

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

December 22, 2004

Website - [http:// www.cityofnorthlasvegas.com](http://www.cityofnorthlasvegas.com)

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

**CALL TO ORDER:** 7:02 pm., Council Chambers, North Las Vegas City Hall,  
2200 Civic Center Drive

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

**STAFF PRESENT:** Jory Stewart, Planning and Development Director  
Marc Jordan, Planning Manager  
Robert Eastman, Principal Planner  
Ned Thomas, Planner  
James Lewis, Sr. Deputy City Attorney  
Nicholas Vaskov, Deputy City Attorney  
Randy Cagle, Real Property Manager  
Clete Kus, Transportation Planner  
Jimmy Johnson, Assistant Fire Chief  
Tony Taylor, Parks Planner

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

**PLEDGE OF ALLEGIANCE:** Commissioner Dilip Trivedi

**MINUTES**

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF SEPTEMBER 22, 2004.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: Commissioner Carvalho

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF OCTOBER 13, 2004.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: Commissioner Carvalho

**CONSENT AGENDA**

A. **PW-214-04 (18530) NORTHSTAR ESTATES, UNIT 5. APPROVE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY BEAZER HOMES HOLDINGS CORP AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$555,126.37.**

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**B. PW-215-04 (18531) NORTHPORT BUSINESS CENTER, PHASE IV. ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$64,000.**

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**C. PW-216-04 (18535) MANHEIM AUCTIONS 8" WATERLINE. ACCEPT THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY THE GREATER NEVADA AUTO AUCTIONS, INC. AND ACCEPT THE IRREVOCABLE STANDBY LETTER OF CREDIT IN THE AMOUNT OF \$59,638.70.**

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**D. PW-217-04 (18536) CHEYENNE VALLEY UNIT 2. ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$501,847.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: Commissioner Shull

- E. PW-218-04 (18537) MANHEIM AUCTIONS 24" WATERLINE. ACCEPT THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY GREATER NEVADA AUTO AUCTIONS, INC. AND ACCEPT THE IRREVOCABLE STANDBY LETTER OF CREDIT IN THE AMOUNT OF \$2,456,182.85.**

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

- F. PW-219-04 (18539) SIMMONS COMMERCIAL. ACCEPT THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENTS BY KIDS CAMPUS, LLC AND SILVERLEAF BUSINESS PARK, LLC AND ACCEPT THE SUBDIVISION BONDS IN THE AMOUNT OF \$66,686.97 AND \$60,625.70.**

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**NEW BUSINESS**

1. **AMP-107-04 (18165) CENTENNIAL ESTATES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY R.L. HOMES, LLC, ON BEHALF OF DARK, 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 NORTHWEST CORNER OF DONNA STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-23-401-002.**

**Robert Gronauer of Kummer, Kaempfer Bonner and Renshaw 3800 Howard Hughes Pkwy, 7th Floor, Las Vegas, NV 89109** appeared on behalf of the applicant requesting a continuance due to Staff concerns regarding the PUD application and the tentative map. They would like additional time to make necessary changes and it would also give them the opportunity to meet with neighbors to discuss the proposed project.

Chairman Jay Aston opened the Public Hearing. The following applicants agreed to hold their comments until the item was heard in its entirety:

- **Justin Kelly, 1017 Malibu Sands Avenue, North Las Vegas, NV 89081**
- **David Oglesbee - (no address listed)**

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

ACTION: CONTINUED TO JANUARY 25, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

2. **ZN-124-04 (18168) CENTENNIAL ESTATES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY R.L. HOMES, LLC ON BEHALF OF DARK, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A 164 UNIT CONDOMINIUM DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DONNA STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-23-401-002.**

**Robert Gronauer of Kummer, Kaempfer Bonner and Renshaw 3800 Howard Hughes Pkwy, 7th Floor, Las Vegas, NV 89109** appeared on behalf of the applicant requesting a continuance due to Staff concerns regarding the PUD application and the tentative map. They would like additional time to make necessary changes and it would also give them the opportunity to meet with neighbors to discuss the proposed project.

Chairman Jay Aston opened the Public Hearing. The following applicants agreed to hold their comments until the item was heard in its entirety:

- **Justin Kelly, 1017 Malibu Sands Avenue, North Las Vegas, NV 89081**
- **David Oglesbee - (no address listed)**

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

ACTION: CONTINUED TO JANUARY 25, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

3. **T-1144 (18167) CENTENNIAL ESTATES. AN APPLICATION SUBMITTED BY R.L. HOMES, LLC, ON BEHALF OF DARK, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED PUD PLANNED UNIT DEVELOPMENT) CONSISTING OF A 164 UNIT CONDOMINIUM DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF DONNA STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-23-401-002.**

**Robert Gronauer of Kummer, Kaempfer Bonner and Renshaw, 3800 Howard Hughes Pkwy, 7th Floor, Las Vegas, NV 89109** appeared on behalf of the applicant requesting a continuance due to Staff concerns regarding the PUD application and the tentative map. They would like additional time to make necessary changes and it would also give them the opportunity to meet with neighbors to discuss the proposed project.

Chairman Jay Aston opened the Public Hearing. The following applicants agreed to hold their comments until the item was heard in its entirety:

- **Justin Kelly, 1017 Malibu Sands Avenue, North Las Vegas, NV 89081**
- **David Oglesbee - (no address listed)**

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

ACTION: CONTINUED TO JANUARY 25, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

4. **AMP-108-04 (18251) CAMINO AL NORTE/RANCHO DEL NORTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CAMINO AL NORTE PROPERTIES, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF NEIGHBORHOOD COMMERCIAL TO MHDR MEDIUM-HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED EAST OF CAMINO AL NORTE APPROXIMATELY 110 FEET SOUTH OF RANCHO DEL NORTE DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-34-410-011.**

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

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 Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

5. **ZN-127-04 (18244) CAMINO AL NORTE/RANCHO DEL NORTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CAMINO AL NORTE PROPERTIES, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 146 TOWNHOMES. THE PROPERTY IS LOCATED EAST OF CAMINO AL NORTE APPROXIMATELY 110 FEET SOUTH OF RANCHO DEL NORTE DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-34-410-011.**

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

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 Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

6. **SPR-65-04 (18243) CAMINO AL NORTE/RANCHO DEL NORTE. AN APPLICATION SUBMITTED BY CAMINO AL NORTE PROPERTIES, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 146 TOWNHOMES. THE PROPERTY IS LOCATED EAST OF CAMINO AL NORTE APPROXIMATELY 110 FEET SOUTH OF RANCHO DEL NORTE DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-34-410-011.**

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

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 Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

7. **AMP-111-04 (18213) COMMERCE & GOWAN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CELEBRATE HOMES, ON BEHALF OF NEVSUR INSURANCE AGENCY, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LIGHT INDUSTRIAL TO MHDR MEDIUM-HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF GOWAN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-10-201-009.**

Commissioner Harry Shull stated he would be abstaining from the vote on this application.

Ned Thomas, Planner stated Staff was in support of the application and recommended approval of AMP-111-04.

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

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

- **George Rogers, 4625 S. Polaris, Las Vegas, NV 89103** spoke on behalf of the adjacent property owners, Republic Services, and Butch Hurst is a Republic Services employee. Mr. Rogers stated he did not believe residential use was a good transition to the industrial area to the south. He felt a commercial or office use would be more suitable as much of the industrial uses in the area were 24 hour businesses and asked the Commission to deny the application.
- **Butch Hurst, 333 West Gowan Road, North Las Vegas, NV 89030** appeared with George Rogers but made no comment.

Chairman Aston closed the Public Hearing.

Mr. Clapsaddle felt residential was appropriate since there were already apartments in the area. He stated every buyer of the homes would be informed there was 24 hour industrial uses around them and did not feel there would be any issues with the industrial in the area. He stated he concurred with Staff recommendations and asked for the Commission's approval. Mr. Clapsaddle stated between now and when the application goes to City Council for consideration, he would be happy to consult with Republic Services regarding

any issues they had with the project. He also stated there was a neighborhood meeting with only one person attending who expressed they approved of the project.

Chairman Jay Aston asked Staff if conditions of approval would be on the tentative map or site plan review. Planner Ned Thomas stated that was correct.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

8. **ZN-129-04 (18221) COMMERCE & GOWAN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CELEBRATE HOMES, ON BEHALF OF NEVSUR INSURANCE AGENCY, INC., PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF COMMERCE STREET AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-10-201-009.**

Commissioner Harry Shull stated he would be abstaining from the vote on this application.

Ned Thomas, Planner stated Staff was in support of the application and recommended approval.

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

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

- **George Rogers, 4625 S. Polaris, Las Vegas, NV 89103** spoke on behalf of the adjacent property owners, Republic Services, and Butch Hurst is a Republic Services employee. Mr. Rogers stated he did not believe residential use was a good transition to the industrial area to the south. He felt a commercial or office use would be more suitable as much of the industrial uses in the area were 24 hour businesses and asked the Commission to deny the application.
- **Butch Hurst, 333 West Gowan Road, North Las Vegas, NV 89030** appeared with George Rogers but made no comments.

Chairman Aston closed the Public Hearing.

Mr. Clapsaddle felt residential was appropriate since there were already apartments in the area. He stated every buyer of the homes would be informed there was 24 hour industrial uses around them and did not feel there would be any issues with the industrial in the area. He stated he concurred with Staff recommendations and asked for the Commission's approval. Mr. Clapsaddle stated between now and when the application goes to City Council for consideration, he would be happy to consult with Republic Services regarding

any issues they had with the project. He also stated there was a neighborhood meeting with only one person attending who expressed they approved of the project.

Chairman Jay Aston asked Staff if conditions of approval would be on the tentative map or site plan review. Planner Ned Thomas stated that was correct.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

9. **ZN-128-04 (18222) COMMERCE & GOWAN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CELEBRATE HOMES, ON BEHALF OF MM GROUP, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 400 FEET NORTH OF GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-10-201-010.**

Commissioner Harry Shull stated he would be abstaining from the vote on this application.

Ned Thomas, Planner stated Staff was in support of the application and recommended approval.

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

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

- **George Rogers, 4625 S. Polaris, Las Vegas, NV 89103** spoke on behalf of the adjacent property owners, Republic Services, and Butch Hurst is a Republic Services employee. Mr. Rogers stated he did not believe residential use was a good transition to the industrial area to the south. He felt a commercial or office use would be more suitable as much of the industrial uses in the area were 24 hour businesses and asked the Commission to deny the application.
- **Butch Hurst, 333 West Gowan Road, North Las Vegas, NV 89030** appeared with George Rogers but made no comments.

Chairman Aston closed the Public Hearing.

Mr. Clapsaddle felt residential was appropriate since there were already apartments in the area. He stated every buyer of the homes would be informed there was 24 hour industrial uses around them and did not feel there would be any issues with the industrial in the area. He stated he concurred with Staff recommendations and asked for the Commission's approval. Mr. Clapsaddle stated between now and when the application goes to City Council for consideration, he would be happy to consult with Republic Services regarding

any issues they had with the project. He also stated there was a neighborhood meeting with only one person attending who expressed they approved of the project.

Chairman Jay Aston asked Staff if conditions of approval would be on the tentative map or site plan review. Planner Ned Thomas stated that was correct.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

10. **AMP-112-04 (18238) RAVENHILL II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TOUSA HOMES, INC. ON BEHALF OF NEVSUR INSURANCE AGENCY, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF NEIGHBORHOOD COMMERCIAL TO MLDR MEDIUM-LOW DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHWEST CORNER OF CHEYENNE AVENUE AND MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-09-401-004.**

Planning Manager Marc Jordan presented AMP-112-04 on behalf of Staff who related based on the guidelines within the Comprehensive Plan, the proposed development would be consistent with the surrounding development and recommended approval.

**Keith Hatton, G.C. Wallace, 1555 South Rainbow Blvd, Las Vegas, NV 89146** appeared on behalf of the applicant, stating he concurred with Staff recommendations.

Commissioner Jay Aston opened the Public Hearing. There was no participation.

Commissioner Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

11. **ZN-131-04 (18235) RAVENHILL II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TOUSA HOMES, INC. ON BEHALF OF NEVSUR INSURANCE AGENCY, INC., PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT ©-1 NEIGHBORHOOD COMMERCIAL) TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 111 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF CHEYENNE AVENUE AND SCOTT ROBINSON BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-09-401-004.**

Planning Manager Marc Jordan stated Staff had the following concerns with the application: there was no secondary means of access for the Fire Department, approximately three streets do not contain the curvilinear street requirement, the sidewalk next to Martin Luther King Boulevard needs to be separated from the back of curb by five feet and needs to be meandering, there are some corner lots that do not appear to contain the minimum corner side lot landscaping, there are a few lots that do not contain the minimum 24 foot street frontage where the curb is and Staff has some concerns with the open space, even though the applicant shows compliance, there are some areas that may not meet the minimum width and, therefore, may have an impact on the open space. Mr. Jordan stated Staff was recommending continuance of ZN-131-04.

**Keith Hatton, G.C. Wallace, 1555 South Rainbow Blvd, Las Vegas, NV 89146** appeared on behalf of the applicant stating the site had been modified to correct the concerns Staff had with the site plan. He stated the street widths are now 41 feet, the meandering sidewalk on Cheyenne has been corrected, the corner lots have been adjusted to provide the 10 foot setback, the stub streets have been rounded out, there has been an addition of a connection between the cul-de-sac through to a future commercial site and feel it would be a benefit if they could proceed because negotiations are being conducted to purchase the site. He stated they were requesting a waiver for the setback to the front garage from 20 feet to 18 feet.

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

Chairman Aston closed the Public Hearing.

Commissioner Leavitt asked Staff if they had seen the example presented by the applicant. Staff stated they had not seen the plan. Planning Manager Marc Jordan stated tonight was the first he had seen the plan and the other departments probably had not seen the plan previously. He stated he would not be able to make a recommendation at this time.

Mr. Hatton asked if conforming to the conditions of approval could be dealt with at the tentative map stage and stated he felt they had met all of Staff's recommended conditions.

Commissioner Leavitt stated he would recommend a continuance as Staff had not reviewed the revised plan.

