

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

March 9, 2005

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:** 7:00 pm., Council Chambers, North Las Vegas City  
Hall, 2200 Civic Center Drive

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

**STAFF PRESENT:** Jory Stewart, Planning and Development Director  
Marc Jordan, Planning Manager  
Robert Eastman, Principal Planner  
Vicki Adams, Planner  
Jim Lewis, Sr. Deputy City Attorney  
Randy Cagle, PW, Real Property Services Manager  
Kevin Futch, PW, Transportation  
James Frater, Fire Department

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

**PLEDGE OF ALLEGIANCE:** Commissioner Steve Brown

**WELCOME:** Chairman Jay Aston

**MINUTES**

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF FEBRUARY 9, 2005.**

ACTION: APPROVED WITH CORRECTION TO ROLL CALL REFLECTING COMMISSIONER DEAN LEAVITT AS BEING ABSENT AND COMMISSIONER HARRY SHULL AS BEING PRESENT AT THE FEBRUARY 9, 2005 MEETING

MOTION: Commissioner Shull

SECOND: Vice Chairman Cato

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

NAYS: None

ABSTAIN: Commissioner Leavitt

**CONSENT AGENDA**

A. **PW-37-05 (19616) LAUREL CANYON, UNIT 1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY RICHMOND AMERICAN HOMES OF NEVADA, INC AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$1,764,679.76.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

B. **PW-38-05 (19617) CHEYENNE VALLEY COMMERCIAL, PHASE 1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CHEY 33, LLC AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$67,969.50.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

**C. PW-39-05 (19619) SAN MIGUEL & FUSELIER: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY HANOVER INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$50,229.25.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

**D. PW-40-05 (19620) NVE SUN CITY, UNIT 6 OFF-SITE SEWER: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$68,970.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

**E. PW-41-05 (19622) THE SHADOWS INFRASTRUCTURE: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY BEAZER HOMES HOLDINGS CORP. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$1,604,310.90.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

**F. PW-42-05 (19623) THE SHADOWS UNIT 2: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY BEAZER HOMES HOLDINGS CORP. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$1,527,428.21.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

**G. PW-43-05 (19624) TROPICAL WALNUT, UNIT 2: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY U.S. HOMES CORPORATION AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$535,423.63.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

**H. PW-44-05 (19625) QUAIL RUN ESTATES: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY 24 QUAIL RUN, LLC AND ACCEPT THE CASH-IN-LIEU OF BOND - SEPARATE ACCOUNT IN THE AMOUNT OF \$263,267.73.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

**I. PW-45-05 (19627) VILLAGES @ SIERRA RANCH, VILLAGE 4, UNIT 1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY KB HOME NEVADA, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$458,141.70.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

**J. PW-46-05 (19628) GRAND TETON/VALLEY NW 80, PUD 45 #1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY PARDEE HOMES OF NEVADA AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$1,977,400.84.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

**K. PW-47-05 (19629) TROPICAL & WALNUT, UNIT 3: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY U.S. HOMES CORPORATION AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$1,346,066.49.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- L. **PW-48-05 (19630) CRAIG & SIMMONS: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY BORMANN DEVELOPMENT AND ACCEPT THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$264,100.55.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

**NEW BUSINESS**

1. **AMP-07-05 (19167) THE GATEWAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PJ & CB, LLC, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS, TO DELETE LAWRENCE STREET BETWEEN DEER SPRINGS WAY AND DORRELL LANE; TO DELETE COLLETTE STREET BETWEEN DEER SPRINGS WAY AND DORRELL LANE; TO DELETE DORRELL LANE BETWEEN LAWRENCE STREET AND LOSEE ROAD; TO DELETE AN UNNAMED STREET BETWEEN LAWRENCE STREET AND LOSEE ROAD; TO DELETE DEER SPRINGS WAY BETWEEN LAWRENCE STREET AND LOSEE ROAD AND TO DELETE ROME BOULEVARD BETWEEN LAWRENCE STREET AND LOSEE ROAD.**

It was requested by the applicant to continue AMP-07-05 to April 13, 2005

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO APRIL 13, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

2. **VAC-05-05 (19156) THE GATEWAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PJ & CB, LLC, TO VACATE LAWRENCE STREET BETWEEN DEER SPRINGS WAY AND DORRELL LANE; TO VACATE COLLETTE STREET BETWEEN DEER SPRINGS WAY AND DORRELL LANE; TO VACATE DORRELL LANE BETWEEN LAWRENCE STREET AND LOSEE ROAD; TO VACATE AN UNNAMED STREET BETWEEN LAWRENCE STREET AND LOSEE ROAD; TO VACATE DEER SPRINGS WAY BETWEEN LAWRENCE STREET AND LOSEE ROAD AND TO VACATE ROME BOULEVARD BETWEEN LAWRENCE STREET AND LOSEE ROAD.**

It was requested by the applicant to continue VAC-05-05 to April 13, 2005

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO APRIL 13, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

3. **AMP-08-05 (19173) THE GATEWAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PJ & CB, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LAWRENCE STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-601-009 THRU 124-23-601-012.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated she would be presenting Item Nos. 3 and 4 together. She stated Staff was recommending approval of AMP-08-05.

**Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, 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

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**4. ZN-15-05 (19159) THE GATEWAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PJ & CB, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LAWRENCE STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-601-009 THRU 124-23-601-012.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated she would be presenting Item Nos. 3 and 4 together. She stated Staff was recommending approval of ZN-15-05.

**Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, 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

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

5. **AMP-09-05 (19176) THE GATEWAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PJ & CB, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF LOSEE ROAD AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-23-601-015.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated she would be presenting Item Nos. 5 and 6 together. She stated Staff was recommending approval of AMP-09-05.

**Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, 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

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

**6. ZN-22-05 (19160) THE GATEWAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PJ & CB, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF LOSEE ROAD AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-23-601-015.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated she would be presenting Item Nos. 5 and 6 together. She stated Staff was recommending approval of ZN-22-05.

**Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, 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

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

7. **UN-03-04 (19211) LAKE MEAD & SIMMONS PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SIMMONS ASSOCIATES, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME TO A PREVIOUSLY APPROVED 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 SOUTH OF LAKE MEAD BOULEVARD AND APPROXIMATELY 225 FEET EAST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-20-614-001.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval 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) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
3. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geologic hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans.
4. The installation of sprinklers for fire suppression is required per Fire Code.
5. The property owner is required to grant a roadway easement for commercial driveway(s) prior to civil improvement plan approval.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. A bus turnout is required along the project's Lake Mead Boulevard frontage.
8. The actual driveway numbers and locations are subject to review and approval by the City of North Las Vegas traffic engineer.
9. Fire access lane turning radii shall be designed and installed in accordance with the Fire Code.
10. That UN-03-04 is site-specific and non-transferable.

11. That the restrooms be located such that patrons are not required to go through the bar area to access those facilities.
12. That windows be provided throughout the building, except where the kitchen and restrooms are proposed to be located.
13. That the floor area of the bar shall not exceed 50% of the total public restaurant floor area.
14. That the applicant shall provide proof to the City that no other tavern is within 1,500 feet of the proposed location. The evidence shall be provided prior to the application for a business license.
15. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances.
16. That the development of this site shall be in compliance with all Codes and Ordinances in effect at the time of building permit issuance. If there is a conflict with the conditions mentioned herein, the more restrictive shall apply.
17. That UN-03-04 shall expire on August 11, 2005.

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

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

- **George Gekakes, 2655 S. Rainbow Boulevard #401, Las Vegas, NV 89146** stated he owned the property for the existing apartment to the south and to the east. He stated he was opposed to a tavern. He presented a petition with over 80 signatures from residents in the neighborhood who were also opposed to the application.

Chairman Aston closed the Public Hearing.

Bob Gronauer stated several years ago before the property was purchased for the apartments, North Las Vegas Airport was opposed to having apartments in the area as the airport was just to the northwest of this site. When the approval was received for the apartment complex, part of the agreement was to use the corner for commercial. Two years ago a special use permit was requested for a tavern and fast food restaurant. The use was found to be compatible at that time. Mr. Gronauer stated they had met previously with the homeowners in the area. At one time there was a mini storage facility proposed on the site in which there was significant opposition because of the reduction in setbacks and the amount of variances being proposed.

Chairman Jay Aston asked the applicant if another restaurant was proposed on the corner of the site. Mr. Gronauer stated a special use permit was approved for a fast food restaurant and when the previous property owner was represented, they were looking to move the tavern use permit on the corner but at the time there was some interest from a potential buyer for the restaurant and tavern to be located in that area. Chairman Aston asked if the current site plan showed what was being built. Mr. Gronauer responded they were looking at a different design that should be going before the Commission in a couple of weeks. This item is to preserve the use permit that has been established. The new site plan would comply with all design guidelines.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

8. **UN-14-05 (19052) ACE BROTHERS EXPANSION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STEVE YEGHIAYAR ON BEHALF OF LAST TSCHANZ, II, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW THE EXPANSION OF AN EXISTING AUTOMOBILE REPAIR FACILITY. THE PROPERTY IS LOCATED AT 3411 PRECISION DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-08-712-013.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-14-05 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 UN-14-05 is site-specific and non-transferable.

