

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

April 27, 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 - Absent  
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  
Nick Vaskov, Deputy City Attorney II  
Lenny Badger, Manger, Dev. & Flood Control  
Clete Kus, PW, Transportation Planner  
Jimmy Johnson, Fire Department  
Jo Ann Lawrence, Recording Secretary

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

**PLEDGE OF ALLEGIANCE:** Vice-Chairman Jo Cato

**WELCOME:** Chairman Jay Aston

**MINUTES**

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF MARCH 23, 2005.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: Commissioner Carvalho

**CONSENT AGENDA**

**A. PW-78-05 (20314) JASMINE CONDOS, UNIT 2: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY TOUSA HOMES, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$818,179.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**B. PW-79-05 (20317) NORTH 5<sup>TH</sup> & DONNA: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY PLASTER DEVELOPMENT AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$1,689,012.34.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**C. PW-80-05 (20315) TRIPOLY @ KINGS HILL: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY KB HOME NEVADA, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$981,867.69.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**D. PW-81-05 (20318) CARDONA INDUSTRIAL PARK: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY CARDONA & CARDONA, LLC AND ACCEPT THE CASH-IN-LIEU OF BOND - SEPARATE ACCOUNT IN THE AMOUNT OF \$54,000.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**E. PW-82-05 (20319) REVERE MARKETPLACE: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY APK REALTY AND INVESTMENTS & MEAS INVESTMENTS, LLC AND ACCEPT THE CASH-IN-LIEU OF BOND - SEPARATE ACCOUNT IN THE AMOUNT OF \$606,744.79.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**F. PW-83-05 (20320) HAMMER & PECOS: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY KB HOME NEVADA, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$621,872.17.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**G. PW-84-05 (20321) VILLAGES @ SIERRA RANCH, VILLAGE 3 UNIT 1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY U.S. HOME CORPORATION AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$598,438.28.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**H. PW-85-05 (20325) VILLAGES @ SIERRA RANCH, VILLAGE 7 UNIT 1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY U.S. HOME CORPORATION AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$497,770.75.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**I. PW-86-05 (20326) VILLAGES @ SIERRA RANCH, VILLAGE 8 UNIT 1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY U.S. HOME CORPORATION AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$371,608.64.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**J. PW-87-05 (20327) ROSE LAKE INFRASTRUCTURE: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$3,281,013.15.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**K. PW-88-05 (20328) RUNVEE HOBART WEST, UNIT 4C: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$789,784.05.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston:

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

NAYS: None

ABSTAIN: None

**L. PW-89-05 (20329) RUNVEE HOBART WEST, UNIT 4D: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$658,548.99.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**M. PW-90-05 (20330) WASHBURN/PECOS: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY KB HOME NEVADA, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$468,522.74.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**N. PW-91-05 (20331) LAUREL CANYON, UNIT 3B: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY RICHMOND AMERICAN HOMES OF NEVADA, INC. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$261,062.43.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

- O. PW-92-05 (20324) CHEYENNE ALLEN OFF-SITES: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY CP DEVELOPMENT & CHEYENNE BUSINESS PARK, LLC AND ACCEPT THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$102,100.42.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

- P. PW-93-05 (20333) PAUL LEE'S CHINESE KITCHEN: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY OUTBACK STEAKHOUSE OF FLORIDA, INC. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$179,407.45.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

- Q. PW-94-05 (20334) MARTIN LUTHER KING OFF-SITES: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY GSG ALEXANDER, LLC AND ACCEPT THE CASH-IN-LIEU OF BOND - SEPARATE ACCOUNT IN THE AMOUNT OF \$18,423.53.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

- R. PW-95-05 (20335) NOVAK/AZURE: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY RICHMOND AMERICAN HOMES OF NEVADA, INC. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$858,549.66.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

- S. PW-96-05 (20336) GRAND TETON/VALLEY NW 80 PUD 45 NO. 3: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY PARDEE HOMES OF NEVADA AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$428,683.50.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

- T. PW-97-05 (20337) CORTONA, PHASE II: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY KB HOME NEVADA, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$629,241.59.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**U. PW-98-05 (20338) SIMMONS MARKETPLACE: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY NEVADA STATE BANK TO RELEASE THE REMAINING BALANCE OF THE CASH-IN-LIEU OF BOND - SEPARATE ACCOUNT IN THE AMOUNT OF \$104,586.12.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**V. PW-99-05 (20339) CHEYENNE CASINO: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY RELIANCE INSURANCE COMPANY TO RELEASE THE SURETY BOND IN THE AMOUNT OF \$42,601.52.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**W. PW-100-05 (20340) TROPICAL BREEZE 6: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY SAFECO INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$794,770.85.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

**NEW BUSINESS**

1. **ZN-33-05 (19953) ALLEN & RANCH HOUSE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY VEGAS ACQUISITIONS, LLC, ON BEHALF OF MARLIDA, INC., 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 ALLEN LANE AND RANCH HOUSE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-29-201-001 AND 124-29-201-002.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of ZN-33-05.

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

Chairman 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, Brown, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

**2. T-1171 (19955) ALLEN & RANCH HOUSE. AN APPLICATION SUBMITTED BY VEGAS ACQUISITIONS, LLC, ON BEHALF OF MARLIDA, INC., PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATES DISTRICT (PROPOSED R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT) CONSISTING OF 20 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ALLEN LANE AND RANCH HOUSE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-29-201-001 AND 124-29-201-002.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of T-1171 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That T-1171 shall become null and void if ZN-33-05 is not approved by the City Council.
3. That development shall comply with the Single-Family Design Guidelines including, but not limited to, a meandering sidewalk along Allen Lane.
4. In order to comply with the residential driveway geometrics set forth in the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222, all proposed lots shall meet the minimum standard lot width of twenty-six (26) feet.
5. The fifteen (15) foot public drainage and sewer easement must be revised to a twenty (20) foot pedestrian access/public drainage and utility easement that conforms to *City of North Las Vegas Municipal Code 17.24.210.D.4.a*.
6. The internal residential streets shall be in conformance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 207 (Option "B").
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. Approval of a drainage study is required prior to submittal of the civil improvement plans.
9. 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.
10. Approval of a traffic study is required prior to submittal of the civil improvement plans.
11. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Allen Lane.
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. Allen Lane
  - B. Ranch House Road
13. All common elements shall be labeled and are to be maintained by the Home Owners Association.
14. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
15. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
16. 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.
17. A revocable encroachment permit for landscaping within the public right of way is required.
18. All off-site improvements must be completed prior to final inspection of the first home.
19. 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.

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

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

3. **VAC-10-05 (19811) FIRST SPANISH BAPTIST CHURCH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LOCHSA ENGINEERING ON BEHALF OF THE FIRST SPANISH BAPTIST CHURCH, PROPERTY OWNER, TO VACATE THE NORTHERLY FIVE (5) FEET OF WASHBURN ROAD COMMENCING AT ALLEN LANE AND PROCEEDING WEST APPROXIMATELY 482 FEET; AND TO VACATE THE WESTERLY 15 FEET OF ALLEN LANE COMMENCING AT WASHBURN ROAD AND PROCEEDING NORTH APPROXIMATELY 292 FEET. THE ASSESSOR'S PARCEL NUMBER IS 124-31-604-011.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of VAC-10-05 subject to the following condition:

1. The City shall reserve an easement for any existing utilities.

**Ted Egerton, 6345 South Jones Boulevard, Las Vegas, NV 89118** stated he concurred with Staff recommendation.

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

**Juan Sclafani, 4212 Autumn Dale Avenue, North Las Vegas, NV 89031** stated he was in support of the item.

**Rafael Mundo, 2905 Chilly Nights, North Las Vegas, NV 89031** stated he was in support of the item.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

4. **AMP-15-05 (19948) CENTENNIAL/NORTH 5<sup>TH</sup> (PUBLIC HEARING). AN APPLICATION SUBMITTED BY U. S. HOME CORPORATION ON BEHALF OF PT CORPORATION AND NORTH 5<sup>TH</sup> CENTENNIAL-1, LLC, PROPERTY OWNERS, 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 LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-503-001 AND 124-25-503-007 THRU 124-27-501-009.**

It was requested by the applicant to withdraw AMP-15-05 without prejudice.

