

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

Jay Aston, Chairman
Dean Leavitt
Harry Shull

2200 Civic Center Drive
North Las Vegas, NV 89030
BUS: (702) 633-1516
FAX: (702) 649-6091

Jo Cato, Vice-Chairman
Dilip Trivedi
Steve Brown

Planning Commission Minutes are available on the internet at:
www.cityofnorthlasvegas.com

December 8, 2004

BRIEFING

6:30 pm., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

CALL TO ORDER

7:08 pm., Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive

ROLL CALL

Chairman Jay Aston - Present
Vice Chairman Jo Cato - Present
Commissioner Harry Shull - Present
Commissioner Dean Leavitt - Present
Commissioner Steve Brown - Excused
Commissioner Dilip Trivedi - Present

STAFF PRESENT:

Planning Manager Marc Jordan
Planner Mary Aldava
Planner Robert Eastman
Engineering Associate Kevin Futch
Parks Planner Tony Taylor
Land Development Services Manager Lenny Badger
Assistant Fire Chief Terri Davis
Senior Deputy City Attorney Jim Lewis

VERIFICATION

Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE

Commissioner Dean Leavitt

Presentation made to Commissioner Stone for his years of service on the Planning Commission. Former Commissioner Stone thanked the Commission and described his years of service on the Commission.

MINUTES

APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF SEPTEMBER 8, 2004

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice Chairman Cato

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

NAYS: None

ABSTAIN: None

CONSENT AGENDA

Commissioner Shull stated he would be abstaining from voting on Consent Agenda Items O and P. Chairman Aston asked for a motion on those two items separate from the rest of the Consent Agenda.

- A. PW-193-04 (18149) NVE ACTIVE ADULT, UNIT 10 PHASE 1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY NORTH VALLEY ENTERPRISES, LLC AND ACCEPT THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$1,460,951.80.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

B. PW-194-04 (18156) NVE PARCELS 31A, 31B & 31C: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY PARDEE HOMES OF NEVADA AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$1,721,830.88.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

C. PW-195-04 (18157) NVE PARCELS 30A & 30B: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY PARDEE HOMES OF NEVADA AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$1,989,766.63.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

D. PW-196-04 (18158) ANN & GOLDFIELD: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY RICHMOND AMERICAN HOMES NEVADA INC., AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$835,760.04.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

E. PW-197-04 (18159) TROPICAL WALNUT, UNIT 1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY U.S HOME CORPORATION, AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$1,151,237.52.

ACTION: APPROVED

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

F. PW-198-04 (18160) GRANADA RIDGE II: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY KB HOME NEVADA INC., AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$1,964,399.20.

ACTION: APPROVED

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

G. PW-199-04 (18161) CRAIG PROMENADE: ACCEPT THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY CRAIG RETAIL PARTNERS, LLC AND ACCEPT THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$330,742.50.

ACTION: APPROVED

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

H. PW-200-04 (18163) NVE PARCEL 42: ACCEPT THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY GREEN VALLEY DEVELOPMENT, LLC AND ACCEPT THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$220,476.03.

ACTION: APPROVED

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

- I. **PW-201-04 (18164) CENTENNIAL 5 LLC RETAIL CENTER: ACCEPT THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY CENTENNIAL 5 DEVELOPMENT, LLC., AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$138,158.50.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- J. **PW-202-04 (18346) LAMB TROPICAL RESIDENTIAL: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY RICHMOND AMERICAN HOMES OF NEVADA, INC. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$2,148,251.88.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- K. **PW-203-04 (18347) BOND FOR NVE PARCEL 16, UNIT 2: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY KB HOME NEVADA, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$790,847.86.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- L. **PW-204-04 (18348) WESTWIND: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY PLASTER DEVELOPMENT AND ACCEPT THE**

TWO PERFORMANCE BONDS IN THE AMOUNT OF \$2,273,757.18 AND \$451,991.93, TOTALING \$2,725,749.10.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

M. PW-205-04 (18349) NORTHSTAR ESTATES UNIT 2: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY BEAZER HOMES HOLDINGS CORP. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$438,052.47.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

N. PW-206-04 (18350) NORTHSTAR ESTATES UNIT 3: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY BEAZER HOMES HOLDINGS CORP. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$562,909.82.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

O. PW-207-04 (18351) ALEXANDER & NORTH 5TH, UNIT 2: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CELEBRATE HOMES 22, LLC AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$601,242.18.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

AYES: Chairman Aston, Vice Chairman Cato, Commissioners Leavitt, and Trivedi
NAYS: None
ABSTAIN: Commissioner Shull

P. PW-208-04 (18352) ALEXANDER & NORTH 5TH, UNIT 3: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CELEBRATE HOMES 22, LLC AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$638,877.80.

ACTION: APPROVED

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

Q. PW-209-04 (18353) DESERT PASSAGE NORTH: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$750,229.87.

ACTION: APPROVED

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

R. PW-210-04 (18354) CENTENNIAL & SIMMONS OFFSITES: APPROVE THE COMMERCIAL DEVELOPMENT OFF-SITE IMPROVEMENTS AGREEMENT BY SIMMONS 15, LLC AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$713,783.24.

ACTION: PULLED FROM AGENDA

S. PW-211-04 (18355) COBBLESTONE COVE NORTH: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$962,457.38.

ACTION: APPROVED

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

T. PW-212-04 (18356) COBBLESTONE MANOR WEST: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$466,923.

ACTION: APPROVED

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

U. PW-213-04 (18357) CENTENNIAL AZURE, UNIT 1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY U.S. HOME CORPORATION AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$893,276.34.

ACTION: APPROVED

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

NEW BUSINESS

1. **AMP-94-04 (17567) VALENCIA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY ALEX COLEMAN LLC, ON BEHALF OF ALEX COLEMAN LLC, GRUBBS VELMA DUPREE ELLIS, SANDY ALLEN, NIMROD SMITH, ASCENCION GUTIERREZ, ROSARIO DIAZ AND MANUEL MARTINEZ, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF VLDR VERY LOW DENSITY RESIDENTIAL TO LDR LOW DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF COLEMAN STREET AND ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-08-501-001 THRU 139-08-801-005, 139-08-501-007, 139-08-501-008, 139-08-501-009, 139-08-502-001 THRU 139-08-502-004, 139-08-502-007 THRU 139-08-502-009, AND 139-08-502-011.**

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and asked that this item be continued to December 22, 2004.

Chairman Aston opened the Public Hearing.

Kathy Brunson, 2810 Cozy Court, North Las Vegas, stated she would hold her comments until the item was heard.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Shull stated he would be abstaining from voting on this item.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

2. **ZN-113-04 (17565) VALENCIA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY ALEX COLEMAN LLC, ON BEHALF OF ALEX COLEMAN LLC, GRUBBS VELMA DUPREE ELLIS, SANDY ALLEN, NIMROD SMITH, ASCENCION GUTIERREZ, ROSARIO DIAZ AND MANUEL MARTINEZ, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT (PRESERVATION AREA) TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF COLEMAN STREET AND ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-08-501-001 THRU 139-08-801-005, 139-08-501-007, 139-08-501-008, 139-08-501-009, 139-08-502-001 THRU 139-08-502-004, 139-08-502-007 THRU 139-08-502-009, AND 139-08-502-011.**

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and asked that this item be continued to December 22, 2004.

Chairman Aston opened the Public Hearing.

Kathy Brunson, 2810 Cozy Court, North Las Vegas, stated she would hold her comments until the item was heard.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Shull stated he would be abstaining from voting on this item.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

3. **AMP-95-04 (17573) VALENCIA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY ALEX COLEMAN LLC, ON BEHALF OF ALEX COLEMAN LLC, ROBBIN S. MARTINDALE, ET AL, AND FRIENDSHIP PARTNERS NUMBER TWO, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF VLDR VERY LOW DENSITY RESIDENTIAL TO LDR LOW DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF COLEMAN STREET AND GILMORE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-08-602-001 THRU 139-08-602-005.**

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and asked that this item be continued to December 22, 2004.

Chairman Aston opened the Public Hearing.

Kathy Brunson, 2810 Cozy Court, North Las Vegas, stated she would hold her comments until the item was heard.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Shull stated he would be abstaining from voting on this item.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

4. **ZN-114-04 (17572) VALENCIA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY ALEX COLEMAN LLC, ON BEHALF OF ALEX COLEMAN LLC, ROBBIN S. MARTINDALE, ET AL, AND FRIENDSHIP PARTNERS NUMBER TWO, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT (PRESERVATION AREA) TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF COLEMAN STREET AND GILMORE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-08-602-001 THRU 139-08-602-005.**

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and asked that this item be continued to December 22, 2004.

Chairman Aston opened the Public Hearing.

Kathy Brunson, 2810 Cozy Court, North Las Vegas, stated she would hold her comments until the item was heard.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Shull stated he would be abstaining from voting on this item.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

5. **AMP-96-04 (17606) VALENCIA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY ALEX COLEMAN LLC, ON BEHALF OF ALEX COLEMAN LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF VLDR VERY LOW DENSITY RESIDENTIAL TO LDR LOW DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF FUSELIER DRIVE AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-08-601-008.**

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and asked that this item be continued to December 22, 2004.

Chairman Aston opened the Public Hearing.