**Steve Yeghiayar, 901 Tierra Santa** appeared 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: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

9. **UN-15-05 (19138) MAZZ DINERO RAPIDO #5 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DOS COMPADRES, INC., ON BEHALF OF DAHLAS J. AND MEIKO ANTOKU, ET AL, PROPERTY OWNER, FOR A USE PERMIT IN AN RA/CR REDEVELOPMENT AREA COMMERCIAL/RETAIL SUBDISTRICT TO ALLOW A FINANCIAL INSTITUTION (CHECK CASHING). THE PROPERTY IS LOCATED AT 2039 CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-23-610-001.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-15-05 subject to the following conditions:

1. That the special use permit is site specific and non-transferable.
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. That any expansions to the proposed use shall be subject to Planning Commission and Redevelopment Agency review and approval.

Mr. Eastman also stated UN-15-05 would be forwarded to the Redevelopment Agency for final consideration.

**Scott Lopez, Owner, Dos Compadres Inc., 1750 E. Russell Road, Las Vegas, NV 89119** stated he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

**10. UN-16-05 (19179) STAY COOL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JOSH THOMPSON ON BEHALF OF B A G GROUP, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY (WINDOW TINTING). THE PROPERTY IS LOCATED AT 4600 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-06-215-011.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-16-05 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 all repairs, service and material storage shall be done within the building; and
3. That the hours of operation shall be limited to seven (7) a.m. to six (6) p.m. Monday through Saturday and Sunday by appointment only; and
4. That UN-16-05 is site-specific and non-transferable.

**Josh Thompson, 4600 West Craig Road, Suite 401, North Las Vegas, NV 89031** 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 Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

11. **ZN-19-05 (19201) I-15/I-215 @ LINN & TROPICAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY UNLIMITED HOLDINGS ON BEHALF OF JOHN F. AND SUSAN D. LARIK, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN O-L OPEN LAND DISTRICT TO AN M-2 GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LINN LANE AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 123-28-601-021.**

Chairman Jay Aston disclosed the company he works for may or may not be involved with a business transaction with the applicant but does not feel it will affect his participation on this application.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-19-05.

**Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** 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 Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

12. **UN-17-05 (19194) I-15/I-215 @ LINN & TROPICAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY UNLIMITED HOLDINGS ON BEHALF OF JOHN F. AND SUSAN D. LARIK, PROPERTY OWNERS, FOR A USE PERMIT IN AN O-L OPEN LAND DISTRICT (PROPOSED M-2 GENERAL INDUSTRIAL DISTRICT) TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A BAR/TAVERN. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LINN LANE AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 123-28-601-021.**

Chairman Jay Aston disclosed the company he works for may or may not be involved with a business transaction with the applicant but does not feel it will affect his participation on this application.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of UN-17-05 due to the fact the site plan is not in compliance with the Commercial Design Standards and because most of the area is still open land, which is still a residential district. The applicant is not showing the proposed or required buffering of landscaping next to those property lines. The applicant also has not demonstrated compliance with the parking requirements. Mr. Jordan stated a use permit for this type of facility is for six months and he does not feel the property can be developed in that time frame as there are no roads or infrastructure leading to the site and feels there will be several extensions of time before the property can be developed. If this application is approved, Staff is concerned for the safety of employees and patrons as it is too far from other developed property.

**Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant stating he felt the site would be developed soon. Mr. Clapsaddle said the application may be premature but from a land use point of view, this is why these areas are allocated. There are properties allocated for commercial and industrial so these types of uses can come in without residential encroachment. He also stated, while the zoning had already been approved, it made sense to approve the tavern now so that as other uses come in, the applicants would be aware of the tavern and asked the Commission for their approval.

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

Chairman Aston closed the Public Hearing.

Chairman Aston stated he did not have a problem with the use but it brought up the question that maybe a use permit should be good for a longer period of time. He was concerned that the application did not meet the design guidelines and asked the applicant

why the parking standards had not been met. Mr. Clapsaddle responded he knew they would have to come back for a site plan review and would meet all standards of the code at that time and would not be asking for any waivers of landscaping, setbacks or parking. They know a site plan review will be submitted and they will meet all code requirements. Chairman Aston asked at what stage the parking requirements were reviewed, at the use permit stage or at a site plan review. Mr. Jordan responded the parking requirements were reviewed at the use permit stage. There is not a requirement for the applicant to come back for a site plan review. The site plan is reviewed with the use permit. Mr. Jordan also stated the commercial development next to I-15, even though the property has been rezoned, a site plan has not been approved for that center. The zoning is in place but no specific development has been approved or reviewed by the Planning Commission. Chairman Aston suggested maybe the item be continued.