5. **ZN-37-05 (19951) CENTENNIAL/NORTH 5<sup>TH</sup> (PUBLIC HEARING). AN APPLICATION SUBMITTED BY U. S. HOME CORPORATION ON BEHALF OF PT CORPORATION AND NORTH 5<sup>TH</sup> CENTENNIAL-1, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 56 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-503-001 AND 124-25-503-007 THRU 124-27-501-009.**

It was requested by the applicant to withdraw ZN-37-05 without prejudice.

6. **T-1173 (19949) CENTENNIAL/NORTH 5<sup>TH</sup>. AN APPLICATION SUBMITTED BY U.S. HOME CORPORATION, ON BEHALF OF PT CORPORATION AND NORTH 5<sup>TH</sup> CENTENNIAL-1, LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED PUD PLANNED UNIT DEVELOPMENT DISTRICT) CONSISTING OF 56 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-503-001, 124-27-503-007, 124-27-503-008 AND 124-27-503-009.**

It was requested by the applicant to withdraw T-1173 without prejudice.

7. **VN-11-05 (19777) WASHBURN CREEK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DESERT PLASTERING, LLC, ON BEHALF OF RICHMOND AMERICAN HOMES, PROPERTY OWNER, FOR A VARIANCE IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 101 SINGLE-FAMILY DWELLINGS TO ALLOW WALL HEIGHTS OF 14 FEET WHERE 12 FEET IS THE MAXIMUM. THE PROPERTY IS LOCATED AT SOUTHEAST CORNER OF WASHBURN ROAD AND NORTH 5<sup>TH</sup> STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-301-001 THRU 004, 124-35-302-004 THRU 005, AND 124-35-304-002.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of VN-11-05 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. That this approval be only for the lots specified below and that the screen wall shall not exceed a nominal 6 feet in height from the finished grade of the property enclosed by the wall:
  - a. Lot #75 14 feet
  - b. Lot #76 14 feet
  - c. Lot #4 12 feet 8 inches
  - d. Lot #74 12 feet 8 inches
  - e. Lot #76 12 feet 8 inches
  - f. Lot #97 12 feet 8 inches
3. That the walls be sealed by an approved method to prevent the leaching or transmission of sulfates or calcium deposits through the walls, as approved by the Building Department.

There was nobody present at the meeting to represent the application.

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

**Marc Higdon, 905 Cobblestone Cove Road, North Las Vegas, NV 89081** stated his property was to the east of this parcel and asked for clarification of where the 14 foot wall would be located and indicated if the 14 foot wall was not at the entrance, it would not face his property so he would have no problem with the variance.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

8. **AMP-16-05 (19963) VALENCIA - ADDITION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY 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 COLEMAN STREET AND ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-05-802-010.**

AMP-16-05 and ZN-34-05 were presented together.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of AMP-16-05.

**George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant stating he concurred with Staff recommendation. He stated on Gowan to the south almost to Priest and from Simmons to Coleman, the area was mostly assembled. There had been one additional piece, closing one of the holes and adding to the project and they would be bringing other parcels to the Commission in the near future.

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 Jo Cato

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

NAYS: None

ABSTAIN: None

9. **ZN-34-05 (19962) VALENCIA - ADDITION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ALEX COLEMAN, 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 NORTHWEST CORNER OF COLEMAN STREET AND ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-05-802-010.**

AMP-16-05 and ZN-34-05 were presented together.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of ZN-34-05.

**George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant stating he concurred with Staff recommendation. He stated on Gowan to the south almost to Priest and from Simmons to Coleman, the area was mostly assembled and there had been one additional piece, closing one of the holes and adding to the project and they would be bringing other parcels to the Commission in the near future.

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, Brown, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

10. **VN-12-05 (19958) ALIANTE PARCELS 30A & 30B (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PARDEE HOMES OF NEVADA, ON BEHALF OF NORTH VALLEY ENTERPRISES, PROPERTY OWNER, FOR A VARIANCE IN AN R-1/MPC SINGLE-FAMILY RESIDENTIAL/MASTER PLANNED COMMUNITY DISTRICT TO ALLOW A 9.15 FOOT WALL WHERE A MAXIMUM 8 FEET IS ALLOWED. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DEER SPRINGS WAY AND CLAYTON STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-20-611-001.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who stated Staff was recommending approval of VN-12-05 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. A two-foot planter wall with cap stone shall placed along the back of sidewalk from lot 74 through lot 85.
3. Landscaping along Clayton shall be provided as required by the North Valley Development Agreement.

**Elena Arellano of G.C. Wallace Engineering, 1555 South Rainbow, Las Vegas, NV 89146** appeared on behalf of the applicant stating 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 SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

11. **AMP-18-05 (19959) CRAIG ROAD CONDOMINIUMS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CRAIG ROAD, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF INDUSTRIAL TO HDR HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF VANDENBERG DRIVE AND CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 140-06-601-006 AND 140-06-701-028.**

AMP-18-05 and ZN-35-05 were presented together.

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending denial of AMP-18-05 as the amendment does not comply with the intent of the guidelines set forth in the Comprehensive Plan and the remaining 9± acres to the west would create an "island" of industrial land with three sides abutting or across the street from residential uses and also recommends denial of ZN-35-05 as Staff does not support the Amendment to the Comprehensive Plan Land Use Map.

**George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant stating the property was located on the border of the City and County line. He stated everything north of Craig Road was industrial, to the south the predominant land use was residential. The County zoning in the area ranges from R-3 on the west, R-2 on the south, to the immediate east is R-3 and there was some C-2 at the corner. The R-3 and C-2 was a conversion last year from M-2 Industrial. He explained over the years, the County had eroded the industrial and created the residential. The R-3 zoning was done to provide a transitional land use buffer and to provide opportunities for housing in the area so Nellis Air Force Base personnel and others would have additional opportunities to own or rent. He stated the parcel in question was not suited for industrial as the access was not workable as was found by the previous owners when they tried to develop it as industrial. The additional restraints and constraints posed by the close proximity to residential made it not feasible to put industrial uses such as batch plants, frozen food lockers, feed stores, etc. There would be commercial services and they are adjacent to the corner as part of the overall R-3 and had the approval of the property owner to the west.

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

**Bill Robertson, adjacent property owner of 3900, 3950 and 4000 E. Craig Road, North Las Vegas, NV 89030** stated there was already a traffic problem on Craig Road and it took about 20 minutes to go two blocks and his company was heavy industrial and handled chemicals and he was opposed to more residential in the area.

**Peter Herchik, 4106 Pistachio Nut Avenue, North Las Vegas, NV 89115** stated he was concerned about the design of the condominiums as it was presented at the neighborhood meeting. It was designed so the main entrance was located on the other side of Walnut Glenn's north retention wall, which was also the back wall for his back yard and they proposed at the beginning of the entrance there would be a 20 foot easement which would narrow to 10 foot and then the main entrance gate, which would put the gate in the road between 30 and 40 feet from the bedroom windows of the homes on Pistachio Nut Avenue and he felt there would be a lot traffic noise and asked why it wasn't designed with the gate closer to the center of the property or closer to Craig Road. He was also concerned that connecting Vandenberg and Macadamia Nut would cause the residents to use those two streets to access the development. At the current time, Macadamia Nut was a dead end and he would like it kept that way.

**Jacine Yoshishige, 4120 Macadamia Drive, Las Vegas, NV 89115** stated she was in favor of the project but was concerned about the traffic and kids. She stated they would like to have a wall at the end of Vandenberg and Macadamia so it would be kept as a dead end so the traffic would not go through their neighborhood.

**David Yoshishige, Jr., 4120 Macadamia Drive, Las Vegas, NV 89115** stated he was in favor of the project as long as Vandenberg and Macadamia could be left as a dead end street so the traffic would not be going through their neighborhood.

**Ruben Pulido, 4119 Macadamia Drive, Las Vegas, NV 89115** was also in support of the project as long as the streets could be separated to avoid having the traffic dumped from Craig Road through the community.

**Renee Albert, 4111 Pistachio Nut, Las Vegas, NV 89115** stated she was in favor of the condominium development and agreed with the previous speakers, that Macadamia and Vandenberg be separated by some kind of gate as she was concerned about traffic going through their neighborhood.

Chairman Aston closed the Public Hearing.

