

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

June 28, 2006

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

**BRIEFING:** 5:00 P.M., Clark County School District Presentation,  
Conference Room, North Las Vegas City Hall, 2200 Civic  
Center Drive

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

**CALL TO ORDER:** 6:04 P.M., Council Chambers, North Las Vegas City Hall,  
2200 Civic Center Drive

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

**STAFF PRESENT:** Jory Stewart, Planning & Zoning Director  
Marc Jordan, Planning Manager  
Robert Eastman, Principal Planner  
Toni Ellis, Planner  
Ned Thomas, Urban Designer  
Nick Vaskov, Deputy City Attorney II  
Jennifer Doody, Development & Flood Control  
Clete Kus, PW, Transportation Planner  
Carlton Urban, Public Works  
Janice Carr, 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

### MINUTES

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF MAY 24, 2006.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

### CONSENT AGENDA

- A. **PW-124-06 (26525) PROVANCE EAST CONDOS: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CELEBRATE HOLDINGS, LLC AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$860,964.69.**

Commissioner Harry Shull stated he would be abstaining as he sold the property but his company was listed in the description.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

- B. **PW-125-06 (26526) PROVANCE EAST TOWNHOMES: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY U.S. HOMES CORPORATION, AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$916,465.52.**

Commissioner Harry Shull stated he would be abstaining as he sold the property but his company was listed in the description.

ACTION: APPROVED

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

**C. PW-126-06 (26527) CHEYENNE POINTE: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY LAS VEGAS CORNERS I, LLC, AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$975,696.11.**

ACTION: APPROVED

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

**D. PW-127-06 (26528) NVE OFF-SITE SEWER, PHASE 2: 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 \$174,240.**

ACTION: APPROVED

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

**E. PW-128-06 (26529) CENTENNIAL BRUCE NORTH 40, UNIT 1 PHASE1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE, AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN MOTORISTS INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$304,429.79.**

ACTION: APPROVED

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

**F. PW-129-06 (26530) CENTENNIAL BRUCE WEST 40, UNIT 1 PHASES 1 & 2:  
ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE, AND ADVISE  
THE DIRECTOR OF PUBLIC WORKS TO NOTIFY ARCH INSURANCE  
COMPANY TO RELEASE THE SUBDIVISION BONDS IN THE AMOUNT OF  
\$200,222.00 FOR PHASE 1 AND \$88,426.25 FOR PHASE 2.**

ACTION: APPROVED

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

**NEW BUSINESS**

1. **PRESENTATION AND DISCUSSION BY ED LUBBERS OF THE LUBBERS LAW GROUP ON THE ROLE OF THE PLANNING COMMISSION IN THE DEVELOPMENT AGREEMENT NEGOTIATION PROCESS.**

A presentation was given by Ed Lubbers of the Ed Lubbers Law group who stated he represented the City of North Las Vegas in negotiating development agreements on large parcels, primarily Bureau of Land Management (BLM) parcels. He explained the role the Planning Commission plays in a development agreement and how they were governed by the Nevada Revised Statutes, NRS 278.0201, 278.0203, 278.0205 and 278.0207.

ACTION: PRESENTATION GIVEN

**Item No. 41 was heard next.**

2. **ZN-45-06 (26124) CENTENNIAL PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 200 FEET SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 200 FEET EAST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-002.**

The application was presented by Marc Jordan, Planning Manager who stated the application was previously approved for vertical mixed use. The applicant was now proposing to rezone the property back to C-1, which would fit more with the proposal they were looking for. The Comprehensive Plan designation for the site was Neighborhood Commercial; therefore, Staff was recommending approval of ZN-45-06.

**Jennifer Lazovich, Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** stated she concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**Item No. 4 was heard next.**

3. **SPR-26-06 (26127) CENTENNIAL PLAZA AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT (PROPOSED C-1 NEIGHBORHOOD COMMERCIAL DISTRICT). THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 200 FEET SOUTH OF CENTENNIAL PARKWAY AND 175 FEET EAST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-002.**

It was requested by the applicant to continue SPR-26-06 to July 12, 2006.

ACTION: CONTINUED TO JULY 12, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**Item No. 10 was heard next.**

**4. UN-56-06 (26037) POPEYE'S CHICKEN & BISCUITS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ZNA FOODS, ON BEHALF OF CRAIG RETAIL PARTNERS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH DRIVE-THRU. 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 Marc Jordan, Planning Manager who stated the southeast corner of Craig Road and Kings Hill Road was currently being developed with a shopping center. In regards to the use, Staff had no objection, but had made some comments regarding the design of the site. Staff felt the concerns were minor and could be addressed at the time the building permit application was submitted. Some comments involve the elevations of the site, that the applicant comply with the design theme already being developed at that location. Basically, that they incorporate a stucco building and some of the wainscoting the site currently had. There was an exterior roof ladder and scuppers Staff would like to see incorporated into the building and that access essentially be provided from inside the building to the roof. Additionally, Staff would like to see approximately a 3 ½ foot wall to help screen the parking lot. Staff was recommending approval of UN-56-06 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. UN-56-06 is site specific and non-transferable.
3. The convenience food restaurant (UN-56-06) shall comply with the conditions of approval for SPR-27-03.
4. The convenience food restaurant shall comply with the Commercial Development Standards and Design Guidelines including, but not limited to:
  - a. A pedestrian pathway shall be placed between the perimeter public sidewalk to the primary customer entrance.
  - b. The building shall incorporate similar design, colors and materials of the main structure.
  - c. Foundation landscaping must be provided as outlined in 17.24.200(D)(7).
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.



6. 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.
7. 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.
8. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
9. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
10. 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.
11. 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.
12. 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.
13. The applicant shall submit a traffic study update for review and approval.

**Alan Jeskey, 102 Mayflower, Las Vegas, NV** stated he concurred with Staff recommendation and felt he could work through the issues with Staff.

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

**Gail Bashler, 533 Craig Creek Avenue, North Las Vegas, NV 89032** stated she was opposed to the project. Over the course of the past few months there had been an increase of people coming to the park, but with the increase in use, there was more trash left at the park and the park was being dismantled and she felt the site could be better developed. Ms. Bashler stated she was also speaking on behalf of Deborah Lewis who was also opposed to the project.

Chairman Aston closed the Public Hearing.

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

**MOTION:** Commissioner Shull

**SECOND:** Commissioner Carvalho

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

**NAYS:** None

**ABSTAIN:** None

**5. UN-58-06 (26097) CARL'S JR (PUBLIC HEARING). AN APPLICATION SUBMITTED BY S. L. INVESTMENTS, INC., ON BEHALF OF CRAIG RETAIL PARTNERS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH DRIVE-THRU. 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 Marc Jordan, Planning Manager who stated Staff had no objections to the use. There were some changes to the building elevation Staff would like to see that would incorporate the design theme already occurring in the development. In addition, there were landscaping issues, particularly around the building. It appeared the applicant had provided landscaping, but in some areas it looked like it might be less than the required six feet. Otherwise, Staff believed the items of concern were minor and could be reviewed at the time the building permit application was submitted. Staff was recommending approval of UN-58-06 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. UN-58-06 is site specific and non-transferable.
3. The convenience food restaurant (UN-58-06) shall comply with the conditions of approval for SPR-27-03.
4. The convenience food restaurant shall comply with the Commercial Development Standards and Design Guidelines including, but not limited to:
  - a. The pedestrian pathway placed between the perimeter public sidewalk to the primary customer entrance shall be differentiated from the driving surfaces through the use of special pavers, bricks, or patterned concrete. .
  - b. The building shall incorporate similar design, colors and materials of the main structure.
  - c. Foundation landscaping must be provided as outlined in 17.24.200(D)(7).
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.

7. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
8. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
9. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
10. 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.
11. The applicant shall submit a traffic study update for review and approval.

**Les Travis, Gary Guy Wilson Studios, 7625 Dean Martin Drive, Suite 100, Las Vegas, NV 89139** appeared on behalf of the applicant stating he concurred with Staff recommendation.

Chairman Jay Aston opened the Public Hearing. The following comments were carried forward from Item No. 4:

**Gail Bashler, 533 Craig Creek Avenue, North Las Vegas, NV 89032** stated she was opposed to the project. Over the course of the past few months there had been an increase of people coming to the park, but with the increase in use, there was more trash left at the park and the park was being dismantled and she felt the site could be better developed. Ms. Bashler stated she was also speaking on behalf of Deborah Lewis who was also opposed to the project.

Chairman Aston closed the Public Hearing.

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

**MOTION: Commissioner Shull**

**SECOND: Commissioner Carvalho**

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

**NAYS: None**

**ABSTAIN: None**

**6. UN-60-06 (26098) 911 COLLISION CENTERS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY 911 COLLISION CENTERS, ON BEHALF OF MEADOWS MANAGEMENT, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE REPAIR FACILITY. THE PROPERTY IS LOCATED AT 2628 EAST LONE MOUNTAIN ROAD, SUITE B. THE ASSESSOR'S PARCEL NUMBER IS 124-36-402-007.**

The application was presented by Marc Jordan, Planning Manager who stated the area was zoned M-2, General Industrial and the applicant was proposing to occupy approximately 30,000 feet of an existing 80,000 square foot building. Staff was concerned that any outdoor storage of automobiles awaiting repair, required by ordinance, would need to be screened appropriately. Staff was recommending approval of UN-60-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That UN-60-06 is site-specific and non-transferable.
3. All work shall be performed within a building.
4. No outside over-night parking of vehicles awaiting repairs shall be permitted, unless screened in accordance with the requirements in the Zoning Ordinance.
5. A minimum two parking stalls per bay shall be identified for the subject auto repair use.
6. A decorative block screen wall along the western perimeter of the site is required. between the buildings where a "wire fence" is identified on the site plan. The screen wall and gate shall be a minimum six feet (6.00') in height with a maximum height not to exceed eight feet (8.00') in height.
7. All required improvements shall be properly permitted and inspected prior to the approval of a Certificate of Occupancy, or the application or issuance of a business license, whichever comes first.
8. The applicant shall submit a traffic study update for review and approval.