Commissioner Shull asked if the applicant was amenable to a continuance, when the application would come back before the Planning Commission. Planning Manager Jordan asked the applicant when the revised plans would be submitted for review. Mr. Hatton responded the plan was 95 percent complete and could be submitted next week. Mr. Jordan stated if they were submitted next week, they would need to be routed to various departments and they would have difficulty reviewing them for the next Planning Meeting and recommend at least a 30 day continuance.

**Tamara Holstead, Trophy Homes, 7872 West Sahara, Las Vegas, NV** stated they were in a contract to purchase the property and were trying to meet the conditions tonight because their due diligence period was about to expire and if the zoning was not in place, they may not be able to close on the property. Chairman Aston expressed concern but stated a precedent had been set in the past that Staff must have an opportunity to review amendments to the plans.

ACTION: CONTINUED TO JANUARY 26, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Steve Brown

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

NAYS: None

ABSTAIN: None

12. **ZN-132-04 (18236) RAVENHILL COMMERCIAL SITE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TOUSA HOMES, INC. ON BEHALF OF NEVSUR INSURANCE AGENCY, INC., PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF CHEYENNE AVENUE AND MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-09-401-004.**

Planning Manager Marc Jordan stated Staff was recommending approval of ZN-132-04.

**Keith Hatton, G.C. Wallace, 1555 South Rainbow Blvd, Las Vegas, NV 89146** appeared on behalf of the applicant and stated he concurred with Staff recommendations.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

13. **AMP-113-04 (18242) RAVENHILL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TOUSA HOMES, INC. ON BEHALF OF NEVSUR INSURANCE AGENCY, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF OFFICE AND HIGH DENSITY RESIDENTIAL TO MLDR MEDIUM-LOW DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CHEYENNE AVENUE AND CLAYTON STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-09-401-002.**

Planning Manager Marc Jordan stated Staff was recommending approval of AMP-113-04.

**Keith Hatton, G.C. Wallace, 1555 South Rainbow Blvd, Las Vegas, NV 89146** appeared on behalf of the applicant and stated he concurred with Staff recommendations.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Chairman Leavitt

SECOND: Chairman Trivedi

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

NAYS: None

ABSTAIN: None

14. **ZN-130-04 (18240) RAVENHILL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TOUSA HOMES, INC. ON BEHALF OF NEVSUR INSURANCE AGENCY, INC., PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT (PROFESSIONAL OFFICE) TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 83 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF CHEYENNE AVENUE AND CLAYTON STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-09-401-002.**

Planning Manager Marc Jordan stated Staff recommended a 30 day continuance of ZN-130-04 to January 26, 2005.

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

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

ACTION: CONTINUED TO JANUARY 26, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

15. **SNC-01-04 (18255) RUNVEE HOBART (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTEX HOMES FOR A STREET NAME CHANGE TO RENAME ANN ROAD TO CARLA ANN ROAD. THE STREET NAME CHANGE COMMENCES AT THE EAST SIDE OF THE INTERSECTION OF PECOS ROAD AND ANN ROAD AND PROCEEDS EASTERLY APPROXIMATELY 4,090 FEET.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who stated since this portion of Ann Road is a widowed portion from the main street network, a street name change would be appropriate and Staff is recommending approval of SNC-01-04.

**Kathryn Grider of Orion Engineering, 7391 Prairie Falcon, Las Vegas, NV 89128** appeared on behalf of the applicant and stated she concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

16. **UN-166-04 (18199) CAMNIO AL NORTE BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICK ABELSON ON BEHALF OF CAMINO AL NORTE VENTURES, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO ALLOW 10 ONE-STORY PROFESSIONAL OFFICE BUILDINGS EXCEEDING THE MAXIMUM 3,000 SQUARE FEET. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CAMINO AL NORTE AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-33-701-004.**

The application was presented by Ned Thomas, Planner on behalf of Staff who stated Staff was recommending approval of UN-166-04 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 use permit shall comply with all conditions of approval for SPR-63-04.

**James Womott with Shade Commercial, 2850 South Jones Boulevard 89146** appeared on behalf of the applicant and stated he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt asked the applicant the square footage of the two story building that was ready to open. Mr. Womott responded the building was 44,000 square feet. Commissioner Leavitt asked if the 10 single story buildings would be either for sale or lease. Mr. Womott responded the single story buildings would have a similar design and would be a for sale or lease office condominium project.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

17. **SPR-63-04 (18198) CAMINO AL NORTE BUSINESS PARK. AN APPLICATION SUBMITTED BY RICK ABELSON, ON BEHALF OF CAMINO AL NORTE VENTURES, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT FOR 7,200 SQUARE FEET OF PROFESSIONAL/MEDICAL OFFICE BUILDINGS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND CAMINO AL NORTE. THE ASSESSOR'S PARCEL NUMBER IS 124-33-701-004.**

The application was presented by Ned Thomas, Planner on behalf of the applicant who stated Staff was recommending approval of SPR-63-04 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 site shall comply with the commercial design standards including but not limited to:
  - a. Providing a master sign plan for the parcel; and
  - b. Providing a landscape plan; and
  - c. Providing connectivity between buildings; and
  - d. Providing bicycle spaces to encourage the use of bicycle travel.
3. Approval of a traffic study is required prior to submittal of the civil improvement plans.
4. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Washburn Road and Camino Al Norte.
5. 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.
6. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
7. The property owner is required to grant a roadway easement for commercial driveway(s).

8. The property owner is required to sign a restrictive covenant for utilities.
9. 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.
10. Approval of a drainage study is required prior to submittal of the civil improvement plans.
11. 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.
12. 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.

**James Womott with Shade Commercial, 2850 South Jones Boulevard 89146** appeared on behalf of the applicant and stated he concurred with Staff recommendation.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

18. **UN-101-04 (18259) MARCELLO'S TAVERN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CARL D. MARCELLO ON BEHALF OF MARCELLO AIRPORT CENTER, LLC, PROPERTY OWNER, TO AMEND A PREVIOUSLY APPROVED USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT ALLOWING THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF RANCHO DRIVE AND PERIMETER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-18-404-005.**

The application was presented by Ned Thomas, Planner on behalf of Staff who indicated this use permit was previously approved in July, 2004 but the applicant was requesting the location of the tavern be moved from the stand alone pad adjacent to Rancho Drive to a portion of the retail pad located at the interior of the site. Mr. Thomas stated Staff was recommending approval of UN-101-04 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances.
2. That the restrooms be located such that patrons are not required to go through the bar area to access those facilities.
3. That the floor area of the bar shall not exceed 50% of the total public restaurant floor area.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. City of Las Vegas concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
7. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
8. Approval of a traffic study is required prior to submittal of the civil improvement plans.

9. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Rancho Drive and Carey Avenue.
10. 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 17.24.130. Conformance may require modifications to the site.
11. Roundabout design shall conform to the Federal Highway Administration's *Roundabouts: An Informational Guide* design criteria and is subject to approval of the City Traffic Engineer.
12. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
13. The property owner is required to grant a roadway easement for commercial driveway(s).
14. The property owner is required to sign a restrictive covenant for utilities.
15. The expiration date for the Special Use Permit shall be June 22, 2005.

**Mike McDonald, 4908 Carmen, Las Vegas, NV 89108** appeared on behalf of the applicant and stated he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

19. **ZN-125-04 (18257) STORAGE WEST - CENTENNIAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAACO, LTD. ON BEHALF OF C. ANN AND ROBERT MUELLER AND SIEMPRE, LLC, PROPERTY OWNERS, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-101-001, 124-26-101-002, 124-26-101-003, 124-26-101-004, AND 124-26-101-005.**

The application was presented by Marc Jordan, Planning Manager who indicated Staff was recommending approval of ZN-125-04 for parcel numbers 124-26-101-001, 124-26-101-002, 124-26-101-003, and 124-26-101-004.

**Bob Gronauer, Kummer, Kaempfer, Bonner and Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant and stated he concurred with Staff recommendation.

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

- **David Oglesbee 1009 Malibu Sands, North Las Vegas, NV 89086** asked for an explanation of how a 30 foot set-back can be changed to zero.
- **Justin Kelly, 1017 Malibu Sands, North Las Vegas, NV 89086** had concerns on the zero set-back and the congestion that would be caused on the sidewalks when the kids were going to the school bus stop. Mr. Kelly also asked if there could be a neighborhood meeting on this item since there is a large number of residents concerned about the rezoning.
- **Brian Kettoe 920 Oceanwood Avenue, North Las Vegas, NV 89086** stated he had the same concerns as stated by the previous speakers and was opposed to the zero set-back.
- **Daryn McCord, 1125 Oceanwood Avenue, North Las Vegas, NV 89086** appeared on behalf of the homeowners association, stating he was against the rezoning.
- **Matthew Lenox, 917 Oceanwood Avenue, North Las Vegas, NV 89086** stated he was concerned with the zero set-back, block walls would be built right next to the street and also does not want to see a metal structure with orange doors and roofs.

Chairman Aston closed the Public Hearing.

Bob Gronauer stated the master plan showed a couple hundred acres of commercial along Centennial Parkway. He stated there was already commercial approved in the area and mini storage was the best neighbor you could have in a neighborhood because there was no added traffic, no impact on schools, limited hours of operation and no noise. There will be no impact to anybody across a 100 foot right of way street. He stated they were not asking for a reduction of open space, landscaping, or sidewalk for the frontage of Centennial Parkway and were complying with the Commercial Design Guidelines. There would still be meandering sidewalks, landscaping, etc. as required by code. On the back portion of the property, they are asking for a zero foot rear yard reduction where 30 foot is required. Mr. Gronauer stated the surrounding property was master planned for commercial development, so when there is a full commercial development, zero foot lot lines would be allowed. The nearest home is approximately 230 feet from the rear of the property. He stated a storage facility was the least intense use for C-1 zoning compared to other uses allowed on the property.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION**

**MOTION: Commissioner Shull**

**SECOND: Commissioner Leavitt**

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

**NAYS: None**

**ABSTAIN: None**

20. **VN-32-04 (18256) STORAGE WEST - CENTENNIAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAACO, LTD. ON BEHALF OF C. ANN AND ROBERT MUELLER, PROPERTY OWNERS, FOR A VARIANCE IN AN R-E RANCH ESTATES DISTRICT (PROPOSED C-2 GENERAL COMMERCIAL DISTRICT) TO REDUCE THE BUILDING SETBACK TO ZERO FEET (0') WHERE 30 FEET IS REQUIRED ADJACENT TO A RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND DONNA STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-101-003 AND 124-26-101-004.**

The application was presented by Marc Jordan, Planning Manager, on behalf of Staff who stated the Comprehensive Plan supports commercial development in the area; therefore, Staff was recommending approval of VN-32-04 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. UN-165-04 must be approved, otherwise, VN-32-04 will be deemed null and void.
3. All applicable conditions of UN-165-04 shall be met.

**Bob Gronauer, Kummer, Kaempfer, Bonner and Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant and stated he concurred with Staff recommendation.

Chairman Jay Aston opened the Public Hearing. The following comments were carried forward from ZN-125-04:

- **David Oglesbee 1009 Malibu Sands, North Las Vegas, NV 89086** asked for an explanation of how a 30 foot set-back can be changed to zero.
- **Justin Kelly, 1017 Malibu Sands, North Las Vegas, NV 89086** had concerns on the zero set-back and the congestion that would be caused on the sidewalks when the kids were going to the school bus stop. Mr. Kelly also asked if there could be a neighborhood meeting on this item since there is a large number of residents concerned about the rezoning.
- **Brian Kettoe 920 Oceanwood Avenue, North Las Vegas, NV 89086** stated he had the same concerns as stated by the previous speakers and was opposed to the zero set-back.

- **Daryn McCord, 1125 Oceanwood Avenue, North Las Vegas, NV 89086** appeared on behalf of the homeowners association, stating he was opposed to the rezoning.
- **Matthew Lenox, 917 Oceanwood Avenue, North Las Vegas, NV 89086** stated he was concerned with the zero set-back, block walls would be built right next to the street and also does not want to see a metal structure with orange doors and roofs.
- **Daryn McCord, 1125 Oceanwood Avenue, North Las Vegas, NV 89086** added to his previous comment. He felt it was condescending to say a storage facility would benefit his neighborhood. Had they known about the rezoning and some of the changes that had been approved, they would have been at the meetings. He stated his neighborhood had expensive homes it was not right to build a storage facility without giving the residents in the area some notice.

Chairman Aston closed the Public Hearing.

Chairman Aston asked if residents in the area had been contacted regarding this application. Mr. Gronauer responded notice was given within a certain radius of the property and his client stated there was no power hook-up to the structures located in the area.

Commissioner Harry Shull replied to Mr. McCord's comment about the Board being condescending. He didn't feel anyone on the Board was being condescending and stated there was a myriad of storage areas around the City that have been installed and not hurt property values.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

21. **VAC-40-04(18229) STORAGE WEST - CENTENNIAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAACO, LTD. ON BEHALF OF C. ANN AND ROBERT MUELLER AND SIEMPRE, LLC, PROPERTY OWNERS, TO VACATE HOPE STREET COMMENCING AT CENTENNIAL PARKWAY AND PROCEEDING SOUTH APPROXIMATELY 200 FEET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-101-002 AND 124-26-101-003.**

The application was presented by Marc Jordan on behalf of Staff who indicated Staff was recommending that VAC-40-04 be continued for 30 days to allow for new notices to be sent out, showing all of Hope Street to be vacated.

**Bob Gronauer, Kummer, Kaempfer, Bonner and Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant and stated he concurred with Staff recommendation.