Marc Jordan, Planning Manager added there was a lot of discussion regarding the site design of the development and at this time the only thing that had been submitted to Staff was the boundary map, so Staff had not had a chance to review the site plan. If the item were approved tonight, there was nothing to hold the applicant to the site plan and it seemed like there was discussion regarding the gate on that street, which from Staff's map, it appeared to be a public street, so it may not be able to be gated off and those items would not be part of the approval tonight as that would require a site plan review later. It was discussed whether or not the project would be condominiums or multi-family. The approval tonight would give the applicant flexibility on either of those.

Sr. Deputy City Attorney Jim Lewis added a site plan review was not a public hearing item. In fact, they were noticed as part of the materials that go out, except not specifically to each of the residents in a radial area. In the past, the public had been allowed to speak on these types of items. What was important to note was that neither of these items could be conditioned tonight as it was an Amendment to the Master Plan (AMP) and a request for a hard zone change. The applicant would not be bound to any site plan shown to the residents. If the property were sold, a new developer would have the right to build up to 25 units per acre and he wanted to make sure the residents were not under the belief that if these two items were approved, the site plan they saw was what would be built.

Mr. Garcia stated Vandenburg curved around to Macadamia and came back to Lamb Boulevard and the residents were referring to a potential cut through. There would be potential for traffic on that street regardless of what was built around them. There was a potential, if the traffic signal on Craig Road became congested, the northbound traffic could use it to get across Craig Road. Mr. Garcia said they had expressed to the residents that if they felt the traffic was an issue, the developer did not object to a dead end or cul-de-sac being created. It was explained to the residents there was a process to be followed in order to have that done. They would need to get a petition of the neighbors, and discuss it with City Traffic and the County. Mr. Garcia stated the plan had been submitted for a task force review. The plans had been revised and would be coming forward shortly with the revisions. He stated they would not be building 25 units per acre and explained, the person who owns the property was a home builder, Bob Davis Homes, and would be building on the property; it was not a speculative land change. The plan shown to the residents was not conceptual but were plans prepared by an architect and the site plan had been engineered and would be submitted for approval.

Planning and Development Director Jory Stewart wanted to make sure the public understood the item before them tonight did not include any consideration of road improvements, right-of-way, of whether something would be closed to traffic or there were site plan commitments and that if anything to that nature had been promised or alluded to them, especially that they would only need to file a petition to get a right-of-way closed, that was not the case.

Commissioner Dean Leavitt had asked that a representative from Economic Development be available for comment, as when he was briefed on the project, it was brought to his attention that Economic Development had some concerns. He asked Peggy Proestos, Economic Development Coordinator to come forward to explain her concerns. Ms. Proestos explained the Economic Development Department never opposed development but did sometimes oppose rezoning. Rezoning was opposed when the land use plan had already been created. They oppose rezoning from industrial to residential because they believe when the Master Plan was created, it was created with the idea of balance in mind. There were commercial areas and industrial areas to provide jobs and there were housing areas and it was very important to maintain that balance. Over the past 18 months,

throughout the Valley, property had been rezoned from industrial to residential and the entities had lost at least a couple thousand acres of industrial property. The Economic Development Department was continuing to work with companies from all over America who want to move to North Las Vegas and the Las Vegas Valley and they were having a harder time finding properties to show them. They were also aware that industrial uses less water than residential and water was a big concern in the Valley. She stated on this particular property, the property to the south had already been rezoned residential. When properties were master planned for industrial and commercial, less resources and services were necessary. Because of the escalating prices of property in the Valley, it was getting harder to find industrial property that was affordable.

Mr. Garcia agreed with Ms. Proestos' comments. The North Las Vegas Chamber, had specifically formed a task force to address that issue and had fought industrial rezoning when it was warranted. He stated each rezoning should be assessed as to whether industrial should be preserved for the sake of preserving industrial, or if it truly was a viable industrial site. The property at one point probably was more suited for industrial, but the presence of surrounding residential on three sides, and the City Council's decision last year to create the residential transition south of Craig Road had basically determined what the land uses along Craig Road on the south side would be and it was no longer suitable for industrial.

Commissioner Steve Brown asked Staff what was necessary to limit the site to 14 units per acre. Vicki Adams, Planner responded a PUD would be best then you would know exactly what was being proposed. Marc Jordan, Planning Manager stated if they were looking at 14 units per acre, you were still looking at high density because medium-high goes up to 13 units per acre and the next category would be high density. He stated a PUD was a rezoning and was a public hearing and the site design was done at that time, which would ensure it was designed in the manner proposed to the residents and the density would be capped at that time. Commissioner Brown asked if the property to the east was zoned R-3, which was 25 units per acre. Mr. Jordan responded it was zoned R-3 with a density of up to 25 units per acre but the applicant promised Council they would not build over 18 units per acre.

Vice-Chairman Jo Cato stated her concern was the density and she wanted to safeguard the number of units per acre and agreed a PUD was best.

Sr. Deputy City Attorney Jim Lewis added a PUD was a good way to handle the density but it would be another application. This item is an AMP and high density allows from 14 units to 25 units per acre, so the AMP could be granted and then the applicant could withdraw the zoning and come back with a PUD or medium-high density could be granted with the AMP which would allow up to 13 units per acre and the applicant could come back with an appropriate zoning application at that time.

Commissioner Angelo Carvalho stated he was concerned with Vandenberg and Macadamia turning into a short cut for people stuck in traffic on Craig Road and agreed with Commissioners Brown and Cato that the traffic situation should be reconsidered.

Commissioner Steve Brown asked the Fire Department how they felt about the chemicals being stored close by. Jimmy Johnson of the Fire Department responded there were some concerns and several issues had come out regarding this. Craig Road was a sufficient buffer from residential for chemicals. There were some regulations that addressed the life and safety issues and he felt the buffer was adequate but there was still potential of a catastrophic event occurring in the area. There was also an issue regarding response times and the Fire Department would look at closing streets very closely as the project progressed.

Mr. Garcia stated they were not implying they could close streets because they agreed with the residents, he understood the City and County would determine if it was feasible to close a street but the traffic situation would exist whether or not the project was built.

Commissioner Jo Cato asked Mr. Garcia if this was a for-sale product or a rental product. Mr. Garcia responded the intent was for-sale condominiums but there were no guarantees. The plans were for 14.3 units per acre.

ACTION: APPROVED

MOTION: Vice-Chairman Cato

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

12. **ZN-35-05 (19961) CRAIG ROAD CONDOMINIUMS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CRAIG ROAD, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF VANDENBERG DRIVE AND CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 140-06-601-006 AND 140-06-701-028.**

AMP-18-05 and ZN-35-05 were presented together. Comments from Item No. 11, AMP-18-05 were carried forward for ZN-35-05.

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending denial of AMP-18-05 as the amendment does not comply with the intent of the guidelines set forth in the Comprehensive Plan and the remaining 9± acres to the west would create an "island" of industrial land with three sides abutting or across the street from residential uses and also recommends denial of ZN-35-05 as Staff does not support the Amendment to the Comprehensive Plan Land Use Map.

**George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant stating the property was located on the border of the City and County line. He stated everything north of Craig Road was industrial, to the south the predominant land use was residential. The County zoning in the area ranges from R-3 on the west, R-2 on the south, to the immediate east is R-3 and there was some C-2 at the corner. The R-3 and C-2 was a conversion last year from M-2 Industrial. He explained over the years, the County had eroded the industrial and created the residential. The R-3 zoning was done to provide a transitional land use buffer and to provide opportunities for housing in the area so Nellis Air Force Base personnel and others would have additional opportunities to own or rent. He stated the parcel in question was not suited for industrial as the access was not workable as was found by the previous owners when they tried to develop it as industrial. The additional restraints and constraints posed by the close proximity to residential made it not feasible to put industrial uses such as batch plants, frozen food lockers, feed stores, etc. There would be commercial services and they are adjacent to the corner as part of the overall R-3 and had the approval of the property owner to the west.

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

**Bill Robertson, adjacent property owner of 3900, 3950 and 4000 E. Craig Road, North Las Vegas, NV 89030** stated there was already a traffic problem on Craig Road and it took about 20 minutes to go two blocks and his company was heavy industrial and handled chemicals and he was opposed to more residential in the area.