**Pat O'Neal, of 911 Collision Centers, 303 West Charleston Boulevard, Las Vegas, NV 89102** stated he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

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

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Carvalho

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

**NAYS:** None

**ABSTAIN:** None

7. **VAC-10-06 (26065) VILLA SERENO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY VILLA SERENO, LLC, PROPERTY OWNER, TO VACATE A 30-FOOT-WIDE PORTION OF EAGLE WAY COMMENCING AT AZURE AVENUE AND PROCEEDING NORTH APPROXIMATELY 310 FEET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-004.**

The application was presented by Marc Jordan, Planning Manager who stated there was currently a tentative map and a Planned Unit Development approved for the property and the Public Works Department had no objection, so Staff was recommending approval of VAC-10-06 subject to the following conditions:

1. Dedication of 75' row for North 5<sup>th</sup> Street is required.
2. The vacation must record prior to approval of the civil improvement plans. Should the Order of Vacation not record within two years of the Planning Commission approval date, the vacation shall be deemed null and void.
3. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
  1. 30' on Regena Avenue
  2. 75' on North 5<sup>th</sup> Street
  3. Associated spandrels

**William Farnsworth, Rockwood Development Corporation, 1027 South Rainbow Boulevard, Suite 274, Las Vegas, NV 89145** appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;  
FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

8. **VN-18-06 (26131) 5<sup>TH</sup> & GILMORE BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MARTIN-HARRIS CONSTRUCTION, ON BEHALF OF THE MELDRUM FAMILY TRUST, PROPERTY OWNER, FOR A VARIANCE IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN 18'-10" HIGH WALL, WHERE 12 FEET IS THE MAXIMUM ALLOWED. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF NORTH FIFTH STREET AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-201-001 AND 139-11-201-003.**

The application was presented by Marc Jordan, Planning Manager who stated the applicant was proposing to build an eight foot retaining wall and six feet from that they would build a second retaining wall that would be approximately 10' 10" in height and the area in between would be landscaped. The applicant indicated by doing that, it would allow them to better utilize their parking for a future development on the site. Originally, Staff was recommending denial of the application; however, the applicant had met with the Public Works Department and worked out their concerns; therefore, Staff was recommending approval of VN-18-06 subject to the following conditions as listed in the revised memorandum dated June 28, 2006:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances with the exception that
2. The overall retaining wall shall not exceed eighteen (18) feet ten (10) inches in height and shall be constructed as a "stepped" wall.
3. The retaining walls shall be decorative and constructed of split-faced block.
4. Landscaping shall be provided between the two (2) retaining walls, subject to review and approval of the Planning and Zoning Department.

**Gary Congdon, Lee and Sakahara Architects, 6280 South Valley View Boulevard, 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,  
Trivedi, and Carvalho

**NAYS:** None

**ABSTAIN:** None

9. **UN-66-06 (26290) CARNIVAL ENTERPRISES INC. (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PHILLIP D. COGGINS, ON BEHALF OF CENTENNIAL 5 DEVELOPMENT, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A VIDEO ARCADE. THE PROPERTY IS LOCATED AT 150 EAST CENTENNIAL PARKWAY, SUITES 107 THRU 109. THE ASSESSOR'S PARCEL NUMBER IS 124-22-812-002.**

The application was presented by Marc Jordan, Planning Manager who stated the applicant was proposing 40 or more arcade machines within the suite they would be occupying. Staff had no objection to the use and was recommending approval with the deletion of Condition No. 3. The original recommended conditions are as follows:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That UN-66-06 is site-specific and non-transferable.
3. The applicant shall submit a traffic study update for review and approval.

**Phillip Coggins, 1812 Peyton Stewart Court, North Las Vegas, NV 89086** stated he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 3**

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Carvalho**

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

**NAYS: None**

**ABSTAIN: None**

**Item No. 12 was heard next.**

10. AMP-36-06 (26061) DEL NORTE HOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF RIO PLAZA, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL, MDR MEDIUM DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL TO MDR MEDIUM DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 90 FEET EAST OF CAMINO AL NORTE AND SOUTH OF RANCHO DEL NORTE DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-330-001, 124-34-330-002, 124-34-330-003, 124-34-330-004, 124-34-330-005, 124-34-330-006, 124-34-330-007 AND 124-34-330-008.

It was requested by the applicant to continue AMP-36-06 to July 12, 2006

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

- Michael Mas, 616 Rio Del Sol Drive, North Las Vegas, NV 89031 stated he agreed with Staff recommendation to deny the AMP-36-06 and ZN-46-06. Previously, there was an application to put an office building on the property and was approved by the Planning Commission. The request was withdrawn because it was determined the original marketing for the need for an office building in that area was faulty. He asked that the unique nature of Rancho Del Norte be considered when voting on the application.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO JULY 12, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

11. **ZN-46-06 (25551) DEL NORTE HOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF RIO PLAZA, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT, APPROVED FOR PROFESSIONAL OFFICES, TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF ELEVEN (11) SINGLE FAMILY DWELLINGS. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 90 FEET EAST OF CAMINO AL NORTE AND SOUTH OF RANCHO DEL NORTE DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-330-001, 124-34-330-002, 124-34-330-003, 124-34-330-004, 124-34-330-005, 124-34-330-006, 124-34-330-007 AND 124-34-330-008.**

It was requested by the applicant to continue ZN-46-06 to July 12, 2006

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

- **Michael Mas, 616 Rio Del Sol Drive, North Las Vegas, NV 89031** stated he agreed with Staff recommendation to deny the AMP-36-06 and ZN-46-06. Previously, there was an application to put an office building on the property and was approved by the Planning Commission. The request was withdrawn because it was determined the original marketing for the need for an office building in that area was faulty. He asked that the unique nature of Rancho Del Norte be considered when voting on the application.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO JULY 12, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

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

**12. UN-63-06 (26099) SYSCO FOOD SERVICE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SYSCO FOOD SERVICES LAS VEGAS, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW HAZARDOUS MATERIALS (ANHYDROUS AMMONIA) IN ASSOCIATION WITH AN EXPANSION OF COLD STORAGE. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND MOUNT HOOD STREET. THE ASSESSOR'S PARCEL NUMBER IS 123-27-101-033.**

The application was presented by Robert Eastman, Principal Planner who stated this was an expansion of the site located in an industrial area and was appropriate. The Fire Department and Environmental reviewed the application and had no objections; therefore, Staff was recommending approval of UN-63-06 and that it be forwarded to City Council for final consideration since it was a hazardous material. The recommended conditions are as follows:

1. That the special use permit is site specific and non-transferable;
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances;
3. That any expansions to the proposed use shall be subject to Planning Commission review and approval.
4. The applicant must abide by all conditions of the approved traffic study.
5. The property owner is required to sign a restrictive covenant for utilities.
6. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.

**Troy Gough, Environmental Structures, Inc., 950 Walnut Ridge Drive, Hartland, WI 53029** 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;  
FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Carvalho

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

**NAYS:** None

**ABSTAIN:** None

13. **SPR-25-06 (26100) SYSCO FOODS AN APPLICATION SUBMITTED BY SYSCO FOOD SERVICES LAS VEGAS, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A 52,169-SQUARE-FOOT ADDITION TO AN EXISTING 271,996-SQUARE-FOOT BUILDING. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND MOUNT HOOD STREET. THE ASSESSOR'S PARCEL NUMBER IS 123-27-101-033.**

The application was presented by Robert Eastman, Principal Planner who stated Staff was recommending approval of SPR-25-06 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. If application UN-63-06 is not approved, this application will become null and void.
3. The maximum building addition shall not exceed 101,481 square feet.
4. That subsequent expansions or additions to the use of hazardous materials shall be subject to Planning Commission.
5. The property owner is required to sign a restrictive covenant for utilities.
6. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
7. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
8. Turning radii along the fire access lanes shall be designed in accordance with the Fire Code.
9. Fire access lanes shall be designed in accordance with the Fire Code requirements.
10. Fire access lanes shall be located in accordance with the Fire Code requirements.

**Troy Gough, Environmental Structures, Inc., 950 Walnut Ridge Drive, Hartland, WI 53029** appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None



14. **UN-54-06 (26038) GRAND TETON SUBSTATION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEVADA POWER COMPANY, ON BEHALF OF THE UNITED STATES OF AMERICA / BUREAU OF LAND MANAGEMENT, PROPERTY OWNER, FOR A USE PERMIT IN AN O-L OPEN LAND DISTRICT TO ALLOW A 230/12 KV ELECTRICAL SUBSTATION. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 333 FEET NORTH OF GRAND TETON DRIVE AND EAST OF ALIANTE PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-08-000-001.**

The application was presented by Robert Eastman, Principal Planner who stated the application was for an expansion to an existing facility. Staff was recommending approval of UN-54-06 subject to the conditions listed in the Staff Report as follows:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. UN-54-06 is site-specific and non-transferable.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Perimeter wall to be placed on property line.
5. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
6. 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.
7. 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.
8. 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.

9. 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.
10. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Aliante Parkway.
11. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
12. A revocable encroachment permit for landscaping within the public right of way is required.
13. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
  - a. 50' on Aliante Parkway

Marc Jordan Planning Manager stated there were two conditions that were proposed to be amended by Public Works. Jennifer Doody of Public Works stated she had not seen a copy of the recommended amended conditions. Mr. Jordan asked that the item be trailed to allow Staff to locate a copy of the memorandum with the amended conditions.

**The Commission trailed Item No. 14 and moved to Item No. 15.**

**The Commission resumed discussion on Item No. 14.**

Mr. Eastman stated Staff was recommending approval with Condition No. 11 amended with a sentence added "It could be deferred until BLM conveys free title to Nevada Power" and Condition No. 13, section B would be added to read, "Off-sites must be designed and bonded with the Civil Improvement Plans. Dedication and construction must commence with the issuance of the right-of-way from the BLM."

**Michelle Baltz, Nevada Power Company, 6226 West Sahara Avenue, Las Vegas, NV** appeared on behalf of the applicant stating on August 10, 2005, the North Las Vegas Planning Commission approved UN-72-05 for a 13812 KB Distribution Substation. Due to some uncertainties with the conservation transfer area around the facility and a little further north, some of the plans for the transmission lines that were going to help supply power to

that substation, they were not allowed to apply for the BLM applications for approximately 30 months and with the growth of the community they could not support a 30 month delay in not building the substation; therefore, they have had to do some redesigning of configurations and were now requesting to build the substation as a 23012 Distribution Station. There would be a 15 foot high block wall and they were doing everything possible to keep most of the equipment where it was not visible from the street and concurred with Staff recommendations.