Chairman Jay Aston opened the Public Hearing. The following comments were carried forward from ZN-125-04 and VN-32-04:

- **David Oglesbee 1009 Malibu Sands, North Las Vegas, NV 89086** asked for an explanation of how a 30 foot set-back can be changed to zero.
- **Justin Kelly, 1017 Malibu Sands, North Las Vegas, NV 89086** had concerns on the zero set-back and the congestion that would be caused on the sidewalks when the kids were going to the school bus stop. Mr. Kelly also asked if there could be a neighborhood meeting on this item since there is a large number of residents concerned about the rezoning.
- **Brian Kettoe 920 Oceanwood Avenue, North Las Vegas, NV 89086** stated he had the same concerns as stated by the previous speakers and was opposed to the zero set-back.
- **Daryn McCord, 1125 Oceanwood Avenue, North Las Vegas, NV 89086** appeared on behalf of the homeowners association, stating he was opposed to the rezoning.
- **Matthew Lenox, 917 Oceanwood Avenue, North Las Vegas, NV 89086** stated he was concerned with the zero set-back, block walls would be built right next to the street and also does not want to see a metal structure with orange doors and roofs.
- **Daryn McCord, 1125 Oceanwood Avenue, North Las Vegas, NV 89086** added

to his previous comment. He felt it was condescending to say a storage facility would benefit his neighborhood. Had they known about the rezoning and some of the changes that had been approved, they would have been at the meetings. He stated his neighborhood had expensive homes it was not right to build a storage facility without giving the residents in the area some notice.

Chairman Aston closed the Public Hearing

ACTION: CONTINUED TO JANUARY 26, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

22. **UN-165-04 (18258 STORAGE WEST - CENTENNIAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAACO, LTD. ON BEHALF OF C. ANN AND ROBERT MUELLER, PROPERTY OWNERS, FOR A USE PERMIT IN AN R-E RANCH ESTATES DISTRICT (PROPOSED C-2 GENERAL COMMERCIAL DISTRICT) TO ALLOW MINI-WAREHOUSING. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND DONNA STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-101-003 AND 124-26-101-004.**

The application was presented by Marc Jordan on behalf of Staff who indicated Staff was recommending approval of UN-165-04 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That UN-165-04 is site-specific and non-transferable.
3. That all parking requirements must be met.
4. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to the following:
  - a. That clay or concrete tiles be used on all sloped roofs.
  - b. That the color palette use colors that are earth tone or neutral and indigenous to the Las Vegas Valley and its surrounds. Teal is not allowed.
  - c. Pop-outs shall be provided around all windows on the office/caretaker's facility.
  - d. The decorative block wall shall include a capstone and a minimum one pilaster shall be provided not more than 30 feet on-center. The wall shall be not less than seven feet and not greater than eight feet in height.
  - e. The walls of the storage buildings facing or in direct line of sight from any street shall be treated in the same manner as the perimeter walls mentioned in "d" above.
  - f. The sidewalk along Centennial Parkway shall be separated by a minimum five feet of landscaping from the back-of-curb and shall be meandering.

5. The submitted site plan shall not be considered or implied to be approved. Modifications are required to bring the site plan into compliance with all applicable codes and ordinances.
6. That the design of the storage buildings, including the carport structure over the stored recreational vehicles, shall be designed to be consistent with the submitted elevations for the office/caretaker's facility.
7. That a minimum two parking stalls be provided for the caretaker(s). The parking stalls shall be enclosed and attached to the caretaker's apartment.
8. That the development of this site be in compliance with all standards set forth in Section 17.24.020(14)©) of the Zoning Ordinance.
9. That wall signage shall be permitted on the north- and east-facing walls only. Free-standing signage will be permitted in accordance with ordinance requirements.
10. Approval of a drainage study is required prior to submittal of the civil improvement plans.
11. 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.
12. 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.
13. Approval of a traffic study is required prior to submittal of the civil improvement plans.
14. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway.
15. 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.

16. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
17. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
18. A revocable encroachment permit for landscaping within the public right of way is required.
19. 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.
20. The property owner is required to grant a roadway easement for commercial driveway(s).
21. The property owner is required to sign a restrictive covenant for utilities.
22. A parcel map must be filed to create the proposed parcels.
23. Hope Street must be vacated before the issuance of a building permit.

**Bob Gronauer, Kummer, Kaempfer, Bonner and Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant and stated he concurred with Staff recommendation.

Mr. Gronauer wanted to clarify Condition No. 23, the vacation of Hope Street. Currently, the use permit shows a portion of the storage facility in that area. He stated it was their intent to move the lot line, instead of the centerline of Hope to the property line and comply with all commercial guidelines. Mr. Gronauer asked for Condition No. 23 to be reworded that if Hope was not vacated, they need to comply with commercial guidelines.

Chairman Jay Aston opened the Public Hearing. The following comments were carried forward from ZN-125-04 and VN-32-04:

- **David Oglesbee 1009 Malibu Sands, North Las Vegas, NV 89086** asked for an explanation of how a 30 foot set-back can be changed to zero.
- **Justin Kelly, 1017 Malibu Sands, North Las Vegas, NV 89086** had concerns on the zero set-back and the congestion that would be caused on the sidewalks when

the kids were going to the school bus stop. Mr. Kelly also asked if there could be a neighborhood meeting on this item since there is a large number of residents concerned about the rezoning.

- **Brian Kettoe 920 Oceanwood Avenue, North Las Vegas, NV 89086** stated he had the same concerns as stated by the previous speakers and was opposed to the zero set-back.
- **Daryn McCord, 1125 Oceanwood Avenue, North Las Vegas, NV 89086** appeared on behalf of the homeowners association, stating he was opposed to the rezoning.
- **Matthew Lenox, 917 Oceanwood Avenue, North Las Vegas, NV 89086** stated he was concerned with the zero set-back, block walls would be built right next to the street and also does not want to see a metal structure with orange doors and roofs.
- **Daryn McCord, 1125 Oceanwood Avenue, North Las Vegas, NV 89086** added to his previous comment. He felt it was condescending to say a storage facility would benefit his neighborhood. Had they known about the rezoning and some of the changes that had been approved, they would have been at the meetings. He stated his neighborhood had expensive homes it was not right to build a storage facility without giving the residents in the area some notice.

Chairman Aston closed the Public Hearing.

Marc Jordan, Planning Manager, suggested that Condition No. 23 have the following sentence added: However, if Hope Street is not vacated, the site plan must be redesigned to comply with the Commercial Design Standards.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATIONS AND  
CONDITION NO. 23 CHANGED TO READ: *HOPE STREET MUST BE  
VACATED BEFORE THE ISSUANCE OF A BUILDING PERMIT;  
HOWEVER, IF HOPE STREET IS NOT VACATED, THE SITE PLAN MUST  
BE REDESIGNED TO COMPLY WITH THE COMMERCIAL DESIGN  
STANDARDS.*

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

23. **UN-54-03 (18178) HYDRO CARBON REMEDIATION PLANT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAS VEGAS PAVING CORPORATION, PROPERTY OWNER, FOR AN EXTENSION OF TIME (1 YEAR) FOR A USE PERMIT IN AN —2 GENERAL INDUSTRIAL DISTRICT TO ALLOW OUTDOOR MANUFACTURING (HYDROCARBON REMEDIATION PLANT). THE PROPERTY IS GENERALLY LOCATED 680 FEET EAST OF NORTH FIFTH STREET AND SOUTH OF GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-11-301-004.**

The application was presented by Ned Thomas, Planner on behalf of Staff who stated the application was approved by City Council with a new expiration date and the request is for a one year extension of time to December 1, 2005, which is one year from the expiration date granted by City Council. He stated Staff was recommending approval of UN-54-03 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; and
2. That the proposed street section and limits of construction for Gowan Road be shown on the site plan; and
3. That, in lieu of full off-sites on Gowan Road, the developer is to provide a temporary road with six inch (6") asphaltic concrete and base between North 5<sup>th</sup> Street and Bruce Street; and
4. That the driveways must be shown on the plans and roadway easements granted; and
5. That UN-54-03 shall expire on August 13, 2004.

**Bob Gronauer, Kummer, Kaempfer, Bonner and Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant. He stated this was a hydrocarbon plant located in a heavy industrial area. There was some opposition on the original application, but the application for the use permit was approved. The use permit was appealed by an adjacent property owner and the problems with the adjacent property owner were resolved and the appeal was withdrawn. The use permit was subject to a six month review. At the review in April, 2004, there were no comments or code violations. Initially, they believed the current contract would take approximately one year, but they were requesting an additional one year period of time.

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

**Chris Watts, 1914 Desert Sage, North Las Vegas, NV 89031** stated he worked across the street from the plant. He explained contaminated soil that cannot be put in the landfill is burned. He stated some nights the smell was so bad he was unable to work and cause him migraine headaches. He was opposed to the approval of an extension of time for UN-54-03.

**Chris McCullough, 601 South Rancho Drive, #A.10, Las Vegas, NV 89106** appeared on behalf of the Meldrum Family Trust, a neighboring property owner to the north. He stated it was to be a temporary facility operating for one year and would then be dismantled. He stated a 32 foot wide temporary street was to be installed with 4" of asphalt between North 5<sup>th</sup> Street and Bruce Street, along Gowan Road and that had not been done. There is still a 600 foot section not paved. He did not feel the use was compatible with the surrounding property. Mr. McCullough showed pictures of the operation and felt with the amount of soil stored, it would not be feasible for it to be processed within one year and felt the facility should be relocated.

Chairman Aston Closed the Public Hearing.

Bob Gronauer stated the plant was located in a heavy industrial use area, which is an appropriate location for this type of business. He introduced Las Vegas Paving employee, **Golden Welch, 4420 South Decatur, Las Vegas, NV 89103** who stated the project was not originally misrepresented. It was a single project use. They estimated the project would be completed within one year. In lieu of paving the street as originally planned, they intend to install half street improvements in conjunction with the Meldrum Family Trust half street improvements on the other half of the street. The facility is one of three in the United States and is the highest, latest and best technology. They have had no public complaints on record of dust or smell.

**Dave Raul, Las Vegas Paving, 4420 South Decatur, Las Vegas, NV 89103** stated he oversaw all operations of the facility. He stated he has received no complaints regarding the facility. The soil is contaminated with diesel and has no oil content.

Mr. Gronauer stated they have worked with the neighboring property owners and they have a heavy industrial use in a heavy industrial area and this is the first they have heard any negative comments regarding their operation and are requesting a one year extension of time on their use permit.

Commissioner Harry Shull disclosed he had a business relationship with Las Vegas Paving that was unrelated and did not feel it would have any bearing on his voting on this item.

Commissioner Dean Leavitt asked the applicant if there was more dirt than could be processed within one year. Mr. Gronauer brought David Raul forward. Mr. Raul stated there was 80 thousand tons of soil. When he applied for his Air Quality Permit through Clark County Air Quality, he permitted for 80,000 tons per year. The plant will process 40,000 tons per month. It is rated at 100 tons per hour and they could process 2,100 tons per day. The stock pile can be completed within one year. Mr. Leavitt asked about the allegation that they were adding to the stock pile. Mr. Raul stated the job is currently shut down. Commissioner Leavitt confirmed the only soil to be processed is what is currently on site. Mr. Raul responded that was correct.

Chairman Aston asked Mr. Raul if there had been any air quality violations. Mr. Raul responded there had not. There was an inspection by Clark County Air Quality a couple of days ago and they passed with zero violations.

Chairman Jay Aston asked **Rob Giggenheimer, Converse Consultant, 731 Pilot Road,** to come forward. Chairman Aston asked Mr. Giggenheimer if there was a revised estimate as to how many more tons of soil would be processed at this site. Mr. Giggenheimer responded there was a great deal more impacted material than originally anticipated, there is no set estimate at this time. He stated they have taken care of a large portion but it is unknown what remains. Chairman Aston asked how they could be assured a year from now that they were not looking at another extension. Mr. Giggenheimer stated they had submitted for closure from the State of Nevada Division of Environmental Protection on three quarters of the property and anticipate getting closure for that portion the first part of January. He was informed he would be receiving a No Further Action letter that should be issued on January 3. Chairman Aston asked if he anticipated the last 25 percent as comparable export. Mr. Giggenheimer responded the largest amount of material they had encountered had been on the remaining 25 percent. He felt they were close to being finished with it but they know there are still some areas to deal with and there is a possibility of encountering unknown areas. Chairman Aston asked Mr. Giggenheimer if he felt this site would be finished within one year and if all the soil was coming from one location. Mr. Golden Welch responded that was correct.

Chairman Aston asked Public Works if they could elaborate on the half street improvements instead of an access road. Randy Cagle, Real Property Manager, responded he did not have anything to add to what Mr. Welch had stated. Chairman Aston asked if there should be additional wording to Condition No. 3 (and/or an acceptable alternative as approved by Public Works). Ned Thomas, Planner responded that would be an acceptable alternative as the way the condition is currently written does not require the half street improvements to be completed. Mr. Gronauer stated that would mean they are going above and beyond, instead of providing temporary paving, they would be committed to full half street improvements. Chairman Aston asked if at the end of the use, if the

conditions are not met, does the applicant walk away or is there a time frame on the street improvements. Mr. Golden Welch responded he did not feel comfortable making the representation because it is tied to the Meldrum half street improvements on the other side. They are using the same engineer. He wanted it understood the half street improvements were above and beyond what was initially agreed upon. Chairman Aston asked if they were still willing to go with the half street improvements. Mr. Welch stated they were. Mr. McCullough stated Mr. Meldrum advised him he would have his half street improvements done in approximately 60 days, so if there was a condition that they either have to pave the temporary or the half street within 60 days, it will be done. Mr. Welch stated they would work in conjunction with Mr. Meldrum on the street improvements.

**Floyd Meldrum, 3595 Polaris Avenue, Las Vegas, NV 89103**, stated Gowan Road was not paved due to a gas line down Gowan Road and he had been waiting for over two months to get a permit from the City to lower the gas line. As soon as the gas line was lowered, he would put in the half street improvements.

Chairman Aston asked Staff for wording for Condition No. 3 to address the street improvements. Marc Jordan responded if the applicant was committing to the full half street improvements, then Condition No. 3 could be reworded as follows: *That the Half street improvements on Gowan Road adjacent to the property be completed within six months.*

Chairman Aston asked Mr. Gronauer for feedback on the rewording of Condition No. 3. Mr. Gronauer responded he was okay with the new wording.

