be a Workshop regarding the proposed Mixed Use Ordinance. The meeting would be held May 31, 2006 at 6:00 p.m. in the Aliante Library Meeting Room.

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

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

STAFF PRESENT: Jory Stewart, Planning & Zoning Director
Marc Jordan, Planning Manager
Mary Aldava, Sr. Planner
Bob Hoyes, Planner
Nick Vaskov, Deputy City Attorney II
Randy Cagle, PW, Real Property Services Manager
Madeleine Jabbour, Public Works
James Frater, Fire Department
Jose Rodriguez, Police Department
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Steve Brown

WELCOME: Chairman Jay Aston

PUBLIC FORUM

Chairman Jay Aston opened the Public Forum by request of Staff.

Sherry Messer, 3330 Wedo Way, North Las Vegas, NV 89031 stated they were required to do improvements on Ferrell Avenue that were in excess of \$20,000 and were unable to handle the expense and asked for help.

Randy Cagle of Public Works stated he had spoken to the Assistant City Manager and had an answer for Ms. Messer and was willing to speak with her.

Chairman Aston closed the Public Forum.

MINUTES

- **APPROVAL OF THE MINUTES FOR THE SPECIAL PLANNING COMMISSION STUDY SESSION OF APRIL 4, 2006.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF APRIL 12, 2006.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

CONSENT AGENDA

- A. PW-95-06 (25823) RANCHO MIRAGE PARK: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY BEAZER HOMES HOLDING CORPORATION AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$55,189.20.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

- B. PW-96-06 (25824) ALLEN RANCH HOUSE OFF-SITE SEWER: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY KB HOME NEVADA, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$32,675.98.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

- C. PW-97-06 (25825) JAYCOX RESIDENTIAL SUBDIVISION: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY FEDERAL INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$872,974.63.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

- D. **PW-98-06 (25826) SILVERADO BUSINESS PARK, PHASE 3: 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 SUBDIVISION BOND IN THE AMOUNT OF \$139,789.54.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

- E. **PW-99-06 (25827) GLENEAGLES CHANNEL - FUTURE IMPROVEMENTS: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$106,371.10.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

- F. **PW-100-06 (25828) NVE ELKHORN ACCESS ROAD: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$85,256.60.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

- G. PW-101-06 (25829) CENTENNIAL & REVERE, PHASE 1 STORM DRAIN: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY SAFECO INSURANCE COMPANY OF AMERICA TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$622,957.50.**

ACTION: WITHDRAWN

- H. PW-102-06 (25830) TROPICAL BRUCE: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY ARCH INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$394,374.64.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

- I. PW-103-06 (25832) CENTENNIAL & REVERE, PHASE 1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY SAFECO INSURANCE COMPANY OF AMERICA TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$2,030,620.68.**

ACTION: WITHDRAWN

- J. PW-104-06 (25833) CENTENNIAL & REVERE, PHASE 2: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY SAFECO INSURANCE COMPANY OF AMERICA TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$156,321.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 14 was heard next.

NEW BUSINESS

1. **UN-126-05 (25348) VALLEY COURT, LLC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY VALLEY COURT, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME ON AN APPROVED USE PERMIT FOR THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A SUPPER CLUB IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-401-021.**

The application was presented by Bob Hoyes, Planner who stated the application was a request for an extension of time to allow a supper club at the northwest corner of Ann Road and Valley Drive. The application was associated with the Maravella Planned Unit Development and Staff was recommending approval of UN-126-05 subject to the following conditions:

1. That UN-126-05 be subject to all applicable conditions of ZN-49-02.
2. That the final development plan for the commercial center shall be subject to review and approval by the City Council.
3. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
4. That the use permit is site-specific and non-transferable.
5. That the applicant provide a graphic illustration that clearly indicates that no tavern is within 1,500 feet of the proposed establishment prior to issuance of a building permit. The illustration shall be created and stamped by a Nevada-licensed surveyor.
6. That the applicant provide a graphic illustration that clearly indicates that no child care facility that provides for more than 12 children or public park is within 400 feet of the proposed establishment prior to the issuance of a building permit. The illustration shall be created and stamped by a Nevada-licensed surveyor.
7. That the construction of the proposed supper club take place after, or in conjunction with, the construction of "Major (tenant) A", previously identified as a drug store. All associated parking and landscaping shall be provided at the time of construction.
8. That the required pedestrian plaza area(s) be constructed as part of the first phase of construction.

9. That a minimum twenty (20) feet of landscaping be provided between the residential and commercial portions of the PUD. Installation, ownership and maintenance of the landscaping shall be the responsibility of a property owner association(s) and/or the commercial center.
10. That the sidewalk adjacent to Ann Road, if not currently in place, shall be meandering and separated from the back-of-curb by a minimum five (5) feet of landscaping.
11. That the development of the shopping center be in conformance with the Commercial Design Standards.
12. That all screen walls, if not currently in place, and landscaping be provided as part of the first phase of construction.
13. That bicycle parking areas be provided in a manner so as not to interfere with pedestrian walkways or required landscaping.
14. That, if not currently in place, a screen wall (maximum eight feet in height) be provided along the northern and western property lines. The wall shall be decorative on both sides, except where it faces a residential alley. The design of the wall shall be complementary to the design of the shopping center and shall not be permitted to have any smooth-face CMU blocks.
15. That site plan approval is conceptual, subject to a final development plan and code requirements.
16. That this approval shall not constitute or imply approval of any privileged business license that may be required by the City.
17. That all conditions, stipulations and limitations be fulfilled and construction begun by May 22, 2008.
18. That windows be provided on the east-, west-, north- and south-facing walls that allow clear and unobstructed views into the interior of the establishment from outside, applicable only to public floor areas except the restrooms.
19. That restrooms be accessible from the dining area without having to go through any bar area.
20. That dining and waiting areas be separated from any bar area by an opaque wall with a minimum height of four feet.

21. That the supper club shall not exceed 4,992 total square feet (outside wall to outside wall).
22. That free-standing signage be restricted to monument-type and shall be part of the shopping center's overall approved sign program. The sign program for the shopping center shall be reviewed and approved by the City Council as part of the final development plan prior to application of a building permit or business license.
23. Fire access lane turning radii shall be designed and installed in accordance with the Fire Code.
24. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Harold Foster, 3230 Polaris Avenue, Las Vegas, NV appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

2. **UN-38-06 (25305) GARCIA'S MEXICAN RESTAURANT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RAMIRO GARCIA ON BEHALF OF CRAIG RETAIL PARTNERS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES (BEER AND WINE) IN CONJUNCTION WITH A RESTAURANT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CRAIG ROAD AND REVERE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-03-302-001.**

The application was presented by Mary Aldava, Sr. Planner who stated the application was a request for the "on-sale" of alcoholic beverages in conjunction with a restaurant at 775 West Craig Road. The property was zoned C-2 General Commercial. Specifically, the applicant was requesting the "on-sale" of beer and wine with the restaurant. The applicant meets the distance requirements of 400 feet from religious institutions, schools, City owned parks, and child care facilities licensed with more than 12 children; therefore, Staff was recommending approval of UN-38-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.
2. The use permit is site specific and non-transferrable.
3. The applicant must abide by all conditions of the approved traffic study including the cost participation for traffic signals. The cost participation of this project is now past due. For additional information contact Sonya Spears, Management Analyst, at 633-1975.

Ramiro Garcia, 775 West Craig Road, North Las Vegas, NV appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

3. **VN-15-06 (25332) NORTH 5TH & REGENA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SIEMPRE, LLC, PROPERTY OWNER, FOR A VARIANCE IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A 12-FOOT BUILDING SETBACK, WHERE 20 FEET IS REQUIRED ALONG NORTH FIFTH STREET. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF NORTH FIFTH STREET AND REGENA AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 124-26-101-005.**

The application was presented by Mary Aldava, Sr. Planner who stated the application was a request for a variance to allow a 12 foot building set-back where 20 feet was required along North 5th Street. The North Las Vegas City Council approved the North 5th Street Transit Supportive Concept Plan on April 19, 2006. The document identifies the need to preserve 20 foot building set-backs on either side of North 5th Street in order to accommodate pedestrian friendly elements as an integral part of the North 5th Street Transit Corridor. The additional 20 foot set-back was not redundant as stated by the applicant; on the contrary, it was necessary and was currently applied to all developments in all C-1 zoning districts, as it ensures pedestrian safety and comfort along roadways. This standard was specifically relevant along North 5th Street, as it was adequate and well designed for pedestrian elements, landscaping, sidewalks and other pedestrian oriented amenities and will ensure walkability and promote transit ridership. As noted in the Public Works Memorandum, the design of roadway elements within the North 5th Street right-of-way has not yet been completed. One of the proposed cross sections indicates the street improvements could occupy the entire 150 foot right-of-way; therefore, the additional 20 foot building set-back was needed to ensure adequate space was available for required pedestrian elements along the roadway. The variance requested has been self-imposed; therefore, cannot be supported by Staff. Staff was recommending VN-15-06 be denied as it does not meet the intent of the North 5th Street Concept Plan and the variance was self-imposed.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating what was described by Staff, was the issue they had when the Transit Supportive Concept Plan was approved. They had been concerned that the Plan would become a regulatory document and Staff brought it back as if it were a regulatory document. It was not an ordinance, was not adopted as a Master Plan and it was being used as a regulatory tool to try to dictate the design of North 5th Street. Mr. Garcia stated the project had been on hold for approximately one year, trying to get all the issues resolved and thought they were resolved when they knew the design of the Roadway in October, 2004, when Council adopted the design for North 5th Street in the AMP and with it, at that time, there was a North 5th Corridor Study. In that Study, in the cross sections that were taken from that, there was a 150 foot cross section identified and there were three cross sections excerpted from the document. All three of the designs

contemplate a pedestrian multi-use path. It was contemplated, within the 150 foot corridor, all lanes, bus lanes, bike lanes, pedestrian paths, etc., was identified in the document. Now, there was still uncertainty, not only on this property, but all properties along the Corridor, where there was still not a defined roadway. The cross sections were still under discussion and debate.