Commissioner Steve Brown stated he thought a bar tavern for the area was a good idea but his concern was for the safety of the employees and patrons and asked how long an item could be continued. Mr. Jordan responded the item could be continued indefinitely but the problem would be after the item had been sitting for a long period of time, it would be hard to pick up again. He suggested the item be denied and the applicant reapply when the area starts to develop and this type of use was more appropriate. If the item were continued for one year, the Planning Department would go through the notification process again and there is a cost to the City when an item is continued like that, because the City must pay for all the public hearing notices and posting of signs. If the application were refiled, the costs would be covered under the new fees paid when the new application was filed.

Mr. Clapsaddle stated on the conditions Staff listed, if the item were approved, No. 2 states *"no site plan approval is granted, assumed or implied"* and stated they understood that and were not asking for site plan approval and agreed to meet that condition. Also, No. 3 states *"the development shall be in compliance with the Commercial Development Standards and Design Guidelines"* and also accepts that condition.

Commissioner Harry Shull stated he agreed with Staff recommendation and felt the application was premature.

Commissioner Dean Leavitt stated he also felt the application was premature and agreed with Staff recommendation.

Vice-Chairman Jo Cato asked Staff if it was the desire of the Planning Commission to deny the application and another application comes through when the infrastructure is complete how would that affect the current applicant. Mr. Jordan responded if the item were denied, the applicant would need to monitor the growth in the area. The first person to file their use permit, as long as it met all the requirements, and if they were to gain approval, they would have an area where no other use permits or taverns could go within 1500 feet.

Mr. Clapsaddle stated he would be agreeable to continue for 30 days to try to address the issues with the Design Guidelines.

ACTION: DENIED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

13. **UN-18-05 (19210) LOSEE & LONE MOUNTAIN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY UNLIMITED HOLDINGS, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A BAR/TAVERN. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF LOSEE ROAD AND LONE MOUNTAIN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-35-803-006.**

It was requested by Staff to pull UN-18-05 from the agenda. There will be no action taken.

**Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant stating he understood they could not go forward with the application but requested that it be held in abeyance indefinitely.

ACTION: NO ACTION TAKEN

MOTION:

SECOND:

AYES:

NAYS:

ABSTAIN:

14. **VN-06-05 (19147) DENNIS & JEAN DANGLER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DENNIS DANGLER, PROPERTY OWNER, FOR A VARIANCE IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A ZERO (0) SETBACK WHERE THREE (3) FEET IS REQUIRED FOR AN ACCESSORY STRUCTURE. THE PROPERTY IS LOCATED AT 3842 BRANCHWOOD DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-07-113-027.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending that VN-06-05 be denied as the hardship was self imposed. If the Commission approves VN-06-05, Staff recommends the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That a minimum 0 side yard setback be provided for the 72-square-foot accessory structure; however, the accessory structure shall comply with all other setback requirements as established by Title 17.

**Dennis Dangler, 3842 Branchwood Drive, North Las Vegas, NV 89032** stated there were other structures in the neighborhood that were in the setbacks and didn't realize there would be a problem. He stated he has his neighbor's permission to build the shed next to the wall they have in common and asked for approval of the variance.

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

- **Richard Cummock, 3904 Branchwood Drive, North Las Vegas, NV 89032** stated he lived adjacent to Mr. Dangler to the north and was in support of the variance.
- **Jean and Tom Stanks, 3912 Branchwood Drive, North Las Vegas, NV 89032** appeared stating they were in support of the variance.
- **Frederick Fox, 3838 Branchwood Drive, North Las Vegas, NV 89032** appeared stated he lived next door to Mr. Dangler and was in support of the variance. The shed was not visible from the street and he did not feel there was anything wrong with the design.

Chairman Aston closed the Public Hearing.

Commissioner Harry Shull asked if the structure was already built. Mr. Dangler responded construction had been started, but Code Enforcement stopped the building. Commissioner Shull stated if the rules are changed for one person, then others would expect the same consideration.

Commissioner Steve Brown commented that a State law guides the use of variances. He agreed with Commissioner Shull about the rules being changed.

Chairman Aston stated he was in support of the application.

Sr. Deputy City Attorney Jim Lewis stated the decision was within the Commission's discretion.