ACTION: APPROVED PER STAFF RECOMMENDATIONS WITH CONDITION NO. 3 AMENDED TO READ AS FOLLOWS: *THAT THE HALF STREET IMPROVEMENTS ON GOWAN ROAD ADJACENT TO THE PROPERTY BE COMPLETED WITHIN SIX MONTHS.*

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

24. **ZN-26-03 (18254) VENTANA @ SIERRA MONTANA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CAPITAL CITY, INC., ON BEHALF OF NEVADA BUSINESS ASSOCIATES CONTACT, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 55 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS GENERALLY LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 300 FEET NORTH OF ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-27-401-007.**

The application was presented by Marc Jordan, Planning Manager, on behalf of Staff who stated the applicant was requesting the ability to be able to start work on the Rancho Mirage Park within the center of the PUD and at the same time be able to start construction on the homes within the Rancho Caliente development. As a result amendments to Conditions 10 and 11 of the PUD are required. When the application was reviewed by Staff, they provided alternative language that Staff did not agree with because it did not ensure the park would be constructed. As a result, the applicant is now proposing only 2900 square feet within the Rancho Caliente Development. Staff has no objection to the 2900 square feet of open space within the development because when the project was looked at as a whole, they still comply with the open space requirements. Staff was recommending approval of ZN-26-03 with Condition Nos. 10 and 11 amended to read as follows:

10. That this development be allowed to contribute a minimum 2,903 square feet of on-site "usable" open space, as defined in Title 17. The 3.90± acre Rancho Mirage Park shall be completed prior to the issuance of the 25<sup>th</sup> building permit; and
11. That, at such time that construction begins on Rancho Caliente (ZN-26-03 and/or T-991), all of the 2,903 square feet of usable on-site open space be constructed prior to the issuance of the 25<sup>th</sup> building permit.

Bob Gronauer, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89108 appeared on behalf of the applicant stating the property had changed ownership several times, had gone through bankruptcy proceedings, and Beazer Homes has the piece of property through the bankruptcy proceeding at the present time. He stated he concurred with Staff with the request that in Condition Nos. 10 and 11 that the parks be completed prior to the issuance of the 40<sup>th</sup> building permit.

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

Chairman Aston closed the Public Hearing.

Chairman Jay Aston asked how many units there were. Mr. Gronauer responded there were 82 lots in two phases and Phase I is 55 lots. Chairman Aston asked Staff if there was concern regarding the requested change to Condition Nos. 10 and 11. Mr. Jordan responded it was up to the discretion of the Commission. Staff would still recommend the number of permits issued remain at 25.

Commissioner Dean Leavitt stated he supported the application with the number of permits being changed to 40.

ACTION: APPROVED WITH CONDITION NOS. 10 AND 11 AMENDED TO READ  
*"PRIOR TO THE ISSUANCE OF THE 40<sup>TH</sup> BUILDING PERMIT."*

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

25. **FDP-28-04 (18227) TROPICAL & LAWRENCE. AN APPLICATION SUBMITTED BY CENTEX HOMES, ON BEHALF OF R&S TROPICAL, LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 111 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED ON THE SOUTHEAST CORNER OF TROPICAL PARKWAY AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-26-701-008.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of FDP-28-04 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver of 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-55-04 and T-1103.
3. The landscape plans shall be redesigned to comply with the single-family design standards at time of building permit submittal.

**Bob Stone, Nuvis Landscape Architecture, 3151 Arrow Avenue, Costa Mesa, CA** appeared on behalf of the applicant. He stated he wanted to clarify there was concern that they were not in compliance with the 60 percent coverage at maturity and they intend to make sure the plan does that. Chairman Jay Aston responded that may have been stated in the background information but was not one of the conditions of approval.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

26. **FDP-29-04 (18200) NOVAK/AZURE. AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, ON BEHALF OF GPA PARTNERS, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 78 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF AZURE AVENUE AND NOVAK STREET. THE ASSESSOR'S PARCEL NUMBER IS 123-29-101-007.**

The application was presented by Robert Eastman on behalf of Staff who stated Staff was recommending continuance of FDP-29-04 to allow the applicant sufficient time to submit a revised final development plan that complies with all the conditions of Ordinance 1998 (ZN-42-04) and T-1101.

Bob Gronauer, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating the architect did not get the landscape plans to Mr. Taylor and has agreed to continue for two weeks so the plans can be reviewed.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

27. **SPR-62-04 (18169) LOGISTICENTER & NLV PHASE 2. AN APPLICATION SUBMITTED BY DP PARTNERS, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN —2 GENERAL INDUSTRIAL DISTRICT TO BUILD A 513,240 SF SINGLE BUILDING FACILITY. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ALEXANDER ROAD AND BELMONT STREET. THE ASSESSOR’S PARCEL NUMBERS ARE 139-12-502-001 AND 139-12-502-002.**

The application was presented by Robert Eastman on behalf of Staff who indicated Staff was recommending approval of SPR-62-04 subject to the following conditions:

1. Approval of a drainage study is required prior to submittal of the civil improvement plans.
2. Clark County Regional Flood Control District (CCRFCD) concurrent with the results of the drainage study is required prior to approval of the civil improvement plans.
3. The applicant shall submit a traffic study update for review and approval.
4. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Alexander Road and Gowan road.
5. Truck traffic will be prohibited south of the northern most driveway on Belmont Street. The developer shall install no truck signs on the southern portion of Belmont Street. The northern most driveway exit on Belmont Street will be posted with a no left turn sign and all other driveway exits on Belmont Street will be posted with no truck signs.
6. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
7. A revocable encroachment permit for landscaping within the public right of way if required.
8. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.

11. The applicant shall comply the industrial design standards including but not limited to: addition of berms or low walls along Bay Lake Trail to screen parking lots from the roadway, and addition of a 6 - 8 foot screen wall along Alexander Road to screen the loading bays fronting Alexander Road.

Art Goralsky, Design Manager with United Construction, 2875 E. Patrick Lane, Suite A, Las Vegas, NV 89120 appeared on behalf of the applicant stating he concurs with Staff recommendation.

ACTION: APPROVED PER STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

#### **Item No 27 was reopened**

**Art Goralsky, Design Manager with United Construction, 2875 East Patrick Lane, Suite A, Las Vegas, NV** stated they would like to address Condition No. 11, which requires that the Industrial Design Standards require a six to eight foot screen wall along Alexander Street. He showed a photograph of the parcel immediately across the street from the development in which there are no screen walls, the loading docks are completely open to the street. He stated he was not proposing this type of situation because they were going to heavily berm and landscape the front of the property. The other issue is that the building, as the grade on the site works is that they slope from the street down to the building four feet so the finish floor of the building will be four feet below street grade, so between the berming and the landscaping, the dock areas will not be visible. With the block wall, there will be a graffiti problem and they were not looking forward to maintaining the wall. They would also be providing a slatted chain link fence inside the property which would also be a security issue and hide the dock areas from view. He was asking that Condition No. 11 amended to approve the property without the screen wall and have it approved with the slatted chain link fence within the property.

Chairman Aston asked Staff for feedback. Robert Eastman, Principal Planner, stated the condition requested by Staff was to screen the property. Additionally, the photo shown by the applicant is for a building that was built prior to the adoption of the Industrial Design Standards. Furthermore, there is an existing wall on Alexander east of Bay Lake Trail. A wall along Alexander would be in keeping with what was previously approved east of the site and would be a more effective and attractive barrier than the slatted chain link as proposed. Chairman Aston clarified that it was Staff's recommendation to leave the

conditions as stated. Mr. Eastman responded that was correct.

Marc Jordan, Planning Manager, stated they had gotten away from chain link with slats and had not approached them for several years. Approximately five or six years ago there was a way to ask for alternative screening for a site, but because of the aesthetics, and typically in the high winds we get in Las Vegas, the wind load that the slats place on the chain link is something the ordinance has changed specifically to no longer allow. Mr. Goralsky asked if there were any other alternative type fencing, wrought iron, etc. Mr. Jordan responded the point of the screening was due to the loading bays and wrought iron would not adequately screen the bays. He felt the only choice was the block wall or a berm and landscaping that was dense that could possibly screen it. Mr. Goralsky stated he would agree to berm the landscape areas in front of the facility and landscape it. Mr. Jordan stated the landscape area was only about 20 feet wide so if there was a berm to screen the loading docks, the berm would have to be fairly tall and then there would be problems with the type of slope and if anything could be planted on it. Without the numbers in front of him, Mr. Jordan stated he was hesitant in supporting it. The screen wall would be consistent with what was already an ordinance. Mr. Jordan showed an aerial of the Collins Business Park. Mr. Goralsky showed there were no screen walls that exist along the north side of Alexander Road. In the existing facilities in that area, there are no screen walls.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Item No. 29 was heard next**

28. **T-1145 (18185) ST. ANDREWS APARTMENTS. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF ST. ANDREWS APARTMENTS, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT CONSISTING OF 336 CONDOMINIUMS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND SAN MIGUEL AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-03-301-004.**

The application was presented by Robert Eastman on behalf of Staff who stated Staff was recommending approval of T-1145.

Jennifer Roberts of Great American Capital, 8350 West Sahara Avenue, Las Vegas, NV 89117 appeared on behalf of the applicant and stated she concurred with Staff recommendation.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Chairman Jay Aston welcomed Angelo Carvalho as the newly appointed Commissioner.

**There was a break in proceedings at 9:06 p.m.**

**The Meeting reconvened at 9:24 p.m.**

Chairman Jay Aston asked that Item No. 27, SPR-62-04, be reheard as the applicant had a question on one of the conditions.

ACTION: REOPEN AND RECONVENE ITEM NO. 27, SPR-62-04.

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**OLD BUSINESS**

29. **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. (CONTINUED DECEMBER 8, 2004)**

Commissioner Harry Shull stated he would be abstaining on this item due to a business interest.

The application was presented by Ned Thomas Planner on behalf of Staff who stated the total site comprised of a little over 50 acres. This is one of three remaining rural preservation areas in the City and the applicant, Celebrate Homes, is proposing to change the Master Plan designation from very low density residential to low density residential and all of the corresponding zone changes will go from R-E Preservation Area to R-1 zoning. He stated Staff was recommending denial of AMP-94-04 based on the fact that the City Council has a standing policy to preserve the remaining Ranch Estates Preservation Areas in their current form, Resolution No. 2016, which was adopted May 20, 1998. The single family homes as proposed by the applicant would not be compatible with the rural character of the ranch preservation areas so Staff cannot support the application. As such, the development would be inconsistent with that policy. A portion of this ranch preservation area, the northern end which is adjacent to Craig Road is in the process of being transformed into commercial and also there is a small area that was changed to R-1 zoning. You will also note there is a middle school on a portion of this area and a City park that has just started construction last month at the southeast corner. The second reason denial is being recommended is that this application does not include all of the parcels in the rural preservation area so there would be a fragmented pattern of development would be left. There are a number of hold out parcels where the owners have decided not to participate. Mr. Thomas presented a couple of letters received in opposition to the applications. The type of development being proposed is completely out of character with a Rural Preservation Area, so Staff is recommending denial of AMP-94-04.

**Dave Clapsaddle, G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 and Byron Goyne, 6424 Eagle Point Road, Las Vegas, NV** appeared on behalf of the applicant. Mr. Clapsaddle stated in Staff's report it stated there could be some compelling reasons why this would be appropriate for R-1 development. It took more than one year to assemble the 50 acres for this development. They own approximately 75 percent of the parcels in the R-E area. They are not asking for anything that is not already out there. They are asking for R-1, very low density residential. The property is surrounded by R-1 on the east, west and south. He stated this was a classic infill piece of property right for development. He stated the services for this type of development are already in place. Mr. Clapsaddle stated at the last meeting, there was one neighbor on Cozy Cove who objected to the application. Since the last meeting, they met with the neighbor, **Kathi Brunson, 2810 Cozy Cove, North Las Vegas, 89032** and they agreed to add the following deed restriction:

1. All homes abutting the homes fronting on the Cozy Cove cul-de-sac shall be limited to one story in height and be oriented so the rear of these houses faces the rear of your property.
2. An eight foot high block wall will be constructed along your rear property line, matching the height of the existing wall.
3. Two 24 inch box trees will be planted in the rear yard of all lots abutting the homes fronting on the Cozy Cove cul-de-sac.

In addition to the Brunson's they canvassed the neighborhood and did a lot of community outreach in the area. Byron Goyne stated they were in the neighborhood for approximately 60 days including the delay of the item at the last meeting. He stated they canvassed the neighborhood to the west of the project which includes approximately 103 homes. Out of those homes, there was only one person who objected to the project. His thought was that he did not want anymore houses in the area that would bring more kids and traffic. They went to the east side, which has approximately 500 homes. There was 75 percent of the people in favor of the project. The subdivision that would be mostly affected are 44 homes along Clayton. Out of the 44 homes, there was only one objection and that was that the homeowner enjoyed the rural atmosphere. At Alexander and Clayton, Mr. Priggle, poled the neighbors and their concern was the view. They welcome the project but are concerned with losing the view to the west of the project.

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

**Kathi Brunson, 2810 Cozy Court, North Las Vegas, NV 89032** stated Dave Clapsaddle of G.C. Garcia and Randy Black of Land Baron Investments met with her and her husband and they explained their concerns about the development behind them. They have a short

back yard and the development would be right in their back yard. They committed to some things that alleviated their concerns. She clarified that their street name was Cozy Court not Cozy Cove as shown in the letter presented. She stated on the deed restrictions and the utility easement and the traffic concerns on Simmons and the traffic lights, they are in agreement with this application.

Chairman Aston closed the Public Hearing.

Dave Clapsaddle stated they were asking for 6,000 square foot lots on the property. Facilities and infrastructure are in place and asked for approval of the application.

Chairman Aston asked Mr. James Lewis, Sr. Deputy City Attorney if the Rural Preservation Neighborhood is effective through May 31, 2004. Mr. Lewis responded that the legislature from time to time will enact time limited laws. In essence, this law was to require these neighborhoods to do certain mitigation when they were closer than 300 feet to a major right-of-way. That does not change the fact that the City Council passed a resolution in 1998 that is still in force and the property should not receive any zoning other than what is currently zoned, which is R-E.