Mr. Garcia discussed Item Nos. 3 and 19 together.

Currently, under the land use designation, the project site was commercially designated, along with all property to the east and there was high density residential to the south. The current zoning was commercial for a u-shape around the area with some residential zoning that has not been changed. It was clear from the Master Plan and the land development trends in the area, that the area will not remain residential. The 20 foot landscaping waiver along the east side, was there for 20 feet in contemplation of it being residential. It was not desirable, from the City's standpoint, based on the Master Plan and based on the land development trends, to retain the property to the east as residential. Therefore, he suggested reducing the landscape to at least 10 feet to provide for the future commercial or multi-family residential. Currently, the land use was commercial. They also asked to reduce the landscaping due to the impact to the site from the North 5th Corridor being dramatic and severe. They were trying to find a way to mitigate the impact to the property and was trying to balance the needs of the City and the needs of the property owner to try to find a way to make it work and if they fully complied with the requirement suggested by the conditions of approval, they could not get there.

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

Chairman Aston closed the Public Hearing.

Chairman Aston asked what the cross section of the corridor was. Randy Cagle of Public Works explained in the 150 foot, there will be eight feet of landscaping, a 10 foot multi-use path, then two foot of landscaping. If it was reduced to less than 20 feet you would lose landscaping and the multi-use path. Chairman Aston stated there was a cross section that showed the pathway and some of the landscape buffer included in the 150 foot right-of-way. Mr. Cagle responded there were some preliminary cross sections that showed that but this was what was being required currently and what was being constructed.

Chairman Aston asked about the reference made to the entrance on North 5th Street. Mr. Cagle clarified Staff's recommendation was that the driveway on Regena not be allowed. They were allowed a driveway on North 5th Street, in fact, the property to the north was required to put in a shared driveway, which they were requiring they use; so, the driveway will be on the northerly property line, which would cause them to lose the parking as shown and that was why they asked that the application be continued to allow them to redo the site plan. Chairman Aston stated, if that was done, and the driveway on Regena was

eliminated, then the building could be moved back. Mr. Cagle stated that was correct. Ms. Aldava stated a 30 foot set-back would still need to be maintained on the residential property to the east; so, reducing the buffer would not help much. Chairman Aston asked if, under the current guidelines, this could still be a doable site. Ms. Aldava responded that was possible, there were also parking issues involved. Chairman Aston asked if the driveway was shared, parking would be lost. Mr. Garcia stated Condition No. 8 and Item No. 19 specifically states, "access to North 5th will not be permitted," so what was stated by Mr. Cagle contradicted the condition. Obviously, there needed to be some clarification and the shared driveway concept had not been discussed with him. Chairman Aston stated it was obvious there were issues to be worked out and recommended a continuance.

Commissioner Steve Brown asked what was included in the 150 foot right-of-way. Mr. Cagle stated if the curb was moved to 150 foot, they would still keep an eight foot area between the back of curb and the walkway. If all landscaping goes away within the 150 foot right-of-way, there would still be eight feet of landscaping, the 10 foot multi-use trail and then two foot of landscaping, all within that 20 foot set-back area.

Commissioner Dean Leavitt asked if a two week continuance was long enough or if more time was necessary. Mr. Garcia responded a 30 day continuance would be appropriate.

Chairman Aston reopened the Public Hearing and stated it would remain open.

ACTION: CONTINUED TO JUNE 14, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 19 was heard next.

4. **AMP-23-06 (25361) ROME & DONNA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY S&J PROPERTIES, LLC ON BEHALF OF VW HOLDING COMPANY, LLC AND S&J PROPERTIES, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO MDR MEDIUM DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DONNA STREET AND ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-301-015 AND 124-23-301-016.**

Item Nos. 4 and 5 were presented together.

The application was presented by Marc Jordan, Planning Manager, who stated in accordance with the guidelines, medium density should be located at the intersection of two 100 foot streets. Rome Boulevard and Donna Street were both 60 foot rights-of-way; however, in accordance with other guidelines, medium density was compatible adjacent to commercial sites. The property to the north and west was recently approved for a commercial shopping center. The site plan review was also approved and some vacations of rights-of-way were approved in that area. The property to the east was zoned R-1 and was developed with single-family homes and the property to the south was also zoned R-2 and another portion of that property was zoned PUD, which was a mixed use commercial area. Staff believed this request would serve as a transitional zoning from the more intense use of commercial, going east to the single-family; therefore, Staff was recommending approval of AMP-23-06 and ZN-34-06.

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. Ms. Lazovich stated they held a neighborhood meeting and the neighbors expressed a couple of comments, so she wanted to make a couple of comments for the record because they incorporated changes, which would be shown on the tentative map. Along Donna Street, when the commercial project was approved immediately to the north, they worked with Public Works and the neighbors to come up with a reduced street section for Donna. It would, essentially, require less pavement and then the extra right-of-way would be able to be put into the landscape buffer area. So, where they once showed 15 feet of landscaping along Donna, at least an additional 10 feet and perhaps 13 feet would be added for a minimum width of 25 feet and could go as high as 28 feet. One of the other comments raised by the neighbors was to see if they could move the entrance and exit, which was originally shown on Donna Street over to Rome Boulevard. A number of homes front onto Donna Street, so they did not want cars coming out in front of their lawns and driveways. So, there would be a gated entrance off of Rome Boulevard and an emergency access was included on Donna Street.

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

Angela Rodak, 1013 Kevin Baker Avenue, North Las Vegas, NV 89086 stated the neighbors agreed to the 25 foot landscape buffer and the entrance on Rome Boulevard, not on Donna Street. She also requested no parking on the west side of Donna Street and also once there was a builder, that there be no investors in the property and that it be owner occupied.

Tony Mosti, 920 E. Rome Boulevard, North Las Vegas, NV 89086 stated he supported the project 100 percent.

Alicia Carnes, 1212 E. Rome Boulevard, North Las Vegas, NV 89086 stated she did not attend the neighborhood meeting but received information from her neighbors and was in support of the application.

Stacey Mosti, 920 Rome Boulevard, North Las Vegas, NV 89086 stated she was in support of the project.

Chairman Aston closed the Public Hearing.

Ms. Lazovich thanked the neighbors for their comments.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

5. **ZN-34-06 (25362) ROME & DONNA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY S&J PROPERTIES, LLC ON BEHALF OF VW HOLDING COMPANY, LLC AND S&J PROPERTIES, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DONNA STREET AND ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-301-015 AND 124-23-301-016.**

Item Nos. 4 and 5 were presented together.

The application was presented by Marc Jordan, Planning Manager, who stated in accordance with the guidelines, medium density should be located at the intersection of two 100 foot streets. Rome Boulevard and Donna Street were both 60 foot rights-of-way; however, in accordance with other guidelines, medium density was compatible adjacent to commercial sites. The property to the north and west was recently approved for a commercial shopping center. The site plan review was also approved and some vacations of rights-of-way were approved in that area. The property to the east was zoned R-1 and was developed with single-family homes and the property to the south was also zoned R-2 and another portion of that property was zoned PUD, which was a mixed use commercial area. Staff believed this request would serve as a transitional zoning from the more intense use of commercial, going east to the single-family; therefore, Staff was recommending approval of AMP-23-06 and ZN-34-06.

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. Ms. Lazovich stated they held a neighborhood meeting and the neighbors expressed a couple of comments, so she wanted to make a couple of comments for the record because they incorporated changes, which would be shown on the tentative map. Along Donna Street, when the commercial project was approved immediately to the north, they worked with Public Works and the neighbors to come up with a reduced street section for Donna. It would, essentially, require less pavement and then the extra right-of-way would be able to be put into the landscape buffer area. So, where they once showed 15 feet of landscaping along Donna, at least an additional 10 feet and perhaps 13 feet would be added for a minimum width of 25 feet and could go as high as 28 feet. One of the other comments raised by the neighbors was to see if they could move the entrance and exit, which was originally shown on Donna Street over to Rome Boulevard. A number of homes front onto Donna Street, so they did not want cars coming out in front of their lawns and driveways. So, there would be a gated entrance off of Rome Boulevard and an emergency access was included on Donna Street.

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Stacey Mosti, 920 Rome Boulevard, North Las Vegas, NV 89086 stated she was in support of the project.

Chairman Aston closed the Public Hearing.