**Peter Herchik, 4106 Pistachio Nut Avenue, North Las Vegas, NV 89115** stated he was concerned about the design of the condominiums as it was presented at the neighborhood meeting. It was designed so the main entrance was located on the other side of Walnut Glenn's north retention wall, which was also the back wall for his back yard and they proposed at the beginning of the entrance there would be a 20 foot easement which would narrow to 10 foot and then the main entrance gate, which would put the gate in the road between 30 and 40 feet from the bedroom windows of the homes on Pistachio Nut Avenue and he felt there would be a lot traffic noise and asked why it wasn't designed with the gate closer to the center of the property or closer to Craig Road. He was also concerned that connecting Vandenberg and Macadamia Nut would cause the residents to use those two streets to access the development. At the current time, Macadamia Nut was a dead end and he would like it kept that way.

**Jacine Yoshishige, 4120 Macadamia Drive, Las Vegas, NV 89115** stated she was in favor of the project but was concerned about the traffic and kids. She stated they would like to have a wall at the end of Vandenberg and Macadamia so it would be kept as a dead end so the traffic would not go through their neighborhood.

**David Yoshishige, Jr., 4120 Macadamia Drive, Las Vegas, NV 89115** stated he was in favor of the project as long as Vandenberg and Macadamia could be left as a dead end street so the traffic would not be going through their neighborhood.

**Ruben Pulido, 4119 Macadamia Drive, Las Vegas, NV 89115** was also in support of the project as long as the streets could be separated to avoid having the traffic dumped from Craig Road through the community.

**Renee Albert, 4111 Pistachio Nut, Las Vegas, NV 89115** stated she was in favor of the condominium development and agreed with the previous speakers, that Macadamia and Vandenberg be separated by some kind of gate as she was concerned about traffic going through their neighborhood.

Chairman Aston closed the Public Hearing.

Marc Jordan, Planning Manager added there was a lot of discussion regarding the site design of the development and at this time the only thing that had been submitted to Staff was the boundary map, so Staff had not had a chance to review the site plan. If the item were approved tonight, there was nothing to hold the applicant to the site plan and it seemed like there was discussion regarding the gate on that street, which from Staff's map, it appeared to be a public street, so it may not be able to be gated off and those items would not be part of the approval tonight as that would require a site plan review later. It was discussed whether or not the project would be condominiums or multi-family. The approval tonight would give the applicant flexibility on either of those.

Sr. Deputy City Attorney Jim Lewis added a site plan review was not a public hearing item. In fact, they were noticed as part of the materials that go out, except not specifically to each of the residents in a radial area. In the past, the public had been allowed to speak on these types of items. What was important to note was that neither of these items could be conditioned tonight as it was an Amendment to the Master Plan (AMP) and a request for a hard zone change. The applicant would not be bound to any site plan shown to the residents. If the property were sold, a new developer would have the right to build up to 25 units per acre and he wanted to make sure the residents were not under the belief that if these two items were approved, the site plan they saw was what would be built.

Mr. Garcia stated Vandenburg curved around to Macadamia and came back to Lamb Boulevard and the residents were referring to a potential cut through. There would be potential for traffic on that street regardless of what was built around them. There was a potential, if the traffic signal on Craig Road became congested, the northbound traffic could use it to get across Craig Road. Mr. Garcia said they had expressed to the residents that if they felt the traffic was an issue, the developer did not object to a dead end or cul-de-sac being created. It was explained to the residents there was a process to be followed in order to have that done. They would need to get a petition of the neighbors, and discuss it with City Traffic and the County. Mr. Garcia stated the plan had been submitted for a task force review. The plans had been revised and would be coming forward shortly with the revisions. He stated they would not be building 25 units per acre and explained, the person who owns the property was a home builder, Bob Davis Homes, and would be building on the property; it was not a speculative land change. The plan shown to the residents was not conceptual but were plans prepared by an architect and the site plan had been engineered and would be submitted for approval.

Planning and Development Director Jory Stewart wanted to make sure the public understood the item before them tonight did not include any consideration of road improvements, right-of-way, of whether something would be closed to traffic or there were site plan commitments and that if anything to that nature had been promised or alluded to them, especially that they would only need to file a petition to get a right-of-way closed, that was not the case.

Commissioner Dean Leavitt had asked that a representative from Economic Development be available for comment, as when he was briefed on the project, it was brought to his attention that Economic Development had some concerns. He asked Peggy Proestos, Economic Development Coordinator to come forward to explain her concerns. Ms. Proestos explained the Economic Development Department never opposed development but did sometimes oppose rezoning. Rezoning was opposed when the land use plan had already been created. They oppose rezoning from industrial to residential because they believe when the Master Plan was created, it was created with the idea of balance in mind.

There were commercial areas and industrial areas to provide jobs and there were housing areas and it was very important to maintain that balance. Over the past 18 months, throughout the Valley, property had been rezoned from industrial to residential and the entities had lost at least a couple thousand acres of industrial property. The Economic Development Department was continuing to work with companies from all over America who want to move to North Las Vegas and the Las Vegas Valley and they were having a harder time finding properties to show them. They were also aware that industrial uses less water than residential and water was a big concern in the Valley. She stated on this particular property, the property to the south had already been rezoned residential. When properties were master planned for industrial and commercial, less resources and services were necessary. Because of the escalating prices of property in the Valley, it was getting harder to find industrial property that was affordable.

Mr. Garcia agreed with Ms. Proestos' comments. The North Las Vegas Chamber, had specifically formed a task force to address that issue and had fought industrial rezoning when it was warranted. He stated each rezoning should be assessed as to whether industrial should be preserved for the sake of preserving industrial, or if it truly was a viable industrial site. The property at one point probably was more suited for industrial, but the presence of surrounding residential on three sides, and the City Council's decision last year to create the residential transition south of Craig Road had basically determined what the land uses along Craig Road on the south side would be and it was no longer suitable for industrial.

Commissioner Steve Brown asked Staff what was necessary to limit the site to 14 units per acre. Vicki Adams, Planner responded a PUD would be best then you would know exactly what was being proposed. Marc Jordan, Planning Manager stated if they were looking at 14 units per acre, you were still looking at high density because medium-high goes up to 13 units per acre and the next category would be high density. He stated a PUD was a rezoning and was a public hearing and the site design was done at that time, which would ensure it was designed in the manner proposed to the residents and the density would be capped at that time. Commissioner Brown asked if the property to the east was zoned R-3, which was 25 units per acre. Mr. Jordan responded it was zoned R-3 with a density of up to 25 units per acre but the applicant promised Council they would not build over 18 units per acre.

Vice-Chairman Jo Cato stated her concern was the density and she wanted to safeguard the number of units per acre and agreed a PUD was best.

Sr. Deputy City Attorney Jim Lewis added a PUD was a good way to handle the density but it would be another application. This item is an AMP and high density allows from 14 units to 25 units per acre, so the AMP could be granted and then the applicant could withdraw the zoning and come back with a PUD or medium-high density could be granted with the

AMP which would allow up to 13 units per acre and the applicant could come back with an appropriate zoning application at that time.

Commissioner Angelo Carvalho stated he was concerned with Vandenberg and Macadamia turning into a short cut for people stuck in traffic on Craig Road and agreed with Commissioners Brown and Cato that the traffic situation should be reconsidered.

Commissioner Steve Brown asked the Fire Department how they felt about the chemicals being stored close by. Jimmy Johnson of the Fire Department responded there were some concerns and several issues had come out regarding this. Craig Road was a sufficient buffer from residential for chemicals. There were some regulations that addressed the life and safety issues and he felt the buffer was adequate but there was still potential of a catastrophic event occurring in the area. There was also an issue regarding response times and the Fire Department would look at closing streets very closely as the project progressed.

Mr. Garcia stated they were not implying they could close streets because they agreed with the residents, he understood the City and County would determine if it was feasible to close a street but the traffic situation would exist whether or not the project was built.

Commissioner Jo Cato asked Mr. Garcia if this was a for-sale product or a rental product. Mr. Garcia responded the intent was for-sale condominiums but there were no guarantees. The plans were for 14.3 units per acre.

Additional comments from Commissioner Steve Brown. Commissioner Brown verified the zoning needed to be changed before a PUD could be done. Marc Jordan, Planning Manager responded if a PUD was wanted, the applicant should either withdraw this application and come back with a new application for a PUD or the Commission could deny the application and the applicant could come back with a PUD or appeal it to City Council.