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

- **Stephanie Norton 8221 Seven Falls Street, North Las Vegas, NV 89085** stating her and her neighbors in the Waterfall community were opposed to the application as they had concerns about the location. The facility would be an eye sore, property values would be affected and she also had health concerns, as it had not been proven the facility would not cause cancer.
- **Chet Chuang, 8225 Seven Falls Street, North Las Vegas, NV 89085** stated he was opposed to the application due to safety concerns. He explained he was an electrical engineer and felt there was a better location other than being in a highly populated area.

Chairman Aston closed the Public Hearing.

Ms. Baltz stated the substation site had been reflected on the North Las Vegas Master Plan since approximately 1999. She stated the landscaping on the facility would be designed by Aliante and the wall would match the Aliante design. She explained the substation was needed for the Aliante Master Planned Community and also for the new development that was approved and would also supply power to the existing areas on the west side of Aliante Parkway. She explained substations were built to provide dual support and were built approximately two miles apart, so the nearest substation could temporarily carry the load if there should be a problem at another substation. Ms. Baltz stated there had been no evidence of health problems being caused by a power facility.

Vice-Chairman Jo Cato explained when people were moving to new neighborhoods, many times the Realtors did not inform their clients what was shown on the map in a specific area. The substation had been on the Comprehensive Plan drawings since 1999 and the substation was approved in August of last year.

Commissioner Steve Brown asked if the substation was 850 feet from the homes to where the actual equipment was located. Ms. Baltz responded Aliante Parkway was a 100 foot wide street, and she did not know how close the nearest home was on the west side of

Aliante Parkway. Commissioner Brown asked how far it was from the street to the transformers. Ms. Baltz responded approximately 75 feet. Commissioner Brown asked if there were Federal or State guidelines that governed how close the facility could be to a residence. Ms. Baltz responded there were no guidelines.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 11 AMENDED AND CONDITION NO. 13.B ADDED TO  
READ:

11. THE PROPERTY OWNER IS REQUIRED TO GRANT A  
PEDESTRIAN ACCESS EASEMENT FOR SIDEWALK LOCATED  
WITHIN A COMMON ELEMENT WHEN THAT SIDEWALK IS  
PROVIDING PUBLIC ACCESS ADJACENT TO THE RIGHT-OF-  
WAY. IT COULD BE DEFERRED UNTIL BUREAU OF LAND  
MANAGEMENT (BLM) CONVEYS FREE TITLE TO NEVADA  
POWER.

13.b. OFF-SITES MUST BE DESIGNED AND BONDED WITH THE CIVIL  
IMPROVEMENT PLANS. DEDICATION AND CONSTRUCTION  
MUST COMMENCE WITH THE ISSUANCE OF THE RIGHT-OF-  
WAY FROM THE BLM.

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Item No. 19 was heard next.**

**15. UN-55-06 (26036) RICO'S SMOG CHECK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LUIS RICO, ON BEHALF OF DONEL DEVELOPMENT, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS LOCATED AT 2647 NORTH LAS VEGAS BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-13-302-005.**

The application was presented by Robert Eastman, Principal Planner who stated the center had a number of buildings and this business would be in the building fronting Las Vegas Boulevard. The applicant was proposing to perform smog checks without the actual facility. He rents a suite; however, the equipment would be wheeled into the parking lot and the smog checks would be performed in the parking lot of the commercial center. Staff had concerns, since the equipment was not enclosed in the building, that the proposed testing would be done in the parking lot fronting Las Vegas Boulevard. Additionally, the Redevelopment Agency had reviewed the application and recommended denial, as they did not feel it was appropriate for the area and was not appropriate activity for the Redevelopment area as it was not to the standard wanted by the Redevelopment Agency. Additionally, from a zoning standpoint, the center was currently short one parking space, so the applicant would need to show they met the minimum required amount of parking. Staff was recommending denial of UN-55-06.

Luis Rico, applicant stated the smog check was completed in approximately three minutes and he did not perform any repairs.

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

Chairman Aston closed the Public Hearing.

Chairman Aston was concerned with safety issues with the equipment and traffic.

Vice-Chairman Jo Cato asked Mr. Rico if he had an address for his business or if it was located in the parking lot. Mr. Rico stated his business address was 2565 Suite B and was located at the corner. Vice-Chairman Cato asked if his equipment could be kept inside the building. He responded the equipment was inside, the cable is taken outside and connected to the vehicle. Vice-Chairman Cato stated she was in support of the application.

Commissioner Dean Leavitt agreed with Chairman Aston's concerns regarding the use as the center was already underparked and if the applicant proposed to utilize part of the parking lot to perform smog checks, there would be a problem with passage for other vehicles using the center, so he was not in support of the application.

Chairman Aston asked the applicant to show the actual location of his business and where the cars would line up for smog checks. Mr. Rico pointed out where the business was and where the cars would line up. Chairman Aston suggested a continuance so parking and traffic flow issues could be resolved.

Commissioner Angelo Carvalho explained a smog facility was not a complex system and there was rarely more than one car at a facility at any one time. If the equipment were kept inside the building, he would be in support of the application.

Mr. Eastman explained, based on where the applicant was stating his location was, it looked like the space he was using was an existing storage building; therefore, Staff had concerns he could be operating out of what might be a mini-storage and if the applicant was lining up cars, they would be in the drive aisle for the mini-storage facility.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO JULY 12, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**The Commission went back to Item No. 14.**

16. **AMP-35-06 (26104) CHEYENNE POINTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE MONTECITO COMPANIES, ON BEHALF OF OTG CIVIC, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF PSP PUBLIC / SEMI-PUBLIC TO COMMUNITY COMMERCIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-14-502-001.**

It was requested by the applicant to continue AMP-35-06 to July 12, 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 JULY 12, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

17. **ZN-44-06 (26113) CHEYENNE POINTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE MONTECITO COMPANIES, ON BEHALF OF OTG CIVIC, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-14-502-001.**

It was requested by the applicant to continue ZN-44-06 to July 12, 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 JULY 12, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None



18. **UN-57-06 (26114) CHEYENNE POINTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE MONTECITO COMPANIES, ON BEHALF OF OTG CIVIC, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED C-2 GENERAL COMMERCIAL DISTRICT) TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH DRIVE-THRU. THE PROPERTY IS LOCATED AT SOUTHEAST CORNER OF CHEYENNE AVENUE AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-14-502-001.**

It was requested by the applicant to continue UN-57-06 to July 12, 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 JULY 12, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

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

19. **VN-23-05 (26062) STORAGE ONE @ CHEYENNE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STORAGE ONE, ON BEHALF OF CHEYENNE MINI-STORAGE PARTNERS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED VARIANCE IN A C-2 GENERAL COMMERCIAL DISTRICT TO REDUCE THE REQUIRED SCREEN WALL HEIGHT FROM A MINIMUM HEIGHT OF NINE FEET, THREE INCHES (9'3") AND A MAXIMUM WALL HEIGHT OF TEN FEET (10') TO A MINIMUM HEIGHT OF SIX FEET (6') AND A MAXIMUM HEIGHT OF EIGHT FEET (8'). THE PROPERTY IS GENERALLY LOCATED SOUTH OF CHEYENNE AVENUE AND APPROXIMATELY 250 FEET WEST OF CARROLL STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-14-515-005 AND 139-14-515-006.**

The application was presented by Robert Eastman, Principal Planner who stated the application was to amend Condition No. 4 of the previously approved variance for the mini-warehouse located at the Cheyenne Pointe development located at the corner of Civic Center Avenue and Cheyenne Avenue. The applicant was proposing to incorporate the perimeter wall into the building adjacent to the homes on the east side of the site. The revised memorandum dated June 28, 2006 reflected the amended Condition No. 4 which Staff and the applicant had agreed to. Staff was recommending approval of VN-23-05 with Condition No. 4 amended as follows:

4. The screen walls to the east and to the north of "Building B" shall be a minimum height of eight (8) feet and a maximum height of ten (10) feet. Screen walls shall be permitted to tie into the side of "Building B" as shown on the submitted site plan provided that:
  - a. Landscaping between "Building B" and the eastern property line shall contain low growing trees and shrubs that are in compliance with Nevada Power and the Commercial Development Standards.
  - b. The north and east walls of "Building B" shall be stucco, textured finished concrete, split-face concrete masonry units, or texture coated flat panel metal.
  - c. The screen wall shall be decorative.
  - d. A wrought iron view fence and gate shall be provided along Harewood Avenue between the decorative wall and the eastern property line.

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

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED WITH THE AMENDMENT TO CONDITION NO. 4 AS FOLLOWS:

4. THE SCREEN WALLS TO THE EAST AND TO THE NORTH OF "BUILDING B" SHALL BE A MINIMUM HEIGHT OF EIGHT (8) FEET AND A MAXIMUM HEIGHT OF TEN (10) FEET. SCREEN WALLS SHALL BE PERMITTED TO TIE INTO THE SIDE OF "BUILDING B" AS SHOWN ON THE SUBMITTED SITE PLAN PROVIDED THAT:
  - A. LANDSCAPING BETWEEN "BUILDING B" AND THE EASTERN PROPERTY LINE SHALL CONTAIN LOW GROWING TREES AND SHRUBS THAT ARE IN COMPLIANCE WITH NEVADA POWER AND THE COMMERCIAL DEVELOPMENT STANDARDS.
  - B. THE NORTH AND EAST WALLS OF "BUILDING B" SHALL BE STUCCO, TEXTURED FINISHED CONCRETE, SPLIT-FACE CONCRETE MASONRY UNITS, OR TEXTURE COATED FLAT PANEL METAL.
  - C. THE SCREEN WALL SHALL BE DECORATIVE.
  - D. A WROUGHT IRON VIEW FENCE AND GATE SHALL BE PROVIDED ALONG HAREWOOD AVENUE BETWEEN THE DECORATIVE WALL AND THE EASTERN PROPERTY LINE.

FORWARDED TO THE REDEVELOPMENT AGENCY FOR FINAL CONSIDERATION.

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

20. **AMP-37-06 (26134) COLEMAN COURT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JACOB KHAKSHOURI, ON BEHALF OF KEVIN R. & BARBARA E. SIPES AND COLEMAN ANN, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND COLEMAN STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-29-802-004, 124-29-802-005 AND 124-29-802-011.**

The application was presented by Toni Ellis, Planner who stated Item Nos. 20 and 21 would be presented together. She stated a letter was received from an adjacent neighbor who was glad to have something within walking distance and Staff was recommending approval of AMP-37-06.