ACTION: APPROVED

MOTION: Vice-Chairman Cato

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**15. VN-07-05 (19192) 3100 TABOR AVENUE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THANH LU ON BEHALF OF SILVERCHIP PROPERTIES CORPORATION, PROPERTY OWNER, FOR A VARIANCE IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 1.1 FOOT SIDE YARD SETBACK WHERE FIVE (5) FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 3100 TABOR AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-24-610-068.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending that VN-07-05 be denied as the hardship was self imposed. If approved by the Planning Commission, the following conditions are recommended:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That a minimum 1.1 side yard setback be provided for the existing patio/carport; however, any expansions to the patio/carport shall comply with all setback requirements as established by Title 17.

**Mark Andrews, Managing Director of Silverchip Properties, 3850 E. Flamingo Drive, Suite 170, Las Vegas, NV 89121** appeared on behalf of the applicant stating the house was purchased in a dilapidated condition. The previous owner was in the process of remodeling and had a permit to do so at the time. The carport was preexisting when the home was purchased. They are trying to get a Certificate of Occupancy for a structure that was already there and the illegal setback was caused by the previous owner.

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

Chairman Aston closed the Public Hearing.

Commissioner Steve Brown stated his concern was with the fire issue. He asked if the one hour fire rating applied to this structure. James Frater of the Fire Department responded once you encroach less than three feet from the property line, then a one hour rating is required. Commissioner Brown also stated the fence next to the structure looked like it may be flammable. Other than safety concerns, he does not object to the variance. Mr. Andrews stated he would be willing to stucco the side of the structure which would provide a fire barrier.

Commissioner Dean Leavitt asked if the fence separating the two residences was of flammable construction. Mr. Andrews responded it was a wood fence.

Chairman Aston asked the applicant if he stated the house had an existing carport. Mr. Andrews responded the carport was existing when the home was purchased. Chairman Aston asked the setback of the existing carport. Mr. Andrews responded it was the same as it is now. Chairman Aston stated there were different codes involved with the firewall. Mr. Jordan stated if the Commission were to approve this item, they would recommend an additional condition. He stated there was a memorandum from the Building Department indicating they would need to meet the IRC Code of the one hour firewall and Staff recommended that Condition No. 3 be added to read: "That the carport shall comply with all building code requirements."

Commissioner Dilip Trivedi stated by adding 3/4 inches of stucco to the ceiling would not make the structure fire proof. The applicant stated he would install whatever the building code required in order to keep the carport.

Commissioner Leavitt stated there were stucco products that enhance and bring a greater fire protection than others and was in agreement with the condition read into the record by Mr. Jordan.

Commissioner Brown suggested a condition be added to require the applicant to install a block wall between the carport and the adjoining property for additional fire protection.

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

3. THAT THE CARPORT SHALL COMPLY WITH ALL BUILDING CODE REQUIREMENTS.

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

16. **ZN-16-05 (19218) LA MADRE-GOLDFIELD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NLV INVESTORS, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LAMADRE WAY AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-802-002 AND 124-34-802-004.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of ZN-16-05.

**Russell Skuse, 7525 Hickam Avenue, Las Vegas, NV 89129** 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 Carvalho

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

NAYS: None

ABSTAIN: None

17. **T-1162 (19212) LA MADRE-GOLDFIELD. AN APPLICATION SUBMITTED BY NLV INVESTORS, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATES DISTRICT (PROPOSED R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT) CONSISTING OF 23 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LA MADRE WAY AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-34-802-002.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending continuance of T-1162 to allow the applicant time to revise the tentative map and include the required 15 feet of perimeter landscaping.

**Russell Skuse, 7525 Hickam Avenue, Las Vegas, NV 89129** appeared on behalf of the applicant stating they were requesting a waiver of the landscape requirements along Verde Way. He stated they were trying to mirror the look of the adjacent subdivision. By reducing the landscaping requirement from 15 feet to 10 feet, including the sidewalk, they would be gaining an additional two lots. The average lot size in the subdivision would be about 5700 square feet. Mr. Skuse made reference to the condition regarding geologic hazards and stated he would not be able to meet the requirements in that condition as the County is showing a fault line going through the property which is misleading and the County could not substantiate the information on the map.

Sr. Deputy City Attorney Jim Lewis stated the Public Works Department uses Dr. Bell from University of Nevada Reno. The Bell Study is utilized throughout the County. Mr Bell mapped faults, fissures and other geologic hazards in North Las Vegas. Other developers have run into a problem with the Study and what is shown on the maps. There is a condition that states there is a building code requirement indicating you cannot have residential structure foundations near the fault and fissure lines. If one happens to exist on property, the developer would be required to work around it. The condition is to protect the residents of the City and is a standard condition that will always be on a tentative map.