Vice-Chairman Cato asked if the property to the east was zoned R-3. Ms. Adams responded it was zoned R-3. Vice-Chairman Cato asked if R-3 zoning allowed up to 25 units per acre. Ms. Adams responded that was correct and reminded her Staff had also recommended denial of the application on the property to the east.

ACTION: APPROVED

MOTION: Vice-Chairman Cato

SECOND: Chairman Aston

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

NAYS: Commissioners Leavitt, Brown, and Carvalho

ABSTAIN: None

The motion failed and Chairman Jay Aston asked for another motion.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

AYES: Commissioners Leavitt, Brown, Trivedi, and Carvalho

NAYS: Chairman Aston and Vice-Chairman Cato

ABSTAIN: None

13. **AMP-17-05 (19971) CENTENNIAL/PECOS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY U. S. HOME CORPORATION ON BEHALF OF PT CORPORATION, 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 LOCATED AT THE SOUTHWEST CORNER OF PECOS ROAD AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-25-501-007.**

It was requested by the applicant to withdraw AMP-17-05 without prejudice.

14. **ZN-36-05(19973)CENTENNIAL/PECOS(PUBLIC HEARING). AN APPLICATION SUBMITTED BY U. S. HOME CORPORATION ON BEHALF OF PT CORPORATION , PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A C-2 GENERAL COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 81 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF PECOS ROAD AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-25-501-007.**

It was requested by the applicant to withdraw ZN-36-05 without prejudice.

15. **T-1172 (19972) CENTENNIAL/PECOS. AN APPLICATION SUBMITTED BY U.S. HOME CORPORATION, ON BEHALF OF PT CORPORATION, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED PUD PLANNED UNIT DEVELOPMENT DISTRICT) CONSISTING OF 81 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-501-007.**

It was requested by the applicant to withdraw T-1172 without prejudice.

16. **ZN-32-05 (19793) CENTENNIAL INDUSTRIAL CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY EJM DEVELOPMENT COMPANY ON BEHALF OF NV 80A, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN O-L OPEN LAND DISTRICT TO AN M-2 GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF MT. HOOD STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 123-27-501-001.**

The application was presented by Marc Jordan on behalf of Staff who indicated Staff was recommending approval of ZN-32-05.

**Richard Moreno of Moreno and Associates, Inc., 300 South 4<sup>th</sup> Street #1500, Las Vegas, NV 89101** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

**Bob Borgerson 7617 Island Rail, North Las Vegas, NV 89084** stated he was in support of this item.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

**17. ZOA-06-05 (20323) USE PERMIT - SCHOOLS (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 17 (ZONING ORDINANCE) SECTION 17.28.050(B) TO REQUIRE ALL USE PERMITS FOR A SCHOOL TO BE FORWARDED TO THE CITY COUNCIL FOR FINAL ACTION FOLLOWING A PUBLIC HEARING AND RECOMMENDATION BY THE PLANNING COMMISSION AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of ZOA-06-05.

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

Chairman Aston closed the Public Hearing.

Chairman Jay Aston commented he felt Council was picking and choosing which items the Planning Commission would hear and wondered if that was because the zoning ordinance was not clearly defined as to what was wanted by the elected officials and suggested maybe all use permits should be forwarded to City Council for final consideration.

Commissioner Dean Leavitt expressed disappointment with the proposed amendment. He felt offended because he was appointed by elected officials to do a job and the authority was being taken away.

Commissioner Steve Brown added he felt if Council wanted to make the final decision, the items should go directly to them for consideration.

Commissioner Leavitt agreed with Commissioner Brown and felt it was an injustice to developers and residents to have to come to the Planning Commission and jump through hoops and come to the meetings and then have to go to City Council and do the same thing over again.

Chairman Aston added if there was concern about what was being approved or not approved on use permits, then maybe the regulations should be more clearly defined.

Sr. Deputy City Attorney Jim Lewis stated it was Staff's recommendation for a change that was directed by City Council. He stated instead of denying the item, the Commission could recommend something different.

**ACTION: APPROVED WITH THE STIPULATION THAT THE SCHOOL**

APPLICATIONS AND ANY OTHER APPLICATIONS THAT THE CITY COUNCIL FEELS NECESSARY TO HAVE FINAL SAY ON, BE FORWARDED DIRECTLY TO CITY COUNCIL TO ELIMINATE UNDUE HARDSHIP ON RESIDENTS, DEVELOPERS, AND THE PLANNING COMMISSION.

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

The motion did not carry and Chairman Jay Aston asked for another motion.

ACTION: DENIED

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

18. **SPR-16-05 (19917) WAL-MART CENTENNIAL & DECATUR. AN APPLICATION SUBMITTED BY EN ENGINEERING, INC., ON BEHALF OF WAL-MART STORES, INC., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW 42 FOOT-HIGH PARKING LOT LIGHT STANDARDS, WHERE 20 FOOT-HIGH IS THE MAXIMUM ALLOWED. THE PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-19-401-001.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending denial of SPR-16-05 as 42 foot light poles could cause light pollution on neighboring sites which include a number of residential sites.

**Kris Munn of EN Engineering, 245 E. Warm Springs Road, Suite 100, Las Vegas, NV 89119** appeared on behalf of the applicant stating the code was to keep vertical pollution out of existing areas and he believed the 42 foot high light standards were equivalent to some of the 40 foot signs that had been approved for the project as well as the height of the building ranged to 36 feet in some areas which showed that the vertical height kept it in the same area and at the same level. He stated a taller light standard had a pyramid light effect that, if you kept it on the property you had a pyramid effect that allowed the entire property to be lit correctly without having overlap. With 20 foot poles, there was a lot of over overlap at eye level which caused more light pollution. He showed two views of the parking lot, one with 42 foot light standards and another with 20 foot light standards and he felt the 42 foot standards were more aesthetically pleasing.

Chairman Jay Aston asked Staff the height of the light standards of the Wal-Mart on Craig Road. Marc Jordan, Planning Manager responded he did not have that information but the Wal-Mart on Craig Road was built prior to the adoption of the design standards, so they may be higher than normally allowed and also, under today's standards, landscaping would be required around the base of the light poles.

Commissioner Dean Leavitt asked if there were less 40 foot poles than 20 foot poles as shown in the pictures presented. Mr. Munn responded there were about 50 percent less 40 foot poles. Commissioner Leavitt asked if the 40 foot poles had diffusers to control the light. Mr. Munn responded they had deflectors as well as shields to protect the light from spilling over into areas where light was not desired. Commissioner Leavitt asked if there was an industry standard on the amount of lumens a parking lot should have. Mr. Munn responded there was, but he was not a lighting engineer and did not have that information.

Commissioner Steve Brown asked the height of the building being constructed. Mr. Munn responded the peaks were approximately 36 feet in height. Commissioner Brown asked if they could use 30 foot light standards. Mr. Munn responded they had checked the

energy costs as well as light savings and a 38 foot pole could be configured for the space. Commissioner Brown asked if a focus beam to eliminate light spillage could be installed. Mr. Munn responded that could be done. They could limit the light in the right-of-way areas with shields and special down lights to one foot candle or less. Commissioner Brown stated ball field lights give more light pollution than the 40 foot poles and he liked the uncluttered look. He was concerned the poles would be taller than the roof of the building and asked Staff if any projects had used the taller poles. Marc Jordan, Planning Manager responded since the adoption of the Commercial Design Standards in December, 1999 or January, 2000 he could not think of any requests for waivers of parking lot lighting standards in a Commercial District. The applicant would need to submit a photo metric lighting plan when applying for the building permit. Commissioner Brown stated he would not be able to support this application as it did not meet the Commercial Design Standards.

Commissioner Dilip Trivedi asked Staff if the City had requirements for the applicant to provide photo metric data. Robert Eastman, Principal Planner responded a photo metric lighting plan was required as part of the building plans submittal and there were conditions and standards in the Commercial Design Guidelines that would regulate the amount of light spillage both under the light fixture itself and at the property line. Commissioner Trivedi asked if it was 2.2 foot candles over the property line. Mr. Eastman explained at the property line was one-half foot candle and under the light fixture it was five.