Kathy Brunson, 2810 Cozy Court, North Las Vegas, stated she would hold her comments until the item was heard.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Shull stated he would be abstaining from voting on this item.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

6. **ZN-115-04 (17604) VALENCIA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY ALEX COLEMAN LLC, ON BEHALF OF ALEX COLEMAN LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT (PRESERVATION AREA) TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF FUSELIER DRIVE AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-08-601-008.**

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and asked that this item be continued to December 22, 2004.

Chairman Aston opened the Public Hearing.

Kathy Brunson, 2810 Cozy Court, North Las Vegas, stated she would hold her comments until the item was heard.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Shull stated he would be abstaining from voting on this item.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

7. **AMP-97-04 (17607) VALENCIA (PUBLIC HEARING: AN APPLICATION SUBMITTED BY ALEX COLEMAN LLC, ON BEHALF OF ALEX COLEMAN LLC, MARGARET RAZACK, THE LIZOTTE FAMILY TRUST, AND LINCOLN DUNN, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF VLDR VERY LOW DENSITY RESIDENTIAL TO LDR LOW DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHEAST CORNER OF SIMMONS STREET AND ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-05-801-005, 139-05-801-006, 139-05-801-009, 139-05-802-007 AND 139-05-802-009.**

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and asked that this item be continued to December 22, 2004.

Chairman Aston opened the Public Hearing.

Kathy Brunson, 2810 Cozy Court, North Las Vegas, stated she would hold her comments until the item was heard.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Shull stated he would be abstaining from voting on this item.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

8. **ZN-116-04 (17609) VALENCIA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY ALEX COLEMAN LLC, ON BEHALF OF ALEX COLEMAN LLC, MARGARET RAZACK, THE LIZOTTE FAMILY TRUST, AND LINCOLN DUNN, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT (PRESERVATION AREA) TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHEAST CORNER OF SIMMONS STREET AND ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-05-801-005, 139-05-801-006, 139-05-801-009, 139-05-802-007 AND 139-05-802-009.**

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and asked that this item be continued to December 22, 2004.

Chairman Aston opened the Public Hearing.

Kathy Brunson, 2810 Cozy Court, North Las Vegas, stated she would hold her comments until the item was heard.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Shull stated he would be abstaining from voting on this item.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

9. **AMP-98-04 (17722) NWC ALLEN LANE & LAKE MEAD BLVD (PUBLIC HEARING: AN APPLICATION SUBMITTED BY AMERICAN LAND HOLDINGS, LLC, ET AL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF RESORT COMMERCIAL TO REGIONAL COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF LAKE MEAD BOULEVARD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 139-19-501-008.**

Planning Manager Marc Jordan stated there were no planned single-family residential uses next to this site and the application exceeded the 20 acre requirement for regional commercial uses. Staff recommended approval of the application.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated they concurred with Staff's recommendations and asked for Planning Commission approval.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

10. **ZN-111-04 (17420) NWC ALLEN LANE & LAKE MEAD BLVD (PUBLIC HEARING: AN APPLICATION SUBMITTED BY AMERICAN LAND HOLDINGS, LLC, ET AL, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF LAKE MEAD BOULEVARD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 139-19-501-008.**

Planning Manager Marc Jordan stated there were no planned single-family residential uses next to this site and the application exceeded the 20 acre requirement for regional commercial uses. Staff recommended approval of the application.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated they concurred with Staff's recommendations and asked for Planning Commission approval.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

11. **SPR-55-04 (17421) NWC ALLEN LANE & LAKE MEAD BLVD: AN APPLICATION SUBMITTED BY AMERICAN LAND HOLDINGS, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT (PROPOSED C-2 GENERAL COMMERCIAL DISTRICT) TO BUILD A 203,818 SF COMMERCIAL SITE. THE PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF LAKE MEAD BOULEVARD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 139-19-501-008.**

The applicant requested this item be continued to January 26, 2005.

ACTION: CONTINUED TO JANUARY 26, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

12. **AMP-99-04 (17744) GOLDFIELD & ROME (PUBLIC HEARING: AN APPLICATION SUBMITTED BY BLUE HERON PROPERTIES, INC., ON BEHALF OF GOLDFIELD CENTENNIAL, LLC, PROPERTY OWNER, 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 SOUTHEAST CORNER OF DARLING ROAD AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-801-011.**

Planner Mary Aldava stated Staff had concerns that another site plan, SPR-39-04, had been approved for a parcel to the south and did not include the buffer that was required to buffer commercial from residential. If this residential application was approved, the south parcel would become a legal non-conforming use. Staff recommended denial of this application.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated if the property were to remain commercial, the only access to the property would be through a residential area. She described the properties around this site and stated they believed this property was best zoned for residential.

Chairman Aston opened the Public Hearing.

William Bowes, 6544 Butterfly Sky Street, North Las Vegas, stated there was a high rate of crime in their neighborhood and he believed high density residential development would increase that. Mr. Bowes presented a petition signed by his neighbors against the application.

Jason S. Stegeman, 6529 Butterfly Sky Street, North Las Vegas, stated Mr. Bowes had covered everything he wanted to say.

Mark A. Morgan, 6457 Butterfly Sky Street, North Las Vegas, stated Mr. Bowes had covered everything he wanted to say.

Debra Michaud, 6532 Raven Hall Street, North Las Vegas, stated she was from the same development as Mr. Bowes, Mr. Stegeman and Mr. Morgan and they were opposed to the application.

Andre and Marquita Ward, 6541 Raven Hall Street, North Las Vegas, stated they did not want this project next to their neighborhood.

Scott Hosey, 6476 Raven Hall Street, North Las Vegas, stated the crime and the traffic were already high in their neighborhood. He stated he was opposed to the application.

Angela Hosey, 6476 Raven Hall Street, North Las Vegas, stated the property owners who purchased on Goldfield Street knew commercial would be across from them, but they did not want to have multi-family housing. She said the crime in their neighborhood was high already.

Kevin Goe, 44 Yellow Flame Avenue, North Las Vegas, stated he was opposed to the application and did not want multi-family housing. The foot and vehicle traffic was already high and he believed it would get worse with this development.

Joseph Michaud, 6532 Raven Hall Street, North Las Vegas, stated when he bought his home, he knew commercial would be in the area and he did not want multi-family to be built. He believed it would decrease his property values.

David Froelle, 6517 Butterfly Sky Street, North Las Vegas, said he agreed with his neighbors and did not want to see this development be built.

Chairman Aston closed the Public Hearing.

Ms. Lazovich stated this project was not apartments, it was for-sale property. She stated the applicant would like a continuance for 30 days so they could meet with the neighbors.

Chairman Aston re-opened the Public Hearing and stated it would remain open until the application was heard in its entirety.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION Commissioner Shull:

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

13. **ZN-118-04 (17743) GOLDFIELD & ROME (PUBLIC HEARING): AN APPLICATION SUBMITTED BY BLUE HERON PROPERTIES, INC., ON BEHALF OF GOLDFIELD CENTENNIAL, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-2 GENERAL COMMERCIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF DARLING ROAD AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-801-011.**

Planner Mary Aldava stated Staff had concerns that another site plan, SPR-39-04, had been approved for a parcel to the south and did not include the buffer that was required to buffer commercial from residential. If this residential application was approved, the south parcel would become a legal non-conforming use. Staff recommended denial of this application.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated if the property were to remain commercial, the only access to the property would be through a residential area. She described the properties around this site and stated they believed this property was best zoned for residential.

Chairman Aston opened the Public Hearing.

William Bowes, 6544 Butterfly Sky Street, North Las Vegas, stated there was a high rate of crime in their neighborhood and he believed high density residential development would increase that. Mr. Bowes presented a petition signed by his neighbors against the application.

Jason S. Stegeman, 6529 Butterfly Sky Street, North Las Vegas, stated Mr. Bowes had covered everything he wanted to say.

Mark A. Morgan, 6457 Butterfly Sky Street, North Las Vegas, stated Mr. Bowes had covered everything he wanted to say.

Debra Michaud, 6532 Raven Hall Street, North Las Vegas, stated she was from the same development as Mr. Bowes, Mr. Stegeman and Mr. Morgan and they were opposed to the application.

Andre and Marquita Ward, 6541 Raven Hall Street, North Las Vegas, stated they did not want this project next to their neighborhood.

Scott Hosey, 6476 Raven Hall Street, North Las Vegas, stated the crime and the traffic were already high in their neighborhood. He stated he was opposed to the application.

Angela Hosey, 6476 Raven Hall Street, North Las Vegas, stated the property owners who purchased on Goldfield Street knew commercial would be across from them, but they did not want to have multi-family housing. She said the crime in their neighborhood was high already.

Kevin Goe, 44 Yellow Flame Avenue, North Las Vegas, stated he was opposed to the application and did not want multi-family housing. The foot and vehicle traffic was already high and he believed it would get worse with this development.

Joseph Michaud, 6532 Raven Hall Street, North Las Vegas, stated when he bought his home, he knew commercial would be in the area and he did not want multi-family to be built. He believed it would decrease his property values.

David Froelle, 6517 Butterfly Sky Street, North Las Vegas, said he agreed with his neighbors and did not want to see this development be built.

Chairman Aston closed the Public Hearing.

Ms. Lazovich stated this project was not apartments, it was for-sale property. She stated the applicant would like a continuance for 30 days so they could meet with the neighbors.