**Jacob Kakshouri, 10877 Wilshire Boulevard, Suite 1407, Los Angeles, CA 90024** 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; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

21. **ZN-31-06 (25328) COLEMAN ANN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JACOB KHAKSHOURI, ON BEHALF OF KEVIN R. & BARBARA E. SIPES AND COLEMAN ANN, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND COLEMAN STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-29-802-004 AND 124-29-802-011.**

The application was presented by Toni Ellis, Planner who stated Item Nos. 20 and 21 would be presented together. She stated a letter was received from an adjacent neighbor who was glad to have something within walking distance and Staff was recommending approval of AMP-37-06 and ZN-31-06.

**Jacob Kakshouri, 10877 Wilshire Boulevard, Suite 1407, Los Angeles, CA 90024** 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; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

22. **UN-59-06 (26075) REBEL OIL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY REBEL OIL COMPANY, INC., PROPERTY OWNER, FOR A USE PERMIT IN AN R-A/CR REDEVELOPMENT AREA / COMMERCIAL RETAIL SUBDISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT 3608 TO 3712 EAST LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-24-610-263, 139-24-610-264, 139-24-610-265, 139-24-610-266, 139-24-610-267, 139-24-610-268 AND 139-24-610-269.**

The application was presented by Toni Ellis, Planner who stated Staff was recommending approval of UN-59-06 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That the building setback along the north property line between residential and commercial zoned property shall be twenty feet (20) feet, unless a waiver is approved;
3. Must comply with the Commercial Development Standards and Design Guidelines, including but not limited to:
  - a. That the foundation landscaping, or an acceptable alternative, is required along the east elevation;
  - b. That the perimeter landscaping areas shall be at least 25 feet in width from back of curb to perimeter walls or buildings including sidewalks;
  - c. That the west elevation is compatible to the remaining elevations.
  - d. That a berm is constructed along the south property line (Lake Mead Boulevard).
  - e. That no roof ladders, scuppers or downspouts are located on the exterior of the building.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.

6. 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.
7. 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.
8. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
9. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
10. 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.
11. 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.
12. 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.
13. Approval of a traffic study is required prior to submittal of the civil improvement plans.

14. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Lake Mead Boulevard.
15. Dedication of right of way for the Las Vegas Wash Channel is required.
16. A merger and resubdivision parcel map must be filed to create the proposed parcel.
17. The property owner is required to grant a roadway easement for commercial driveway(s).
18. The property owner is required to sign a restrictive covenant for utilities.
19. A revocable encroachment permit for landscaping within the public right of way is required.

**Todd McBrayer of Breslin Builders, 5525 Polaris Avenue, Suite B, Las Vegas, NV 89118** 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;  
FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL  
CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**Item No. 25 was heard next.**



23. **ZN-35-03 (26119) LOSEE PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF ANN LOSEE PAD, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD PLANNED UNIT DEVELOPMENT DISTRICT TO REMOVE A BAR / TAVERN AND ADD A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-802-009.**

It was requested by the applicant to continue ZN-35-03 to July 12, 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 JULY 12, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None :

24. **UN-62-06 (26122) LOSEE PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF ANN LOSEE PAD, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-802-009.**

It was requested by the applicant to continue UN-62-06 to July 12, 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 JULY 12, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**Item No. 27 was heard next.**

**25. VAC-09-06 (26039) SHARON JAMERSON (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SHARON JAMERSON, PROPERTY OWNER, TO VACATE 4.5 FEET OF THE EASTERLY SIDE OF LEXINGTON STREET COMMENCING AT WINDSOR AVENUE AND PROCEEDING NORTH APPROXIMATELY 93 FEET. THE ASSESSOR'S PARCEL NUMBER IS 139-16-610-497.**

The application was presented by Toni Ellis, Planner who stated the applicant called earlier in the day saying she could not attend the meeting, but verbally accepted all conditions of approval. Staff was recommending approval of VAC-09-06 subject to the following conditions:

1. A public utility easement shall be reserved over the entire area to be vacated.
2. The vacation must record concurrently with the final map. Should the Order of Vacation not record within two years from the approval date, the vacation shall be deemed null and void.
3. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* Section 16.24.100:
  - a. 3' on Windsor Avenue
  - b. associated spandrel.

The applicant was not present.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**26. UN-61-06 (26063) CRAIG VALLEY SHOPPING CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NADIR KALANDAS / ELIAS F. FARHAT, ON BEHALF OF DIABLO PROPERTY MANAGEMENT, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A VIDEO ARCADE. THE PROPERTY IS LOCATED AT 4260 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-06-613-004.**

The application was presented by Robert Eastman, Principal Planner who stated the proposed use was in a retail shopping center that was previously developed with an approved Planned Unit Development. In this development, the proposed building was located approximately 10 feet from the northerly property line adjacent to some ranch estates homes. The condition for the PUD stated that only professional office or medical offices would be allowed in the buildings adjacent to that northern property line. Additionally, no taverns, convenience stores or convenience food restaurants shall be permitted. The only way to get a use that was not a medical or professional office was to apply for a use permit for a use that would normally be principally permitted in the C-1. The applicant was currently applying for that use permit. At the time the PUD was approved, the Planning Commission had concerns based on the proximity of the residences and the fact the building was only 10 feet from the northern property line. Other applicants have applied for use permits to allow uses that were also from, Staff's perspective, incompatible with the area and felt the use was also incompatible. The uses previously requested were not approved and Staff was also recommending denial of UN-61-06 as it was not appropriate for this location due to the close proximity to the single family homes. Should the Commission determine approval was warranted, the following conditions were recommended:

1. That, unless expressly authorized through the variance, waiver or another method, this development shall comply with all applicable codes and ordinances.
2. That the applicant provide to the Planning and Zoning Department the results of a CEPTD analysis from the North Las Vegas Crime Prevention Division prior to the issuance of a business license. The applicant must be able to demonstrate compliance with the analysis and all approved conditions at all times.
3. That the hours of operation be limited to 11:00 a.m. to 9:00 p.m. (Sunday through Thursday) and 11:00 a.m. to 11:00 p.m. (Friday and Saturday.)
4. That alcoholic beverages be prohibited at this location.
5. That at least one security person, in addition to all other cashiers, attendants, managers and/or employees, be employed and on the premises during all hours of operation.

**Elias Farhat, 8616 Canyon Ranch Street, Las Vegas, NV 89131** stated he was trying to open a safe place for kids and their parents to play pool and there would be no alcohol served and no gaming on the premises and asked for approval.

- **Laila Farhat, 8913 Sheep Ranch Court, Las Vegas, NV 89143** stated her and her friends came up with the idea and convinced her father to open the business. She stated her and her friends do not smoke and drink and did not like to be in that environment and would like to have a smoke and alcohol free establishment.

Chairman Aston closed the Public Hearing.

Vice-Chairman Jo Cato asked Staff if this was the building a hobby shop was to be located. Staff indicated it was. Vice-Chairman Cato noted the building had been empty for a long time and felt something needed to be done with it and thought the applicant had a good plan.

Commissioner Angelo Carvalho agreed with Vice-Chairman Cato and felt the location was not appropriate for a medical facility because it did not have good visibility and was blocked by the buildings in front and was also in support of the application.

Chairman Jay Aston asked the applicant if the Planning Commission were to approve the application, if he had read the recommended conditions of approval. Mr. Farhat responded he had not. Chairman Aston asked Mr. Farhat if he was willing to have a security guard on the premises during all hours of operation. Mr. Farhat responded he was willing to secure the premises in case of any trouble. Chairman Aston was also concerned with loud music and asked if a noise buffer could be required and stated if a condition were added, he could support the application.

Marc Jordan, Planning Manager explained the City currently had ordinances that govern the noises from facilities; so, if they were to be in violation of the noise ordinance, the City would be able to step in and deal with it.

Commissioner Dilip Trivedi asked the applicant if he had input from the neighbors. Mr. Farhat stated they got signatures from neighbors approving the use.

Commissioner Dean Leavitt stated Condition No. 2 stated the applicant was to get a CEPTD analysis of the proposed business and asked what time line the City would need to perform the evaluation and asked if that could be done administratively or if it had to come back before the Planning Commission.

Jose Rodriguez of the Police Department stated the applicant would need to call the Crime Prevention Office to make an appointment and it would be handled administratively.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: Commissioner Brown

ABSTAIN: None

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

27. **VN-19-06 (26130) CENTENNIAL POINTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE STRATTON GROUP, ON BEHALF OF CENTENNIAL POINTE, LLC, PROPERTY OWNER, FOR A VARIANCE IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 15-FOOT BUILDING SETBACK, WHERE 20 FEET IS REQUIRED. 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.**

It was requested by the applicant to continue VN-19-06 to August 9, 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 AUGUST 9, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**Item No. 32 was heard next.**

**28. ZN-47-06 (26128) CENTENNIAL POINTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE STRATTON GROUP, ON BEHALF OF CENTENNIAL POINTE, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 201 CONDOMINIUM 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.**

The application was presented by Robert Eastman, Principal Planner who stated the applicant intended to develop a 201 unit condominium project containing five buildings on a nine acre site. The proposed density would be 22.3 dwelling units to the acre. Additionally, the site would contain approximately 153,000 square feet of open space, according to the applicant's calculation. The applicant was also identifying 465 off-street parking spaces of which 66 were tandem spaces. The applicant, with the PUD, was proposing 15' setbacks along all street frontages with zero setbacks elsewhere through the site. The applicant was also proposing waivers from the landscaping requirements down to the 15' setback. Staff had concerns that tandem parking was not allowed in the ordinance and the proposed, approximately 150,000 square feet, of open space could not currently be verified. The applicant stated there was a required 465 parking spaces that could not be confirmed but was the required amount. The applicant had stated they submitted floor plans to confirm the bedroom analysis that would support the requirement for 465 parking spaces; however, that study was not confirmed by Staff at the time the revised memorandum dated June 28, 2006 was written. Staff was not in support and had not supported in the past, the reduced setback for multi-family buildings and had concerns, since the applicant had a reduced number of parking spaces than what was currently required in the parking standards. Additionally, the applicant had approximately half of the required open space; therefore, Staff was recommending ZN-47-06 be denied, the Parks and Recreation Department has also submitted a memo recommending denial. Should the Commission determine approval was warranted, the following conditions were recommended:

1. Unless expressly, authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. This development shall comply with the Multifamily Development Standards including, but not limited to:
  - a. Balcony areas which are a minimum of 40 square feet in size.
  - b. Patio areas which are a minimum of 80 square feet in size.
  - c. Landscaped buffers a minimum of 20 feet in width along all interior property lines.