Mr. Skuse stated he had not had a geologist or a soils report to actually locate the fissure lines shown on the County map so they do not know what the impact will be.

Vicki Adams, Planner clarified the waiver request was for perimeter landscaping along Verde Way and not corner side lot landscaping.

Commissioner Harry Shull stated there are situations where there is property contiguous to you that was developed at an earlier time under different conditions but when new developments are built, they must comply with the current standards and was opposed to the waiver request.

Commissioner Shull asked if the conditions for the tentative map include the landscape requirement. Ms. Adams responded in the conditions of approval, Condition No. 3, states the applicant would be required to provide 15 feet of perimeter landscaping.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDATION

**MOTION:** Commissioner Shull

**SECOND:** Commissioner Leavitt

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

**NAYS:** None

**ABSTAIN:** None

18. **ZN-17-05 (19217) GOLDFIELD PROJECT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DYMON INVESTMENTS ON BEHALF OF GOLDFIELD 20, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED WEST OF NORTH FIFTH STREET AND APPROXIMATELY 307 FEET NORTH OF LONE MOUNTAIN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-804-002 THRU -006.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-17-05.

**Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, 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

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

19. **ZN-18-05 (19216) GOLDFIELD PROJECT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DYMON INVESTMENTS ON BEHALF OF GOLDFIELD 20, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND LONE MOUNTAIN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-03-503-001 THRU -003.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-18-05.

**Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, 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

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

20. **ZN-21-05 (19202) GOLDFIELD PROJECT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DYMON INVESTMENTS ON BEHALF OF GOLDFIELD 20, LLC, AND GOLD PYLE, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF GOLDFIELD STREET AND SERGEANT JORDAN AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-03-505-003, 139-03-505-005 AND 139-03-505-006.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-21-05.

**Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, 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

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

21. **ZN-20-05 (19214) NORTH 5<sup>TH</sup> STREET AND WASHBURN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DYMON INVESTMENTS ON BEHALF OF GOLDFIELD 20, LLC, MICHAEL AND LISA WHITSETT, AND GOLD PYLE, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF GOLDFIELD STREET AND LA MADRE WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-701-011, 124-34-701-015, 124-34-701-020, 124-34-701-021, 124-34-701-025, 124-34-701-026, 124-034-701-029, 124-34-701-032 AND 124-34-701-038.**

Marc Jordan, Planning Manager stated he believed the applicant would be asking that this item be continued for two weeks to March 23, 2005.

**Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant asking that ZN-20-05 be continued to March 23, 2005.

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

ACTION: CONTINUED TO MARCH 23, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

- 22. SPR-09-05 (19185) D.E.T.R. AN APPLICATION SUBMITTED BY THE STATE OF NEVADA, D.E.T.R., ON BEHALF OF WILLIAM COLEMAN, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO WAIVE THE REQUIREMENT TO INSTALL A LANDSCAPING PLANTER AT THE BASE OF A 30-FOOT SIGN. THE PROPERTY IS LOCATED AT 2827 NORTH LAS VEGAS BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-13-601-007.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of SPR-09-05.

**Penda Rines, 3699 New Horizon Drive, Las Vegas, NV**, Center Manager for the North Las Vegas Job Connect at 2827 North Las Vegas Blvd. stated he concurred with Staff recommendation.

ACTION: APPROVED

MOTION: Commissioner Levitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

**23. T-1159 (19164) SHADOW MOUNTAIN. AN APPLICATION SUBMITTED BY PANATTONI DEVELOPMENT, ON BEHALF OF SHADOW MOUNTAIN INVESTORS, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2 GENERAL INDUSTRIAL DISTRICT CONSISTING OF ONE INDUSTRIAL LOT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ALEXANDER ROAD AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-12-510-001.**

The application was presented by Robert Eastman on behalf of Staff who indicated Staff was recommending approval of T-1159 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. Approval of T-1159 does not include the proposed setbacks or landscape easements shown on the submitted tentative map.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Approval of a traffic study is required prior to submittal of the civil improvement plans.
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. The civil improvements shall include schedule 40 PVC fiber optic conduit along the project's Alexander Road and Pecos Road frontages.
7. Right-of-way dedication and construction of a flared intersection is required at Alexander Road and Pecos Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
8. Right-of-way dedication and construction of a CAT bus turn-out is required on Pecos Road near Alexander Road. It is suggested that the applicant provide the bus stop placement within the exclusive right turn lane for the property per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.3. Alexander Road and Pecos Road.