Chairman Aston re-opened the Public Hearing and stated it would remain open until the application was heard in its entirety.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION Commissioner Shull:

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

14. VAC-38-04 (17745) GOLDFIELD & ROME (PUBLIC HEARING): AN APPLICATION SUBMITTED BY BLUE HERON PROPERTIES, INC., ON BEHALF OF GOLDFIELD CENTENNIAL, LLC, TO VACATE DARLING ROAD COMMENCING AT GOLDFIELD STREET AND PROCEEDING EAST APPROXIMATELY 670 FEET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-801-011.

Planner Mary Aldava stated Staff had concerns that another site plan, SPR-39-04, had been approved for a parcel to the south and did not include the buffer that was required to buffer commercial from residential. If this residential application was approved, the south parcel would become a legal non-conforming use. Staff recommended denial of this application.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated if the property were to remain commercial, the only access to the property would be through a residential area. She described the properties around this site and stated they believed this property was best zoned for residential.

Chairman Aston opened the Public Hearing.

William Bowes, 6544 Butterfly Sky Street, North Las Vegas, stated there was a high rate of crime in their neighborhood and he believed high density residential development would increase that. Mr. Bowes presented a petition signed by his neighbors against the application.

Jason S. Stegeman, 6529 Butterfly Sky Street, North Las Vegas, stated Mr. Bowes had covered everything he wanted to say.

Mark A. Morgan, 6457 Butterfly Sky Street, North Las Vegas, stated Mr. Bowes had covered everything he wanted to say.

Debra Michaud, 6532 Raven Hall Street, North Las Vegas, stated she was from the same development as Mr. Bowes, Mr. Stegeman and Mr. Morgan and they were opposed to the application.

Andre and Marquita Ward, 6541 Raven Hall Street, North Las Vegas, stated they did not want this project next to their neighborhood.

Scott Hosey, 6476 Raven Hall Street, North Las Vegas, stated the crime and the traffic were already high in their neighborhood. He stated he was opposed to the application.

Angela Hosey, 6476 Raven Hall Street, North Las Vegas, stated the property owners who purchased on Goldfield Street knew commercial would be across from them, but they did not want to have multi-family housing. She said the crime in their neighborhood was high already.

Kevin Goe, 44 Yellow Flame Avenue, North Las Vegas, stated he was opposed to the application and did not want multi-family housing. The foot and vehicle traffic was already high and he believed it would get worse with this development.

Joseph Michaud, 6532 Raven Hall Street, North Las Vegas, stated when he bought his home, he knew commercial would be in the area and he did not want multi-family to be built. He believed it would decrease his property values.

David Froelle, 6517 Butterfly Sky Street, North Las Vegas, said he agreed with his neighbors and did not want to see this development be built.

Chairman Aston closed the Public Hearing.

Ms. Lazovich stated this project was not apartments, it was for-sale property. She stated the applicant would like a continuance for 30 days so they could meet with the neighbors.

Chairman Aston re-opened the Public Hearing and stated it would remain open until the application was heard in its entirety.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION Commissioner Shull:

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

15. **AMP-100-04 (17742) LA GRANGE RESIDENTIAL (PUBLIC HEARING): AN APPLICATION SUBMITTED BY LAND BARON ON BEHALF OF LAGRANGE, LLC AND MIKE CHERNINE SEPARATE PPTY TRUST, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO MDR MEDIUM DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 277 FEET NORTH OF CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-22-401-004.**

Planner Mary Aldava stated this application mirrored the land uses east of the site and Staff recommended approval of this application.

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and asked for the Commission's approval.

Chairman Aston opened the Public Hearing.

Terry Urquhart, 6624 Montezuma Castle Lane, North Las Vegas, stated when he moved into the neighborhood, all of the properties around him were zoned single-family residence. He was opposed to this application.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

16. **ZN-120-04 (17741) LA GRANGE RESIDENTIAL (PUBLIC HEARING): AN APPLICATION SUBMITTED BY LAND BARON ON BEHALF OF LAGRANGE, LLC AND MIKE CHERNINE SEPARATE PPTY TRUST, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 277 FEET NORTH OF CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-22-401-004.**

Planner Mary Aldava stated this application mirrored the land uses east of the site and Staff recommended approval of this application.

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and asked for the Commission's approval.

Chairman Aston opened the Public Hearing.

Terry Urquhart, 6624 Montezuma Castle Lane, North Las Vegas, stated when he moved into the neighborhood, all of the properties around him were zoned single-family residence. He was opposed to this application. Mr. Urquhart added he believed this type of zoning would over-populate the local schools.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

17. **AMP-101-04 (17773) ILIA BEZANSKI (PUBLIC HEARING): AN APPLICATION SUBMITTED BY ILIA BEZANSKI, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO OFFICE. THE PROPERTY IS GENERALLY LOCATED WEST OF PECOS ROAD AND APPROXIMATELY 100 FEET SOUTH OF TABOR COURT. THE ASSESSOR'S PARCEL NUMBER IS 139-24-610-342.**

Planner Robert Eastman stated the application met the requirements for an amendment to the Master Plan except the office area was less than 2.5 acres. Staff recommended approval of the application.

Harold Foster, 3230 Polaris Avenue, Las Vegas, represented the applicant and stated they concurred with Staff's recommendation and asked for Planning Commission approval.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

18. **ZN-121-04 (17774) ILIA BEZANSKI (PUBLIC HEARING): AN APPLICATION SUBMITTED BY ILIA BEZANSKI, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED WEST OF PECOS ROAD AND APPROXIMATELY 100 FEET SOUTH OF TABOR COURT. THE ASSESSOR'S PARCEL NUMBER IS 139-24-610-342.**

Planner Robert Eastman stated the application met the requirements for an amendment to the Master Plan except the office area was less than 2.5 acres. Staff recommended approval of the application.

Harold Foster, 3230 Polaris Avenue, Las Vegas, represented the applicant and stated they concurred with Staff's recommendation and asked for Planning Commission approval.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

19. **AMP-102-04 (17749) TROPICAL POINT (PUBLIC HEARING): AN APPLICATION SUBMITTED BY GERALD GARAPICH ARCHITECT, ON BEHALF OF S.T.G.G. MANAGEMENT, PROPERTY OWNER, 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 TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-25-301-013.**

Planner Robert Eastman stated the size was smaller than suggested for Neighborhood Commercial zoning. Staff recommended Convenience Commercial zoning and believed it would be more appropriate for the site.

Bill Curran, 300 South Fourth Street, Las Vegas, represented the applicant and stated this parcel was a unique shape and had utility lines running along the back of the property. He stated the Staff recommendation of Convenience Commercial was acceptable.

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

Chairman Aston closed the Public Hearing.

Commissioner Shull stated he had a financial interest in this property and needed to abstain from voting on this application. Chairman Aston stated the item would need to be continued because it needed a super-majority vote to be passed.

Chairman Aston re-opened the Public Hearing and stated it would remain open until the item was heard in its entirety.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

20. **ZN-117-04 (17748) TROPICAL POINT (PUBLIC HEARING): AN APPLICATION SUBMITTED BY GERALD GARAPICH ARCHITECT, ON BEHALF OF S.T.G.G. MANAGEMENT, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-25-301-013.**

Planner Robert Eastman stated the size was smaller than suggested for Neighborhood Commercial zoning. Staff recommended Convenience Commercial zoning and believed it would be more appropriate for the site.

Bill Curran, 300 South Fourth Street, Las Vegas, represented the applicant and stated this parcel was a unique shape and had utility lines running along the back of the property. He stated the Staff recommendation of Convenience Commercial was acceptable.

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

Chairman Aston closed the Public Hearing.

Commissioner Shull stated he had a financial interest in this property and needed to abstain from voting on this application. Chairman Aston stated the item would need to be continued because it needed a super-majority vote to be passed.

Chairman Aston re-opened the Public Hearing and stated it would remain open until the item was heard in its entirety.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

21. **VN-31-04 (17989) TROPICAL POINT (PUBLIC HEARING): AN APPLICATION SUBMITTED BY GERALD GARAPICH, ARCHITECT, ON BEHALF OF S.T.G.G. MANAGEMENT, PROPERTY OWNER, FOR A VARIANCE IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED C-1 NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW A 20-FOOT BUILDING SETBACK, WHERE 30 FEET IS REQUIRED ADJACENT TO A RESIDENTIAL ZONE BOUNDARY. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-301-013.**

The applicant requested this item be continued to December 22, 2004.

Chairman Aston opened the Public Hearing and stated it would remain open until the item was heard in its entirety.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

22. **UN-155-04 (17746) TROPICAL POINT (PUBLIC HEARING): AN APPLICATION SUBMITTED BY GERALD GARAPICH ARCHITECT, ON BEHALF OF S.T.G.G. MANAGEMENT, PROPERTY OWNER, FOR A USE PERMIT IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED C-1 NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW A CONVENIENCE STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-25-301-013.**

The applicant requested this item be continued to December 22, 2004.

Chairman Aston opened the Public Hearing and stated it would remain open until heard in its entirety.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioned Shull

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

NAYS: None

ABSTAIN: None

23. **UN-162-04 (17987) TROPICAL POINT (PUBLIC HEARING): AN APPLICATION SUBMITTED BY GERALD GARAPICH, ARCHITECT, ON BEHALF OF S.T.G.G. MANAGEMENT, PROPERTY OWNER, FOR A USE PERMIT IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED C-1 NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW AN AUTOMOBILE WASHING ESTABLISHMENT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-301-013.**

The applicant requested this item be continued to December 22, 2004.