Ms. Lazovich thanked the neighbors for their comments.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

6. **UN-37-06 (25302) CHEYENNE POINTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE MONTECITO COMPANIES ON BEHALF OF LAS VEGAS CORNERS I, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CHEYENNE AVENUE AND APPROXIMATELY 400 FEET EAST OF CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-14-511-001.**

The application was presented by Marc Jordan, Planning Manager who stated the application was for a special use permit that would allow a convenience food restaurant with a drive thru-facility located south of Cheyenne Avenue approximately 400 feet east of Civic Center Drive. The use was a coffee shop that would be located within Pad A adjacent to Cheyenne Boulevard. The Site Plan was in compliance with the Commercial Design Guidelines. There were a couple of things noted by Staff, some of the landscaping next to the building; however, appears they have adequate room on the site to comply and Staff indicated landscaping needed to be provided by the trash enclosure and they would like to see additional queuing, since this would be a future coffee shop and it was their observation that additional queuing would be needed. Otherwise, Staff was recommending approval of UN-37-06 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances;
2. Must comply with the conditions of approval for SPR-35-05;
3. Must comply with the Commercial Development Standards and Design Guidelines, including but not limited to:
 - a. Foundation landscaping, or an acceptable alternative, is required along the south elevation of Pad A;
 - b. A landscape aisle is required between the trash enclosure and the parking directly to the west of the intended drive thru window.
4. Additional queuing shall be provided through the elimination of five (5) parking spaces located to the west of the current lane shown on the site plan.
5. Applicant must abide by all conditions of the approved traffic study including the cost participation for traffic signals. The cost participation for this project is now past due. For additional information contact Sonya Spears, Management Analyst, at 633-1975.

Joe Gordor of the Montecito Companies, 6600 West Charleston Boulevard #120, Las Vegas, NV 89146 appeared on behalf of the applicant stating he concurred with Staff recommendation except for Condition No. 3.b. Since the conditions were written, the plans had been permitted and the trash enclosure had been moved from the drive-thru area next to “a” out to the parking field and there were landscape islands on both sides.

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

Chairman Aston closed the Public Hearing.

Mr. Jordan stated Staff was agreeable to deleting Condition No. 3.b.

Commissioner Dean Leavitt asked the applicant if he would provide the additional queuing requested by Staff. Mr. Gordor responded five parking stalls had been eliminated to allow for additional queuing.

ACTION: APPROVED WITH THE DELETION OF CONDITION NO. 3.B

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

7. **VN-14-06 (25346) CANNERY CASINO WAREHOUSE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CANNERY HOTEL & CASINO, LLC, PROPERTY OWNER, FOR A VARIANCE IN A C-3 GENERAL SERVICE COMMERCIAL DISTRICT TO ALLOW A 10-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 Bob Hoyes, Planner who stated the application was a request for a variance to allow a ten foot set-back from Aerojet Way, where a 30 foot set-back was required. The applicant's intent was to construct a dry storage facility on site so they would not have to cross Aerojet Way to get to the current facility; however, based on the requirements and stipulations set forth in the zoning ordinance and in Nevada Revised Statutes, Staff cannot recommend approval as the hardship was self-imposed. Staff was recommending denial of VN-14-06; however, if the Commission desires approval, the following conditions were recommended:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That the overall height of the expansion structure shall not exceed 28'-0" as measured from the finished floor elevation of the expansion; and
3. That the expansion shall match the existing hotel casino by incorporating stucco finish with brick veneer and molding, a cornice, false windows and exterior lighting to match the existing building; and
4. That the proposed expansion maintain a minimum ten-foot (10.00') setback from the back-of-sidewalk along Aerojet Way; and
5. The construction of the expansion shall generally conform to the submitted site plan; and
6. That landscaping and irrigation plans be submitted with the building permit application for review and approval. Landscaping, consistent with the existing on-site landscaping to the east and west, shall be provided within the setback area; and
7. That the expansion shall only be for the storage of dry goods.

Paul Collins of The Cannery Casino, 2121 E. Craig Road, North Las Vegas, NV appeared on behalf of the applicant stating they had grown by over 50,000 square feet and were in need of storage and did not feel it was self-imposed.

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

Chairman Aston closed the Public Hearing.

Mr. Collins stated they wanted to keep the storage on the same line, so they would not take up any more space from Aerojet Way. Chairman Aston asked how many feet that was. Mr. Collins responded it was 135 feet in length and 40 feet in depth. Chairman Aston asked if there was an existing landscape buffer and how wide it was. Mr. Collins responded there was and it was almost 50 feet. Chairman Aston asked if a higher density landscape was proposed. Mr. Collins responded they initially agreed to restore the landscape to its original condition.

Commissioner Dean Leavitt asked if there was landscaping between the existing electrical stations and Aerojet Way. Mr. Collins responded there was very little landscaping, approximately seven feet. Commissioner Leavitt asked if there was screening along with the landscaping. Mr. Collins stated it was mainly groundcover with sections of grass. Commissioner Leavitt felt the proposed building was too close to the road and if he were to approve the application, landscaping on the western end of the proposed warehouse to the chiller facility would be required to be intensified.

Chairman Aston stated a 15 foot landscape buffer should be maintained and possibly make the building 35 feet wide instead of 40 feet. Mr. Collins stated that could be done.

Commissioner Angelo Carvalho agreed with Commissioner Leavitt's and Chairman Aston's comments and would like to see more intense landscaping.

Mr. Hoyes stated Condition No. 6 addressed the landscaping and if it was the Commission's desire for approval, perhaps an 80% rather than a 60% landscape coverage for the shrubs, normally, the Design Standards would call for a minimum 60% ground coverage within two years of planting; but, in this case, perhaps an 80% coverage to increase the density of the shrubs. Also, 24" box trees were provided at 25' on center and he did not know if palm trees would screen appropriately; but, perhaps one 24" box tree every 20' on center would work to avoid the building standing out.

Chairman Aston stated if the applicant was willing to go with a 35 foot building and give the extra five feet in a higher density landscaping, he could approve the application.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NOS. 5 AND 6 AMENDED TO READ:

4. THAT THE PROPOSED EXPANSION MAINTAIN A MINIMUM 15 FOOT (15') SETBACK FROM THE BACK-OF-SIDEWALK ALONG AEROJET WAY; AND

6. THAT LANDSCAPING AND IRRIGATION PLANS BE SUBMITTED WITH THE BUILDING PERMIT APPLICATION FOR REVIEW AND APPROVAL. LANDSCAPING SHALL BE PROVIDED WITHIN THE SETBACK AREA FROM THE WEST END OF THE ADDITION TO THE DRIVEWAY TO THE EAST. A MINIMUM 80% GROUND COVER SHALL BE PROVIDED WITHIN THIS AREA, PLUS ONE 24" BOX TREE EVERY 20' ON CENTER.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

8. **ZOA-09-06 (25347) CENTENNIAL CROSSING II. (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY TANEY ENGINEERING, TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 17.20.060(H) TO ALLOW A 5-FOOT ENCROACHMENT INTO THE FRONT SETBACK FOR PORCHES IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Marc Jordan, Planning Manager who stated the application was for an ordinance amendment to Title 17 requesting that the R-2 District be amended to allow porches to encroach into the front yard set-back of five feet. The request was similar to what was already allowed in an R-1 zoning for development. There would be a caveat that they could not be closer than ten feet to the front property line. Staff was recommending approval of ZOA-09-06.

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

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

9. **SPR-22-06 (25350) CELEBRATE'S LONE MT. ESTATES. AN APPLICATION SUBMITTED BY CELEBRATE HOMES 27 LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-E RANCH ESTATES DISTRICT TO WAIVE THE MEANDERING SIDEWALK REQUIREMENT REQUIRED BY TITLE 17. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LONE MOUNTAIN ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-05-114-001 THRU 028.**

Commissioner Harry Shull stated he would be abstaining as his company was the applicant.

Commissioner Shull left Chambers at 7:12 p.m.

The application was presented by Marc Jordan, Planning Manager who stated the application was a request for a waiver from the Single-Family Design Guidelines. They were asking for a waiver of the requirements for off-set and meandering sidewalks along Lone Mountain Road and Allen Lane. According to the Design Guidelines, for rights-of-ways that were 80 feet and wider, a meandering sidewalk must be provided that was off-set by five feet from the back of curb. In this case, the sidewalk has already been constructed and was located at the back of curb and was straight rather than meandering. The approved plans show an off-set meandering sidewalk. The applicant indicated the straight sidewalk at back of curb was consistent with the adjacent developments; however, the adjacent developments, in Staff's research, were actually constructed in 1990 and 1991, ten years prior to the adoption of the zoning ordinance. It was indicated the straight sidewalk met the intent of the Design Guidelines, which Staff disagreed with, because a meandering sidewalk and straight sidewalk were not the same and an off-set sidewalk and a sidewalk at back of curb were not the same; so, the intent was to get a different type of look and to have landscaping between the sidewalk and the right-of-way to help buffer the pedestrians in the area. When considering waivers, the Commission should not consider the financial situation. Having to remove the sidewalk and replace it, in accordance with the approved plans, was a financial consideration. Staff was recommending denial of SPR-22-06 as the applicant should be held to the new standards, providing the new requirements of the off-set and meandering sidewalk. If it was the Commission's desire to approve SPR-22-06, the following conditions were recommended:

1. That the Single-Family Development Standards shall be met with the exception that a meandering, off-set sidewalk shall not be required along Allen Road and Lone Mountain Road.
2. The applicant must abide by all conditions of the approved traffic study including the cost participation for traffic signals. The cost participation for this project is now past due.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating the area in question was in an established neighborhood with sidewalks directly against the block walls. He pointed out the sidewalks in the area were linear in nature, with nothing that was curvilinear and did not feel a curvilinear sidewalk fit in with the character of the neighborhood. Mr. Garcia stated there was a bump-out for the bus turn-out which achieved a curvilinear, which creates a meandering sidewalk by virtue of the bus turn-out, which he felt met the intent of a meandering sidewalk.