9. 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.
10. The property owner is required to grant a roadway easement for commercial driveway(s).
11. 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.
12. The property owner is required to sign a restrictive covenant for utilities.

**John Gustafson, 1210 Hinson Street, Las Vegas, NV 89102** appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

**24. T-1161 (19195) VENTANA @ SIERRA MONTANA UNIT 2. AN APPLICATION SUBMITTED BY BEAZER HOMES, INC., ON BEHALF OF THE ARTHUR ROZEN TRUST, ET AL, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 27 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-401-007.**

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

1. That unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development of this site be in compliance with all conditions of Ordinance Number 2079 (ZN-123-04).
3. That the installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
4. That the maximum number of dwelling units permitted within this portion of the development be 27.
5. That all conditions mentioned herein be satisfied prior to recording any final map.
6. That noise attenuation measures be incorporated into the design and construction of each dwelling to reduce exterior-to-interior noise levels by 65 dB.
7. That prospective home owners shall sign a written notice declaring knowledge of the existence of Nellis Air Force Base whereby this property is located within the 65-70 dB DNL Noise Contour as listed in the latest Nellis AFB Air Installation Compatible Use Zone (AICUZ) Report.

**Chris Arambula, 6765 W. Russell Road, Suite 200, Las Vegas, NV 89118** appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

**25. APPROVAL TO AMEND THE PLANNING COMMISSION BY-LAWS TO CHANGE THE TIME OF THE MEETING FROM 7:00 P.M. TO 6:00 P.M. AND ADD THE TIME OF BRIEFING AT 5:30 P.M.**

Sr. Deputy City Attorney Jim Lewis presented three options for Commissioners to decide which language should be used to amend the Planning Commission By-Laws.

Commissioner Dean Leavitt stated he was in favor of Option No. 1.

ACTION: NO ACTION TAKEN

MOTION:

SECOND:

AYES:

NAYS:

None

**OLD BUSINESS**

26. **SPR-05-05 (18960) CORONADO CENTENNIAL-COMMERCE. AN APPLICATION SUBMITTED BY YWS ARCHITECTS, ON BEHALF OF CORONADO CENTENNIAL, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT CONSISTING OF A 107,518 SQUARE FOOT COMMERCIAL CENTER. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-102-002 AND 124-27-102-001. (CONTINUED FEBRUARY 23, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of SPR-05-05 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 commercial development shall be in compliance with the Commercial Development Standards and Design Guidelines.
3. Cross access shall be provided to the commercial property to the west.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. All 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.
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. Provide queuing for Three (3) vehicles at each car wash bay.
9. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway and Commerce Street.

10. Right-of-way dedication and construction of a flared intersection is required at Centennial Parkway and Commerce Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
11. Right-of-way dedication and construction of a CAT bus turn-out is required on Commerce Street near Centennial Parkway. It is suggested that the applicant provide the bus stop placement within the exclusive right turn lane for the property per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.3.
12. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
13. A revocable encroachment permit for landscaping within the public right of way is required.
14. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
15. 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.
16. 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.
17. The property owner is required to grant a roadway easement for commercial driveway(s).
18. The property owner is required to sign a restrictive covenant for utilities.
19. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
20. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100.B:
  - a. Centennial Parkway
  - b. Commerce Street

**Frank Gonzalez, of YWS Architects, 5005 W. Patrick Lane, Las Vegas, NV 89118**  
appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**27. UN-08-05 (18954) CORONADO CENTENNIAL COMMERCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY YWS ARCHITECTS ON BEHALF OF CORONADO CENTENNIAL, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE WASHING ESTABLISHMENT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-102-001 AND 124-27-102-002. (CONTINUED FEBRUARY 23, 2005)**

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

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The commercial development shall be in compliance with the Commercial Development Standards and Design Guidelines.
3. Subsequent expansions or additions to the use shall be subject to Planning Commission review and approval.
4. The Development shall comply with all conditions of approval for SPR-05-05.
5. That three (3) queuing spaces shall be provided for each bay of the car wash, in addition to the 24-foot drive aisles.

**Frank Gonzalez, of YWS Architects, 5005 W. Patrick Lane, Las Vegas, NV 89118** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

**28. UN-09-05 CORONADO CENTENNIAL COMMERCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY YWS ARCHITECTS ON BEHALF OF CORONADO CENTENNIAL, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (BANK). THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-102-001 AND 124-27-102-002. (CONTINUED FEBRUARY 23, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-09-05 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 commercial development shall be in compliance with the Commercial Development Standards and Design Guidelines.
3. The use is limited to a financial institution regulated by the federal government.
4. Subsequent expansions or additions to the use shall be subject to Planning Commission review and approval.
5. The Development shall comply with all conditions of approval for SPR-05-05.