Mr. Munn asked if it would be beneficial to continue the item and provide a photo metric lighting plan and more information and data. Commissioner Trivedi responded he would like to see less clutter with the light poles but was not sure if the 40 foot tall light standards were a good idea and did not feel a photo metric plan would help.

ACTION: DENIED

MOTION: Commissioner Brown

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**19. T-1170 (19896) PANATTONI CREEKSIDE. AN APPLICATION SUBMITTED BY PANATTONI DEVELOPMENT COMPANY, LLC, ON BEHALF OF LOSEE ROAD INVESTORS, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2 GENERAL INDUSTRIAL DISTRICT CONSISTING OF 1 COMMERCIAL LOT. THE PROPERTY IS LOCATED SOUTH OF WASHBURN ROAD AND APPROXIMATELY 170 FEET EAST OF LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-36-301-001.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of T-1170 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 T-1136 shall become null and void if T-1170 is approved by the Planning Commission.
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 Losee Road and Washburn Road.
5. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
6. Right-of-way dedication and construction of a CAT bus turn-out is required on Washburn Road near Losee 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.
7. Right-of-way dedication and construction of a flared intersection is required at Losee Road and Washburn Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
8. Approval of a drainage study is required prior to submittal of the civil improvement plans.
9. 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.

10. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
11. The area called out as "NOT A PART" shall be included within the commercial subdivision.
12. 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.
13. A revocable encroachment permit for landscaping within the public right of way is required.
14. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
15. The property owner is required to grant a roadway easement for commercial driveway(s).
16. The property owner is required to sign a restrictive covenant for utilities.
17. All off-site improvements must be completed prior to final inspection of the first building.

**John Gustafston of Baughman & Turner, Inc., 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, Brown, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

**20. SPR-17-05 (19956) GOLDEN TRIANGLE BLDGS F & G. AN APPLICATION SUBMITTED BY OPERATING ENGINEERS TRUST FUNDS, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT FOR TWO BUILDINGS TOTALING APPROXIMATELY 187,430 SQUARE FEET OF INDUSTRIAL OFFICE AND WAREHOUSE SPACE. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ENGINEERS WAY AND LONE MOUNTAIN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-36-811-002.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of SPR-17-05 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The development must comply with the Industrial Design Guidelines, including the requirement to provide sidewalks along all facades with customer entrances.
3. The applicant shall submit a traffic study update for review and approval.
4. A sight/visibility study is required for the proposed driveway locations.
5. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Pecos Road and Lone Mountain Road.
7. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
8. The property owner is required to grant a roadway easement for commercial driveway(s).
9. The property owner is required to sign a restrictive covenant for utilities.
10. Approval of a drainage study is required prior to submittal of the civil improvement plans.

11. 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.

**Deidre McCollister, Hogle Ireland Planning Consultants, 4280 Latham Street #C, Riverside, CA 92501** appeared on behalf of the applicant stating she concurred with Staff recommendation.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

21. **SPR-18-05 (19952) 5<sup>TH</sup> & GILMORE BUSINESS PARK. AN APPLICATION SUBMITTED BY MARTIN HARRIS CONSTRUCTION, ON BEHALF OF THE MELDRUM FAMILY TRUST, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT CONSISTING OF A TOTAL OF 232,801 SQUARE FEET IN 10 BUILDINGS TO COMPRISE A LIGHT INDUSTRIAL BUSINESS PARK. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF GOWAN ROAD AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-201-001 AND 139-11-201-003.**

It was requested by the applicant to continue SPR-18-05 to May 25, 2005.

ACTION: CONTINUED TO MAY 25, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

**22. FDP-07-04 (19969) VILLAGES @ SIERRA RANCH. AN APPLICATION SUBMITTED BY KB HOME NEVADA, INC., ON BEHALF OF CARMEL MOUNTAIN RANCH II - SAN DIEGO LP, PROPERTY OWNER, TO AMEND CONDITION 33 IN A PREVIOUSLY APPROVED FINAL DEVELOPMENT PLAN IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 967 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED ON THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-701-003.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of FDP-07-04 with Condition No. 33 amended as follows:

33. Elevation drawings and colors shall be reviewed and approved administratively during the building permit application process. Elevations may include three-story models up to a maximum height of 38'-0", as measured from grade to the top of roof. Up to 40% of the models may be of the three-story variety within any specific village, but no three-story models may be located on corner or entryway lots.

**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 was concerned with the restriction of 40% of the models being three-story and felt it was arbitrary to limit the number of three-story units. There were four other models being marketed to potential home buyers, two two-story elevations and two three-story elevations and did not want to be kept to a percentage because if they went to 42% of the homes in the subdivision they would have to come back for another waiver. The difference in the height of the two and three-story homes from grade to top of roof line was approximately six feet.

Chairman Jay Aston asked Staff if there was reference in the Design Standards that any one plan could not exceed a certain percentage over another plan. Marc Jordan, Planning Manager responded in the Design Guidelines it stated that if there were developments with 50 units or more, there had to be more than three designs with 3 elevations per floor plan. Chairman Aston asked if it defined what percentage of each plan was allowed in the subdivision. Mr. Jordan responded it did not define the percentage but did state there could not be two houses the same next to one another.

Sr. Deputy City Attorney Jim Lewis stated the only Design Guidelines that referred to percentages were small lot standards. Mr. Jordan explained Type 1 housing could not have more than 30% and in the 30% there must be multiple models available and each model must have at least three elevations and it also applied to single-family. Chairman Aston asked if the condition could be amended to be similar to the small lot standards. Mr. Jordan added the 40% was derived from the applicant's letter of intent which stated there

were five models, two of them would be three-story and that worked out to approximately 40%. Chairman Aston stated if there was a guideline that no two houses could be next to each other the development would conform to a certain degree of mix in the community. Mr. Gronauer responded there were design guidelines that addressed what kind of homes you could have back to back and did not think there needed to be specific percentages because it was already addressed in the code.

Commissioner Steve Brown was concerned about not limiting the three story product even though there was only a six foot difference in height because if it were taken to the extreme, there could be all three story product built and just have different models of the three story product. Commissioner Brown asked staff if there were any restrictions on three story homes in an R-1 district. Mr. Jordan responded the maximum building height in an R-1 district was 28 feet. Commissioner Brown asked if three story models had never been addressed on this project. Mr. Gronauer responded they had not and the condition was there because they did not know which models they would have. Mr. Jordan added in the letter of intent it was indicated this was for Village 4 and the ordinance for the PUD indicated that Village 4 is a Type 1 lot with a minimum lot size of 40' X 75', 3,000 square feet.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDATION WITH CONDITION NO. 33 AMENDED TO READ AS FOLLOWS:

33. ELEVATION DRAWINGS AND COLORS SHALL BE REVIEWED AND APPROVED ADMINISTRATIVELY DURING THE BUILDING PERMIT APPLICATION PROCESS. ELEVATIONS MAY INCLUDE THREE-STORY MODELS UP TO A MAXIMUM HEIGHT OF 38'-0", AS MEASURE FROM GRADE TO THE TOP OF ROOF. UP TO 40% OF THE MODELS MAY BE OF THE THREE-STORY VARIETY WITHIN ANY SPECIFIC VILLAGE, BUT NO THREE-STORY MODELS MAY BE LOCATED ON CORNER OR ENTRYWAY LOTS.

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

**OLD BUSINESS**

23. **UN-21-05 (19336) CHRISTOFFERSON PIG (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CONNIE CHRISTOFFERSON, PROPERTY OWNER, FOR A USE PERMIT IN AN OL/DA OPEN LAND / DEVELOPMENT AGREEMENT @-1 SINGLE-FAMILY RESIDENTIAL DISTRICT) TO ALLOW A POT-BELLIED PIG. THE PROPERTY IS LOCATED AT 6624 NIGHT OWL BLUFF AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 124-21-310-006. (CONTINUED MARCH 23, 2005)**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-21-05 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.
2. Applicant must meet all conditions of Ordinance 2073.
3. When an application for a pot-bellied pig license is requested, the applicant must also submit the following:
  - a. A site plan with dimensions demonstrating an appropriate 24 inch wall / fence barrier that the pot-bellied pig will be kept ten (10) feet from any property lines.
  - b. Photographs depicting that such barrier has been installed.

**Connie Christofferson, 6624 Night Owl Bluff Avenue, North Las Vegas, NV 89084** stated she installed an underground electrical fencing unit and explained where she ran the lines in the yard.