Chairman Jay Aston asked who brought the issue forward. Mr. Garcia responded Celebrate Homes brought the issue forward.

Commissioner Dean Leavitt stated the sidewalk either needed to be constructed according to the Design Guidelines and the maps the City has or the applicant should re-do the maps so, in the future, there would be no question as to what was accepted. He asked if on the additional phases of the development, the applicant would be coming back with another waiver to the meandering sidewalks. Mr. Garcia responded he would need guidance from the Commission, as the maps had already been approved and were moving forward. If the Commission felt it was appropriate to try to match the look and feel of the neighborhood, they could continue in that direction and make the necessary changes. If the Commission felt this was an exception that was warranted, but the other phases should conform, he would take that direction.

Commissioner Angelo Carvalho stated he would like to see more consistency in the developments.

Commissioner Steve Brown would have been hesitant to allow the straight sidewalk had it been requested on the site plan review; but, he felt since there was a straight sidewalk on the adjacent development, he could support it.

Commissioner Jo Cato agreed with Commissioner Brown and felt a meandering sidewalk would look out of place and was in support of the waiver.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Brown

SECOND: Vice Chairman Cato

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

NAYS: Commissioner Leavitt

ABSTAIN: Commissioner Shull

10. WAV-02-06 (25349) CELEBRATE'S LONE MT. ESTATES. AN APPLICATION SUBMITTED BY CELEBRATE HOMES 27 LLC, PROPERTY OWNER, FOR A WAIVER OF INTERIOR STREET LIGHTING REQUIRED BY TITLE 16. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LONE MOUNTAIN ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-05-114-001 THRU 028.

Commissioner Harry Shull stated he would be abstaining as his company was the applicant.

The application was presented by Marc Jordan, Planning Manager who stated the application was for a waiver of Title 16 requirements requesting the interior street lighting in the approved subdivision be waived. Planning & Zoning Staff and Public Works Staff were not in support of the request but were recommending the development adhere to the street improvements, which would include the proper street lighting. In addition, one of the Crime Prevention Through Environmental Design (CPTED) requirements for any type of development was that there be appropriate levels of lighting. In this case, the lighting would help provide natural surveillance of the street and yards to help deter criminal activity. In addition, there would also be psychological effects that would help deter criminal activity that could occur without the lighting aspects. Title 16 also indicated that any suspension of the provision of this requirement must show there were special circumstances or conditions affecting the property in question and that the suspension would not be detrimental to public welfare or injurious to the property within the area. It was Staff's belief that by waiving this requirement, you would create a situation where the lack of lighting would be detrimental to the people residing in the area; therefore, Staff was recommending denial of WAV-02-06. However, if the Commission desired approval of WAV-02-06, the following condition was recommended:

1. That this wavier is for the elimination of street lighting only and the development shall comply with all other applicable codes and ordinances.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 stated there was a note on the approved tentative map that stated, "all on-site lighting will be gas lamps to be installed by others." He explained that during the course of construction, Public Works asked that they have typical standard public street lights placed within the subdivision on a private street system. It was the applicant's contention, they should have to be here, as Title 16 applied to public streets, not private streets; but, they appear to have no other mechanism other than the one before you. If you look at the neighborhood, the approval on the plans do not indicate interior street lights. The project to the north, Rancho Mereno, has no interior street lights, Quail Run also has no street lights. It is both consistent with the rural neighborhood preservation standards, the look and feel of the neighborhood as it exists, the current development patterns for both existing homes and those that have recently been built, to maintain that. He also felt, consistent

with the dialogue, how important it was to the abutting neighbors to keep the look and feel of a rural neighborhood; so, on Kenny Way there were no sidewalks or curb and gutter and the project was consistent with that.

Chairman Jay Aston asked if there was lighting on the homes in addition to the gas lamps. Mr. Garcia responded there was lighting on the homes. Chairman Aston asked if they were operated by a switch or photo cell. Mr. Garcia responded they were operated by photo cell. Chairman Aston asked if there were one or two coach lights on each garage.

Nelson Stone of Celebrate Homes, 2535 West Cheyenne Avenue, North Las Vegas, NV stated there were at least four or five coach lights on each home. Chairman Aston asked if they were all operated by photo cell. Mr. Stone responded he could make sure that occurred. The coach lights on the garages were photo cells and some homes had court yards in the front and he was not sure if they were operated by photo cell. Chairman Aston stated he was only concerned with the Garages.

Commissioner Dean Leavitt stated he agreed with Mr. Garcia and was in support of the wavier.

Chairman Aston asked the applicant's proposal on maintenance of the gas lamps. Mr. Stone stated they could put in electric lamps with a photo cell instead of the gas lamps, so there would not be a fire hazard.

ACTION: APPROVED; SUBJECT TO STAFF RECOMMENDED CONDITION WITH THE ADDITION OF CONDITION NO. 2 TO READ:

2. THAT GAS LAMPS SHALL BE POWERED BY ELECTRICITY AND HAVE PHOTO CELLS ATTACHED.

FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Commissioner Shull

Commissioner Shull returned to Chambers at 7:39 p.m.

Item No. 12 was heard next.

11. **T-1255 (25322) CIVIC CENTER CORP. PARK. AN APPLICATION SUBMITTED BY SONIA MACIAS ON BEHALF OF CIVIC CENTER PROPERTY LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT AND AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW ONE (1) COMMERCIAL LOT DEVELOPMENT. THE PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF BARR AVENUE AND BELMONT STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-12-103-013 AND 139-12-103-033.**

The application was presented by Marc Jordan, Planning Manager who stated the application was consistent with the M-2 zoning district. The property has only a couple items on the tentative map Staff has noted. They have indicated five feet of landscaping where the Industrial Design Guidelines will require 20 feet of landscaping next to the perimeter streets, which would be reviewed with the site plan review or the building permit. In addition, because there were homes that already front Barr Avenue to the south, Staff has added a condition that would prohibit any type of access onto Barr Avenue; otherwise, Staff was recommending approval of T-1255 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The developer shall comply with the Industrial Development Standards.
3. Access to the site from Barr Avenue shall be prohibited.
4. Approval of a traffic study is required prior to submittal of the civil improvement plans.
5. 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.
6. 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.
7. Approval of a drainage study is required prior to submittal of the civil improvement plans.

8. 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.
9. The limits of the Federal Emergency Management Agency Special Flood Hazard Area Zone A must be shown on all site plans, civil improvement plans, etc. submitted to the City.
 - a. The City of North Las Vegas does not permit the construction of any buildings within a Federal Emergency Management Agency (FEMA) designated Special Flood Hazard Area (SFHA). Under this policy, the applicant must meet the following requirements prior to issuance of permits and certificates of occupancy:
 - b. Grading and off-site construction permits may be issued once a copy of the Conditional Letter of Map Review (CLOMR) application has been submitted to FEMA for processing.
 - c. Building permits may be issued once a CLOMR has been obtained from FEMA.
 - d. Certificates of Occupancy can be issued once a Letter of Map Revision (LOMR) has been obtained from FEMA.
10. 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.
11. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
12. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. 21' on Barr Avenue
 - b. 30' on Belmont Street
 - c. Associated Spandrels; Knuckle on Barr Avenue
13. The property owner is required to grant a drainage easement for portion of the proposed arch culvert.

14. The property owner is required to grant a roadway easement for commercial driveway(s).
15. The property owner is required to sign a restrictive covenant for utilities.
16. All off-site improvements must be completed prior to final inspection of the first building.
17. No permanent structures, including trees, shall be planted within five feet either side of the box culvert on the west side of Belmont Street.
18. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
19. No additional driveways will be allowed on Civic Center Drive; the existing driveway shall be a shared access.
20. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
21. This application shall comply with Title 16 of the *City of North Las Vegas Municipal Code* and NRS 278. Conformance may require modifications to the site.

Mark Sturdivant, 3277 E. Warm Springs, Las Vegas, NV 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, and Carvalho

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

12. **FDP-06-06 (25330) VALLEY 215 CONDOS. AN APPLICATION SUBMITTED BY ROUTE 215 INVESTORS LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 431 UNITS OF CONDOMINIUMS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF VALLEY DRIVE AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-30-101-007.**

The application was presented by Marc Jordan, Planning Manager who stated the application was for a final development plan. The PUD was approved for approximately 431 units on 24 acres. The final development plan indicated there would be three story buildings that would be constructed with a pitched roof and there was a variation of roof lines and architectural features within the development. The property was in general compliance with the planned unit development. Staff noted the garages would need to incorporate a cultured stone veneer that would be consistent with the main buildings of the development. Staff was recommending approval of FDP-06-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development comply with all conditions of approval of ZN-70-05 (Ordinance 2197) and T-1207.
3. At minimum, the following list of amenities should be provided:
 - a. Circuitous lighted paths
 - b. A minimum of 20 24-inch box trees per acre
 - c. At least 3 sites of 2 differing age-appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
 - d. At least one large open space area for group / organized play
 - e. One large group shade area / gazebo (30' diameter), lighted
 - f. Two swimming pools with clubhouse
 - g. Picnic tables and barbecue grills
 - h. Benches spaced along park pathways
 - i. Doggie stations at dog walk area and other grassy locations
 - j. Details of amenities to be provided

Vice-Chairman Jo Cato left Chambers at 7:40 p.m.