Chairman Aston stated the R-E area was set aside so the ranch estates could be developed and there has been very little development there and Council's decision to designate a rural preservation area was approximately six or seven years ago. He felt if the Commission were to approve the application, Council would still have an opportunity to review it.

Commissioner Leavitt asked the applicant if there was a desire to continue negotiations with the property owners who have not yet sold. Mr. Clapsaddle stated they would continue to purchase additional property in the area.

Commissioner Brown stated a ranch estates preservation area is a good idea; however, this area has been reserved as ranch estates for a long time and it has never developed which would indicate it most likely would not develop in the imminent future. For that reason, and also in keeping with the Chairman's comments that the City Council will have an opportunity to make the final decision on the application, he would be in support of this application.

Commissioner Angelo Carvalho asked if a study had been done in the area for the schools as they are already overcrowded. He questioned how the development would impact the schools. Mr. Clapsaddle responded he was not aware of any studies. He stated he could contact the School District between now and when the application went before Council. Mr. Clapsaddle was not sure if the applications were routed through the School District. Mr. Thomas stated the application was sent to the School District and they had no comment on this application.

Chairman Leavitt stated by law the applications are sent to the School District, so they are aware of it. He stated the City had recently undergone a project to develop a park on part of this property and that left him confused in the fact that if the City is so concerned about preserving the rural preservation area, why would they put in a park which would encourage more residential involvement and he would be supporting this application.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: Commissioner Carvalho

ABSTAIN: Commissioner Shull

Dave Clapsaddle asked that the application be continued to January 12, 2005.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Commissioner Shull

30. **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. (CONTINUED DECEMBER 8, 2004)**

Commissioner Harry Shull stated he would be abstaining on this item due to a business interest.

The application was presented by Ned Thomas Planner on behalf of Staff who stated the total site comprised of a little over 50 acres. This is one of three remaining rural preservation areas in the City and the applicant, Celebrate Homes, is proposing to change the Master Plan designation from very low density residential to low density residential and all of the corresponding zone changes will go from R-E Preservation Area to R-1 zoning. He stated Staff was recommending denial of AMP-94-04 based on the fact that the City Council has a standing policy to preserve the remaining Ranch Estates Preservation Areas in their current form, Resolution No. 2016, which was adopted May 20, 1998. The single family homes as proposed by the applicant would not be compatible with the rural character of the ranch preservation areas so Staff cannot support the application. As such, the development would be inconsistent with that policy. A portion of this ranch preservation area, the northern end which is adjacent to Craig Road is in the process of being transformed into commercial and also there is a small area that was changed to R-1 zoning. You will also note there is a middle school on a portion of this area and a City park that has just started construction last month at the southeast corner. The second reason denial is being recommended is that this application does not include all of the parcels in the rural preservation area so there would be a fragmented pattern of development would be left. There are a number of hold out parcels where the owners have decided not to participate. Mr. Thomas presented a couple of letters received in opposition to the applications. The type of development being proposed is completely out of character with a Rural Preservation Area, so Staff is recommending denial of AMP-94-04.

**Dave Clapsaddle, G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 and Byron Goyne, 6424 Eagle Point Road, Las Vegas, NV** appeared on behalf of the applicant. Mr. Clapsaddle stated in Staff's report it stated there could be some compelling reasons why this would be appropriate for R-1 development. It took more than one year to assemble the 50 acres for this development. They own approximately 75

percent of the parcels in the R-E area. They are not asking for anything that is not already out there. They are asking for R-1, very low density residential. The property is surrounded by R-1 on the east, west and south. He stated this was a classic infill piece of property right for development. He stated the services for this type of development are already in place. Mr. Clapsaddle stated at the last meeting, there was one neighbor on Cozy Cove who objected to the application. Since the last meeting, they met with the neighbor, **Kathi Brunson, 2810 Cozy Cove, North Las Vegas, 89032** and they agreed to add the following deed restriction:

1. All homes abutting the homes fronting on the Cozy Cove cul-de-sac shall be limited to one story in height and be oriented so the rear of these houses faces the rear of your property.
2. An eight foot high block wall will be constructed along your rear property line, matching the height of the existing wall.
3. Two 24 inch box trees will be planted in the rear yard of all lots abutting the homes fronting on the Cozy Cove cul-de-sac.

In addition to the Brunson's they canvassed the neighborhood and did a lot of community outreach in the area. Byron Goynes stated they were in the neighborhood for approximately 60 days including the delay of the item at the last meeting. He stated they canvassed the neighborhood to the west of the project which includes approximately 103 homes. Out of those homes, there was only one person who objected to the project. His thought was that he did not want anymore houses in the area that would bring more kids and traffic. They went to the east side, which has approximately 500 homes. There was 75 percent of the people in favor of the project. The subdivision that would be mostly affected are 44 homes along Clayton. Out of the 44 homes, there was only one objection and that was that the homeowner enjoyed the rural atmosphere. At Alexander and Clayton, Mr. Priggle, poled the neighbors and their concern was the view. They welcome the project but are concerned with losing the view to the west of the project.

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

**Kathi Brunson, 2810 Cozy Court, North Las Vegas, NV 89032** stated Dave Clapsaddle of G.C. Garcia and Randy Black of Land Baron Investments met with her and her husband and they explained their concerns about the development behind them. They have a short back yard and the development would be right in their back yard. They committed to some things that alleviated their concerns. She clarified that their street name was Cozy Court not Cozy Cove as shown in the letter presented. She stated on the deed restrictions and the utility easement and the traffic concerns on Simmons and the traffic lights, they are in agreement with this application.

Chairman Aston closed the Public Hearing.

Dave Clapsaddle stated they were asking for 6,000 square foot lots on the property. Facilities and infrastructure are in place and asked for approval of the application.

Chairman Aston asked Mr. James Lewis, Sr. Deputy City Attorney if the Rural Preservation Neighborhood is effective through May 31, 2004. Mr. Lewis responded that the legislature from time to time will enact time limited laws. In essence, this law was to require these neighborhoods to do certain mitigation when they were closer than 300 feet to a major right-of-way. That does not change the fact that the City Council passed a resolution in 1998 that is still in force and the property should not receive any zoning other than what is currently zoned, which is R-E.

Chairman Aston stated the R-E area was set aside so the ranch estates could be developed and there has been very little development there and Council's decision to designate a rural preservation area was approximately six or seven years ago. He felt if the Commission were to approve the application, Council would still have an opportunity to review it.

Commissioner Leavitt asked the applicant if there was a desire to continue negotiations with the property owners who have not yet sold. Mr. Clapsaddle stated they would continue to purchase additional property in the area.

Commissioner Brown stated a ranch estates preservation area is a good idea; however, this area has been reserved as ranch estates for a long time and it has never developed which would indicate it most likely would not develop in the imminent future. For that reason, and also in keeping with the Chairman's comments that the City Council will have an opportunity to make the final decision on the application, he would be in support of this application.

Commissioner Angelo Carvalho asked if a study had been done in the area for the schools as they are already overcrowded. He questioned how the development would impact the schools. Mr. Clapsaddle responded he was not aware of any studies. He stated he could contact the School District between now and when the application went before Council. Mr. Clapsaddle was not sure if the applications were routed through the School District. Mr. Thomas stated the application was sent to the School District and they had no comment on this application.

Chairman Leavitt stated by law the applications are sent to the School District, so they are aware of it. He stated the City had recently undergone a project to develop a park on part of this property and that left him confused in the fact that if the City is so concerned about preserving the rural preservation area, why would they put in a park which would encourage more residential involvement and he would be supporting this application.

Dave Clapsaddle asked that the application be continued to January 12, 2005.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Commissioner Shull

31. **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. (CONTINUED DECEMBER 8, 2004)**

Commissioner Harry Shull stated he would be abstaining on this item due to a business interest.

The application was presented by Ned Thomas Planner on behalf of Staff who stated the total site comprised of a little over 50 acres. This is one of three remaining rural preservation areas in the City and the applicant, Celebrate Homes, is proposing to change the Master Plan designation from very low density residential to low density residential and all of the corresponding zone changes will go from R-E Preservation Area to R-1 zoning. He stated Staff was recommending denial of AMP-94-04 based on the fact that the City Council has a standing policy to preserve the remaining Ranch Estates Preservation Areas in their current form, Resolution No. 2016, which was adopted May 20, 1998. The single family homes as proposed by the applicant would not be compatible with the rural character of the ranch preservation areas so Staff cannot support the application. As such, the development would be inconsistent with that policy. A portion of this ranch preservation area, the northern end which is adjacent to Craig Road is in the process of being transformed into commercial and also there is a small area that was changed to R-1 zoning. You will also note there is a middle school on a portion of this area and a City park that has just started construction last month at the southeast corner. The second reason denial is being recommended is that this application does not include all of the parcels in the rural preservation area so there would be a fragmented pattern of development would be left. There are a number of hold out parcels where the owners have decided not to participate. Mr. Thomas presented a couple of letters received in opposition to the applications. The type of development being proposed is completely out of character with a Rural Preservation Area, so Staff is recommending denial of AMP-94-04.

**Dave Clapsaddle, G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 and Byron Goyne, 6424 Eagle Point Road, Las Vegas, NV** appeared on behalf of the applicant. Mr. Clapsaddle stated in Staff's report it stated there could be some compelling reasons why this would be appropriate for R-1 development. It took more than one year to assemble the 50 acres for this development. They own approximately 75 percent of the parcels in the R-E area. They are not asking for anything that is not already out there. They are asking for R-1, very low density residential. The property is

surrounded by R-1 on the east, west and south. He stated this was a classic infill piece of property right for development. He stated the services for this type of development are already in place. Mr. Clapsaddle stated at the last meeting, there was one neighbor on Cozy Cove who objected to the application. Since the last meeting, they met with the neighbor, **Kathi Brunson, 2810 Cozy Cove, North Las Vegas, 89032** and they agreed to add the following deed restriction:

1. All homes abutting the homes fronting on the Cozy Cove cul-de-sac shall be limited to one story in height and be oriented so the rear of these houses faces the rear of your property.
2. An eight foot high block wall will be constructed along your rear property line, matching the height of the existing wall.
3. Two 24 inch box trees will be planted in the rear yard of all lots abutting the homes fronting on the Cozy Cove cul-de-sac.

In addition to the Brunson's they canvassed the neighborhood and did a lot of community outreach in the area. Byron Goynes stated they were in the neighborhood for approximately 60 days including the delay of the item at the last meeting. He stated they canvassed the neighborhood to the west of the project which includes approximately 103 homes. Out of those homes, there was only one person who objected to the project. His thought was that he did not want anymore houses in the area that would bring more kids and traffic. They went to the east side, which has approximately 500 homes. There was 75 percent of the people in favor of the project. The subdivision that would be mostly affected are 44 homes along Clayton. Out of the 44 homes, there was only one objection and that was that the homeowner enjoyed the rural atmosphere. At Alexander and Clayton, Mr. Priggle, poled the neighbors and their concern was the view. They welcome the project but are concerned with losing the view to the west of the project.

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

**Kathi Brunson, 2810 Cozy Court, North Las Vegas, NV 89032** stated Dave Clapsaddle of G.C. Garcia and Randy Black of Land Baron Investments met with her and her husband and they explained their concerns about the development behind them. They have a short back yard and the development would be right in their back yard. They committed to some things that alleviated their concerns. She clarified that their street name was Cozy Court not Cozy Cove as shown in the letter presented. She stated on the deed restrictions and the utility easement and the traffic concerns on Simmons and the traffic lights, they are in agreement with this application.

Chairman Aston closed the Public Hearing.

Dave Clapsaddle stated they were asking for 6,000 square foot lots on the property. Facilities and infrastructure are in place and asked for approval of the application.

Chairman Aston asked Mr. James Lewis, Sr. Deputy City Attorney if the Rural Preservation Neighborhood is effective through May 31, 2004. Mr. Lewis responded that the legislature from time to time will enact time limited laws. In essence, this law was to require these neighborhoods to do certain mitigation when they were closer than 300 feet to a major right-of-way. That does not change the fact that the City Council passed a resolution in 1998 that is still in force and the property should not receive any zoning other than what is currently zoned, which is R-E.

Chairman Aston stated the R-E area was set aside so the ranch estates could be developed and there has been very little development there and Council's decision to designate a rural preservation area was approximately six or seven years ago. He felt if the Commission were to approve the application, Council would still have an opportunity to review it.

Commissioner Leavitt asked the applicant if there was a desire to continue negotiations with the property owners who have not yet sold. Mr. Clapsaddle stated they would continue to purchase additional property in the area.

Commissioner Brown stated a ranch estates preservation area is a good idea; however, this area has been reserved as ranch estates for a long time and it has never developed which would indicate it most likely would not develop in the imminent future. For that reason, and also in keeping with the Chairman's comments that the City Council will have an opportunity to make the final decision on the application, he would be in support of this application.

Commissioner Angelo Carvalho asked if a study had been done in the area for the schools as they are already overcrowded. He questioned how the development would impact the schools. Mr. Clapsaddle responded he was not aware of any studies. He stated he could contact the School District between now and when the application went before Council. Mr. Clapsaddle was not sure if the applications were routed through the School District. Mr. Thomas stated the application was sent to the School District and they had no comment on this application.

Chairman Leavitt stated by law the applications are sent to the School District, so they are aware of it. He stated the City had recently undergone a project to develop a park on part of this property and that left him confused in the fact that if the City is so concerned about preserving the rural preservation area, why would they put in a park which would encourage more residential involvement and he would be supporting this application.

Dave Clapsaddle asked that the application be continued to January 12, 2005.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Commissioner Shull

32. **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. (CONTINUED DECEMBER 8, 2004)**

Commissioner Harry Shull stated he would be abstaining on this item due to a business interest.