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

**Robert Barber, 1748 Evening Bluff Place, North Las Vegas, NV 89084** stated he was opposed to this application and showed photographs of the pig walking across the rocks which the applicant had previously said the pig would not be able to do.

**Denver Valentine, 1740 Evening Bluff Place, North Las Vegas, NV 89084** was opposed to this application as the applicant had yet to comply with the ordinance and/or suggestions for the special use permit. He also felt if the application were approved, it would devalue his home.

**Philip Young, 1449 Drakewood Avenue, North Las Vegas, NV 89031** stated he was the secretary for the homeowners association (HOA) and since the March 23, 2005 Planning Commission Meeting they had a HOA meeting and the previous approval allowing the pig had been rescinded. The HOA's concerns were the 10 foot barrier from the property line and when the application was originally submitted, the pig was weighed in December, 2004 and four months later, they felt the pig was most likely over 120 pounds allowed by code.

Chairman Aston closed the Public Hearing.

Chairman Aston asked the applicant if she had considered a different type of fencing as recommended by Staff. Ms. Christofferson explained how the electric fence worked.

Commissioner Steve Brown stated he understood the electric fence was a training device and eventually the fence would not have to be on and the animal would not pass the designated line. Ms. Christofferson responded that was the claim by the manufacturer.

Commissioner Angelo Carvalho stated the electric fence was effective to train an animal to stay out of a designated area.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION**

**MOTION: Commissioner Carvalho**

**SECOND: Commissioner Brown**

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

**NAYS: None**

**ABSTAIN: None**

24. **T-1169 (19701) CENTENNIAL CROSSING. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF AMERICAN PACIFIC CAPITAL CENTENNIAL SIMMONS, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT, R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED R-2), AND C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED R-2), CONSISTING OF 106 DUPLEX DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SIMMONS STREET AND RANCH HOUSE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-006. (CONTINUED APRIL 13, 2005)**

It was requested by the applicant to continue T-1169 to May 11, 2005.

ACTION: CONTINUED TO MAY 11, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

25. **UN-33-05 (19699) LANDMARK LUMBER LLC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GEORGE DACOSTA ON BEHALF OF ROGER DIELEMAN, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW OUTDOOR MANUFACTURING. THE PROPERTY IS GENERALLY LOCATED SOUTH OF TROPICAL PARKWAY AND APPROXIMATELY 300 FEET EAST OF MARION DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 123-29-701-002. (CONTINUED APRIL 13, 2005)**

It was requested by the applicant to withdraw UN-33-05.

26. **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. (CONTINUED MARCH 9 AND APRIL 13, 2005)**

It was requested by the applicant to continue AMP-07-05 to May 25, 2005.

Chairman Jay Aston stated the applicant must show just cause as this was the third request for continuance of this item.

**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 property owner and explained the application was continued because they had been working with the Public Works Department with respect to the amendment to the Master Plan of Streets and Highways and the vacation of certain streets. Pursuant to his phone conversation with Kevin Futch of Public Works, they were in the process of submitting an official traffic study. A traffic study had already been submitted, but there was an official process to go through and they had been amending the application to take Deer Springs and Lawrence Street out of the application itself and thought it was best to continue for another 30 days instead of moving forward without the traffic study being submitted and reviewed because in 30 days the Commission would see the minor street amendments and vacations being asked for.

Chairman Jay Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO MAY 25, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

27. **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. (CONTINUED MARCH 9 AND APRIL 13, 2005)**

It was requested by the applicant to continue VAC-05-05 to May 25, 2005.

Chairman Jay Aston stated the applicant must show just cause as this was the third request for continuance of this item.

**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 property owner and explained the application was continued because they had been working with the Public Works Department with respect to the amendment to the Master Plan of Streets and Highways and the vacation of certain streets. Pursuant to his phone conversation with Kevin Futch of Public Works, they were in the process of submitting an official traffic study. A traffic study had already been submitted, but there was an official process to go through and they had been amending the application to take Deer Springs and Lawrence Street out of the application itself and thought it was best to continue for another 30 days instead of moving forward without the traffic study being submitted and reviewed because in 30 days the Commission would see the minor street amendments and vacations being asked for.

Chairman Jay Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO MAY 25, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**28. UN-28-05 (19422) REVERE MARKETPLACE/CHECK CITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CHECK CITY ON BEHALF OF MESA INVESTMENTS, LLC PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (PAYDAY LOAN). THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND REVERE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-04-701-002. (CONTINUED MARCH 23 AND APRIL 13, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-28-095 subject to the following conditions:

1. That the special use permit is site specific and non-transferable; and
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
3. That this development shall comply with conditions of approval for T-1126; and
4. That any expansions to the proposed use shall be subject to Planning Commission review and approval.

**Ed Garcia of Jones Vargas, 3773 Howard Hughes Parkway, Las Vegas, NV 89109** stated according to the code, there was no distinction between a bank and the services provided by Check City and they were in compliance with the Master Plan and met all development standards. Mr. Garcia explained most people who use these types of businesses were people who lived in the neighborhood where they were located which showed there was a need. He stated many of the check cashing facilities along Craig Road in North Las Vegas were not licensed by the State. There were six banks within a about one quarter of a half mile of the corner of Clayton and Craig. There was also a tavern across the street from the park on Craig Road and he did not understand the problem with having a check cashing facility.

**Jim Marchesi, 6820 W. Charleston Boulevard, Las Vegas, NV 89117** explained Check City was an industry leader and was on the Board of Consumer Financial Services Association of America and he was president of the Nevada Financial Services Association. In the past six months they had worked with Representative Barbara Buckley to develop new legislation to help the industry. His business operates by the Best Practices from the Community Financial Services Association. He felt they provide a world class facility and the City of North Las Vegas would be proud to have the facility. Sixty-eight percent of their

customers were under the age of 45, 94% had a high school education or higher, 52% earned between \$25,000 and \$50,000 per year, 42% owned their own home, have children in the household and all of them had a steady income and bank account. He stated their customers understood the loans and the rates they were paying. His facility was used for unexpected expenses and to avoid late charges and they were a low cost provider.

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

**Bill Dolan 4111 Bola Drive, North Las Vegas, NV 89032** stated as a former member of the Parks & Rec Advisory Board, he was very concerned when he heard this business might be going into the strip mall across the street from a park. He drove Craig Road and there were seven other payday loan companies between Decatur and the North Las Vegas boundary at Lamb Boulevard which was half of all facilities in the City. He did not have a problem with the facility being in North Las Vegas but did have a problem with it being located on Craig Road.

**Wes Kiser, 1516 Bluestar, North Las Vegas, NV 89032** stated he visited check cashing facilities on Craig Road and felt most people who use those facilities were getting money to gamble or as a last means to pay a bill.

**Jeff Burgoz, 1519 Bradfox Lane, North Las Vegas, NV 89032** felt there should be more family style restaurants on Craig Road and not more check cashing facilities.

**Bob Borgersen, 7617 Island Rail, North Las Vegas, NV 89084** did not feel from the article in the newspaper that Barbara Buckley was in support of check cashing facilities and he was opposed to this application.

**Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89032** stated she had researched the check cashing facilities on Craig Road from the Cannery Hotel on Craig Road to the Food 4 Less parking lot. She went into Advance America, who charged an annual percentage rate of 443.21 percent, Super Pawn would not say what they charged, but she figured out on a \$100 loan, the interest rate was 780 percent, Budget Loans charged 321.43 percent and Check City was 392 percent and felt other types of businesses were needed on Craig Road instead of more check cashing facilities.

**Mike Mairano, 603 Spritlake Court, North Las Vegas, NV 89032** stated the interest rates were exorbitant and he was opposed to the application.

Chairman Aston closed the Public Hearing.

Mr. Garcia stated Buffalo Wild Wings was shown on the map as a payday loan center. There was also a comments made that payday loans charged an exorbitant interest rate

and banks do not charge such a high interest rate but he pointed out that is what overdraft protection was, when banks charge \$33 on a bounced check. He stated Mr. Marchesi had as many check cashing facilities in Utah as he did in Las Vegas, so he did not feel the facilities relied on gambling.