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

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Vice-Chairman Jo Cato returned to Chambers at 7:42 p.m.

13. **T-1256 (25329) VELINA COURT. AN APPLICATION SUBMITTED BY ARMANDO MONARREZ AND MANUEL ARMANDO MONARREZ, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO ALLOW FIVE (5) SINGLE FAMILY DWELLINGS. THE PROPERTY IS GENERALLY LOCATED NORTH OF BALZAR AVENUE AND APPROXIMATELY 213 FEET WEST OF COMSTOCK DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-21-101-006 AND 139-21-101-007.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who stated the application was for a tentative map for five single-family lots on properties located north of Balzar Avenue approximately 213 feet west of Comstock Street and was zoned R-1 with lots ranging in size from 6800 square feet to 8400 square feet with a density of 4.9 dwelling units per acre. However, in this case, even though 4.5 was normally the density allowed under the low density guidelines, when they can show compliance with all single-family guidelines and the R-1 requirements, there have been times where a higher density has been allowed because of the R-1 zoning in place. The applicant indicated their homes would be approximately 35 feet in height and single-family only allowed homes to be 28 feet in height. Lot Nos. 1 and 2, technically, front the perimeter street; therefore, on these lots the applicant would need to design a home that would either have a side-loaded garage onto the interior street or a detached garage that would access the interior street. Staff was recommending approval of T-1256 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method; the development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Single-Family Development Design Standards, including but not limited to the following:
 - a. A perimeter wall shall be constructed for this subdivision where one does not exist. Any portion of this wall visible from the right of way shall be decorative in nature subject to staff approval. (Section 17.24.210.F.1.a).
 - b. Perimeter and corner side landscaping shall be maintained by the homeowners of Lots 1 and Lot 2.
3. Homes constructed on Lots 1 and 2 shall have side loaded or detached garages fronting the cul de sac (Velina Court).
4. The maximum height of these single family dwellings shall be 28 feet.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.

6. 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.
7. Remove the street section thickness from the typical sections. The pavement sections will be determined by the Department of Public Works.
8. The street name shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
9. The street name must be approved by the City of Las Vegas Central Fire Alarm Office.

Manuel Monarrez, 2728 Judson Avenue, North Las Vegas, NV 89030 clarified lot Nos. 1 and 2 would have side loaded garages onto the cul-de-sac.

Chairman Aston trailed T-1256 to give the applicant time to review the recommended conditions.

Item No. 21 was heard next to give the applicant time to review proposed conditions.

The Commission returned to Item #13.

Chairman Aston asked the applicant if he had reviewed the recommended conditions.

Mr. Monarrez responded he had reviewed the conditions and 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, and Carvalho

NAYS: None

ABSTAIN: None

Item No. 24 was heard next.

OLD BUSINESS

14. **ZN-96-05 (23566) PICERNE @ CENTENNIAL & NORTH 5TH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT CORPORATION ON BEHALF OF THE PT CORPORATION AND NORTH 5TH CENTENNIAL, 1 LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 278 MULTI-FAMILY UNITS AND 10,000 SQUARE FEET OF COMMERCIAL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-503-001, 124-27-503-007, 124-27-503-008 AND 124-27-503-009. (CONTINUED DECEMBER 28, 2005, JANUARY 25, FEBRUARY 22, AND MARCH 22, 2006)**

ACTION: WITHDRAWN

15. **AMP-15-06 (24934) PECOS & WASHBURN TOWNHOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RONALD BURES DEVELOPMENT, LLC ON BEHALF OF THE BRESLER FAMILY TRUST ET AL AND RONALD BURES DEVELOPMENT, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LIGHT INDUSTRIAL AND INDUSTRIAL TO HDR HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF PECOS ROAD AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-31-301-001, 123-31-301-002, 123-31-301-003, 123-31-301-004, 123-31-301-006 AND 123-31-301-011. (CONTINUED APRIL 12, 2006)**

Item Nos. 15 and 16 were heard together.

It was requested by the applicant to continue AMP-15-06 indefinitely.

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

Michael Urban, Esq., 4270 South Decatur Boulevard A-D, Las Vegas, NV 89103 appeared on behalf of a nearby property owner, Operating Engineers Funds, Inc., stating this was his third time attending a meeting regarding this item and asked that the item be tabled until such time something concrete was presented. They were opposed to the application.

Chairman Aston asked Staff how many continuances had been requested. Marc Jordan, Planning Manager responded the application was originally scheduled to be heard at the April 12, 2006 Planning Commission meeting, so this was the second request for continuance.

Mr. Urban stated there had been a public meeting held by the proponent prior to the actual official meetings with the Planning Commission. Chairman Aston explained that was a developer's meeting and was not held by the City.

Moshe Ozeri, 735 North Sweetzer #201, Los Angeles, CA 90069 stated he was representing the partners on lots 001 and 004. He had talked with George Garcia a few months ago and he had offered to change the zoning on their parcels and go into partnership but he had never received a contract. They submitted an application without his permission and he was asking for the application to be denied.

Doll Howell, 8433 Clear Avenue, Las Vegas, NV 89147 stated she was related to Mr. Ozeri and wanted it made clear the property Mr. Ozeri spoke of was not for sale. She also stated George Garcia and Ronald Bures were not representing Michael and Paula Bressler.

If the application was continued indefinitely, she wanted to be sure they were notified of any type of appeals. She submitted notarized statements from all three parties, Moshe Ozeri and her mother, Paula and Michael Bressler, and Mr. Uval which stated every single owner in the above applications were wishing to completely withdraw the whole application and amendment of AMP-15-06 and ZN-23-06.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

16. **ZN-23-06 (24933) PECOS & WASHBURN TOWNHOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RONALD BURES DEVELOPMENT, LLC ON BEHALF OF THE BRESLER FAMILY TRUST ET AL AND RONALD BURES DEVELOPMENT, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF PECOS ROAD AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-31-301-001, 123-31-301-002, 123-31-301-003, 123-31-301-004, 123-31-301-006 AND 123-31-301-011. (CONTINUED APRIL 12, 2006)**

Item Nos. 15 and 16 were heard together.

It was requested by the applicant to continue ZN-23-06 indefinitely.

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

Michael Urban, Esq., 4270 South Decatur Boulevard A-D, Las Vegas, NV 89103 appeared on behalf of a nearby property owner, Operating Engineers Funds, Inc., stating this was his third time attending a meeting regarding this item and asked that the item be tabled until such time something concrete was presented. They were opposed to the application.

Chairman Aston asked Staff how many continuances had been requested. Marc Jordan, Planning Manager responded the application was originally scheduled to be heard at the April 12, 2006 Planning Commission meeting, so this was the second request for continuance.

Mr. Urban stated there had been a public meeting held by the proponent prior to the actual official meetings with the Planning Commission. Chairman Aston explained that was a developer's meeting and was not held by the City.

Moshe Ozeri, 735 North Sweetzer #201, Los Angeles, CA 90069 stated he was representing the partners on lots 001 and 004. He had talked with George Garcia a few months ago and he had offered to change the zoning on their parcels and go into partnership but he had never received a contract. They submitted an application without his permission and he was asking for the application to be denied.

Doll Howell, 8433 Clear Avenue, Las Vegas, NV 89147 stated she was related to Mr. Ozeri and wanted it made clear the property Mr. Ozeri spoke of was not for sale. She also stated George Garcia and Ronald Bures were not representing Michael and Paula Bressler.

If the application was continued indefinitely, she wanted to be sure they were notified of any type of appeals. She submitted notarized statements from all three parties, Moshe Ozeri and her mother, Paula and Michael Bressler, and Mr. Uval which stated every single owner in the above applications were wishing to completely withdraw the whole application and amendment of AMP-15-06 and ZN-23-06.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

17. **T-1243 (24456) CENTENNIAL ESTATES. AN APPLICATION SUBMITTED BY STANDARD PACIFIC HOMES ON BEHALF OF STANDARD PACIFIC LAS VEGAS INC., PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT AND A C-1, NEIGHBORHOOD COMMERCIAL (PROPOSED PROPERTY RECLASSIFICATION TO THE R-2, TWO-FAMILY RESIDENTIAL DISTRICT) CONSISTING OF TRIPLEXES (189 UNITS). THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND DONNA STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-23-401-002. (CONTINUED MARCH 8 AND APRIL 12, 2006)**

ACTION: WITHDRAWN

18. **SPR-10-06 (24698) DECATUR & TROPICAL. AN APPLICATION SUBMITTED BY WORLDMARK INC. ON BEHALF OF DECATUR TROPICS LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO WAIVE THE REQUIREMENT OF THE BUILDING ORIENTATION. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND RICE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-204-001, 124-30-204-002 AND A PORTION OF 124-30-204-005. (CONTINUED MARCH 22 AND APRIL 12, 2006)**

It was requested by the applicant to continue SPR-10-06 to May 24, 2006.