3. Pedestrian crossings shall be constructed of textured and dyed concrete and/or brick pavers.
4. Open space area design and amenities to be provided for this development shall be subject to review and approval by the Parks Department, and shall meet minimum requirements as set by the Parks Department.
5. A minimum of 3.31 acres (144,184 square feet) of open space be identified on an Open Space exhibit, subject to review and approval by the Planning Commission as part of the final development plan.
6. Fire access lanes shall be designed and located in accordance with Fire Code requirements.
7. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
8. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
9. A construction phasing plan, depicting onsite development and supporting offsite improvements, as well as construction access routes, shall be provided by the developer. Approval by the Department of Public Works is required prior to the issuance of any permits.
10. In order to provide paved access to the site, the developer may be required to construct street improvements somewhat removed from the actual development, as determined by the Director of the Public Works or his designee. (Ref: NLVMC 17.24.160.K).
11. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
  - a. Deer Springs Way
  - b. Goldfield Street
  - c. Engel Avenue
  - d. associated spandrels
12. Sixty (60) foot minor residential collector streets shall be designed and constructed per the *City of North Las Vegas 60' Standard Street Section with Offset Sidewalk*.

13. 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.
14. Approval of a drainage study is required prior to submittal of the civil improvement plans.
15. 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.
16. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
17. Approval of a traffic study is required prior to submittal of the civil improvement plans.
18. A queuing analysis is required.
19. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Deer Springs Road.
20. The property owner is required to grant a roadway easement for commercial driveway(s).
21. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
22. A revocable encroachment permit for landscaping within the public right of way is required.
23. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards; start with Recreation Building, Building #1, and continue counterclockwise.
24. Any 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.

25. Tandem parking will not be permitted.
26. Unless otherwise specified herein, the setbacks from all perimeter streets shall be a minimum 20 feet.
27. Unless otherwise specified herein, the setbacks between buildings shall be a minimum 25 feet.
28. Unless otherwise specified herein, the development of this site shall comply with the setbacks and height limitations specified in Section 17.20.070 of the Zoning Ordinance.
29. It may be necessary for the total number of residential units and/or bedrooms to be reduced in order to comply with all applicable codes, ordinances and conditions, including but not limited to the open space and parking requirements.
30. A final development plan shall be required to be reviewed and approved by the Planning Commission prior to recordation of any final maps for this development. The final development plan shall clearly indicate compliance with all requirements stated herein.
31. The developer shall be responsible for ensuring that garages are used solely for vehicle parking.
32. Wheelstops shall be used for all parking stalls that abut a sidewalk to ensure that parked vehicles do not impede pedestrian movements throughout the site.
33. The number of residential units for this development shall not exceed 201, with the number of bedrooms not to exceed 408.

**Stephanie Allen, 3800 Howard Hughes Parkway, Seventh Floor, Las Vegas, NV 89109** appeared on behalf of the applicant explaining the site was located just west of the North 5<sup>th</sup> corridor, south of Deer Springs, north of Angle and directly east of Goldfield Street. The site was zoned R-3 because the Commission, Staff and City Council all agreed and recognized that in order for the North 5<sup>th</sup> corridor to be successful and to actually function some day, higher densities were necessary in the area. The idea of higher intensities and densities in the area was necessary for the transit concept and the transit corridor and without those densities, the transit corridor would not be successful. The developer was having difficulty meeting the code requirements and the density approved. The site was approved for 12 to 25 units per acre. Currently, under the code requirements, it was nearly impossible to meet all requirements of the codes and get the densities along the North 5<sup>th</sup> Corridor. She stated she understood Staff was working diligently to come up with alternatives in the code section, but they currently do not exist; however, the first plan of attack was a text amendment and the Commission supported that amendment. A site

development review was submitted for an R-3 development on the site which had some variances and waivers because it was almost impossible to meet all code requirements with a straight R-3 development; therefore, it was currently on hold. The text amendment would provide for a reduction in parking for an increase in open space on the site and also allow some flexibility for the higher density development. The PUD application was a more site specific alternative and would be a case by case basis as opposed to the text amendment and was Plan B in terms of what would be done with these types of developments along the North 5<sup>th</sup> corridor in order to make them work.

The proposed development was is for 201 condominium town homes with a maximum height of 40 feet and would be three stories with parking on the first level. The unit count was 408 units, which brought the density to approximately 22 units per acre. In the middle of the development, there were some bonus amenities provided under the code and they met every amenity required for a PUD with two child playground areas, a gazebo area, lighted pathways that surround the entire site with the intention of being extended down to the North 5<sup>th</sup> corridor for the urban concept. There was a pool area located in the center of the site with a recreation building and a sand volleyball court. As far as the parking and the setbacks were concerned, the concept of a PUD was to allow flexibility, innovative design and situations that otherwise did not fit within the code and that was why all mixed use developments have come before the Commission under PUD developments. The current setbacks along perimeter streets was 15 feet in width and under the multi-family standards, the requirement was 20 feet. Additionally, the entire project would not be surrounded by walls, so there would be an open feel. Ms. Allen stated they agree to submit a traffic analysis or impact study. They have 66 tandem parking spaces, which is 18 percent, and falls within the precedent already set by the City of North Las Vegas and would be proposing an additional condition to submit the traffic analysis. She felt it was in the best interest of her client to make sure the development was sufficiently parked. She explained the gist of her argument was that they have higher density developments where more people were being put on a site with less space and it was difficult to come up with more open space just because the density was higher. The equation did not work for this type of development and would not work for mixed developments either. However, under the R-3 standards, which typically do not apply in R-3 developments, the open space was 300 square feet per unit, which would be approximately 60,000 square feet of open space, which they meet, so under the R-3 standards, they exceed the open space. She felt the 75,000 square feet of open space was within what was allowed under an R-3 development if that code section were applied or if the multi-family standard was applied, which was 400 square feet per unit, and asked for the Commission's approval.

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

Chairman Aston closed the Public Hearing.

Chairman Aston felt the applicant brought up a good point about the current code and the use of higher densities. The common space was calculated by units and when there were higher densities, mixed use and three and four story buildings, possibly a calculation could be used by the acreage in comparison to the common space. He stated he would be in support of the application.

Commissioner Angelo Carvalho agreed with Chairman Aston and was in support of the application.

Commissioner Harry Shull also agreed with comments from other Commissioners but asked what conditions would be modified so the 75,000 feet of open space would be adequate.

Ms. Allen responded if Condition Nos. 5 and 25 through 29 were deleted, she would agree with all other conditions.

Commissioner Dean Leavitt concurred with other comments from Commissioners and was also in support of the application.

Marc Jordan, Planning Manager reminded the Commission that the purpose of a PUD was to encourage a more creative approach and utilization of land in order to accomplish a more efficient aesthetic and desirable development. The open space requirements indicated by Ms. Allen indicated they were going by the 300 square feet of open space per unit but when looking at the history of the zoning ordinance, it was adopted in 1988. Between 1999 and early 2000, the Multi-family Design Standards were adopted, which require the 400 square feet of open space per unit. By considering 300 square feet of open space per unit, a step backward was being taken on this development. Mr. Jordan stated he did not recall the Commission previously approving a reduction in open space on any development under a PUD in the City. The applicant indicated on the tandem parking, that there was an application approved that would allow tandem parking, but that approval was in conjunction with a mixed use development, which Staff supported, because of the walkability of a mixed use development and the fact that they could also utilize some of the commercial parking for visitors. The application was for approximately 22.3 dwelling units per acre. There have been other developments approximately the same size who did not request a reduction in open space or a reduction in parking. Staff was concerned about reducing the amenities and the open space areas for this development and were also concerned a precedent would be set for future development .

Chairman Aston asked Ms. Allen what did not work on the R-3 application. Ms. Allen responded there were variances for setbacks, the text amendment that was attached to the R-3 site development review for a reduction in the parking and they were close to meeting the open space, but were revising it because it was part of the text amendment. They also struggled to met the open space, even with the text amendment.

Mr. Jordan added, depending on the desire of the Commission, because this was a PUD with several conditions, normally when they come forward, even though denial was recommended, conditions were listed. The conditions were listed the way Staff would prefer, which meant complying with open space, no tandem parking, etc. If there was a desire by the Commission to approve ZN-47-06 as requested by the applicant, Mr. Jordan asked for direction to be given to Staff on what was wanted by the Commission and the application be continued for two weeks to allow Staff to work with the applicant and rewrite the conditions.

Chairman Aston stated he understood Staff's concerns and would agree with a continuance.

Ms. Allen explained the building was three stories and in order to make the project work for the applicant and the size of the acreage to work, to go vertical would be financially restrictive. The site was very small and it was difficult to work with nine acres and meet all requirements, especially when the calculation for open space was on density as opposed to acreage. She was hoping to go to City Council to show them they had done everything they could to try to make the development work and ask for guidance on what they wanted.

Commissioner Steve Brown added the Commission should make a decision on whether or not they were in support of the application and send it to City Council so they could make the decision on whether things were going to be changed.

Ms. Allen stated if the application was approved, they would continue to work with Staff before the item was heard by City Council.

Mr. Eastman stated if the Commission desired approval, he had some amendments to the recommended conditions, which meet the intent of the Commission and would satisfy some of Staff's concerns as well as meet the desires of the applicant. He recommended deleting Conditions No. 2.c; Condition No. 5 amended to read: "A minimum of 75,479 square feet of open space be identified on an open space exhibit, subject to review and approval by the Planning Commission as part of the final development plan;" Condition No. 25 would be amended to read: "A maximum of 66 tandem parking spaces shall be allowed if supported by a parking analysis as reviewed and approved by the Director of Public Works;" Condition No. 26 would be deleted; Condition No. 27 would be amended to read: "Unless otherwise specified herein, the setbacks between buildings shall be a minimum of 20 feet;" and Condition Nos. 28 and 29 would be deleted.

Ms. Allen stated she agreed with all conditions, including amendments read into the record by Staff.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NOS. 2.C, 26, 28, AND 29 AND CONDITION NOS. 5, 25, AND 27 AMENDED TO READ:

5. A MINIMUM OF 75,479 SQUARE FEET OF OPEN SPACE BE IDENTIFIED ON AN OPEN SPACE EXHIBIT, SUBJECT TO REVIEW AND APPROVAL BY THE PLANNING COMMISSION AS PART OF THE FINAL DEVELOPMENT PLAN.
25. A MAXIMUM OF 66 TANDEM PARKING SPACES SHALL BE ALLOWED IF SUPPORTED BY A PARKING ANALYSIS, AS REVIEWED AND APPROVED BY THE DIRECTOR OF PUBLIC WORKS.
27. UNLESS OTHERWISE SPECIFIED HEREIN, THE SETBACKS BETWEEN BUILDINGS SHALL BE A MINIMUM OF 20 FEET.

FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

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

The meeting reconvened at 8:27 a.m.

**29. ZOA-10-06 (26195) MIXED USE DEVELOPMENT ZONING DISTRICT (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS, TO AMEND TITLE 17 (ZONING ORDINANCE), TO ADD A SECTION TO CHAPTER 17.20 - ZONE DISTRICT REGULATIONS: SECTION 17.20.230 MIXED USE DEVELOPMENT DISTRICT (MUD); AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Marc Jordan, Planning Manager who stated the application was a request to amend the zoning ordinance, which would add a new zoning district, specifically, a mixed use development district. Whenever mixed use development was reviewed, they had been using a Planned Unit Development (PUD) because they did not have this district. The purpose of the Mixed Use Development District would be to allow mixing of residential and non-residential uses and would decrease automobile dependency, create vibrant safe pedestrian friendly neighborhoods, would promote excellence in innovation in architecture, urban design and site planning and would enhance the quality of life for residents within the City of North Las Vegas. Mr. Jordan stated Staff was recommending approval of ZOA-10-06 as shown in the revised memo handed out at the briefing.

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

- **Susan Johnson of Curran & Parry, 300 South 4<sup>th</sup> Street, Las Vegas, NV 89101** encouraged the Commission's support of Item Nos. 29 through 31. She stated they had a project that was in the design phase and was ready to be submitted for task force as soon as the ordinance was passed and adopted. The guidelines for the task force have now become evaluative and are guidelines and were no longer mandatory. She felt there could be some issues but they could be worked through but it was a great starting point and it was very comprehensive.

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, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None



**30. ZOA-11-06 (26197) MIXED USE DESIGN GUIDELINES (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS, TO AMEND TITLE 17 (ZONING ORDINANCE), TO ADD A SECTION TO CHAPTER 17.24 - GENERAL BUILDING AND DEVELOPMENT STANDARDS: SECTION 17.24.220 MIXED USE DESIGN GUIDELINES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Marc Jordan, Planning Manager who stated the application was for the Design Guidelines for Mixed Use. Staff was recommending approval of ZOA-11-06 as shown in the revised memo handed out at the briefing.

Chairman Jay Aston opened the Public Hearing. The following comments were carried forward from Item No. 29.

- ***Susan Johnson of Curran & Parry, 300 South 4<sup>th</sup> Street, Las Vegas, NV 89101*** encouraged the Commission's support of Item Nos. 29 through 31. She stated they had a project that was in the design phase and was ready to be submitted for task force as soon as the ordinance was passed and adopted. The guidelines for the task force have now become evaluative and are guidelines and were no longer mandatory. She felt there could be some issues but they could be worked through but it was a great starting point and it was very comprehensive.

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, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

**31. ZOA-12-06 (26198) PROCEDURES FOR MIXED USE DEVELOPMENT (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS, TO AMEND TITLE 17 (ZONING ORDINANCE), TO ADD A SECTION TO CHAPTER 17.28 - ADMINISTRATIVE PROCEDURES: SECTION 17.28.065 PROCEDURE FOR MIXED USE DEVELOPMENT (MUD) APPROVAL; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Marc Jordan, Planning Manager who stated the application was to amend Title 17 to add a section for the Procedures for Mixed use Development. Staff was recommending approval of ZOA-12-06.

Chairman Jay Aston opened the Public Hearing. The following comments were carried forward from Item No. 29.

- ***Susan Johnson of Curran & Parry, 300 South 4<sup>th</sup> Street, Las Vegas, NV 89101*** encouraged the Commission's support of Item Nos. 29 through 31. She stated they had a project that was in the design phase and was ready to be submitted for task force as soon as the ordinance was passed and adopted. The guidelines for the task force have now become evaluative and are guidelines and were no longer mandatory. She felt there could be some issues but they could be worked through but it was a great starting point and it was very comprehensive.

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, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

**Item No. 33 was heard next.**

32. **T-1266 (26115) GOWAN & COMMERCE AN APPLICATION SUBMITTED BY CELEBRATE PROPERTIES, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO ALLOW 121 TOWNHOUSE UNITS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF GOWAN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-10-201-009.**

Commissioner Harry Shull stated his company was involved with the project so he would be abstaining.

It was requested by the applicant to continue T-1266 to July 26, 2006.

ACTION: CONTINUED TO JULY 26, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Commissioner Shull

**Item No. 36 was heard next.**

**33. T-1267 (26132) DEER SPRINGS & LOSEE AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT CORPORATION, ON BEHALF OF NSHE FORT WASHINGTON, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW 455 CONDOMINIUM UNITS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LOSEE ROAD AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-24-301-006.**

The application was presented by Toni Ellis, Planner who stated a site plan, SPR-45-04 was approved by the Planning Commission on February 9, 2005 for a 455 unit apartment complex. Staff recently discovered the building permits had already been issued, so the Building Safety Department would like to add Condition No. 10 to read: "The City of North Las Vegas Building and Safety Department requires that the applicant shall submit evidence of compliance with adopted building codes, State Statutes and all other municipal ordinances for Building Division review and approval for the proposed condominium conversion." Staff was recommending T-1267 be approved subject to the following conditions:

1. That the tentative map be in compliance with all applicable conditions of SPR-45-04.
2. That, unless otherwise approved, the development shall comply with the Multi-Family Design Standards.
3. The applicant must abide by all conditions of the approved traffic study.
4. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards; counterclockwise from the main entrance.
5. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
6. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
7. Fire access lanes shall be designed in accordance with fire code requirements.
8. Fire access lanes shall be located in accordance with Fire Code requirements.
9. This development shall comply with all Clark County Health District requirements prior to recordation of any final maps.

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

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE ADDITION OF CONDITION NO. 10 TO READ:

10. THE CITY OF NORTH LAS VEGAS BUILDING AND SAFETY DEPARTMENT REQUIRES THAT THE APPLICANT SHALL SUBMIT EVIDENCE OF COMPLIANCE WITH ADOPTED BUILDING CODES, STATE STATUTES AND ALL OTHER MUNICIPAL ORDINANCES FOR BUILDING DIVISION REVIEW AND APPROVAL FOR THE PROPOSED CONDOMINIUM CONVERSION.

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

**34. T-1268 (26133) ROME/VALLEY CONDOMINIUM AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT CORPORATION, ON BEHALF OF PICERNE DECATUR BIDDEFORD ET AL, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW 580 CONDOMINIUM UNITS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ROME BOULEVARD AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-19-401-014.**

The application was presented by Toni Ellis, Planner who stated a site plan review, SPR-24-04, was approved by the Planning Commission on July 14, 2004 to develop a multi-family apartment complex. Staff recently discovered the building permits had already been issued, so the Building Safety Department would like to add Condition No. 12 to read: "The City of North Las Vegas Building and Safety Department requires that the applicant shall submit evidence of compliance with adopted building codes, State Statutes and all other municipal ordinances for Building Division review and approval for the proposed condominium conversion." Staff was recommending T-1268 be approved subject to the following conditions:

1. That the tentative map be in compliance with all applicable conditions of SPR-24-04 and VAC-18-04.
2. That, unless otherwise approved, the development shall comply with the Multi-Family Design Standards.
3. The applicant must abide by all conditions of the approved traffic study.
4. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards; counterclockwise from the main entrance.
5. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
6. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
7. Fire access lanes shall be designed in accordance with fire code requirements.
8. Fire access lanes shall be located in accordance with Fire Code requirements.
9. Provide a second means of fire department access into this development.

10. This development shall comply with all Clark County Health District requirements prior to recordation of any final maps.
11. This development shall comply with all Southern Nevada Water Authority requirements prior to recordation of any final maps.

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

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE ADDITION OF CONDITION NO. 12 TO READ:

12. THE CITY OF NORTH LAS VEGAS BUILDING AND SAFETY DEPARTMENT REQUIRES THAT THE APPLICANT SHALL SUBMIT EVIDENCE OF COMPLIANCE WITH ADOPTED BUILDING CODES, STATE STATUTES AND ALL OTHER MUNICIPAL ORDINANCES FOR BUILDING DIVISION REVIEW AND APPROVAL FOR THE PROPOSED CONDOMINIUM CONVERSION.

**MOTION:** Commissioner Leavitt

**SECOND:** Vice-Chairman Cato

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

**NAYS:** None

**ABSTAIN:** None

**35. T-1269 (26135) CENTENNIAL CROSSING 2 AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF COMMERCE 770, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO ALLOW 52 DUPLEX UNITS. THE PROPERTY IS GENERALLY LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 306 FEET NORTH OF CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-22-401-011.**

The application was presented by Toni Ellis, Planner who stated Staff was recommending approval of T-1269 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 development shall not exceed 52 dwelling units;
3. The development shall comply with the Single-Family Design Guidelines;
4. That the tentative map shall be redesigned as follows:
  - a. That approximately 5,295 square feet of Common Element "B" shall be incorporated into Lot 1 and Lot 32 to eliminate isolated areas;
  - b. That a distinction is made between the property lines and the shared lot lines;
  - c. That the sidewalk along Commerce Street is meandering;
  - d. That the property to the east of Common Element 'E' be designated a pedestrian walkway.
5. That the developer disclose to the prospective home buyers that the two-family buildings shall be required to maintain consistent exterior paint color and roofing materials between individual dwelling units and that provisions and enforcement of such shall be provided within the CC&R's.
6. All required landscaping areas and open space areas shall be labeled as common elements and be maintained by the homeowners association.
7. Perimeter walls shall be owned and maintained by the homeowners association.
8. That the developer disclose to prospective home buyers that perimeter landscape areas are reserved exclusively for landscaping.
9. Approval of a drainage study is required prior to submittal of the civil improvement plans.



10. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
11. Remove the street section thickness from the typical sections. The pavement sections will be determined by the Department of Public Works.
12. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
13. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
14. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
15. 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.
16. 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.
17. Approval of a traffic study is required prior to submittal of the civil improvement plans.
18. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Commerce Street.
19. The property owner is required to grant roadway easements where public and private streets intersect.
20. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
21. A revocable encroachment permit for landscaping within the public right of way is required.
22. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.

23. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
24. Site plan needs to show all recorded public utility easements per Parcel Map File 5, Page 78.
25. The Fire Department requires a minimum of two means of access into this development.

**Robert Cunningham of Taney Engineering, 4445 South Jones Boulevard, Las Vegas, NV** appeared on behalf of the applicant stating he concurred with Staff recommendation with the exception of Condition No. 4.a. He stated there was a common element along the north property line that had been worked out with the adjacent neighborhood, to create a landscape buffer that would be maintained by the homeowners association so that the owners of the lots would not maintain it so it was assured it was not part of their backyard or to confirm what would be put there and that it would be maintained properly. Condition No. 4.a states it would be incorporated into the residential lots and he would like it maintained by the homeowners association and asked that the condition be deleted.

Chairman Aston let the following person make comment:

**Richard Cherchio, 417 Horse Point Avenue, North Las Vegas, NV** stated Great American Capital had been very receptive to the concerns of the community and had gone beyond what was necessary to accommodate them and was in favor of the application.

Commissioner Harry Shull asked Staff if they had a recommendation on amending Condition No. 4.a so it could be maintained by the homeowners association. Mr. Eastman responded Condition No. 4.a could be deleted.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 4.A

**MOTION:** Commissioner Shull

**SECOND:** Commissioner Leavitt

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

**NAYS:** None

**ABSTAIN:** None

**Item No. 38 was heard next.**

**OLD BUSINESS**

36. **AMP-33-06 (26041) NLV COMMUNITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NOVEMBER 2005 LAND INVESTORS, LLC, AND DRHI, INC., PROPERTY OWNERS, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS, TO MAKE THE FOLLOWING REVISIONS TO THE 2074-ACRE EASTERN PORTION OF THE NORTH LAS VEGAS MASTER PLANNED COMMUNITY:**

**EAST / WEST STREETS**

1. **WHISPERING SANDS DRIVE - DELETE FROM SCOTT ROBINSON BOULEVARD TO LOSEE ROAD. ADD FROM CLAYTON STREET TO REVERE STREET ON REVISED ALIGNMENT (60' ROW).**
2. **SEVERANCE LANE - DELETE FROM CLAYTON STREET TO COMMERCE STREET. ADD FROM COLETTE STREET TO LOSEE ROAD ON NEW ALIGNMENT (80' ROW).**
3. **DORRELL LANE - REALIGN FROM CLAYTON STREET TO REVERE STREET. DELETE FROM DONNA STREET TO LOSEE ROAD. ADD FROM DONNA STREET TO CONNECT TO DEER SPRINGS WAY ON REVISED ALIGNMENT (80' ROW).**
4. **FARM ROAD - DELETE FROM CLAYTON STREET TO SCOTT ROBINSON BOULEVARD.**
5. **ELKHORN ROAD / FARM ROAD - DELETE FROM REVERE STREET TO COMMERCE STREET. ADD FROM REVERE STREET TO LOSEE ROAD ON REVISED ALIGNMENT (100' ROW). REALIGN FROM CLAYTON STREET TO REVERE STREET.**
6. **RIVANNA DRIVE NORTH - ADD FROM NORTH 5<sup>TH</sup> STREET TO ELKHORN ROAD (60' ROW).**
7. **RIVANNA DRIVE SOUTH - ADD SOUTH LOOP ROAD FROM ELKHORN ROAD TO ELKHORN ROAD (60' ROW).**

**NORTH / SOUTH STREETS**

1. **CLAYTON STREET / HIGHLAND DRIVE – REMOVE FROM CLARK COUNTY 215 BELTWAY TO GRAND TETON DRIVE.**

- 2. CLAYTON STREET - ADD ON NEW ALIGNMENT FROM CLARK COUNTY 215 BELTWAY TO GRAND TETON DRIVE (80' ROW).**
- 3. SCOTT ROBINSON BOULEVARD - REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE.**
- 4. CONCORD STREET - REMOVE FROM DEER SPRINGS WAY TO DORRELL LANE. REMOVE FROM SEVERANCE LANE TO GRAND TETON DRIVE.**
- 5. GLIDING EAGLE - ADD FROM DEER SPRINGS WAY TO DORRELL LANE (60' ROW). ADD ON NEW ALIGNMENT FROM ELKHORN / FARM ROAD TO WHISPERING SANDS DRIVE (60' ROW).**
- 6. REVERE STREET - REMOVE FROM DORRELL LANE TO GRAND TETON DRIVE. ADD FROM DORRELL LANE TO SOUTH OF CLARK COUNTY 215 BELTWAY (100' ROW). ADD FROM SOUTH OF CLARK COUNTY 215 BELTWAY TO ELKHORN / FARM ROAD (120' ROW). ADD ON REVISED ALIGNMENT FROM ELKHORN / FARM ROAD TO GRAND TETON DRIVE (100' ROW).**
- 7. ENGLESTAD STREET - REMOVE FROM SEVERANCE LANE TO GRAND TETON DRIVE.**
- 8. COMMERCE STREET - REMOVE FROM SOUTH OF CLARK COUNTY 215 BELTWAY TO GRAND TETON DRIVE.**
- 9. GOLDFIELD STREET - REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE.**
- 10. NORTH 5<sup>TH</sup> STREET - REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE. ADD FROM DORRELL LANE TO GRAND TETON DRIVE (150' ROW).**
- 11. DONNA STREET - REMOVE FROM DEER SPRINGS WAY TO DORRELL LANE. REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE.**
- 12. BRUCE STREET - REMOVE FROM DEER SPRINGS WAY TO DORRELL LANE. REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE. ADD FROM RIVANNA DRIVE NORTH TO GRAND TETON DRIVE ON REVISED ALIGNMENT (60' ROW).**

**13. LAWRENCE STREET - REMOVE FROM DEER SPRINGS WAY TO DORRELL LANE. REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE.**

**14. COLETTE STREET - ADD FROM ELKHORN / FARM ROAD TO NORTH OF CLARK COUNTY 215 BELTWAY ON NEW ALIGNMENT (80' ROW).**

**THE ASSESSOR'S PARCEL NUMBERS ARE 124-14-000-001, 124-15-000-001, 124-16-101-001, 124-21-501-001 AND 124-23-501-001. (CONTINUED MAY 24, 2006)**

It was requested by the applicant to continue AMP-33-06 to July 26, 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 JULY 26, 2006**

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Carvalho**

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

**NAYS: None**

**ABSTAIN: None**

37. **T-1260 (25704) NLV COMMUNITY. AN APPLICATION SUBMITTED BY NOVEMBER 2005 LAND INVESTORS, LLC, AND DRHI, INC., PROPERTY OWNERS, FOR APPROVAL OF A PARENT TENTATIVE MAP IN AN O-L OPEN LAND DISTRICT (PROPOSED MPC MASTER PLANNED COMMUNITY DISTRICT) TO ALLOW 113 SUBDIVISION LOTS FOR A FUTURE MASTER PLANNED COMMUNITY. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CLAYTON STREET AND GRAND TETON DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-14-000-001, 124-15-000-001, 124-16-101-001, 124-21-501-001 AND 124-23-501-001. (CONTINUED MAY 24, 2006)**

It was requested to continue T-1260 to July 26, 2006.

ACTION: CONTINUED TO JULY 26, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**Item No. 16 was heard next.**

- 38. AMP-32-06 (25867) MARBELLA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MM GROUP, LLC, ON BEHALF OF RICHARD & FELICIA POWELL AND EAGLE 7 PROPERTIES, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO HDR HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DONNA STREET AND AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-103-002 AND 124-26-103-004. (CONTINUED JUNE 14, 2006)**

Item Nos. 38 and 39 were presented together.

The application was presented by Toni Ellis, Planner who stated Staff was recommending denial of AMP-32-06 and ZN-42-06 due to the fact it did not meet the recommended guidelines of high density being at the intersection of two 100 foot streets and due to the close proximity of existing single-family homes. The site would be more appropriate for MDR, Medium Density Residential in conjunction with a zoning of R-2, Two Family Residential which would create a buffer between the single-family homes and previously approved High Density Residential to the west and south of the site.

**Stephanie Allen of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating the parcel was located directly south of Regena Avenue, west of Donna Street, north of Azure Avenue and within the eastern 660 feet of the North 5<sup>th</sup> corridor. Directly to the west and south was the Aliance Residential R-3 development, to the east was a PUD development that was roughly a density of 10 units per acre, and below that south of Azure Avenue was an R-1 community that was kitty-corner to the site. When the Commission looked at amendments to the Master Plan, it was looked at as a fluid document and as trends go through the City of North Las Vegas and development changes in the City, the Master Plan had changed significantly and that was what had happened in this area. The 660, feet both east and west of the North 5<sup>th</sup> Corridor, have traditionally been approved for higher density and very high density developments and that was what was being requested. She stated, for the record, that the applicant had discussed with Aliance Residential, including the two additional parcels, into their currently approved R-3 development that took up the entire section west and south of the development, so the two additional parcels would even out the Aliance Residential parcel. They were not in contract, but had been in discussions and the possibility or likelihood of the two parcels being included in the Aliance Residential development was purely contingent on the zoning being request at this time. Should the Commission decide that something other than R-3 was appropriate for the area, the parcels would not be included in the Aliance Residential development, but she was asking for the possibility or likelihood that the two parcels be included.

Chairman Jay 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 Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None



39. **ZN-42-06 (25867) MARBELLA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MM GROUP, LLC, ON BEHALF OF RICHARD & FELICIA POWELL AND EAGLE 7 PROPERTIES, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT AND A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DONNA STREET AND AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-103-002 AND 124-26-103-004. (CONTINUED JUNE 14, 2006)**

Item Nos. 38 and 39 were presented together.

The application was presented by Toni Ellis, Planner who stated Staff was recommending denial of AMP-32-06 and ZN-42-06 due to the fact it did not meet the recommended guidelines of high density being at the intersection of two 100 foot streets and due to the close proximity of existing single-family homes. The site would be more appropriate for MDR, Medium Density Residential in conjunction with a zoning of R-2, Two Family Residential which would create a buffer between the single-family homes and previously approved High Density Residential to the west and south of the site.