Chairman Aston commented this was a situation where Staff was recommending approval because the zoning code currently allowed the use and he was concerned the business practices of payday loans had not been clearly defined within the North Las Vegas guidelines and felt the Commission was in a position that if they denied the application it would be appealed and if it was approved, it would be appealed, so the application would most likely go forward to City Council for final consideration. Chairman Aston felt the application should go forward to City Council as the guidelines were not clearly defined. Commissioner Dean Leavitt stated he had spoken with Barbara Buckley and she spoke highly of Mr. Marchesi and appreciated his efforts in monitoring and providing positive legislation for check cashing facilities. He did not see the need for another payday loan facility on Craig Road, so he would not be supporting the application.

Vice-Chairman Jo Cato asked Staff if a previous application for a payday loan on Martin Luther King Boulevard and Cheyenne Avenue was denied and if that application went forward to City Council. Marc Jordan responded Council upheld the decision of the Planning Commission and denied the application. Vice-Chairman Cato asked if an application for a payday loan on Craig Road by Food 4 Less was approved. Staff responded it was. Vice-Chairman Cato stated the only payday loan facility she knew of that had been denied was the one on Martin Luther King Boulevard and Cheyenne Avenue, all others had been approved and she did not have a problem with the facility being located on Craig Road but did have a problem with the facility being located across from a park.

Commissioner Angelo Carvalho stated he understood the citizens comments but was in support of this application as he did not feel the Commission had the right disallow the business when there were so many banks in the area.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION**

**MOTION: Commissioner Carvalho**

**SECOND: Vice-Chairman Cato**

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

**NAYS: Commissioners Leavitt and Trivedi,**

**ABSTAIN: None**

**29. VAC-07-05 (19400) DONOVAN WAY & FREIGHTLINER AVE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BOULDER PLACEMENT ON BEHALF OF JERRY APPELHANS AND DEBRA TENNARIELLO, PROPERTY OWNERS, TO VACATE LONE MOUNTAIN ROAD COMMENCING AT DONOVAN WAY AND PROCEEDING EAST APPROXIMATELY 231 FEET. THE ASSESSOR'S PARCEL NUMBER IS 139-01-502-001. (CONTINUED MARCH 23 AND APRIL 13, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of VAC-07-05 subject to the following condition as recommended by the Public Works Department in their memo dated April 27, 2005:

1. As requested by the applicant/property owner, the southerly eighteen (18) feet will be vacated to APN #139-01-502-001 and the northerly thirty-two (32) feet and associated spandrel(s) will be vacated to the property to the east, APN #140-06-110-017.

**Jerry Appelhans, 2049 W. Bonanza Road, Las Vegas, NV 89106** 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 Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

30. **VN-09-05 (19413) SIMMONS ASSOCIATES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SIMMONS ASSOCIATES, LLC, PROPERTY OWNER, FOR A VARIANCE IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A 10-FOOT SETBACK WHERE 30 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF SIMMONS STREET AND LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-20-614-001. (CONTINUED MARCH 23 AND APRIL 13, 2005)**

It was requested by the applicant to continue VN-09-05 to May 11, 2005.

Chairman Jay Aston stated the applicant must show just cause as this was the third request for continuance of this item.

**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 explaining they requested a variance application; however, based on Staff's comments and some of the input received from the neighbors to the south, they were in the process of revising the site plan and were hopeful to have the new site plan and elevations turned in by Monday, May 2, 2005. An architect had been hired to make the changes and were hoping to reduce or remove the amount of variances being requested.

Chairman Jay Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO MAY 11, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

31. **T-1160 (19180) ROME & GOLDFIELD. AN APPLICATION SUBMITTED BY BLUE HERON PROPERTIES, ON BEHALF OF GOLDFIELD HOMES LLC AND GOLDFIELD CENTENNIAL LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN A C-2 GENERAL COMMERCIAL DISTRICT (PROPOSED R-3 MULTI-FAMILY RESIDENTIAL DISTRICT) AND AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT CONSISTING OF 184 MULTI-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ROME BOULEVARD AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-801-007 AND 124-22-801-011. A COMPLETE LEGAL DESCRIPTION IS ON FILE WITH THE PLANNING AND DEVELOPMENT DEPARTMENT. (CONTINUED MARCH 23 AND APRIL 13, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of T-1160 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Single-Family Design Standards.
3. That the proposed 34-foot utility/emergency access easement shall also serve as pedestrian access, be a common element and be landscaped subject to staff review and approval.
4. 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.
5. A secondary means of emergency access shall be constructed and maintained in accordance with Fire Code requirements.
6. As elevations and floor plans have not been submitted to the City, the proposed shared driveways have not been justified and will not be permitted. Should the applicant desire to proceed with shared driveways, floor plans and elevations must be submitted to the City for review and approval of the proposed concept; *otherwise*, proposed residential driveway geometrics must comply with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222, which stipulates the standard separation of seven (7) feet from the property line to the edge of the driveway. Compliance may require modifications to the site plan resulting in fewer lots.
7. No driveway shall be located within six (6) feet of a curb return, light pole, fire

- hydrant or other utility features. Compliance may require modifications to the site resulting in fewer lots.
8. Five (5) copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Department of Public Works and the Department of Planning and Development prior to submittal of the final map and civil improvement plans.
  9. Curb extensions/bulb-outs shall be installed on the entrance streets and at the intersection of Rome Boulevard and Goldfield Street. The design shall be reviewed and must be approved by the City Traffic Engineer. The bulb-outs shall be landscaped per Planning and Development requirements and shall be maintained by the HOA.
  10. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in *Clark County Area Uniform Standard Drawing No. 210*. The use of roll curb will require an additional one foot of right of way.
  11. Sidewalk is required on a minimum of one side of all interior, private streets.
  12. Sidewalks shall be mapped as part of the private street or located within a common element and not part of the lot.
  13. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100.B:
    - a. Rome Boulevard
    - b. Goldfield Street
  14. Approval of a traffic study is required prior to submittal of the civil improvement plans.
  15. 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.
  16. Approval of a drainage study is required prior to submittal of the civil improvement plans.
  17. 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.

18. The property owner is required to grant roadway easements where public and private streets intersect.
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.
21. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
22. 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.
23. A revocable encroachment permit for landscaping within the public right of way is required.
24. 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.
25. VAC-34-04 shall record concurrently with 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 and stated they were in compliance to the code requirements with respect to the development.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

### **PUBLIC FORUM**

**Richard Hibler, 8437 Desert Quail Las Vegas, NV 89128** spoke of property he owned on Simmons Street, where a new park was going in, that the City was taking as a right-of-way.

**Bob Borgersen, 7617 Island Rail, North Las Vegas, NV 89084** spoke of vinyl fencing installed in his daughter's backyard, which was an approved product by the City, which was failing.

**John W. Kiser, 1516 Bluestar, North Las Vegas, NV 89032** does not feel the City was moving forward, it was going backward.

### **DIRECTOR'S BUSINESS**

Planning & Development Director Jory Stewart stated City Manager Gregory Rose was looking at a date in July to hold the joint meeting with the City Council pertaining to the small lot ordinance.

Director Stewart stated they were looking for a date for the Dan Burden Walkable Community Seminar. The only time Mr. Burden was available between now and September would be June 23, 2005. She was in the process of negotiating for two sessions that would include an afternoon and evening session to accommodate every ones schedules.

Ms. Stewart also stated they were moving forward with the North 5<sup>th</sup> Street Study with Parson's Brinkerhoff. They would be conducting a Charette, May 23 and 24, 2005 from 7:00 to 9:00 p.m. This would be a Charette held jointly with City Council, Planning Commission and the general public.

At the last Planning Commission Meeting, Ms. Stewart asked the Commissioners to appoint a liaison to the Advisory Committee for the Master Plan Update process. She asked the Chair to be the representative from the Planning Commission unless he wanted to delegate the authority to someone else on the Commission. Chairman Aston asked when the meeting would be held. Ms. Stewart responded she would get more information for him.

### **CHAIRMAN'S BUSINESS**

Chairman Jay Aston asked if a recommendation could be made by the Planning Commission asking for a review of the use permit applications for payday loans and to

review and establish more clearly defined regulations and a possible moratorium. Sr. Deputy City Attorney Jim Lewis stated some of the Council was also suggesting those use permits be looked into.

**ADJOURNMENT**

The meeting adjourned at 10:55 p.m.

APPROVED: May 25, 2005

/s/ Jay Aston  
Jay Aston, Chairman

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