Chairman Jay Aston asked the applicant to show just cause for the request as it was the third request for continuance.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating he had been meeting with Public Works and the Planning Department. The Planning Department indicated they believe the use permit that was originally approved was specific in terms of the design and location on the site. While they do not agree, they were not going to debate the issue further but were going to revise the plan to put it back to the original location, which will be submitted to Staff. The plans would be turned into Staff by Monday, May 15, 2006.

ACTION: CONTINUED TO MAY 24, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 20 was heard next.

19. **UN-115-05 (22876) NORTH 5TH & REGENA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SIEMPRE, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A SUPPER CLUB. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF NORTH FIFTH STREET AND REGENA AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 124-26-101-005. (CONTINUED OCTOBER 12, NOVEMBER 9 AND 22, 2005)**

Comments were carried forward from Item No. 3 as follows:

The application was presented by Mary Aldava, Sr. Planner who stated the application was a request for a variance to allow a 12 foot building set-back where 20 feet was required along North 5th Street. The North Las Vegas City Council approved the North 5th Street Transit Supportive Concept Plan on April 19, 2006. The document identifies the need to preserve 20 foot building set-backs on either side of North 5th Street in order to accommodate pedestrian friendly elements as an integral part of the North 5th Street Transit Corridor. The additional 20 foot set-back was not redundant as stated by the applicant; on the contrary, it was necessary and was currently applied to all developments in all C-1 zoning districts, as it ensures pedestrian safety and comfort along roadways. This standard was specifically relevant along North 5th Street, as it was adequate and well designed for pedestrian elements, landscaping, sidewalks and other pedestrian oriented amenities and will ensure walkability and promote transit ridership. As noted in the Public Works Memorandum, the design of roadway elements within the North 5th Street right-of-way has not yet been completed. One of the proposed cross sections indicates the street improvements could occupy the entire 150 foot right-of-way; therefore, the additional 20 foot building set-back was needed to ensure adequate space was available for required pedestrian elements along the roadway. The variance requested has been self-imposed; therefore, cannot be supported by Staff. Staff was recommending VN-15-06 be denied as it does not meet the intent of the North 5th Street Concept Plan and the variance was self-imposed.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating what was described by Staff, was the issue they had when the Transit Supportive Concept Plan was approved. They had been concerned that the Plan would become a regulatory document and Staff brought it back as if it were a regulatory document. It was not an ordinance, was not adopted as a Master Plan and it was being used as a regulatory tool to try to dictate the design of North 5th Street. Mr. Garcia stated the project had been on hold for approximately one year, trying to get all the issues resolved and thought they were resolved when they knew the design of the Roadway in October, 2004, when Council adopted the design for North 5th Street in

the AMP and with it, at that time, there was a North 5th Corridor Study. In that Study, in the cross sections that were taken from that, there was a 150 foot cross section identified and there were three cross sections excerpted from the document. All three of the designs contemplate a pedestrian multi-use path. It was contemplated, within the 150 foot corridor, all lanes, bus lanes, bike lanes, pedestrian paths, etc., was identified in the document. Now, there was still uncertainty, not only on this property, but all properties along the Corridor, where there was still not a defined roadway. The cross sections were still under discussion and debate.

Mr. Garcia discussed Item Nos. 3 and 19 together.

Currently, under the land use designation, the project site was commercially designated, along with all property to the east and there was high density residential to the south. The current zoning was commercial for a u-shape around the area with some residential zoning that has not been changed. It was clear from the Master Plan and the land development trends in the area, that the area will not remain residential. The 20 foot landscaping waiver along the east side, was there for 20 feet in contemplation of it being residential. It was not desirable, from the City's standpoint, based on the Master Plan and based on the land development trends, to retain the property to the east as residential. Therefore, he suggested reducing the landscape to at least 10 feet to provide for the future commercial or multi-family residential. Currently, the land use was commercial. They also asked to reduce the landscaping due to the impact to the site from the North 5th Corridor being dramatic and severe. They were trying to find a way to mitigate the impact to the property and was trying to balance the needs of the City and the needs of the property owner to try to find a way to make it work and if they fully complied with the requirement suggested by the conditions of approval, they could not get there.

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

Chairman Aston closed the Public Hearing.

Chairman Aston asked what the cross section of the corridor was. Randy Cagle of Public Works explained in the 150 foot, there will be eight feet of landscaping, a 10 foot multi-use path, then two foot of landscaping. If it was reduced to less than 20 feet you would lose landscaping and the multi-use path. Chairman Aston stated there was a cross section that showed the pathway and some of the landscape buffer included in the 150 foot right-of-way. Mr. Cagle responded there were some preliminary cross sections that showed that but this was what was being required currently and what was being constructed.

Chairman Aston asked about the reference made to the entrance on North 5th Street. Mr. Cagle clarified Staff's recommendation was that the driveway on Regena not be allowed. They were allowed a driveway on North 5th Street, in fact, the property to the north was required to put in a shared driveway, which they were requiring they use; so, the driveway

will be on the northerly property line, which would cause them to lose the parking as shown and that was why they asked that the application be continued to allow them to redo the site plan. Chairman Aston stated, if that was done, and the driveway on Regina was eliminated, then the building could be moved back. Mr. Cagle stated that was correct. Ms. Aldava stated a 30 foot set-back would still need to be maintained on the residential property to the east; so, reducing the buffer would not help much. Chairman Aston asked if, under the current guidelines, this could still be a doable site. Ms. Aldava responded that was possible, there were also parking issues involved. Chairman Aston asked if he shared the driveway was shared, parking would be lost. Mr. Garcia stated Condition No. 8 and Item No. 19 specifically states, "access to North 5th will not be permitted," so their understanding was, so what was stated by Mr. Cagle contradicted the condition. Obviously, there needed to be some clarification and the shared driveway concept had not been discussed with him. Chairman Aston stated it was obvious there were issues to be worked out and he would recommend a continuance.

Commissioner Steve Brown asked what was included in the 150 foot right-of-way. Mr. Cagle stated if the curb was moved to 150 foot, they would still keep an eight foot area between the back of curb and the walkway. If all landscaping goes away within the 150 foot right-of-way, there will still be eight foot of landscaping, the 10 foot multi-use trail and then two foot of landscaping, all within that 20 foot set-back area.

Commissioner Dean Leavitt asked if a two week continuance was long enough or if more time was necessary. Mr. Garcia responded a 30 day continuance would be appropriate.

Chairman Aston reopened the Public Hearing and stated it would remain open.

ACTION: CONTINUED TO JUNE 14, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 4 was heard next.

20. **UN-34-06 (25164) BARDON RECYCLE CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY FREHNER CONSTRUCTION COMPANY, INC. (DBA BARDON MATERIALS), PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A RECYCLING CENTER WITH OUTSIDE ACTIVITIES OR STORAGE. THE PROPERTY IS LOCATED AT 124 WEST BROOKS AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-15-501-011, 139-15-501-013 AND 139-15-501-020. (CONTINUED APRIL 26, 2006)**

It was requested by the applicant to continue UN-34-06 to May 24, 2006.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO MAY 24, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 22 was heard next.

21. **ZN-30-06 (25136) THE VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MILBANK REAL ESTATE SERVICES, INC. ON BEHALF OF SUPREME PROPERTY INVESTMENT COMPANY ET AL, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-2 GENERAL COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 803 CONDOMINIUM UNITS AND 53,200 SQUARE FEET OF RETAIL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CRAIG ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-03-201-004, 139-03-201-005 AND 139-03-201-006. (CONTINUED APRIL 26, 2006)**

The application was presented by Bob Hoyes, Planner who stated the application was a request for a zone change from C-2 General Commercial to Planned Unit Development. This was a mixed use development and the applicant submitted revised plans; however, the revised plans do not adequately identify the minimum amount of open space required, which was 321,200 square feet. Staff met with the applicant and discussed some of the issues and the revised plans were then submitted. Also identified with the application was a 10 foot landscape buffer along the western and northern property lines where a minimum 20 feet was required. Staff was not supporting this as a waiver; therefore, Staff was recommending that ZN-30-06 be continued to allow the applicant time to revise the plan to identify the minimum 321,200 square feet of open space. If the Commission desires approval, the following conditions were recommended:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. A final development plan shall be submitted for each phase of the Planned Unit Development.
3. A final phasing plan shall be submitted with the first final development plan for this Planned Unit Development.
4. A final development plan be approved by the Planning Commission prior to the submittal of any proposed tentative maps. All areas identified on a tentative map shall have been previously approved as a final development plan.
5. Building elevations shall be submitted for each commercial and multi-family building with the final development plan for each phase of this Planned Unit Development.