Chairman Aston opened the Public Hearing and stated it would remain open until heard in its entirety.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioned Shull

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

NAYS: None

ABSTAIN: None

24. **UN-163-04 (17986) TROPICAL POINT (PUBLIC HEARING): AN APPLICATION SUBMITTED BY GERALD GARAPICH, ARCHITECT, ON BEHALF OF S.T.G.G. MANAGEMENT, PROPERTY OWNER, FOR A USE PERMIT IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED C-1 NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW AN AUTOMOBILE SERVICE FACILITY (SMOG CHECK KIOSK). THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-301-013.**

The applicant requested this item be continued to December 22, 2004.

Chairman Aston opened the Public Hearing and stated it would remain open until heard in its entirety.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioned Shull

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

NAYS: None

ABSTAIN: None

25. **ZN-119-04(17759) NORTH 5TH & REGENA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY S & J PROPERTIES, LLC, PROPERTY OWNER, 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 REGENA AVENUE AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-26-101-005.**

Planner Robert Eastman stated this application was supported by the Comprehensive Plan and Staff recommended approval.

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and stated they concurred with Staff's recommendation.

Chairman Aston opened the Public Hearing.

Alvin Yates, 1108 Nevada Blaze Avenue, North Las Vegas, stated he lived in Creekside II and he had not received notice about this application. He was concerned that children walking to school would need to pass this site and he did not believe it was appropriate and that it would be dangerous.

Chairman Aston closed the Public Hearing.

Vice Chairman Cato asked Staff to explain the noticing requirements. Senior Deputy City Attorney Jim Lewis stated the City must provide radial notice within 300 feet of the property line.

ACTION: APPROVED

MOTION: Vice Chairman Cato

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

26. UN-157-04 (17760) NORTH 5TH & REGENA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY S & J PROPERTIES, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A BAR/TAVERN. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF REGENA AVENUE AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-26-101-005.

Planner Robert Eastman stated the site was short of the required parking by approximately 83 spaces. He said the Public Works Department stated an additional 25 feet of property along North Fifth Street needed to be dedicated. Staff did not believe the site had adequate space for a tavern and recommended denial of the application.

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and stated they would agree to a continuance to bring back an appropriate site plan.

Chairman Aston opened the Public Hearing.

Harvey Ferber, 1504 Lazy Hill Ranch Way, North Las Vegas, had concerns about the hours of operation of the tavern and its impact on the neighborhood.

Chairman Aston closed the Public Hearing.

Mr. Garcia stated the character of North Fifth Street was going to change and he believed this application was appropriate.

Planning Manager Marc Jordan stated the tavern must be 1500 feet from another tavern and this application does not have that separation. He reminded the Commission that tavern approvals need a 2/3 vote of the Commission. Mr. Garcia requested a continuance of the application.

Chairman Aston re-opened the Public Hearing and stated it would remain open until the item was heard in its entirety.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

The meeting recessed at 8:52 P.M.

The meeting reconvened at 9:06 P.M.

27. **AMP-106-04 (18011) VENTANA @ SIERRA MONTANA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY BEAZER HOMES, ON BEHALF OF ROZEN ARTHUR TRUST ET AL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO MLDR MEDIUM LOW DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-401-007.**

Planning Manager Marc Jordan stated the proposed development was consistent with the development to the north of the site. Staff recommended approval.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and asked for approval.

Chairman Aston opened the Public Hearing.

Charles Dietl, 709 Majestic Sky Drive, North Las Vegas, stated he lived in Santa Rosa III and when he purchased his property, a park was planned in the area. He stated he still wanted the park to be built.

Chairman Aston closed the Public Hearing

Ms. Lazovich stated the park issue would be addressed on the next item.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

28. ZN-123-04 (18010) VENTANA @ SIERRA MONTANA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY BEAZER HOMES, ON BEHALF OF ROZEN ARTHUR TRUST ET AL, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 28 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-401-007.

Planning Manager Marc Jordan stated the applicant was required to construct the park and a condition on the Planned Unit Development stated it must be constructed before building permits would be issued. Staff recommended approval with the following conditions:

1. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
2. The civil improvements shall include schedule 40 PVC fiber optic conduit along the project's Ann Road and Commerce Street frontages; and
3. Right-of-way dedication and construction of a CAT bus turn-out is required on Ann Road near Commerce Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing No. 234.1; and
4. Right-of-way dedication (an additional five feet) and construction of a flared intersection is required at Ann Road and Commerce Street per the *Uniform Standard Drawings for Public Works' Construction of Off-Site Improvements* Drawing Numbers 201.1 and 245.1; and
5. All known geologic hazards shall be shown on the preliminary development plan, tentative map and civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvements plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure; and
6. Approval of a drainage study is required prior to submittal of the civil improvement plans; and
7. 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; and
8. The side lot easement(s) must be revised to a pedestrian access/public utility easement that conforms to City of North Las Vegas Municipal Code 17.24.210.D.4a; and
9. Remove the street section thickness from the typical sections. The pavement sections will be determined by the Department of Public Works; and

10. All common elements shall be labeled and are to be maintained by the homeowners' association; and
11. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards; and
12. Street names must be approved by the City of Las Vegas Central Fire Alarm office; and
13. The property owner is required to grant a pedestrian access easement for sidewalk within any common element; and
14. A revocable encroachment permit for landscaping within the public right-of-way is required; and
15. That the installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map; and
16. That a minimum of two means of access shall be provided for each group of 25 or more homes; and
17. That the preliminary development plan be revised to show a minimum ten feet (10.00') of landscaping, which may include the sidewalk adjacent to all interior corner side lots; and
18. That the usable open space requirements for this phase of the development be waived, provided no building permit be issued, for models or otherwise, for the development of this site until such time as the 3.90±-acre Rancho Mirage Park is constructed; and
19. The applicant shall identify all pedestrian access easements and/or emergency access locations as "Common Elements" whereby each area shall be owned and maintained by the homeowners' association. All pedestrian access easements and emergency access locations shall be landscaped and provided with ADA-compliant meandering sidewalks; and
20. That a final development plan for this portion of the development be reviewed and approved by the Planning Commission prior to recording a final map; and
21. That all landscape areas and open spaces shall be labeled as "COMMON ELEMENTS TO BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION"; and
22. That the 3.90±-acre Rancho Mirage Park include the minimum following amenities:
 - a. A looping concrete walking trail 4' wide (not DG) as depicted in the Plan
 - b. Trail lighting at an average of 1.02 candle-foot illumination
 - c. Twenty (20) 24"-box trees per acre of park land (here, approx 3.6 x 20 = 72 trees)
 - d. No required shrubs
 - e. Six (6) benches spaced along trail and by active amenities
 - f. One (1) sand volleyball court
 - g. One (1) half basketball court
 - h. Four (4) BBQ areas, which include a 12x12 shade structure, picnic table and grill
 - i. One (1) tot-lot (ages 2-5) play structure with resilient surface in fall zone

- j. One (1) playground (ages 5-12) play structure with resilient surface in fall zone
 - k. One (1) 20-foot diameter gazebo placed near activity amenities
 - l. Gravel from perimeter of park to walking trail and 5 feet on the inside of the walking trail
 - m. Sod strategically placed inside the trail loop
23. That the maximum number of dwelling units permitted within this portion of the development be 28; and
24. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development; and
25. That all conditions mentioned herein be satisfied prior to recording any final map; and
26. That this development be in compliance with the Single Family Development Standards and Design Guidelines; and
27. That noise attenuation measures be incorporated into the design and construction of each dwelling to reduce exterior-to-interior noise levels by 25 dB; and
28. That lot numbers, sizes (in square feet) and dimensions be provided on the revised preliminary development plan. The minimum lot size shall be 4,500 square feet with a minimum lot width of 45 feet; and
29. That prospective home owners shall sign a written notice declaring knowledge of the existence of R. C. Farms, wherein the housing development may be subject to odors created by the pig farm; and
30. That the following setbacks apply:
- a. Front: Fifteen (15) feet, provided all garages maintain a 20-foot front setback
 - b. Interior side; Five (5) feet
 - c. Corner side: Ten (10) feet
 - d. Rear yard; Fifteen (15) feet; and
31. That the perimeter walls be owned and maintained by the homeowners' association; and
32. That corner side yard landscaping be maintained by the homeowners' associations; and
33. That the developer disclosed to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated they would continue working with Staff on language for Condition 18 to be sure the park would be built.

Chairman Aston opened the Public Hearing.

Charles Dietl, 709 Majestic Sky Drive, North Las Vegas, stated he lived in Santa Rosa III and when he purchased his property, a park was planned in the area. He stated he still wanted the park to be built.

Chairman Aston closed the Public Hearing

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

29. **FDP-26-04 (18009) VENTANA @ SIERRA MONTANA: AN APPLICATION SUBMITTED BY BEAZER HOMES, ON BEHALF OF ROZEN ARTHUR TRUST ET AL, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 55 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF COMMERCE STREET AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-27-401-007.**

The applicant requested this item be continued to December 22, 2004.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

30. **ZN-122-04 (17983) GOWAN INDUSTRIAL (PUBLIC HEARING): AN APPLICATION SUBMITTED BY GOWAN INDUSTRIAL LLC AND ROBERT AND LEE VAUGHAN, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO AN M-2 GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF GOWAN ROAD AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-12-201-002, 139-12-201-004, 139-12-201-005, 139-12-201-006, AND 139-12-201-007.**

Planner Mary Aldava stated Staff recommended approval of this application with the following conditions.