**Frank Gonzalez, of YWS Architects, 5005 W. Patrick Lane, Las Vegas, NV 89118** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

**29. T-1149 (18701) RIVERWALK RANCH MANOR/ESTATES. AN APPLICATION SUBMITTED BY D. R. HORTON, INC., PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT (PROPOSED R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT) CONSISTING OF 144 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF TROPICAL PARKWAY AND DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-301-001, 124-30-302-001, 124-30-302-002, 124-30-304-001, 124-30-305-001. (CONTINUED JANUARY 26, FEBRUARY 9 AND 23, 2005)**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of T-1149 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. This development shall comply with Single-Family Development Standards, including but not limited to the following:
  - a. Corner lot landscaping with a minimum width of ten (10) feet along all corner lots.
  - b. The sidewalks along Decatur Boulevard and Tropical Parkway shall be separated from the back of curb by a minimum of five (5) feet and meandering.
  - c. The Public Utility Easement located between lots 139 and 140 shall be landscaped in accordance with Section 17.24.210.D.4a and labeled on the tentative map as a Public Utility, Drainage, and Pedestrian Access Easement.
3. Perimeter walls shall be owned and maintained by the Homeowners' Association.
4. Approval of a drainage study is required prior to submittal of civil improvement plans.
5. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. All 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.

7. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.
8. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the actual pavement sections will be determined by the Department of Public Works.
9. As shown on the site plan, the internal residential private streets shall be in conformance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 207 (Option "B").
10. The modified stub street, which features a minimum back of curb radius of 24 feet, is limited to a maximum lot frontage of four and a maximum length of 150 feet, as measured from the back of curb of the intersecting street to the back of curb at the furthest point of the cul-de-sac. Any cul-de-sac exceeding these standards shall provide a standard cul-de-sac design.
11. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
12. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100.B:
  - a. Tropical Parkway
  - b. Decatur Boulevard
  - c. El Campo Grande Avenue
13. Right-of-way dedication and construction of a flared intersection is required at Tropical Parkway and Decatur Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
14. Right-of-way dedication and construction of a CAT bus turn-out is required on

Tropical Parkway near Decatur Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.

15. Side lot easements shall conform to the *City of North Las Vegas Municipal Code* section 17.24.210.D.4.a.
16. The property owner is required to grant roadway easements where public and private streets intersect.
17. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
18. A revocable encroachment permit for landscaping within the public right of way is required.
19. All common elements shall be labeled and are to be maintained by the Home Owners Association.
20. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards and must be approved by the City of Las Vegas Central Fire Alarm Office. If a conformed tentative map is required, the approved street names shall be shown on the map prior to final signatures.
21. Approval of a traffic study is required prior to submittal of the civil improvement plans.
22. A queuing analysis is required if this development is to be gated.
23. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Decatur Boulevard and Tropical Parkway.
24. All Nevada Power Company easements and poles must be shown and shall be fully located within the landscape area. If any poles need to be relocated, it will be at the expense of the developer.
25. The developer is responsible for the acquisition of public utility easements needed for any off-site utilities.
26. VAC-01-05 shall record concurrently with the Final Map.

27. Streets in excess of five hundred (500) feet shall conform to the minimum curvilinear street requirements as outlined in *North Las Vegas Municipal Code* 16.20.050.
28. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording of the final map.
29. As shown on the Tentative Map, the developer shall install pop-outs where Sunriver Street intersects with Gangplank and African Queen. The design of the pop-outs shall be reviewed and approved by the City Traffic Engineer and the Department of Planning and Development prior to submittal of the civil improvement plans.
30. Driveways shall not be permitted within the pop-outs.
31. Each pop-out shall be designed as an integral part of an adjacent common element and shall be landscaped in accordance with *City of North Las Vegas Municipal Code* Section 17.24.210.E (Streetscapes and Landscaping).
32. All pop-outs shall be owned and maintained by the Homeowners' Association and identified as "Common Elements" on the final map.

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

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

**PUBLIC FORUM**

There was no public participation.

**DIRECTOR'S BUSINESS**

Planning and Development Director Jory Stewart thanked the Commissioners who attended the Walkable Communities Seminar.

**CHAIRMAN'S BUSINESS**

There was no report given.

**ADJOURNMENT**

The meeting adjourned at 8:52 p.m.

APPROVED: April 13, 2005

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Jay Aston, Chairman

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Jo Ann Lawrence, Recording Secretary