**Stephanie Allen of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating the parcel was located directly south of Regena Avenue, west of Donna Street, north of Azure Avenue and within the eastern 660 feet of the North 5<sup>th</sup> corridor. Directly to the west and south was the Aliance Residential R-3 development, to the east was a PUD development that was roughly a density of 10 units per acre, and below that south of Azure Avenue was an R-1 community that was kitty-corner to the site. When the Commission looked at amendments to the Master Plan, it was looked at as a fluid document and as trends go through the City of North Las Vegas and development changes in the City, the Master Plan had changed significantly and that was what had happened in this area. The 660, feet both east and west of the North 5<sup>th</sup> Corridor, have traditionally been approved for higher density and very high density developments and that was what was being requested. She stated, for the record, that the applicant had discussed with Aliance Residential, including the two additional parcels, into their currently approved R-3 development that took up the entire section west and south of the development, so the two additional parcels would even out the Aliance Residential parcel. They were not in contract, but had been in discussions and the possibility or likelihood of the two parcels being included in the Aliance Residential development was purely contingent on the zoning being request at this time. Should the Commission decide that something other than R-3 was appropriate for the area, the parcels would not be included in the Aliance Residential development, but she was asking for the possibility or likelihood that the two parcels be included.

Chairman Jay 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 Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

40. **UN-49-06 (25878) SUPER PAWN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CASH AMERICA, ON BEHALF OF CENTENNIAL LOSEE CENTER, LLC, AND ST. MARKS PLACE, LLC, PROPERTY OWNERS, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A PAWN SHOP. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-24-401-001 AND 124-24-401-002. (CONTINUED JUNE 14, 2006)**

The application was presented by Toni Ellis, Planner who stated Staff had received two letters of opposition from neighboring businesses, one from the owner of a luxury apartment development. Staff was recommending approval of UN-49-06 with the deletion of Condition No. 3. The original conditions are as follows:

1. That, unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.
2. The use permit is site specific and non-transferrable;
3. That UN-101-05 become null and void;
4. That 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. For additional information contact Sonya Spears, Management Analyst, at 633-1975.
5. That the Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code;
6. That the turning radii along the fire access lane shall be designed in accordance with the Fire code.

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

**Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** stated they took great care to look at the code standards for the use

and finding a location that met all of the code standards, not only in terms of location of a pawn shop, but also in terms of the criteria need for the approval of a special use permit and felt they met all requirements.

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

- **Tammy Rodriguez, 6551 McCarran Street, North Las Vegas, NV 89086** stated she was the Business Manager for Glenbrook Terrace Apartments, which is an affordable housing community. The pawn shop would be located southwest of the property and she had concerns about the added traffic and the negative elements a pawn shop would bring.
- **Scott Hamblin 128 Red Coral Drive, Henderson, NV** stated he was a regional property manager for a property company who was the owner and developer of Glenbrook Terrace and was concerned that the businesses in the area were needed and believed a pawn shop would bring a negative connotation to the neighborhood and was not the type of business that was needed.
- **Angela Rodak, 1013 Kevin Baker Avenue, North Las Vegas, NV 89086** stated she was opposed to a pawn shop in the area and did not feel that type of service was needed in the community and was concerned about an increase in crime and what other types of business, such as adult stores, would be approved later.
- **Deborah Olsen, 7600 South Rainbow Boulevard, Las Vegas, NV 89139** stated she was District Manager for Picerne Development, who was building luxury properties in North Las Vegas. She was opposed to having a pawn shop close by as it did not make it easy to rent a high end unit and was opposed to the application.

Chairman Aston closed the Public Hearing.

Ms. Lazovich stated the business was attached to other in-line retail. They were also bound by what the rest of the center would look like. The building had stone veneer and blended into the rest of the retail center. Other pawn shop locations were considered retail locations and function as such. She explained, in North Las Vegas you must win a lottery to put in a pawn shop only one license was given for every 50,000 people and felt a center or corner with 170 acres of commercial surrounding it was an appropriate location for the use.

Mr. Clapsaddle stated over the past year and a half they had looked at existing pawn shop business license locations in restricted master planned communities where you cannot have pawn shops. When looking at a two mile radius and when you look at where the existing pawn shops were located, the current location was perfect. They also looked at

other site locations and did a lot of research to find a suitable location and, according to the code, Centennial Parkway and Losee Road, on the northeast corner, given the commercial nature of that intersection and all code requirements was the most suitable location.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
THE DELETION OF CONDITION NO. 3

**MOTION:** Commissioner Shull

**SECOND:** Commissioner Carvalho

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

**NAYS:** None

**ABSTAIN:** None

- 41. T-1261 (25705) NLV COMMUNITY. AN APPLICATION SUBMITTED BY NOVEMBER 2005 LAND INVESTORS, LLC, AND DRHI, INC., PROPERTY OWNERS, FOR APPROVAL OF A PARENT TENTATIVE MAP IN AN O-L OPEN LAND DISTRICT (PROPOSED MPC MASTER PLANNED COMMUNITY DISTRICT) TO ALLOW 47 SUBDIVISION LOTS FOR A FUTURE MASTER PLANNED COMMUNITY. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND GRAND TETON DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-18-101-001 AND 124-19-101-003. (CONTINUED MAY 24, JUNE 14, 2006)**

The application was presented by Marc Jordan, Planning Manager who stated the application was for the western parcel of the new master planned community. The application was originally presented at the May 24, 2006 Planning Commission meeting and a continuance was recommended to resolve some Public Works comments and some comments from Parks and Recreation. At the June 14 Planning Commission meeting, Public Works' comments were addressed through the form of a condition; however, Parks and Recreation comments were not addressed. As a result, in working with the applicant, the City and the applicant have come up with a condition that would resolve the conditions required by Parks and Recreation that would be dealt with during the final map process and could require minor changes to the parks areas. Condition No. 18 in the revised memorandum dated June 28, 2006 would address those issues. Staff was recommending approval of T-1261 with the deletion of Condition No. 14 of the conditions listed in the revised memorandum. The original recommended conditions are as follows:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. T-1261 shall conform with the May 3, 2006 November 2005 Parks and Trails Agreement between the City and November 2005 Land Investors, LLC/DHRI, Inc.
3. T-1261 shall conform with the May 3, 2006 Development Agreement between the City and November 2005 Land Investors, LLC/DHRI, Inc.
4. The Developer shall disclose to future property owners that this property is underneath or near some of Nellis Air Force Base approach and departure routes.
5. The trail cross-section shown with this tentative map shall be considered conceptual.
6. The street cross-sections and associated landscaping areas shown with this tentative map shall be considered conceptual. Street cross-sections and associated landscaping areas shall conform with the final approved Development Standards and Design Guidelines.

7. Approval of a conceptual drainage study is required prior to submittal of the civil improvement plans.
8. Construction of Grand Teton Regional Facility.
9. Location and configuration of all regional and local flood control facilities are contingent upon the review and approval of technical drainage studies for the proposed improvements.
10. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Decatur Blvd. and Elkhorn Rd, Decatur Blvd. and Farm Rd and at Decatur Blvd. and Grand Teton Dr. per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
11. Right-of-way dedication and construction of a CAT bus turn-out as identified in the Master Transportation Study. In accordance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1 or 234.3.
12. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and *City of North Las Vegas Municipal Code* section 16.24.100.B:
  - a. Decatur Blvd
  - b. Aviary Way
  - c. Aliante Pkwy
  - d. Dorrell Ln
  - e. Elkhorn Rd
  - f. Farm Rd
  - g. Grand Teton Dr
13. The street section for Decatur Blvd. must be revised to be in accordance with the Master Plan of Streets and Highways.
14. The City's 36-inch diameter waterline in Aviary Way between Elkhorn Road and Grand Teton Drive shall remain within or shall be relocated to remain within the paved portion of the street section.

15. Should the Master Transportation Study indicate the need for additional right-of-way to accommodate vehicle capacity and/or intersection improvements, additional dedication and roadway construction shall be provided by the developer.
16. This application must comply with all master technical studies for the project.
17. The park acreage required by the May 3, 2006 November 2005 Parks and Trails Agreement shall not include pathways or rights-of-way.
18. For each park, the (i) parking requirements, (ii) Development Agreement Level of Service amenities, and (iii) maintenance responsibilities must be reviewed by the Parks and Recreation Department and approved by the City Manager prior to City approval of the final parent map.

**Jennifer Lazovich, Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant asking that the wording “or as approved by the Director of Public Works” be added to Condition No. 10. This would give the applicant some flexibility on how the streets were designed.

Clete Kus of Public Works stated Public Works was agreeable to the change.

Ed Lubbers of the Lubbers Law Group stated there were some dimensional issues in terms of parks that they are in discussions with November 2005 about. It was probably not clarified in the park agreement, so Condition No. 18 would allow the park agreement to be amended to clarify how they handle the various requirements such as parking, the amenities and some maintenance issues. Condition No. 17 would be subsumed into the resolution under Condition No. 18, so Condition No. 17 was not necessary, as it would be taken care of. It could be left and acknowledged for the record that “satisfaction of Condition No. 18 constitutes satisfaction of Condition No. 17.

Ms. Lazovich stated she would prefer to delete Condition No. 17 so it did not create a problem later on.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NOS. 14 AND 17 AND CONDITION NO. 10 AMENDED TO READ:**

10. RIGHT-OF-WAY DEDICATION AND CONSTRUCTION OF A FLARED INTERSECTION, INCLUDING A RIGHT TURN LANE, IS REQUIRED AT DECATUR BOULEVARD AND ELKHORN ROAD, DECATUR BOULEVARD AND FARM ROAD AND AT DECATUR



BOULEVARD AND GRAND TETON DRIVE PER THE *UNIFORM STANDARD DRAWINGS FOR PUBLIC WORKS' CONSTRUCTION OFF-SITE IMPROVEMENTS* DRAWING NUMBER 201.1 AND 245.1, OR AS APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

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

**Item No. 2 was heard next.**

**PUBLIC FORUM**

**Richard Cherchio, 417 Horse Point Avenue, North Las Vegas, NV** spoke regarding a Richmond American Development on Centennial Parkway that was being built in his neighborhood. One of the lots, without a foundation on it, was level with the perimeter wall of the development he lived in and would like it checked out as he was concerned with the visual impact.

**DIRECTOR'S BUSINESS**

Marc Jordan, Planning Manager reminded the Commission that election of officers would be held at the July 12, 2006 Planning Commission meeting.

**CHAIRMAN'S BUSINESS**

There was no report given.

**ADJOURNMENT**

The meeting adjourned at 9:14 p.m.

APPROVED:

/s/ Angelo Carvalho  
Angelo Carvalho, Chairman

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