1. That the development of this site be in compliance with all conditions of ZN-26-03 and T-991; and
2. That site plan approval is not implied or granted per this action. Changes will be required prior to this final development plan being in compliance with all applicable codes and ordinances.

David Ellertson, 103 East Charleston, Las Vegas, represented the applicant and asked for approval.

Chairman Aston opened the Public Hearing.

Montie L. Shields, 3632 Loyola Street, North Las Vegas, said he did not want commercial development. He believed the area should be residential.

Chairman Aston closed the Public Hearing.

Mr. Ellertson stated the application was a conforming application and asked for approval.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

31. **AMP-103-04 (18012) ANN & ALLEN (PUBLIC HEARING): AN APPLICATION SUBMITTED BY KENNEDY COMMERCIAL, ON BEHALF OF ALIANTE COMMONS LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO MHDR MEDIUM-HIGH DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 370 FEET NORTH OF ANN ROAD AND APPROXIMATELY 150 FEET EAST OF WILLIS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-30-802-018.**

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and stated they would like this item continued to January 12, 2005.

Chairman Aston opened the Public Hearing.

Leo Schwarz, 2913 Appencreek Avenue, North Las Vegas, stated he would hold his comments until the item was heard.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

32. **AMP-105-04 (18015) ANN & ALLEN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KENNEDY COMMERCIAL, ON BEHALF OF ALIANTE COMMONS LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF OFFICE TO MHDR MEDIUM-HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED EAST OF WILLIS STREET AND APPROXIMATELY 370 FEET NORTH OF ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-30-802-018.**

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and stated he would like this item continued until January 12, 2005.

Chairman Aston opened the Public Hearing.

Leo Schwarz, 2913 Appencreek Avenue, North Las Vegas, stated he would hold his comments until the item was heard.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

33. **AMP-104-04 (18014) ANN & ALLEN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KENNEDY COMMERCIAL, ON BEHALF OF ALIANTE COMMONS LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF OFFICE TO COMMUNITY COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND WILLIS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-30-802-018.**

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and stated he would like this item continued until January 12, 2005.

Chairman Aston opened the Public Hearing.

Leo Schwarz, 2913 Appencreek Avenue, North Las Vegas, stated he would hold his comments until the item was heard.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

34. **UN-164-04 (18016) ANN & ALLEN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KENNEDY COMMERCIAL, ON BEHALF OF ALIANTE COMMONS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A RESTAURANT (SUPPER CLUB). THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-802-018.**

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and stated he would like this item continued until January 12, 2005.

Chairman Aston opened the Public Hearing.

Leo Schwarz, 2913 Appencreek Avenue, North Las Vegas, stated he would hold his comments until the item was heard.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

35. UN-153-04 (17723) CHEYENNE MARKETPLACE/CASHBOX (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CASHBOX ON BEHALF OF CHEYENNE MARKETPLACE LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A FINANCIAL INSTITUTION (PAYDAY LOAN). THE PROPERTY IS LOCATED AT 1370 WEST CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-09-801-008.

Planner Robert Eastman stated this site was part of a larger commercial development. The application was for a payday loan institution. The application complied with the requirements for a special use permit and because of that, Staff recommended approval. Staff had concerns, however, about whether this use was necessary for the neighborhood.

Phil Zobrist, 2870 Quartz Canyon, Henderson, represented the applicant and stated there was not another financial institution nearby. He agreed with Staff's recommendations with the exception of Condition No. 4, the traffic study.

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

Chairman Aston closed the Public Hearing.

Vice Chairman Cato stated she did not want to see businesses of this type in her community. She encouraged businesses to locate in North Las Vegas but she would not support a payday loan application.

Mr. Zobrist stated there was a need for this type of business. Additionally, he believed it assisted the shopping center.

ACTION: DENIED

MOTION: Vice Chairman Cato

SECOND: Commissioner Trivedi

AYES: Chairman Aston, Vice Chairman Cato, and Commissioner Trivedi

NAYS: Commissioners Shull and Leavitt

ABSTAIN: None

36. **UN-152-04 (17726) C&W ENTERPRISES, INC (PUBLIC HEARING): AN APPLICATION SUBMITTED BY C & W ENTERPRISES, INC., ON BEHALF OF NEVSUR, INC., PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW OUTDOOR MANUFACTURING (ROCK CRUSHING) AND A TEMPORARY MODULAR BUILDING. THE PROPERTY IS LOCATED APPROXIMATELY 225' SOUTH OF GOWAN ROAD AND EAST OF LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-702-002 AND 139-11-702-003.**

The applicant requested this item be continued to December 22, 2004.

Chairman Aston opened the Public Hearing and stated it would remain open until this item was heard in its entirety.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Vice Chairman Cato

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

37. UN-160-04 (17702) RETAIL FOOD COURT (PUBLIC HEARING): AN APPLICATION SUBMITTED BY ERNEST BECKER V ON BEHALF OF DESERT HOLDINGS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW CONVENIENCE FOOD RESTAURANTS AND RETAIL STORES. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-17-510-002.

Planner Mary Aldava stated the applicant had asked for a waiver of the Commercial Design Standards which required the buildings to be located at the minimum front setback. The remainder of the site was in compliance with the Commercial Design Standards and Staff recommended approval of this application with the following conditions:

1. That the special use permit is site specific and non-transferable; and
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
3. That any expansions to the proposed use shall be subject to Planning Commission review and approval; and
4. That the uses permitted at this location shall be limited to those listed in Section 17.20.100.B, Neighborhood Commercial District, unless otherwise specified herein; and
5. That a maximum 4,383 square feet of the building and 300 square feet of outdoor serving area can be used as convenience food restaurant(s); and
6. That the building not exceed 8,790 total square feet; and
7. That one drive-through service window be permitted; and
8. That the development of this site generally conform to the submitted site plan and elevation drawings; and
9. That a minimum of 84 parking stalls be provided in conjunction with the development of this site; and
10. That a physical barrier in the form of boulders, tack-down curbing, boulders, logs or another approved method to prohibit vehicles from driving on an unpaved surface be identified on the construction drawings; and
11. That all signage be in compliance with the requirements set forth in the Zoning Ordinance for commercial developments with the following exception: the signs shall be designed to match those of the existing industrial park; and
12. That the landscaping along the Cheyenne Avenue right-of-way between the eastern property line of the subject site and the convenience store with gas pumps to the west shall be installed in conjunction with this development; and
13. The applicant shall submit a traffic study update for review and approval; and

14. The 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.
15. All Nevada Power Company easements and poles must be shown. The poles shall be fully located within the landscape area and if the relocation of any poles is required, it will be at the expense of the developer; and
16. The property owner is required to sign a restrictive covenant for utilities; and
17. Approval of a drainage study is required prior to submittal of the civil improvement plans; and
18. 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; and
19. All known 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.

Ernie Becker, 50 South Jones Boulevard, Las Vegas, represented the applicant and agreed with Staff's recommendations and asked for approval.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

38. **UN-156-04 (17756) CASTLEBERRY & I-15 (PUBLIC HEARING): AN APPLICATION SUBMITTED BY LAS VEGAS BILLBOARDS ON BEHALF OF GARY AND SAUNDRA JOHNSON, ET AL, PROPERTY OWNERS, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN OFF-PREMISE SIGN (BILLBOARD). THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF I-15 AND CASTLEBERRY LANE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-501-003.**

The applicant requested this item be continued indefinitely.

Chairman Aston opened the Public Hearing and stated it would remain open until the item was heard in its entirety.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- 39. VN-30-04 (17758) CASTLEBERRY & I-15 (PUBLIC HEARING): AN APPLICATION SUBMITTED BY LAS VEGAS BILLBOARDS ON BEHALF OF GARY AND SAUNDRA JOHNSON, ET AL, PROPERTY OWNERS, FOR A VARIANCE IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A 130-FOOT SETBACK FROM A RESIDENTIAL ZONE WHERE 300 FEET IS REQUIRED FOR AN OFF-PREMISE SIGN (BILLBOARD). THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF I-15 AND CASTLEBERRY LANE. THE ASSESSOR'S PARCEL NUMBER IS 123-28-501-003.**

The applicant requested this item be continued indefinitely.

Chairman Aston opened the Public Hearing and stated it would remain open until the item was heard in its entirety.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

40. UN-59-03 (17997) JV PROPERTIES, LLC (PUBLIC HEARING): AN APPLICATION SUBMITTED BY JV PROPERTIES, LLC, PROPERTY OWNER, TO AMEND A CONDITION OF A PREVIOUSLY APPROVED USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN OFF PREMISE SIGN (BILLBOARD). THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CLARK COUNTY ROAD 215 AND MILITARY ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-28-101-006.

Planner Mary Aldava stated City Council approved a Use Permit to allow an off-premise sign on May 19, 2004, subject to seven conditions. Condition No. 5 read paved access would be provided to the base of the pole. The applicant requested Condition No. 5 be amended to require paved access to the property and not to the off-premise sign. If the Planning Commission approved this application, Public Works provided language to amend Condition No. 5.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated they concurred with Staff's amended language.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS WITH CONDITION NO. 5 AMENDED TO READ AS FOLLOWS:

THE APPLICANT SHALL PROVIDE PAVED ACCESS TO THE SITE WITHIN PUBLIC RIGHT-OF-WAY PER CLARK COUNTY AREA UNIFORM STANDARD DRAWINGS FOR PUBLIC WORKS' CONSTRUCTION-OFF-SITE IMPROVEMENTS, DRAWING NUMBER 209, OR AS OTHERWISE REQUIRED BY THE DIRECTOR OF PUBLIC WORKS. ADDITIONALLY, AN ON-SITE SERVICE ACCESS DRIVE FROM A PUBLIC ROADWAY MUST BE PROVIDED THAT SATISFIES THE CLARK COUNTY DEPARTMENT OF AIR QUALITY AND ENVIRONMENTAL MANAGEMENT RULES AND REGULATIONS.