6. **The final development plan shall be accompanied by an exhibit that provides details of the open space/recreational areas showing landscaping, amenities, dimensions, boundaries and calculated square footage. The applicant is required to meet with the Department of Parks and Recreation prior to submitting any final development plan.**
7. A pedestrian circulation plan, including ADA access routes, safe walking pathways, and traffic calming measures shall be submitted with the final development plan for this Planned Unit Development.
8. Adequate parking shall be provided and shown on the final development plan, and shall comply with the requirements set forth in the Zoning Ordinance. All details pertaining to at-grade parking, subgrade parking and / or above-grade parking structures shall be disclosed.
9. Interior driveways and / or “streets” shall meet the minimum requirements of an “interior street scape” in a Planned Unit Development, and street furniture that is approved by the Public Works Department and Planning & Zoning Department, shall be identified on the open space / recreational area exhibit. All internal “streets” shall provide on-street parallel parking on both sides.
10. The number of parking stalls for the residents and guests shall be provided in accordance with the requirements set forth in the Zoning Ordinance for multi-family developments. The location of the residential parking shall be within a secured parking structure or private attached garages. The parking garage shall adjoin the building in which the units it serves are located. Guest parking is not required to be located within a secured environment.
11. The non-residential commercial-only square footage shown on the preliminary development plan (53,200 square feet) is considered conceptual and shall be reduced if it is found that there is insufficient parking and/or pedestrian plaza space, upon submittal of the final development plan.
12. The number of residential units shown on the preliminary development plan (803 dwelling units) is considered the maximum and shall be reduced if it is found that there is insufficient parking, buffer area, and/or open space, upon submittal of the final development plan. The maximum number of residential units shall be:

Condominium type “1” / four-story: (maximum 35 units per floor):

- a. One-bedroom: 176
- b. Two-bedroom: 352
- c. Live / work: 16

Condominium type "2" / three-story: (maximum 7 units per building):

- a. One-bedroom: not allowed
 - b. Two-bedroom: 259
-
13. Exterior roof ladders and down spouts shall not be permitted.
 14. In addition to the stipulations stated herein, the residential portions of the development shall comply with the Multiple-Family 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 submittal of a final development plan.
 15. The conceptual design of the site shall comply with the preliminary development plan approved herein, unless otherwise required to be changed through conditions, functional purpose or code / ordinance stipulation. 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.
 16. The conceptual design of the buildings shall be consistent with those elevations identified on the submitted "Condominiums 2 Elevations" sheet or "Exhibit A, Sheet 1," with the exception of the alleys and rear-loading garages. 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.
 17. The proposed "Typical Perimeter Wall at Street" shall be approved as the fence / wall design. *Pilasters shall be treated with "stacked stone" or "slump stone" veneers, in addition to decorative cap stones.* Any 100% opaque wall sections shall be limited to those areas between the adjacent public park and rear-loading garages. *The "Typical Perimeter Wall at Street" shall be provided along the interior property lines with pedestrian access gates at the locations identified on the plan. The view fence shall be constructed in accordance with an approved Phasing Plan.*

18. Commercial uses within this Planned Unit Development shall only be those allowed under 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 uses shall be prohibited from this Planned Unit Development:
 - i. Automobile parking lot or garage (public or private)
 - ii. Automobile supply store
 - iii. Automobile service
 - iv. Any automobile washing establishment
 - v. Any establishment with a drive-through service lane, including but not limited to banks and financial institutions, and convenience food restaurants
 - vi. Any establishment with gas pumps or fueling stations
 - vii. Light equipment rental with exterior storage or display
 - viii. Mini-warehousing
 - ix. Mortuary
 - x. Pawnshop
 - xi. Tennis and racquet club

19. 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. A minimum 20 feet of buffer landscaping shall be provided adjacent to all interior property lines.
 - c. A minimum 20 feet of perimeter landscaping (which includes a meandering sidewalk separated from the back-of-curb by a minimum five feet of landscaping) shall be provided between the perimeter fence / wall and the back-of-curb along Commerce Street north of Building "R-6."
 - d. Refuse collection areas of sufficient size and number shall be provided to serve Condominium type "1" buildings. Ingress and egress routes shall be identified with the final development plan. Such routes shall be adequate and approved for Republic Services' trucks. Interior drop chutes shall also be identified on the final development plan.
 - e. The applicant shall provide evidence from Republic Services that individual residential collection service will be provided for the Condominium type "2" units prior to submittal of the final development plan. If it is determined that Republic Services will not provide individual collection service or if evidence

is not presented, then the final development plan shall identify all trash enclosures in accordance with code requirements.

- 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, shall be ADA-accessible, provided with lights and connected to another pedestrian walkway. "Mid-block" and internal crossings of any drive aisle shall be raised to curb level.
 - i. Pedestrian gates and walkways shall be provided to external sidewalks and to the adjacent public park. A minimum five (5) gates shall be added to the plan between the residential areas and the adjacent public park.
 - j. Balconies at least 40 square feet in size shall be provided for every residential unit. No balcony shall face the internal "quad" areas of Buildings "A", "B", "C" and "D", and no townhome balcony shall face an alley unless across from such alley is the adjacent public park.
20. Landscaping , including a small variety tree and ground cover shall be provided on each side of each garage entrance way, and shall be owned, watered and maintained by the homeowners' association. Landscaping shall be provided in a sealed planter or another alternative method, as approved by staff.
21. Perimeter walls shall be owned and maintained by the Homeowner's Association.
22. A minimum of 321,200 square feet of open space shall be provided that meets the minimum size requirements established in the Zoning Ordinance (Title 17). All outside and inside open space areas shall be identified on the open space exhibit submitted with the final development plan.
23. The Community Center shall be open and accessible to the residents as a recreational option and shall not serve as a sales/leasing office. A floor plan for the community center shall be submitted with the final development plan. Pedestrian crossings to the east and west of the community center shall be provided.
24. All required open space and required landscaping areas shall be labeled as common elements and shall be maintained by the homeowners' association.

25. A minimum 350 square feet of pedestrian plaza area shall be provided within the commercial portion of the development.
26. The "plaza" areas to the south of Buildings "R-2" and "R-5" shall be relocated to the north sides of the buildings.
27. The "outdoor dining" areas adjacent to Buildings "R-1" and "R-4" shall be relocated to the opposite sides of the buildings.
28. Bicycle parking facilities shall be provided within the commercial portion of the development at a ratio of one space per 8,000 square feet, or portion thereof, of commercial building. Said parking facilities/racks shall be located within 100 feet of the primary customer entrance of any building with 10,000 or more square feet, shall not be in-lieu of any required landscape areas and shall not interfere with any pedestrian access routes. It is recommended that the bicycle parking locations be in close proximity to, and/or visible from, the pedestrian plaza areas or outside dining areas.
29. All landscape areas within the all portions of the development shall be developed in accordance with the Commercial Development Standards and Design Guidelines, unless the landscape area is within the areas intended for the residents as part of the required recreational areas and open space, in which case the landscape areas shall be developed in accordance with the Multi-Family Development Standards and Design Guidelines. Live turf shall only be planted in areas required by the Department of Parks and Recreation to serve the residents.
30. The setbacks for the commercial portion of this development shall be consistent with those established for the C-1, Neighborhood Commercial District, and the setbacks for the residential portion of this development shall be consistent with those established for the R-4, High Density Residential District, unless otherwise determined to be appropriate by the Director of Planning & Zoning, or his/her designee.
31. Fire access lanes shall be located in accordance with Fire Code requirements.
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. 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.
35. 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.
36. 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.
37. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
38. 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.
39. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
40. Approval of a traffic study is required prior to submittal of the civil improvement plans.
41. A queuing analysis is required.
42. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Craig Road and Commerce Street.
43. The proposed driveways along Craig Road, between R-1 and R-2, and R-4 and R-5, shall be eliminated.
44. The developer may install, entirely at his own cost, a traffic signal at the main entrance along Craig Road. Should the developer choose not to install the signal, the access will be limited to right in/right out and left in at this time; the median would then be modified accordingly. In addition, the left-in access at this location

- may be eliminated at the discretion of the City Traffic Engineer should safety become a concern in the future.
45. A raised median island shall be installed within Craig Road at the intersection of Kings Hill to prohibit any left turn movements.
 46. 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.
 47. 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.
 48. The property owner is required to grant a roadway easement for commercial driveway(s).
 49. 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.
 50. A revocable encroachment permit for landscaping within the public right of way is required.
 51. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
 52. The property owner is required to sign a restrictive covenant for utilities.
 53. The final map shall be labeled as a Merger & Resubdivision.
 54. 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.
 55. All off-site improvements must be completed prior to final inspection of the first building.

56. Right-of-way dedication for the existing CAT bus turn-out may be required on Craig Road near Commerce Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
57. 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.
58. Approval of a drainage study is required prior to submittal of the civil improvement plans.
59. This development shall be constructed using only "L" curbs. Roll curbs shall be prohibited.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating a portion of the property was near a couple of holes for the Craig Ranch Golf Course. Over the past couple of years there have been proposals for a hospital, casino and other types of development. Mr. Gronauer explained the project was a vertical and horizontal mixed use, which would include a commercial retail restaurant component; wrap condominium buildings, where the parking garage was on the interior of the building; a live/work product; and townhomes, which were a for sale product. The townhome product was designed so the townhomes would face the park, creating a more open feel. There were numerous pedestrian access gates going to the park and into the community making it more pedestrian oriented. Mr. Gronauer stated they would be willing to add more trees in the 10 foot set-back adjacent to the park as a buffer. He understood the latest elevation of the buildings were based on Staff comments of making some changes to the elevations. He thought there was a misunderstanding that they were going to raise the entire site. Their goal was to try to save whatever trees they could and replant them and move them around. He felt the range of densities and uses were compatible with the area and would help support the park and the park uses would be integrated within the plan as presented.