The application was presented by Ned Thomas Planner on behalf of Staff who stated the total site comprised of a little over 50 acres. This is one of three remaining rural preservation areas in the City and the applicant, Celebrate Homes, is proposing to change the Master Plan designation from very low density residential to low density residential and all of the corresponding zone changes will go from R-E Preservation Area to R-1 zoning. He stated Staff was recommending denial of AMP-94-04 based on the fact that the City Council has a standing policy to preserve the remaining Ranch Estates Preservation Areas in their current form, Resolution No. 2016, which was adopted May 20, 1998. The single family homes as proposed by the applicant would not be compatible with the rural character of the ranch preservation areas so Staff cannot support the application. As such, the development would be inconsistent with that policy. A portion of this ranch preservation area, the northern end which is adjacent to Craig Road is in the process of being transformed into commercial and also there is a small area that was changed to R-1 zoning. You will also note there is a middle school on a portion of this area and a City park that has just started construction last month at the southeast corner. The second reason denial is being recommended is that this application does not include all of the parcels in the rural preservation area so there would be a fragmented pattern of development would be left. There are a number of hold out parcels where the owners have decided not to participate. Mr. Thomas presented a couple of letters received in opposition to the applications. The type of development being proposed is completely out of character with a Rural Preservation Area, so Staff is recommending denial of AMP-94-04.

**Dave Clapsaddle, G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 and Byron Goynes, 6424 Eagle Point Road, Las Vegas, NV** appeared on behalf of the applicant. Mr. Clapsaddle stated in Staff's report it stated there could be some compelling reasons why this would be appropriate for R-1 development. It took more than one year to assemble the 50 acres for this development. They own approximately 75 percent of the parcels in the R-E area. They are not asking for anything that is not already out there. They are asking for R-1, very low density residential. The property is surrounded by R-1 on the east, west and south. He stated this was a classic infill piece of

property right for development. He stated the services for this type of development are already in place. Mr. Clapsaddle stated at the last meeting, there was one neighbor on Cozy Cove who objected to the application. Since the last meeting, they met with the neighbor, **Kathi Brunson, 2810 Cozy Cove, North Las Vegas, 89032** and they agreed to add the following deed restriction:

1. All homes abutting the homes fronting on the Cozy Cove cul-de-sac shall be limited to one story in height and be oriented so the rear of these houses faces the rear of your property.
2. An eight foot high block wall will be constructed along your rear property line, matching the height of the existing wall.
3. Two 24 inch box trees will be planted in the rear yard of all lots abutting the homes fronting on the Cozy Cove cul-de-sac.

In addition to the Brunson's they canvassed the neighborhood and did a lot of community outreach in the area. Byron Goynes stated they were in the neighborhood for approximately 60 days including the delay of the item at the last meeting. He stated they canvassed the neighborhood to the west of the project which includes approximately 103 homes. Out of those homes, there was only one person who objected to the project. His thought was that he did not want anymore houses in the area that would bring more kids and traffic. They went to the east side, which has approximately 500 homes. There was 75 percent of the people in favor of the project. The subdivision that would be mostly affected are 44 homes along Clayton. Out of the 44 homes, there was only one objection and that was that the homeowner enjoyed the rural atmosphere. At Alexander and Clayton, Mr. Priggle, poled the neighbors and their concern was the view. They welcome the project but are concerned with losing the view to the west of the project.

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

**Kathi Brunson, 2810 Cozy Court, North Las Vegas, NV 89032** stated Dave Clapsaddle of G.C. Garcia and Randy Black of Land Baron Investments met with her and her husband and they explained their concerns about the development behind them. They have a short back yard and the development would be right in their back yard. They committed to some things that alleviated their concerns. She clarified that their street name was Cozy Court not Cozy Cove as shown in the letter presented. She stated on the deed restrictions and the utility easement and the traffic concerns on Simmons and the traffic lights, they are in agreement with this application.

Chairman Aston closed the Public Hearing.

Dave Clapsaddle stated they were asking for 6,000 square foot lots on the property.

Facilities and infrastructure are in place and asked for approval of the application.

Chairman Aston asked Mr. James Lewis, Sr. Deputy City Attorney if the Rural Preservation Neighborhood is effective through May 31, 2004. Mr. Lewis responded that the legislature from time to time will enact time limited laws. In essence, this law was to require these neighborhoods to do certain mitigation when they were closer than 300 feet to a major right-of-way. That does not change the fact that the City Council passed a resolution in 1998 that is still in force and the property should not receive any zoning other than what is currently zoned, which is R-E.

Chairman Aston stated the R-E area was set aside so the ranch estates could be developed and there has been very little development there and Council's decision to designate a rural preservation area was approximately six or seven years ago. He felt if the Commission were to approve the application, Council would still have an opportunity to review it.

Commissioner Leavitt asked the applicant if there was a desire to continue negotiations with the property owners who have not yet sold. Mr. Clapsaddle stated they would continue to purchase additional property in the area.

Commissioner Brown stated a ranch estates preservation area is a good idea; however, this area has been reserved as ranch estates for a long time and it has never developed which would indicate it most likely would not develop in the imminent future. For that reason, and also in keeping with the Chairman's comments that the City Council will have an opportunity to make the final decision on the application, he would be in support of this application.

Commissioner Angelo Carvalho asked if a study had been done in the area for the schools as they are already overcrowded. He questioned how the development would impact the schools. Mr. Clapsaddle responded he was not aware of any studies. He stated he could contact the School District between now and when the application went before Council. Mr. Clapsaddle was not sure if the applications were routed through the School District. Mr. Thomas stated the application was sent to the School District and they had no comment on this application.

Chairman Leavitt stated by law the applications are sent to the School District, so they are aware of it. He stated the City had recently undergone a project to develop a park on part of this property and that left him confused in the fact that if the City is so concerned about preserving the rural preservation area, why would they put in a park which would encourage more residential involvement and he would be supporting this application.

Dave Clapsaddle asked that the application be continued to January 12, 2005.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Commissioner Shull

33. **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. (CONTINUED DECEMBER 8, 2004)**

Commissioner Harry Shull stated he would be abstaining on this item due to a business interest.

The application was presented by Ned Thomas Planner on behalf of Staff who stated the total site comprised of a little over 50 acres. This is one of three remaining rural preservation areas in the City and the applicant, Celebrate Homes, is proposing to change the Master Plan designation from very low density residential to low density residential and all of the corresponding zone changes will go from R-E Preservation Area to R-1 zoning. He stated Staff was recommending denial of AMP-94-04 based on the fact that the City Council has a standing policy to preserve the remaining Ranch Estates Preservation Areas in their current form, Resolution No. 2016, which was adopted May 20, 1998. The single family homes as proposed by the applicant would not be compatible with the rural character of the ranch preservation areas so Staff cannot support the application. As such, the development would be inconsistent with that policy. A portion of this ranch preservation area, the northern end which is adjacent to Craig Road is in the process of being transformed into commercial and also there is a small area that was changed to R-1 zoning. You will also note there is a middle school on a portion of this area and a City park that has just started construction last month at the southeast corner. The second reason denial is being recommended is that this application does not include all of the parcels in the rural preservation area so there would be a fragmented pattern of development would be left. There are a number of hold out parcels where the owners have decided not to participate. Mr. Thomas presented a couple of letters received in opposition to the applications. The type of development being proposed is completely out of character with a Rural Preservation Area, so Staff is recommending denial of AMP-94-04.

**Dave Clapsaddle, G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 and Byron Goyne, 6424 Eagle Point Road, Las Vegas, NV** appeared on behalf of the applicant. Mr. Clapsaddle stated in Staff's report it stated there could be some compelling reasons why this would be appropriate for R-1 development. It took more than one year to assemble the 50 acres for this development. They own approximately 75 percent of the parcels in the R-E area. They are not asking for anything that is not already

out there. They are asking for R-1, very low density residential. The property is surrounded by R-1 on the east, west and south. He stated this was a classic infill piece of property right for development. He stated the services for this type of development are already in place. Mr. Clapsaddle stated at the last meeting, there was one neighbor on Cozy Cove who objected to the application. Since the last meeting, they met with the neighbor, **Kathi Brunson, 2810 Cozy Cove, North Las Vegas, 89032** and they agreed to add the following deed restriction:

1. All homes abutting the homes fronting on the Cozy Cove cul-de-sac shall be limited to one story in height and be oriented so the rear of these houses faces the rear of your property.
2. An eight foot high block wall will be constructed along your rear property line, matching the height of the existing wall.
3. Two 24 inch box trees will be planted in the rear yard of all lots abutting the homes fronting on the Cozy Cove cul-de-sac.

In addition to the Brunson's they canvassed the neighborhood and did a lot of community outreach in the area. Byron Goynes stated they were in the neighborhood for approximately 60 days including the delay of the item at the last meeting. He stated they canvassed the neighborhood to the west of the project which includes approximately 103 homes. Out of those homes, there was only one person who objected to the project. His thought was that he did not want anymore houses in the area that would bring more kids and traffic. They went to the east side, which has approximately 500 homes. There was 75 percent of the people in favor of the project. The subdivision that would be mostly affected are 44 homes along Clayton. Out of the 44 homes, there was only one objection and that was that the homeowner enjoyed the rural atmosphere. At Alexander and Clayton, Mr. Priggle, poled the neighbors and their concern was the view. They welcome the project but are concerned with losing the view to the west of the project.

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

**Kathi Brunson, 2810 Cozy Court, North Las Vegas, NV 89032** stated Dave Clapsaddle of G.C. Garcia and Randy Black of Land Baron Investments met with her and her husband and they explained their concerns about the development behind them. They have a short back yard and the development would be right in their back yard. They committed to some things that alleviated their concerns. She clarified that their street name was Cozy Court not Cozy Cove as shown in the letter presented. She stated on the deed restrictions and the utility easement and the traffic concerns on Simmons and the traffic lights, they are in agreement with this application.

Chairman Aston closed the Public Hearing.

Dave Clapsaddle stated they were asking for 6,000 square foot lots on the property. Facilities and infrastructure are in place and asked for approval of the application.

Chairman Aston asked Mr. James Lewis, Sr. Deputy City Attorney if the Rural Preservation Neighborhood is effective through May 31, 2004. Mr. Lewis responded that the legislature from time to time will enact time limited laws. In essence, this law was to require these neighborhoods to do certain mitigation when they were closer than 300 feet to a major right-of-way. That does not change the fact that the City Council passed a resolution in 1998 that is still in force and the property should not receive any zoning other than what is currently zoned, which is R-E.

Chairman Aston stated the R-E area was set aside so the ranch estates could be developed and there has been very little development there and Council's decision to designate a rural preservation area was approximately six or seven years ago. He felt if the Commission were to approve the application, Council would still have an opportunity to review it.

Commissioner Leavitt asked the applicant if there was a desire to continue negotiations with the property owners who have not yet sold. Mr. Clapsaddle stated they would continue to purchase additional property in the area.

Commissioner Brown stated a ranch estates preservation area is a good idea; however, this area has been reserved as ranch estates for a long time and it has never developed which would indicate it most likely would not develop in the imminent future. For that reason, and also in keeping with the Chairman's comments that the City Council will have an opportunity to make the final decision on the application, he would be in support of this application.

Commissioner Angelo Carvalho asked if a study had been done in the area for the schools as they are already overcrowded. He questioned how the development would impact the schools. Mr. Clapsaddle responded he was not aware of any studies. He stated he could contact the School District between now and when the application went before Council. Mr. Clapsaddle was not sure if the applications were routed through the School District. Mr. Thomas stated the application was sent to the School District and they had no comment on this application.

Chairman Leavitt stated by law the applications are sent to the School District, so they are aware of it. He stated the City had recently undergone a project to develop a park on part of this property and that left him confused in the fact that if the City is so concerned about

preserving the rural preservation area, why would they put in a park which would encourage more residential involvement and he would be supporting this application.

Dave Clapsaddle asked that the application be continued to January 12, 2005.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Commissioner Shull

34. **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. (CONTINUED DECEMBER 8, 2004)**

Commissioner Harry Shull stated he would be abstaining on this item due to a business interest.

The application was presented by Ned Thomas Planner on behalf of Staff who stated the total site comprised of a little over 50 acres. This is one of three remaining rural preservation areas in the City and the applicant, Celebrate Homes, is proposing to change the Master Plan designation from very low density residential to low density residential and all of the corresponding zone changes will go from R-E Preservation Area to R-1 zoning. He stated Staff was recommending denial of AMP-94-04 based on the fact that the City Council has a standing policy to preserve the remaining Ranch Estates Preservation Areas in their current form, Resolution No. 2016, which was adopted May 20, 1998. The single family homes as proposed by the applicant would not be compatible with the rural character of the ranch preservation areas so Staff cannot support the application. As such, the development would be inconsistent with that policy. A portion of this ranch preservation area, the northern end which is adjacent to Craig Road is in the process of being transformed into commercial and also there is a small area that was changed to R-1 zoning. You will also note there is a middle school on a portion of this area and a City park that has just started construction last month at the southeast corner. The second reason denial is being recommended is that this application does not include all of the parcels in the rural preservation area so there would be a fragmented pattern of development would be left. There are a number of hold out parcels where the owners have decided not to participate. Mr. Thomas presented a couple of letters received in opposition to the applications. The type of development being proposed is completely out of character with a Rural Preservation Area, so Staff is recommending denial of AMP-94-04.

**Dave Clapsaddle, G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 and Byron Goynes, 6424 Eagle Point Road, Las Vegas, NV** appeared on behalf of the applicant. Mr. Clapsaddle stated in Staff's report it stated there could be some compelling reasons why this would be appropriate for R-1 development. It took more than one year to assemble the 50 acres for this development. They own approximately 75 percent of the parcels in the R-E area. They are not asking for anything that is not already

out there. They are asking for R-1, very low density residential. The property is surrounded by R-1 on the east, west and south. He stated this was a classic infill piece of property right for development. He stated the services for this type of development are already in place. Mr. Clapsaddle stated at the last meeting, there was one neighbor on Cozy Cove who objected to the application. Since the last meeting, they met with the neighbor, **Kathi Brunson, 2810 Cozy Cove, North Las Vegas, 89032** and they agreed to add the following deed restriction:

1. All homes abutting the homes fronting on the Cozy Cove cul-de-sac shall be limited to one story in height and be oriented so the rear of these houses faces the rear of your property.
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3. Two 24 inch box trees will be planted in the rear yard of all lots abutting the homes fronting on the Cozy Cove cul-de-sac.