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

41. **UN-60-03 (17995) FLF 98, LLC (PUBLIC HEARING): AN APPLICATION SUBMITTED BY FLF 98, LLC, PROPERTY OWNER, TO AMEND A CONDITION OF A PREVIOUSLY APPROVED USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN OFF PREMISE SIGN (BILLBOARD). THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND RANGE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-28-101-008.**

Planner Mary Aldava stated City Council approved a Use Permit to allow an off-premise sign on May 19, 2004, subject to seven conditions. Condition No. 5 read paved access would be provided to the base of the pole. The applicant requested Condition No. 5 be amended to required paved access to the property and not to the off-premise sign. If the Planning Commission approved this application, Public Works provided language to amend Condition No. 5.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated they concurred with Staff's amended language.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS WITH CONDITION NO. 5 AMENDED TO READ AS FOLLOWS:

THE APPLICANT SHALL PROVIDE PAVED ACCESS TO THE SITE WITHIN PUBLIC RIGHT-OF-WAY PER CLARK COUNTY AREA UNIFORM STANDARD DRAWINGS FOR PUBLIC WORKS' CONSTRUCTION-OFF-SITE IMPROVEMENTS, DRAWING NUMBER 209, OR AS OTHERWISE REQUIRED BY THE DIRECTOR OF PUBLIC WORKS. ADDITIONALLY, AN ON-SITE SERVICE ACCESS DRIVE FROM A PUBLIC ROADWAY MUST BE PROVIDED THAT SATISFIES THE CLARK COUNTY DEPARTMENT OF AIR QUALITY AND ENVIRONMENTAL MANAGEMENT RULES AND REGULATIONS.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

42. **UN-154-04 (17990) TAVERN (PUBLIC HEARING): AN APPLICATION SUBMITTED BY LAND TECH PROPERTIES, ON BEHALF OF AV NEVADA 2, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-26-501-006.**

The applicant requested this item be continued to December 22, 2004.

Chairman Aston opened the Public Hearing and stated it would remain open until the item was heard in its entirety.

Harvey Ferber, 1504 Lazy Hill Ranch Way, North Las Vegas, stated he had concerns about the number of taverns in this area. Mr. Ferber stated he wanted his comments carried forward to Item No. 43.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Vice Chairman Cato

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

NAYS: None

ABSTAIN: None

43. **UN-86-01 (18017) CENTENNIAL MARKET PLACE (PUBLIC HEARING): AN APPLICATION SUBMITTED BY MARK LEFKOWITZ ON BEHALF OF THE LOSEE CENTER B, LLC AND SAINT MARK'S PLACE LLC, PROPERTY OWNERS, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHEAST CORNER OF LOSEE ROAD AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-24-401-001 AND 124-24-401-002.**

Planner Robert Eastman stated this was a Use Permit application for a tavern which was originally approved November 28, 2001 and the applicant was asking for their sixth extension of time. Staff recommended approval of the extension of time subject to 16 conditions.

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and asked for Planning Commission's approval

Chairman Aston opened the Public Hearing.

Tyrone Douglas, 6513 Kenya Springs Street, North Las Vegas, stated he was concerned with the number of taverns being approved in the area. He had concerns about his property values and the safety of his children.

Chairman Aston closed the Public Hearing.

Mr. Garcia said the application was approved before the residences were built. He said the residents would have been aware of the application when they purchased their homes.

Commissioner Shull moved to approve the application and Commissioner Leavitt seconded. Four commissioners voted aye and one voted nay. Motion failed. The motion needed a 2/3 majority to be approved.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

44. UN-161-04 (17993) GOLDFIELD & ROME ES, PRO. 1491 (PUBLIC HEARING): AN APPLICATION SUBMITTED BY CLARK COUNTY SCHOOL DISTRICT, PROPERTY OWNER, FOR A USE PERMIT IN A PSP PUBLIC/SEMI-PUBLIC DISTRICT TO ALLOW AN ELEMENTARY SCHOOL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF GOLDFIELD STREET AND ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-22-701-001.

Planner Robert Eastman stated Staff recommended approval of this application with the following conditions:

1. Approval of a traffic study is required prior to submittal of the civil improvement plans. Concurrence from the Nevada Department of Transportation and City of Las Vegas is required.
2. The easternmost driveway on Rome Boulevard shall align with the existing Alice Falls Drive.
3. The 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.
4. The applicant must submit and process applications to the BLM for the easements needed to construct:
 - a. Goldfield Street - 30 feet
 - b. Rome Boulevard - 30 feet
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 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.
8. All known 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.
9. Unless expressly authorized through a variance, waiver, or another approved method, the development shall comply with all applicable codes and ordinances.
10. That the development of this site shall be in compliance with all codes and ordinances in effect at the time of building permit issuance. If there is a conflict with the conditions mentioned herein, the more restrictive shall apply.
11. The installation of sprinklers for fire suppression is required for every building in excess of 5,000 square feet.

Carol Bailey, Clark County School District, 4212 Eucalyptus, Las Vegas, stated they accepted Staff's conditions with the exception of Condition No. 2 on the location of the driveways.

Robin Caulfield, 10150 Covington Cross Drive, Las Vegas, the architect, stated they would like to work with Staff on the location of the driveways.

Planner Eastman said there were potential conflicts with left turns on Rome Boulevard. He said Condition 2 could be amended to add "or as approved by the Director of Public Works".

Chairman Aston opened the Public Hearing.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS WITH CONDITION NO. 2 AMENDED TO READ AS FOLLOWS:

THE EASTERN MOST DRIVEWAY ON ROME BOULEVARD SHALL ALIGN WITH THE EXISTING ALICE FALLS DRIVE OR AS APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

45. ZOA-15-04 (17981) CHURCH (PUBLIC HEARING): AN ORDINANCE AMENDMENT INITIATED BY DEAN SANNER OF DISCOVERY CHURCH TO AMEND TITLE 17 (ZONING ORDINANCE) SECTION 17.20.140(B) OF THE NORTH LAS VEGAS MUNICIPAL CODE TO ADD CHURCHES AS A PERMITTED USE IN AN M-2 GENERAL INDUSTRIAL DISTRICT, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Planner Mary Aldava stated the applicant asked to amend the zoning ordinance to allow churches as a permitted use in a General Industrial District. The purpose of the Industrial District designation was to provide for uses that produced noise or emissions and were not compatible with other land use districts. Staff believed the church was incompatible with the other uses in an industrial district and there was ample commercial space available for rent. Staff recommended the zoning ordinance be denied.

Dean Sanner, 6329 Lawrence Street, North Las Vegas, stated he disagreed with Staff's recommendation. Mr. Sanner stated he had called about various properties and no rental space was available. Most of the landlords stated there was a liquor licensee too close to the location and they were unable to rent to a church. He stated the cities of Henderson and Las Vegas allowed churches in M-2 zoning areas and he believed it was a proper use. He asked for Planning Commission approval of this application.

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

Chairman Aston closed the Public Hearing.

Commissioner Leavitt asked the applicant why he had decided to apply for a zone change and Mr. Sanner stated he had been advised it was the only way a church would be allowed in that district.

Senior Deputy City Attorney Jim Lewis explained the landlords may have mislead Mr. Sanner. He believed that while a tavern could not be built near a church, a church could decide to build near a tavern. He encouraged the applicant to talk to the landlords in the area again.

ACTION: DENIED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

46. **FDP-24-04 (17775) CENTENNIAL/ NOVAK: AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, ON BEHALF OF MICHAEL ANGELO, LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 107 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED ON THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND NOVAK STREET. THE ASSESSOR'S PARCEL NUMBER IS 123-29-101-005.**

Planner Manager Marc Jordan stated this application was consistent with the preliminary development plan, but Staff had a couple of minor concerns. The park showed synthetic lawn and that was not allowed. The applicant would have to build meandering sidewalks. The applicant had only shown one model and needed to have three models for this size of development. Staff believed the changes were minor and recommended approval of this application.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated they agreed with Staff's recommendation and asked for approval.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

47. SPR-58-04 (17733) WAIVER OF DESIGN STANDARDS: AN APPLICATION SUBMITTED BY WILLIAM T. AND NIKKI ASHMORE, PROPERTY OWNERS, FOR A SITE PLAN REVIEW IN AN R-E RANCH ESTATES DISTRICT TO BUILD A 1200 SF METAL ACCESSORY STRUCTURE. THE PROPERTY IS LOCATED AT 4428 THICKET AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-06-214-030.

Planner Mary Aldava stated the applicant asked for a waiver of the requirement for detached garages to be architecturally compatible with the main house. The accessory building was metal. Staff does not object to the metal building as Title 17 allowed the use, bddid not support the waiver request because the intent of the single-family design standards was to promote improved design and enhanced compatibility. Staff recommended denial. If Planning Commission determined approval was warranted, Staff recommended the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development shall comply with the Single-Family Design Standards, including, but not limited to providing a textured coating on all sides of the accessory building and a roofing material similar to that of the main building, subject to staff review and approval.
3. Approval of this application is subject to the use of the existing driveway. Contact Clete Kus at 633-1235 for questions or clarification.