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

Chairman Aston closed the Public Hearing.

Chairman Jay Aston asked Staff, regarding the ratio of minimum open space requirements of 400 square foot per residential unit, if the mixed use ordinance had been established. Mr. Hoyes responded it had not; it was still in draft form. Chairman Aston asked if that was the guideline that was in the proposed mixed use ordinance. Marc Jordan, Planning Manager responded it was and stated there had been several mixed use developments recently, and that was the formula that had been used on all of those developments, rather

than density times 1.65, which was normally used in a PUD. The 400 square foot was actually less open space than what was normally required for a PUD. Chairman Aston asked, if in this type of mixed use situation, the walkways figured into the formula. Mr. Hoyes responded in many cases they did. They accepted Paseos and the connections between open spaces and in some cases they did not, if the minimum dimensional requirement was not met or if it was something that was not functional as open space, such as at the end of a block or the end of a row of townhomes that may have been less than 20 feet in dimension. Chairman Aston asked Staff if there was a guesstimate of how far below the required open space the application was at the present time. Mr. Hoyes responded the Parks and Recreation Department, based on the estimates they were looking at today, was about 25,000 square feet, about ½ acre. Chairman Aston asked if the parking in the wrap around condos, if there was parking on the roof, or if it was a finished roof. Mr. Gronauer responded it was a finished roof. Chairman Aston suggested if there was a place on the roof where someone could spend some time, there might be open space available there. Mr. Gronauer stated they could check into that, as there was a discrepancy on the open space. There was approximately 7.3 acres of open space required and their calculations showed about 8 acres. Chairman Aston asked if there was a block wall between the ten foot buffer and the park. Mr. Gronauer stated he understood it was a view fence. Mr. Hoyes stated Staff would not want or desire a 100 percent opaque block wall; although, they did mention in Condition No. 17, that if it was between rear loading garages and the park, they could have the opaque wall, but in the redesign of the site there were no rear loading garages directly facing the park, so that was also an objective of Staff. Chairman Aston stated the application was close and the applicant was not looking for an indefinite continuance and asked the applicant if he would be willing to continue for a definite period of time. Mr. Gronauer stated he had talked the issue over with his client and they would like to address any concerns with the open space in the conditions of approval and they would deal with it, as there was a minimum amount of open space that was required. Chairman Aston asked if they were in the process of working out the issue with the elevations. Mr. Gronauer responded the applicant and the architect were working on the plans and based on comments from the earlier Staff Report, revisions had been made to change the elevations.

Chairman Aston stated he was excited about the application and felt it would fit well in the area and would like to see the project move forward.

Commissioner Dean Leavitt asked which elevations they were planning to use. Chairman Aston stated in the briefing, Mr. Hoyes mentioned it would be one of four. Commissioner Leavitt also stated he was excited about the project and thought the applicant had listened to the City's concerns regarding having the units face the park with the view fence, which provided a feeling of safety for those using the park and the details could be worked out with Staff.

Commissioner Angelo Carvalho asked if the pedestrian access to the park would be for the people living in the community only. Mr. Gronauer stated the people living in the community would have access.

Commissioner Harry Shull agreed with the other Commissioners and felt this was a great project and with the conditions of the rezoning, he thought it could be approved.

Commissioner Steve Brown asked if the open space was ½ acre short and how many acres the site was. Mr. Gronauer responded it was 42.48 acres. Commissioner Brown asked if the open space could be adjusted without making major changes. Mr. Gronauer responded he understood from the architect that they met the open space, they just needed to show Staff how it was calculated.

Commissioner Dean Leavitt asked if some consideration could be given to the park access close to Craig Road and Commerce Street, that might allow pedestrian access to the restaurants and the commercial area. Mr. Gronauer responded that could be done and pointed out there was a trail in that area.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 16 AND 17 AMENDED AS SHOWN IN STAFF MEMORANDUM DATED MAY 10, 2006; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

The remainder of Item No. 13 was heard next.

22. **SPR-18-06 (25139) CENTENNIAL POINTE. AN APPLICATION SUBMITTED BY THE STRATTON GROUP ON BEHALF OF CENTENNIAL GROUP, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT TO ALLOW 201 MULTI-FAMILY UNITS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-701-002, 124-22-701-003, 124-22-701-004, 124-22-701-005 AND 124-22-701-008. (CONTINUED APRIL 26, 2006)**

It was requested by the applicant to continue SPR-18-06 to May 24, 2006.

ACTION: CONTINUED TO MAY 24, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

23. **T-1253 (25140) CENTENNIAL POINTE. AN APPLICATION SUBMITTED BY THE STRATTON GROUP ON BEHALF OF CENTENNIAL GROUP, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT TO ALLOW 201 CONDOMINIUMS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-701-002, 124-22-701-003, 124-22-701-004, 124-22-701-005 AND 124-22-701-008. (CONTINUED APRIL 26, 2006)**

It was requested by the applicant to continue T-1253 to May 24, 2006.

ACTION: CONTINUED TO MAY 24, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 11 was heard next.

24. **SPR-20-06 (25163) AMERICAN STONE BUILDING. AN APPLICATION SUBMITTED BY AMERICAN STONE SALES, INC. ON BEHALF OF STONE MOUNTAIN MANAGEMENT, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A 350 SQUARE FOOT ON-PREMISE SIGN. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CIVIC CENTER DRIVE AND BRANSON AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-12-201-012. (CONTINUED APRIL 26, 2006)**

The application was presented by Bob Hoyes, Planner who stated the application was a request for an on-premise sign approximately 350 square feet and 32 feet in height along the I-15 corridor. One of the objectives of the Visioning 2025 Plan was to protect and improve the aesthetic impact while driving along major corridors and entryways into the City. In Staff's opinion, this would be contrary to that objective; therefore, Staff was recommending SPR-20-06 be denied.

Dan Thomas, American Stone Sales, 3616 Spring Mountain Road, Las Vegas, NV stated there was currently an off-premise sign, which was approximately 900 square feet. In accordance with the Visioning 2025 Plan, they proposed and designed a way to update and adjust the off-premise sign to an on-premise sign, which he felt met the City's and their commercial communication needs. Due to the Design Standards, they were not able to make a straight conversion from the off-premise sign to an on-premise sign, which was due to the design around the base that needed some landscaping as well as the structure of the sign, which was required to be on a single post and he asked that the size of the lot be taken into consideration when calculating the size of sign that was allowed.

Commissioner Dean Leavitt explained the City had worked long and hard to come up with the Design Guidelines and he was unable to support the request.

Mr. Thomas asked the Commission to give some consideration, as the trees on the property were taller than the height of the sign he was requesting.

Chairman Jay Aston asked Mr. Hoyes to explain to the Commission what the square footage requirements were for signs. Mr. Hoyes explained for the requested use, based on the square footage of the business, the maximum allowable square footage was 125 square feet with an 18 foot height. The City would probably see more applications as the trees matured, but the objective was not to be higher or taller than the trees, it was to blend

in better and in these cases it was sometimes an area between the bottom of the canopy and above the shrubs that was most effective. In some cases, when there were no shrubs, a monument sign was more effective.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

25. UN-30-06 (24953) CRAIG & DECATUR CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ZNA FOODS ON BEHALF OF MOHAMMAD RAZZAQUE, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS GENERALLY LOCATED NORTH OF CRAIG ROAD AND APPROXIMATELY 500 FEET EAST OF DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-06-215-024. (CONTINUED APRIL 12 AND 26, 2006)

The application was presented by Mary Aldava, Sr. Planner who stated the application for a convenience food restaurant with a drive-thru service window north of Craig Road and approximately 500 feet east of Decatur Boulevard and the property was zoned C-1 Neighborhood Commercial. In addition, a 5,513 square foot building for convenience grocery and bakery was also proposed. Initially, Staff was recommending denial; however, the applicant had submitted a revised site plan which addressed all of Staff's concerns. Staff was recommending approval subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and the Commercial Development Standards and Design Guidelines including but not limited to:
 - a. That the parking lot which abuts a public street shall be screened by a landscaped berm with a minimum height of three (3) feet above the finished grade at the rear of the setback area;
 - b. Six (6) feet of foundation landscaping shall be provided on the east facade of both buildings where customer entrances exit into a parking area;
 - c. Metal canopies are replaced with sunbrella canopies.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. 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.
4. Approval of a traffic study is required prior to submittal of the civil improvement plans.
5. 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.

6. 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.
7. The property owner is required to grant a roadway easement for commercial driveway(s).
8. The property owner is required to sign a restrictive covenant for utilities.
9. No signs or structures are allowed within the drainage easement along Craig Road.
10. Fire access lanes shall be designed in accordance with Fire Code requirements.
11. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
12. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.

Allen Jesky, 102 E. Mayflower, North Las Vegas, NV 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, and Carvalho

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Marc Jordan, Planning Manager let the Commission know the School District would be making a presentation at the June 14, 2006 Planning Commission Meeting at 5:00 p.m. before the Briefing.

CHAIRMAN'S BUSINESS

There was no report given.

ADJOURNMENT

The meeting adjourned at 8:22 p.m.

APPROVED: June 14, 2006

/s/ Jay Aston
Jay Aston, Chairman

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