In addition to the Brunson's they canvassed the neighborhood and did a lot of community outreach in the area. Byron Goynes stated they were in the neighborhood for approximately 60 days including the delay of the item at the last meeting. He stated they canvassed the neighborhood to the west of the project which includes approximately 103 homes. Out of those homes, there was only one person who objected to the project. His thought was that he did not want anymore houses in the area that would bring more kids and traffic. They went to the east side, which has approximately 500 homes. There was 75 percent of the people in favor of the project. The subdivision that would be mostly affected are 44 homes along Clayton. Out of the 44 homes, there was only one objection and that was that the homeowner enjoyed the rural atmosphere. At Alexander and Clayton, Mr. Priggle, poled the neighbors and their concern was the view. They welcome the project but are concerned with losing the view to the west of the project.

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

**Kathi Brunson, 2810 Cozy Court, North Las Vegas, NV 89032** stated Dave Clapsaddle of G.C. Garcia and Randy Black of Land Baron Investments met with her and her husband and they explained their concerns about the development behind them. They have a short back yard and the development would be right in their back yard. They committed to some things that alleviated their concerns. She clarified that their street name was Cozy Court not Cozy Cove as shown in the letter presented. She stated on the deed restrictions and the utility easement and the traffic concerns on Simmons and the traffic lights, they are in agreement with this application.

Chairman Aston closed the Public Hearing.

Dave Clapsaddle stated they were asking for 6,000 square foot lots on the property. Facilities and infrastructure are in place and asked for approval of the application.

Chairman Aston asked Mr. James Lewis, Sr. Deputy City Attorney if the Rural Preservation Neighborhood is effective through May 31, 2004. Mr. Lewis responded that the legislature from time to time will enact time limited laws. In essence, this law was to require these neighborhoods to do certain mitigation when they were closer than 300 feet to a major right-of-way. That does not change the fact that the City Council passed a resolution in 1998 that is still in force and the property should not receive any zoning other than what is currently zoned, which is R-E.

Chairman Aston stated the R-E area was set aside so the ranch estates could be developed and there has been very little development there and Council's decision to designate a rural preservation area was approximately six or seven years ago. He felt if the Commission were to approve the application, Council would still have an opportunity to review it.

Commissioner Leavitt asked the applicant if there was a desire to continue negotiations with the property owners who have not yet sold. Mr. Clapsaddle stated they would continue to purchase additional property in the area.

Commissioner Brown stated a ranch estates preservation area is a good idea; however, this area has been reserved as ranch estates for a long time and it has never developed which would indicate it most likely would not develop in the imminent future. For that reason, and also in keeping with the Chairman's comments that the City Council will have an opportunity to make the final decision on the application, he would be in support of this application.

Commissioner Angelo Carvalho asked if a study had been done in the area for the schools as they are already overcrowded. He questioned how the development would impact the schools. Mr. Clapsaddle responded he was not aware of any studies. He stated he could contact the School District between now and when the application went before Council. Mr. Clapsaddle was not sure if the applications were routed through the School District. Mr. Thomas stated the application was sent to the School District and they had no comment on this application.

Chairman Leavitt stated by law the applications are sent to the School District, so they are aware of it. He stated the City had recently undergone a project to develop a park on part of this property and that left him confused in the fact that if the City is so concerned about

preserving the rural preservation area, why would they put in a park which would encourage more residential involvement and he would be supporting this application.

Dave Clapsaddle asked that the application be continued to January 12, 2005.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Commissioner Shull

35. **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. (CONTINUED DECEMBER 8, 2004)**

Commissioner Harry Shull stated he would be abstaining on this item due to a business interest.

The application was presented by Ned Thomas Planner on behalf of Staff who stated the total site comprised of a little over 50 acres. This is one of three remaining rural preservation areas in the City and the applicant, Celebrate Homes, is proposing to change the Master Plan designation from very low density residential to low density residential and all of the corresponding zone changes will go from R-E Preservation Area to R-1 zoning. He stated Staff was recommending denial of AMP-94-04 based on the fact that the City Council has a standing policy to preserve the remaining Ranch Estates Preservation Areas in their current form, Resolution No. 2016, which was adopted May 20, 1998. The single family homes as proposed by the applicant would not be compatible with the rural character of the ranch preservation areas so Staff cannot support the application. As such, the development would be inconsistent with that policy. A portion of this ranch preservation area, the northern end which is adjacent to Craig Road is in the process of being transformed into commercial and also there is a small area that was changed to R-1 zoning. You will also note there is a middle school on a portion of this area and a City park that has just started construction last month at the southeast corner. The second reason denial is being recommended is that this application does not include all of the parcels in the rural preservation area so there would be a fragmented pattern of development would be left. There are a number of hold out parcels where the owners have decided not to participate. Mr. Thomas presented a couple of letters received in opposition to the applications. The type of development being proposed is completely out of character with a Rural Preservation Area, so Staff is recommending denial of AMP-94-04.

**Dave Clapsaddle, G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 and Byron Goyne, 6424 Eagle Point Road, Las Vegas, NV** appeared on behalf of the applicant. Mr. Clapsaddle stated in Staff's report it stated there could be some

compelling reasons why this would be appropriate for R-1 development. It took more than one year to assemble the 50 acres for this development. They own approximately 75 percent of the parcels in the R-E area. They are not asking for anything that is not already out there. They are asking for R-1, very low density residential. The property is surrounded by R-1 on the east, west and south. He stated this was a classic infill piece of property right for development. He stated the services for this type of development are already in place. Mr. Clapsaddle stated at the last meeting, there was one neighbor on Cozy Cove who objected to the application. Since the last meeting, they met with the neighbor, **Kathi Brunson, 2810 Cozy Cove, North Las Vegas, 89032** and they agreed to add the following deed restriction:

1. All homes abutting the homes fronting on the Cozy Cove cul-de-sac shall be limited to one story in height and be oriented so the rear of these houses faces the rear of your property.
2. An eight foot high block wall will be constructed along your rear property line, matching the height of the existing wall.
3. Two 24 inch box trees will be planted in the rear yard of all lots abutting the homes fronting on the Cozy Cove cul-de-sac.

In addition to the Brunson's they canvassed the neighborhood and did a lot of community outreach in the area. Byron Goynes stated they were in the neighborhood for approximately 60 days including the delay of the item at the last meeting. He stated they canvassed the neighborhood to the west of the project which includes approximately 103 homes. Out of those homes, there was only one person who objected to the project. His thought was that he did not want anymore houses in the area that would bring more kids and traffic. They went to the east side, which has approximately 500 homes. There was 75 percent of the people in favor of the project. The subdivision that would be mostly affected are 44 homes along Clayton. Out of the 44 homes, there was only one objection and that was that the homeowner enjoyed the rural atmosphere. At Alexander and Clayton, Mr. Priggle, poled the neighbors and their concern was the view. They welcome the project but are concerned with losing the view to the west of the project.

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

**Kathi Brunson, 2810 Cozy Court, North Las Vegas, NV 89032** stated Dave Clapsaddle of G.C. Garcia and Randy Black of Land Baron Investments met with her and her husband and they explained their concerns about the development behind them. They have a short back yard and the development would be right in their back yard. They committed to some things that alleviated their concerns. She clarified that their street name was Cozy Court

not Cozy Cove as shown in the letter presented. She stated on the deed restrictions and the utility easement and the traffic concerns on Simmons and the traffic lights, they are in agreement with this application.

Chairman Aston closed the Public Hearing.

Dave Clapsaddle stated they were asking for 6,000 square foot lots on the property. Facilities and infrastructure are in place and asked for approval of the application.

Chairman Aston asked Mr. James Lewis, Sr. Deputy City Attorney if the Rural Preservation Neighborhood is effective through May 31, 2004. Mr. Lewis responded that the legislature from time to time will enact time limited laws. In essence, this law was to require these neighborhoods to do certain mitigation when they were closer than 300 feet to a major right-of-way. That does not change the fact that the City Council passed a resolution in 1998 that is still in force and the property should not receive any zoning other than what is currently zoned, which is R-E.

Chairman Aston stated the R-E area was set aside so the ranch estates could be developed and there has been very little development there and Council's decision to designate a rural preservation area was approximately six or seven years ago. He felt if the Commission were to approve the application, Council would still have an opportunity to review it.

Commissioner Leavitt asked the applicant if there was a desire to continue negotiations with the property owners who have not yet sold. Mr. Clapsaddle stated they would continue to purchase additional property in the area.

Commissioner Brown stated a ranch estates preservation area is a good idea; however, this area has been reserved as ranch estates for a long time and it has never developed which would indicate it most likely would not develop in the imminent future. For that reason, and also in keeping with the Chairman's comments that the City Council will have an opportunity to make the final decision on the application, he would be in support of this application.

Commissioner Angelo Carvalho asked if a study had been done in the area for the schools as they are already overcrowded. He questioned how the development would impact the schools. Mr. Clapsaddle responded he was not aware of any studies. He stated he could contact the School District between now and when the application went before Council. Mr. Clapsaddle was not sure if the applications were routed through the School District. Mr. Thomas stated the application was sent to the School District and they had no comment on this application.

Chairman Leavitt stated by law the applications are sent to the School District, so they are aware of it. He stated the City had recently undergone a project to develop a park on part of this property and that left him confused in the fact that if the City is so concerned about preserving the rural preservation area, why would they put in a park which would encourage more residential involvement and he would be supporting this application.

Dave Clapsaddle asked that the application be continued to January 12, 2005.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Commissioner Shull

36. **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. (CONTINUED DECEMBER 8, 2004)**

Commissioner Harry Shull stated he would be abstaining on this item due to a business interest.

The application was presented by Ned Thomas Planner on behalf of Staff who stated the total site comprised of a little over 50 acres. This is one of three remaining rural preservation areas in the City and the applicant, Celebrate Homes, is proposing to change the Master Plan designation from very low density residential to low density residential and all of the corresponding zone changes will go from R-E Preservation Area to R-1 zoning. He stated Staff was recommending denial of AMP-94-04 based on the fact that the City Council has a standing policy to preserve the remaining Ranch Estates Preservation Areas in their current form, Resolution No. 2016, which was adopted May 20, 1998. The single family homes as proposed by the applicant would not be compatible with the rural character of the ranch preservation areas so Staff cannot support the application. As such, the development would be inconsistent with that policy. A portion of this ranch preservation area, the northern end which is adjacent to Craig Road is in the process of being transformed into commercial and also there is a small area that was changed to R-1 zoning. You will also note there is a middle school on a portion of this area and a City park that has just started construction last month at the southeast corner. The second reason denial is being recommended is that this application does not include all of the parcels in the rural preservation area so there would be a fragmented pattern of development would be left. There are a number of hold out parcels where the owners have decided not to participate. Mr. Thomas presented a couple of letters received in opposition to the applications. The type of development being proposed is completely out of character with a Rural Preservation Area, so Staff is recommending denial of AMP-94-04.

**Dave Clapsaddle, G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 and Byron Goyne, 6424 Eagle Point Road, Las Vegas, NV** appeared on behalf of the applicant. Mr. Clapsaddle stated in Staff's report it stated there could be some compelling reasons why this would be appropriate for R-1 development. It took more than

one year to assemble the 50 acres for this development. They own approximately 75 percent of the parcels in the R-E area. They are not asking for anything that is not already out there. They are asking for R-1, very low density residential. The property is surrounded by R-1 on the east, west and south. He stated this was a classic infill piece of property right for development. He stated the services for this type of development are already in place. Mr. Clapsaddle stated at the last meeting, there was one neighbor on Cozy Cove who objected to the application. Since the last meeting, they met with the neighbor, **Kathi Brunson, 2810 Cozy Cove, North Las Vegas, 89032** and they agreed to add the following deed restriction:

1. All homes abutting the homes fronting on the Cozy Cove cul-de-sac shall be limited to one story in height and be oriented so the rear of these houses faces the rear of your property.
2. An eight foot high block wall will be constructed along your rear property line, matching the height of the existing wall.
3. Two 24 inch box trees will be planted in the rear yard of all lots abutting the homes fronting on the Cozy Cove cul-de-sac.

In addition to the Brunson's they canvassed the neighborhood and did a lot of community outreach in the area. Byron Goynes stated they were in the neighborhood for approximately 60 days including the delay of the item at the last meeting. He stated they canvassed the neighborhood to the west of the project which includes approximately 103 homes. Out of those homes, there was only one person who objected to the project. His thought was that he did not want anymore houses in the area that would bring more kids and traffic. They went to the east side, which has approximately 500 homes. There was 75 percent of the people in favor of the project. The subdivision that would be mostly affected are 44 homes along Clayton. Out of the 44 homes, there was only one objection and that was that the homeowner enjoyed the rural atmosphere. At Alexander and Clayton, Mr. Priggle, poled the neighbors and their concern was the view. They welcome the project but are concerned with losing the view to the west of the project.

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

**Kathi Brunson, 2810 Cozy Court, North Las Vegas, NV 89032** stated Dave Clapsaddle of G.C. Garcia and Randy Black of Land Baron Investments met with her and her husband and they explained their concerns about the development behind them. They have a short back yard and the development would be right in their back yard. They committed to some things that alleviated their concerns. She clarified that their street name was Cozy Court not Cozy Cove as shown in the letter presented. She stated on the deed restrictions and

the utility easement and the traffic concerns on Simmons and the traffic lights, they are in agreement with this application.

Chairman Aston closed the Public Hearing.

Dave Clapsaddle stated they were asking for 6,000 square foot lots on the property. Facilities and infrastructure are in place and asked for approval of the application.

Chairman Aston asked Mr. James Lewis, Sr. Deputy City Attorney if the Rural Preservation Neighborhood is effective through May 31, 2004. Mr. Lewis responded that the legislature from time to time will enact time limited laws. In essence, this law was to require these neighborhoods to do certain mitigation when they were closer than 300 feet to a major right-of-way. That does not change the fact that the City Council passed a resolution in 1998 that is still in force and the property should not receive any zoning other than what is currently zoned, which is R-E.

Chairman Aston stated the R-E area was set aside so the ranch estates could be developed and there has been very little development there and Council's decision to designate a rural preservation area was approximately six or seven years ago. He felt if the Commission were to approve the application, Council would still have an opportunity to review it.