Nikki Ashmore, 4428 Thicket Avenue, North Las Vegas, stated they had checked with the Planning Department to see if this building would be acceptable and were told it was allowed. They preferred not to put asphalt shingles on the building as it added to the cost of the building.

William Ashmore, 4428 Thicket Avenue, North Las Vegas stated he was not sure if asphalt shingles could be placed on this building. He had talked to his neighbors and they did not have a problem with the building without the shingles.

Senior Deputy City Attorney Jim Lewis stated if the application was approved as recommended, the applicant would be required to place roofing material on the building. If Planning Commission wanted to allow Staff to approve a metal roof, the wording in Condition No. 2 would need to be changed to delete "and a roofing material similar to that of the main building". Staff would still be able to review and approve the building.

Commissioner Shull moved to approve the application subject to Staff's unamended conditions. Chairman Aston seconded the motion. The motion failed.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS WITH CONDITION NO. 2 AMENDED TO READ AS FOLLOWS:

THAT THE DEVELOPMENT SHALL COMPLY WITH THE SINGLE-FAMILY DESIGN STANDARDS, INCLUDING, BUT NOT LIMITED TO, PROVIDING A TEXTURED COATING ON ALL SIDES OF THE ACCESSORY BUILDING, SUBJECT TO STAFF REVIEW AND APPROVAL.

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

48. **SPR-59-04 (17734) CITY CENTRE PLAZA: AN APPLICATION SUBMITTED BY CITY CENTRE PLAZA LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-A/OFF REDEVELOPMENT AREA OFFICE SUBDISTRICT TO CONSTRUCT A PARKING LOT, WITH WAIVERS OF BOTH THE 20-FOOT LANDSCAPE BUFFER FROM THE PROPERTY LINE AND OF LANDSCAPED ISLANDS WITHIN THE PARKING LOT. THE PROPERTY IS LOCATED ON THE SOUTHWEST CORNER OF MCDANIEL STREET AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-23-505-004.**

The applicant requested this application be continued until December 22, 2004.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

49. **SPR-60-04 (17736) DREYER'S OF LAS VEGAS: AN APPLICATION SUBMITTED BY GERALD GARAPICH ARCHITECTS LLC, ON BEHALF OF GENE SMYTH, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO REDUCE THE PERIMETER LANDSCAPE SETBACK TO 10 FEET WHERE 20 FEET IS REQUIRED AND TO ALLOW CHAINLINK FENCING. THE PROPERTY IS GENERALLY LOCATED ON THE WEST SIDE OF LOSEE ROAD, APPROXIMATELY 250 FEET SOUTH OF CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-14-101-007.**

Planner Mary Aldava stated the applicant requested a waiver of landscaping requirements from 20 feet to ten feet and allowance of chain link fencing. Staff stated the applicant had designed the parking spaces one foot longer than the minimum requirement and if those were minimum length, the applicant could provide another five feet of landscaping. Staff did not support the request for chain link fencing. Staff recommended approval of the application subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development shall comply with the Industrial Development Design Standards, except the parking lot which abuts Losee Road may be setback from the property line a minimum of 15 feet.
3. Fire access lanes shall be designed in accordance with Fire Code requirements.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Losee Road.
8. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawings* Numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
9. The property owner is required to grant a roadway easement for commercial driveway(s).

Richard Gallegos, 10 Commerce Center Drive, Las Vegas, represented the applicant and concurred with Staff's recommendations.

ACTION: APPROVED

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

50. **T-1142 (17753) CELEBRATE @ PROVANCE WEST: AN APPLICATION SUBMITTED BY CELEBRATE HOMES, ON BEHALF OF THE ROMAN CATHOLIC LAS VEGAS CHURCH, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED PUD PLANNED UNIT DEVELOPMENT) CONSISTING OF 60 MULTI-FAMILY TOWNHOUSE UNITS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF SIMMONS STREET AND THE GOWAN OUTFALL CHANNEL (RED COACH AVENUE ALIGNMENT). THE ASSESSOR'S PARCEL NUMBER IS 139-05-203-001.**

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and requested this item be continued to December 22, 2004.

Commissioner Shull stated he need to abstain from voting on this item. Chairman Aston disclosed the company he worked for was in negotiations with this applicant on a different piece of property. He did not believe it would affect his decision on this matter.

ACTION: CONTINUED TO DECEMBER 22, 2004

MOTION: Commissioner Leavitt

SECOND: Vice Chairman Cato

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

NAYS: None

ABSTAIN: Commissioner Shull

51. **FDP-25-04 (17994) WASHBURN CREEK: AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT, CONSISTING OF 101 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED ON THE SOUTHEAST CORNER OF WASHBURN ROAD AND FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-301-001, 124-35-301-002, 124-35-301-003, 124-35-301-004, 124-35-302-004, AND 124-35-302-005.**

Planner Mary Aldava stated the Final Development Plan was in conformance with the preliminary development plan. Staff recommended approval subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the commercial development shall comply with all conditions of approval for ZN-41-03 and T-1035.
3. That the installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
4. Fire access lanes shall be designed, installed, and maintained in accordance with Fire Code requirements.
5. The property owner is required to grant a pedestrian access easement for sidewalk within any common element; and
6. A revocable encroachment permit for landscaping within the public right-of-way is required.
7. The following amenities are to be provided:
 - a. Circuitous lighted paths
 - b. A minimum of twenty 24-inch box trees per acre
 - c. At least two differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada.
 - d. At least one large open space area for group/organized play
 - e. One large group shade area/gazebo (30' diameter), lighted
 - f. Picnic tables and barbecue grills
 - g. Benches spaced along park pathways
 - h. Details of amenities to be provided
 - i. Open space amenities are to be ADA accessible

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated they concurred with Staff's recommendations.

ACTION: APPROVED

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

52. FDP-27-04 (17998) HAMMER PECOS: AN APPLICATION SUBMITTED BY KB HOMES, ON BEHALF OF NORTH PECOS PARTNERS, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 53 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED ON THE SOUTHEAST CORNER OF HAMMER LANE AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-31-201-002 AND 123-31-201-003.

Planner Mary Aldava stated the application was in conformance with the exception of building elevations which did not show all dwellings would be provided with architectural embellishment on windows and doors. Staff recommended approval subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development comply with all conditions of approval of ZN-29-04 and T-1102.
3. A minimum of two (2) means of Fire Department access are required in accordance with Fire Code requirements and this will require removal of some proposed landscaping.
4. The following amenities are to be provided:
 - a. Circuitous lighted paths
 - b. A minimum of twenty 24-inch box trees per acre
 - c. Two differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and two accompanying shade ramadas.
 - d. One large open space area for group/organized play
 - e. One large group shade area/gazebo (30' diameter), lighted
 - f. Picnic tables and barbecue grills
 - g. Benches spaced along park pathways
 - h. Doggy station
 - i. Details of amenities to be provided

Mark DeWillis, 6360 West Ann Road, Las Vegas, represented the applicant and concurred with all of Staff's recommendations.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

53. T-1131 (16682) ANN-LOSEE: AN APPLICATION SUBMITTED BY PARDEE HOMES OF NEVADA, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 532 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF LOSEE ROAD AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-602-002, 124-35-602-003, 124-35-602-004, 124-35-501-014, 124-35-501-016, 124-26-802-004, AND 124-26-802-008.

Planner Mary Aldava stated this item had been continued indefinitely from the September 8th Planning Commission meeting. Staff had worked with the applicant and recommended approval with the following conditions:

1. The development shall comply with all conditions of approval listed in Ordinance No. 2039 and ZN-98-04.
2. All Nevada Power Company easements and poles must be shown and shall be fully located within the landscape area. If any poles need to be relocated, it will be at the expense of the developer.
3. An acceptable phasing plan shall be submitted to the Department of Public Works prior to submittal of the civil improvement plans.
4. Lots 69 and 70 of Village 3 shall be revised to comply with the City of North Las Vegas Municipal Code Section 16.20.02.B which states: "The side lines of lots shall be approximately at right angles to the street upon which the lot faces, or approximately radial if the street is curved."
5. Remove the lot lines from Common Element "B" of Village 4.
6. Approval of this Tentative Map shall not be construed to be approval of any retaining walls shown. Review of any proposed retaining wall heights will commence upon the review of the drainage study and civil improvement plans.
7. The street section thickness shown on the typical sections shall be used for planning purposes only. The actual pavement sections will be determined by the Department of Public Works.
8. The modified stub street, which features a minimum back of curb radius of 24 feet, is limited to a maximum length of 150 feet and a maximum lot frontage of four. Any cul-de-sac exceeding these standards shall provide a standard cul-de-sac design.
9. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in *Clark County Area Uniform Standard Drawings* No. 210. The use of roll curb will require an additional one foot of right-of-way.
10. All residential driveway geometrics, except the cluster development, shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing No. 222. Compliance may require modifications to the current layout.

11. The southernmost access on Losee Road shall align with the existing Shadow Creek entrance.
12. That prospective home owners shall sign a written notice declaring knowledge of the existence of R. C. Farms, wherein the housing development may be subject to odors created by the pig farm.
13. All known geologic hazards shall be shown on the preliminary development plan, tentative map and civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvements plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest faults and/or fissure.
14. The size and location of any drainage facilities and/or easements shown are contingent upon review and approval of a Technical Drainage Study.
15. Approval of a drainage study is required prior to submittal 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. The property owner is required to grant roadway easements where public and private streets intersect.
18. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
19. A revocable encroachment permit for landscaping within the public right-of-way is required.
20. All common elements shall be labeled and are to be maintained by the Homeowners' Association.
21. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards and must be approved by the City of Las Vegas Central Fire Alarm Office. If a conformed tentative map is required, the approved street names shall be shown on the map prior to final signatures.
22. Approval of a traffic study is required prior to submittal of the civil improvement plans.
23. A queuing analysis is required as part of the traffic study if access controls are proposed to be employed.
24. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road, Losee Road, and Washburn Road.
25. Entry 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.

26. The developer is responsible for the acquisition of public utility easements needed for any off-site utilities.
27. Streets in excess of five hundred (500) feet shall conform to the minimum curvilinear street requirements as outlined in North Las Vegas Municipal Code Section 16.20.050.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated they concurred with Staff's recommendations.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

54. T-1143 (17984) MARCELLO AIRPORT CENTER: AN APPLICATION SUBMITTED BY MARTIN AND MARTIN, ON BEHALF OF MARCELLO AIRPORT CENTER, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-2 GENERAL COMMERCIAL DISTRICT CONSISTING OF 1 COMMERCIAL LOT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CAREY AVENUE AND RANCHO DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-18-404-005.

Planning Manager Marc Jordan stated the application was in general compliance with the zoning ordinance. Staff had not reviewed the site plan. Staff recommended approval of this application with 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. Approval of a traffic study is required prior to submittal of the civil improvement plans. Concurrence from the Nevada Department of Transportation and City of Las Vegas is required.
3. The 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.
4. Right-of-way dedication for a CAT bus turn-out is required on Rancho Drive near Carey Avenue per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1
5. Right-of-way dedication of a flared intersection is required at Rancho Drive and Carey Avenue per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Numbers 201.1 and 245.1.
6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along the project's Rancho Drive and Carey Avenue frontages if not already existing.
7. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
8. A revocable encroachment permit for landscaping within the public right-of-way is required.
9. All Nevada power Company easements and poles must be shown and shall be fully located within the landscape area. If any poles need to be relocated, it will be at the expense of the developer.
10. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawings* Numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
11. The property owner is required to grant a roadway easement for commercial driveway(s).

12. The property owner is required to sign a restrictive covenant for utilities.
13. Approval of a drainage study is required prior to submittal of the civil improvement plans.
14. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
15. City of Las Vegas concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
16. 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.
17. Approval of the site plan is not implied with the tentative map approval.

John Wakenhut, 2101 South Jones Boulevard, Las Vegas represented the applicant and agreed with Staff's recommendations.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

OLD BUSINESS

55. **VAC-31-04 (16894) ENGLE AVENUE (PUBLIC HEARING): AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT CORPORATION ON BEHALF OF MARLIDA, INC., PROPERTY OWNER, TO VACATE THE NORTHERLY 30-FOOT HALF-STREET RIGHT-OF-WAY OF ENGLE AVENUE COMMENCING APPROXIMATELY 160 FEET EAST OF LOSEE ROAD AND PROCEEDING EAST APPROXIMATELY 469 FEET. THE ASSESSOR'S PARCEL NUMBER IS 124-24-301-001.**

Chairman Aston stated because this was the third continuance on the application, the applicant needed to provide a reason for the continuance.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated they were working with the fire department on some issues involving the vacation and the site plan review would be considered once those issues were resolved. She stated they were very close to resolving the issues. She asked that the item be continued until January 12, 2005.

Chairman Aston opened the Public Hearing and stated it would remain open until heard in its entirety.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

56. **SPR-45-04 (16893) DEER SPRINGS & LOSEE: AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT CORPORATION, ON BEHALF OF MARLIDA, INC., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A MULTI-FAMILY DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LOSEE ROAD AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-24-301-001 AND 124-24-301-002.**

Chairman Aston stated because this was the third continuance on the application, the applicant needed to provide a reason for the continuance.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated they were working with the fire department on issues involving the vacation and the site plan review would be considered once those issues were resolved. She stated they were very close to resolving the issues. She asked that the item be continued until January 12, 2005.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

57. **ZOA-12-04 (16902) ELIMINATION OF FWD REQUIREMENTS (PUBLIC HEARING): AN ORDINANCE AMENDMENT INITIATED BY ORION ENGINEERING AND SURVEYING, INC., TO AMEND TITLE 17 (ZONING ORDINANCE) OF THE NORTH LAS VEGAS MUNICIPAL CODE TO ELIMINATE THE REQUIREMENT FOR FENCE/WALL DEVIATIONS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The applicant requested this item be continued until January 12, 2005.

Chairman Aston opened the Public Hearing and stated it would remain open until heard in its entirety.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

58. UN-136-04 (16980) ANDRE'S SERENITY MORTUARY (PUBLIC HEARING): AN APPLICATION SUBMITTED BY ANDRE L. CROCKETT ON BEHALF OF SALVADOR AND IVY ALBANA, PROPERTY OWNERS, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A MORTUARY AND CREMATORY. THE PROPERTY IS LOCATED AT 3752 CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-12-202-008.

Planner Robert Eastman stated this item was continued from the October 13th Planning Commission meeting because of the parking requirements. Staff recommended approval 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. The proposed mortuary shall comply with Floor Plan "B" as submitted.

Andre Crockett, 2717 Mardi Gras Lane, North Las Vegas, said he agreed with Staff's recommendations.

Chairman Aston opened the Public Hearing.

Gene Lewis, 3748 Civic Center Drive, North Las Vegas, asked that the project be reviewed in six months to be sure the recommended plan was followed. He had concerns about parking.

Chairman Aston closed the Public Hearing.

Commissioner Shull confirmed that an amendment to review the site in six months could be added to the conditions. Senior Deputy City Attorney Jim Lewis stated that at the review, findings would be made and a recommendation forwarded to City Council to review the Special Use Permit.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS WITH THE ADDITION OF CONDITION NO. 3 TO READ AS FOLLOWS:

APPLICANT TO RETURN WITHIN SIX MONTHS TO SHOW COMPLIANCE WITH CONDITIONS OF APPROVAL.

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

59. **SPR-36-04 (17254) CENTENNIAL CROSSING TOWNHOMES: AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT AND C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED R-3 MULTI-FAMILY RESIDENTIAL DISTRICT) FOR A 116 UNIT, TWO-STORY TOWNHOME DEVELOPMENT. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 302 FEET WEST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-002.**

Chairman Aston disclosed the company he worked for was in the process of buying a piece of property unrelated to this property, but believed it would not affect his ability to make a decision on this application.

The applicant requested this application be continued indefinitely.

ACTION: CONTINUED INDEFINITELY

MOTION: Commission Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

60. **SPR-52-04 (17257) SWC CENTENNIAL SIMMONS: AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT AND AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED C-1) TO ALLOW BUILDINGS TO BE LOCATED TOWARDS THE REAR OF THE PROPERTY WHERE BUILDINGS ARE REQUIRED TO BE ORIENTED TOWARDS THE STREET FRONT AND TO ALLOW A 10-FOOT LANDSCAPE BUFFER ADJACENT TO RESIDENTIAL PROPERTIES WHERE 20 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-002.**

Chairman Aston disclosed the company he worked for was in the process of buying a piece of property unrelated to this property, but believed it would not affect his ability to make a decision on this application.

The applicant requested this application be continued indefinitely.

ACTION: CONTINUED INDEFINITELY

MOTION: Commission Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

61. VAC-37-04 (17459) LAUREL CANYON (PUBLIC HEARING): AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, PROPERTY OWNER, TO VACATE ANN ROAD COMMENCING AT WALNUT ROAD AND PROCEEDING EAST APPROXIMATELY 1325 FEET. THE ASSESSOR'S PARCEL NUMBER IS 123-31-501-001.

Planner Robert Eastman stated Staff recommended approval with the following conditions:

1. The vacation must record concurrently with the final map. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.
2. The vacation shall be amended to provide a forty-eight (48) foot public street, cul-de-sac and any associated spandrels.
3. An easement shall be granted to allow access to the flood control channel for maintenance.
4. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated they concurred with Staff's recommendations.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

62. FDP-13-04 (16188) LAUREL CANYON: AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 422 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF PECOS ROAD AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-31-501-001, 123-31-203-001, 123-31-203-002, 123-31-203-003, 123-31-203-004, 123-31-204-001, 123-31-204-002, 123-31-204-004 AND 123-31-202-001.

Planner Robert Eastman stated Staff recommended approval of the Final Development Plan subject to the following conditions:

1. That unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development shall comply with all conditions of approval for ZN-36-03 and T-1007.
3. The property owner is required to grant a pedestrian access easement for sidewalks within any common element or individual yards.
4. A revocable encroachment permit for landscaping within the public right of way is required.
5. The front yard setbacks for the individual homes shall be measured from the back of the sidewalk or the property line, whichever is greater.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated they agreed with Staff's recommendations.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

The was no participation.

DIRECTOR'S BUSINESS

Marc Jordan, Planning Manager stated the City Council would be conducting a workshop to discuss changes to Title 17 and Title 5 regarding taverns.

CHAIRMAN'S BUSINESS

No report given.

ADJOURNMENT

The meeting adjourned at 11:15 p.m.

APPROVED: JANUARY 12, 2005

/s/ Jay Aston
Chairman Jay Aston

ATTEST:

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