Commissioner Leavitt asked the applicant if there was a desire to continue negotiations with the property owners who have not yet sold. Mr. Clapsaddle stated they would continue to purchase additional property in the area.

Commissioner Brown stated a ranch estates preservation area is a good idea; however, this area has been reserved as ranch estates for a long time and it has never developed which would indicate it most likely would not develop in the imminent future. For that reason, and also in keeping with the Chairman's comments that the City Council will have an opportunity to make the final decision on the application, he would be in support of this application.

Commissioner Angelo Carvalho asked if a study had been done in the area for the schools as they are already overcrowded. He questioned how the development would impact the schools. Mr. Clapsaddle responded he was not aware of any studies. He stated he could contact the School District between now and when the application went before Council. Mr. Clapsaddle was not sure if the applications were routed through the School District. Mr. Thomas stated the application was sent to the School District and they had no comment on this application.

Chairman Leavitt stated by law the applications are sent to the School District, so they are aware of it. He stated the City had recently undergone a project to develop a park on part of this property and that left him confused in the fact that if the City is so concerned about preserving the rural preservation area, why would they put in a park which would encourage more residential involvement and he would be supporting this application.

Dave Clapsaddle asked that the application be continued to January 12, 2005.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Commissioner Shull

37. **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. (CONTINUED DECEMBER 8, 2004)**

Commissioner Harry Shull stated he would be abstaining on this item due to a business interest.

The application was presented by Robert Eastman on behalf of Staff who indicated Staff was recommending approval of AMP-102-04 for Convenience Commercial.

Bill Curran of Curran and Parry, 300 South Fourth Street, Las Vegas, NV 89102 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED FOR CONVENIENCE COMMERCIAL

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

38. **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. (CONTINUED DECEMBER 8, 2004)**

Commissioner Harry Shull stated he would be abstaining on this item due to a business interest.

The application was presented by Robert Eastman on behalf of Staff who indicated Staff was recommending approval of AMP-102-04 for Convenience Commercial.

Bill Curran of Curran and Parry, 300 South Fourth Street, Las Vegas, NV 89102 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

39. **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. (CONTINUED DECEMBER 8, 2004)**

Commissioner Harry Shull stated he would be abstaining on this item due to an interest in this item.

The application was presented by Robert Eastman on behalf of Staff who indicated Staff was recommending approval of AMP-102-04 for Convenience Commercial.

Bill Curran of Curran and Parry, 300 South Fourth Street, Las Vegas, NV 89102 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Shull

40. **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. (CONTINUED DECEMBER 8, 2004)**

Commissioner Harry Shull stated he would be abstaining on this item due to a business interest.

It was requested by the applicant to continue UN-155-04 to January 12, 2005.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Commissioner Shull

41. **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. (CONTINUED DECEMBER 8, 2004)**

Commissioner Harry Shull stated he would be abstaining on this item due to a business interest.

It was requested by the applicant to continue UN-162-04 to January 12, 2005.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Commissioner Shull

42. **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. (CONTINUED DECEMBER 8, 2004)**

Commissioner Harry Shull stated he would be abstaining on this item due to a business interest.

It was requested by the applicant to continue UN-155-04 to January 12, 2005.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Commissioner Shull

43. **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. (CONTINUED DECEMBER 8, 2004)**

Marc Jordan, Planning Manager stated Robert Gronauer was requesting that this application be continued to January 12, 2005.

Robert Gronauer stated he concurred with Staff that he would like to continue this item to January 12, 2005.

ACTION: CONTINUED TO JANUARY 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

44. **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 —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. (CONTINUED DECEMBER 8, 2004)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-152-04 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver of another approved method, this development shall comply with all applicable codes and ordinances.
2. The development of this site be in compliance with the Industrial Development Standards and Design Guidelines, including but not limited to paving all drive aisles and parking areas on site; with the exception of allowing five feet of landscaping along Losee Road.
3. The applicant shall convert the temporary modular building into real property and shall comply with the industrial design guidelines.
4. The use permit (UN-152-04) is site-specific and non-transferable.
5. Approval of a traffic study is required prior to submittal of the civil improvement plans.
6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Losee Road.
7. 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.
8. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.

9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. The property owner is required to sign a restrictive covenant for utilities.
11. A merger and Resubdivision parcel map must be filed.
12. Approval of a drainage study is required prior to submittal of the civil improvement plans.

A representative of C & W. Enterprises, Inc., 4375 S. Polaris Avenue, Suite A, Las Vegas, NV 89103 appeared on behalf of the applicant and stated he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

**ACTION: APPROVED PER STAFF RECOMMENDATION**

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Trivedi**

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

**NAYS: None**

**ABSTAIN: None**

45. **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. (CONTINUED DECEMBER 8, 2004)**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-154-04 subject to the following conditions:

1. All conditions of approval for SPR-22-04.
2. Unless expressly authorized through a variance, waiver of another approved method, the use shall comply with all applicable codes and ordinances.
3. The development of this site shall be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to:
  - a. Providing windows along the front and side elevations that will allow visibility from Centennial Parkway.
  - b. Providing foundation landscaping along all facades featuring a customer entrance.
4. The Use Permit (UN-154-04) for a tavern is site-specific and non-transferable.
5. The applicant shall provide a signed and stamped survey as evidence that there are no other taverns within 1,500 feet of the proposed location. The evidence shall be provided prior to the application for a building permit.

James Grindstaff, Frontline Group, 3800 Howard Hughes Parkway, Las Vegas, NV 89109 appeared on behalf of the applicant, stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION**

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

46. **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. (CONTINUED DECEMBER 8, 2004)**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-86-01 subject to the following conditions:

1. That subsequent expansions or additions to the use shall be subject to Planning Commission review and approval; and
2. That the development shall comply with all applicable codes and ordinances; and
3. That the use permit is site specific and non-transferable; and
4. That approval of the use permit shall not constitute or imply approval or eligibility of any privileged business license that may be required by the City; and
5. That the use permit shall be valid only upon Planning Commission approval of a site plan for the overall shopping center; and
6. That the development shall be in compliance with Chapter 5.26 of the North Las Vegas Municipal Code. (North Las Vegas liquor Control Ordinance); and
7. That all conditions, stipulations and limitations shall be fulfilled and construction begun within six (6) months of the date of approval; and
8. That the civil improvement plans for the project shall include the following:
  - a. Review and approval of the driveway number and location by the City of North Las Vegas Traffic Engineer; and

- b. Median islands on Losee Road and Centennial Parkway; and
9. The driveways along Losee Road and Centennial Parkway may be limited to right-in-and right-out only. Median openings will have a minimum spacing of 660 feet; and
10. Fiber optic conduit as required in road frontages; and
11. Dedication of right-of-way for intersection of Losee Road and Centennial Parkway (201.1 requirements); and
12. Dedication of right-of-way for bus turn-out on Losee Road; and
13. The applicant shall comply with Commercial Development Standards and Design Guidelines; and
14. The applicant shall maintain a floor ratio of 50% to 50% bar to restaurant; and that tenant improvements for the bar shall include a room of approximately 300 square feet that can be separated from the rest of the facility, either temporarily or permanently through the use of architecturally integrated partitions or other methods as approved by staff to accommodate a private or semi-private function and then function as part of the regular dining area when not used for special functions.
15. That all right-of-way dedications required by the prior conditions of approval shall be completed within 90 days (of January 8, 2003); and
16. That UN-86-01 shall expire June 12, 2005.
17. The applicant shall provide a signed and stamped survey as evidence that there are no other tavern within 1,500 feet of the proposed location. The evidence shall be provided prior to the application for a building permit.

Dave Clapsaddle, G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 stated he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

Chairman Aston asked Mr. Jordan if there was an additional condition. Mr. Jordan responded it was listed in the memo handed out at Briefing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: Commissioner Trivedi

ABSTAIN: None

47. **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. (CONTINUED DECEMBER 8, 2004)**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of SPR-59-04 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; and
2. That this development shall comply with the Commercial Development Standards and Design Guidelines, with the following exceptions:
  - a. That the parking lot be separated from the property lines along Civic center Drive and McDaniel Street by a minimum 15 feet of landscaping; and
  - b. That the parking lot be landscaped to the greatest extent possible, as deemed appropriate by Redevelopment staff; and
3. That Washingtonia Robusta (Mexican Fan Palm) trees be planted along the Civic Center Drive and McDaniel Street right-of-way in-lieu of otherwise required 24" box trees, except on each side of all driveways, where Date palms are required. The Washingtonia Robusta palms shall be a minimum 10 feet in height and the Date Palms shall be a minimum 20 feet in height. All other shrubs, berms and ground cover shall be provided in accordance with the requirements set forth in the Zoning Ordinance; and
4. The owner will be responsible for developing a buddy system to be utilized by tenant employees working in the City Centre Plaza Building. Additionally, the owner will provide training on the use of the buddy system and for assigning spaces to tenant employees; and

5. Should tandem parking be made available to the general public, a parking attendant employed by Standard Parking will be responsible for administering tandem parking of the City Centre Plaza site. The attendant will be a full-time employee and will be assigned Monday through Friday; and
6. Should the demand not exist for tandem parking at this site, the parking attendant will be responsible for blocking off the middle row or tandem parking with posts and chains to prevent their use; and
7. The property owner is required to grant a roadway easement for commercial driveway(s).

**James Veltman, Veltman Planning and Design Group, 4470 North Chieftan, Las Vegas, NV 89149** and **Rio Lupisan, 2550 Hollywood Way, Burbank, CA 91505**. James Veltman explained the landscaping that would be installed in the new parking lot. Rio Lupisan stated he was brought in to redesign the current parking lot. The capacity is currently 142 spaces. With what is proposed it increases the number of spaces to 192. Mr. Veltman and Mr. Lupisan stated they concurred with Staff recommendation.

Chairman Jay Aston asked if tandem parking lots had been approved previously. Marc Jordan, Planning Manager stated this is the first tandem parking they have had requested. Chairman Aston asked if there was any data on how well that type of parking works. Mr. Lupisan responded the tandem spaces were intended for employees and they would be educated on how the buddy system works. Chairman Aston asked if there was any data or other facilities who have used the tandem parking. Mr. Lupisan responded tandem parking was popular mostly in the east and west coast. Chairman Aston asked how the spaces would be marked so the public knows not to park there because they could get trapped. Mr. Lupisan stated he had this conversation with Ray Burke, and they agreed to have the spaces signed and posted as reserved for employees only. Chairman Aston asked if the signage was listed in the condition of approval.

Commissioner Trivedi asked Sr. Deputy City Attorney Jim Lewis who was liable for a fender bender in this type of parking lot. Mr. Lewis responded he did not feel the City would be liable for this parking lot.

**ACTION: APPROVED PER STAFF RECOMMENDATION**

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Shull**

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

**NAYS: None**

**ABSTAIN: None**

48. **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. (CONTINUED DECEMBER 8, 2004)**

Commissioner Harry Shull stated he would be abstaining from the vote on this application as his company has an interest in the property.

The application was presented by Ned Thomas, Planner on behalf of Staff who indicated Staff was recommending approval of T-1142 subject to the following conditions:

Dave Clapsaddle, G.C. Garcia. 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating he agreed with Staff recommendation. He wanted to clarify Condition No. 3 regarding shared refuse storage and suggested some additional language "as approved by Staff." Also, Condition No. 11 they would like to examine that as part of the traffic study and would like additional language "subject to approval of the traffic study." Condition No. 14 they would like to clarify they know the City has an SID for the channel and they have no problem extending north of the channel. They just want it on the record that they will work with Staff through the SID process to make sure there is coordination.

Ned Thomas, Planner stated that regarding shared garbage collection, they had gone back and forth with the developer. Mr. Thomas spoke with a representative of Republic Services and he looked at the site plan and submitted a letter to the developer regarding individual garbage pick-up but upon further clarification of the site plan by Staff they determined collectively it would be a safety issue more than anything. The site plan would require the large garbage trucks to back up on narrow streets and it is an accident waiting to happen if there are children in the neighborhood so they have pushed for shared refuse collection areas with dumpsters for this development so they would like the developer to show those on the site plan.

Clete Kus, Traffic, stated with regards to Condition No. 11 he offered the following wording change to read "access onto Simmons Street to be justified by a traffic study and approval by the City Traffic Engineer."

Randy Cagle, Real Property Management stated he felt Condition No. 14 was okay as written. The intent of the condition was to have the developer construct the improvements

across the channel where there are no improvements existing. The City has a project where they will be building the other half of the bridge and is not aware of any SID that would impact their development. If they are there first, even if there is an SID, they would not be responsible for participating in it and recommended leaving Condition No. 14 as is.

Chairman Aston asked the applicant if he had any other comment. Mr. Clapsaddle stated he was okay with that.

Bob Gronauer, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, Las Vegas, NV 89109 stated they could ask for approval by Staff or Republic Services because it gave the option of getting the letter from Republic Services, because they're the one who will have to deal with the safety issues.

**ACTION:** APPROVED WITH STAFF RECOMMENDATION WITH CONDITION NO. THREE AMENDED TO READ: *SHARED REFUSE COLLECTION AREAS AND DUMPSTERS OF SUFFICIENT SIZE AND NUMBER FOR THE NEEDS OF THE DEVELOPMENT AS DETERMINED BY STAFF AND SUBJECT TO APPROVAL BY REPUBLIC SERVICES* AND CONDITION NO. 11 AMENDED TO READ: *THE ENTRY ON SIMMONS WILL BE SUBJECT TO A TRAFFIC STUDY OR AS APPROVED BY THE DIRECTOR OF PUBLIC WORKS AND TRAFFIC.*

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Brown

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

**NAYS:** None

**ABSTAIN:** Commissioner Shull

### **PUBLIC FORUM**

There was no public participation.

### **DIRECTOR'S BUSINESS**

There was no further business.

**CHAIRMAN'S BUSINESS**

There was no further business.

**ADJOURNMENT**

The meeting adjourned at 10:45 p.m.

APPROVED: January 26, 2005

/s/ Jay Aston  
Chairman Jay Aston

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