

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

July 27, 2005

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

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

CALL TO ORDER: 6:05 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 - Absent

STAFF PRESENT: Jory Stewart, Planning & Development Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Vicki Adams, Planner
Nick Vaskov, Deputy City Attorney II
Jennifer Doody, Development and Flood Control
Clete Kus, PW, Transportation Planner
James Aldrich, Fire Department
Tony Taylor, Parks Planner
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Dean Leavitt

WELCOME: Chairman Jay Aston

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF JUNE 22, 2005.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: Commissioner Trivedi

CONSENT AGENDA

A. **PW-99-05 (21796) CRAIG & COLEMAN: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY US HOME CORPORATION AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$785,234.07.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

B. **PW-100-05 (21797) CRAIG & COLEMAN: ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$785,234.07.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

C. PW-101-05 (21798) HARMONY II: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY US HOME CORPORATION AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$817,384.26.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

D. PW-102-05 (21799) HARMONY II: ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$817,384.26.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

E. PW-103-05 (21800) ALEXANDER & NORTH 5TH, UNIT 1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY US HOME CORPORATION AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$998,533.58.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- F. **PW-104-05 (21801) ALEXANDER & NORTH 5TH, UNIT 1: ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$998,553.58.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- G. **PW-105-05 (21802) ALEXANDER & NORTH 5TH, UNIT 2: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY US HOME CORPORATION AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$601,242.18.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- H. **PW-106-05 (21803) ALEXANDER & NORTH 5TH, UNIT 2: ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$601,242.18.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- I. **PW-107-05 (21804) ALEXANDER & NORTH 5TH, UNIT 3: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY US HOME CORPORATION AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$638,877.80.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- J. **PW-108-05 (21805) ALEXANDER & NORTH 5TH, UNIT 3: ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$638,877.80.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- K. **PW-109-05 (21806) VILLAGES @ SIERRA RANCH, VILLAGE 1, UNIT 2: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY KB HOME NEVADA, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$330,769.13.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

L. PW-110-05 (21807) VILLAGES @ SIERRA RANCH, VILLAGE 2, UNIT 2: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY KB HOME NEVADA, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$490,891.56.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

M. PW-111-05 (21808) STARWOOD II: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY TOUSA HOMES, INC. DBA ENGLE HOMES AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$954,254.53.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

N. PW-112-05 (21809) CENTENNIAL & STATZ CONDOMINIUMS: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CSC TEMPLE, LLC AND ACCEPT THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$262,482.33.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- O. PW-113-05 (21810) CENTENNIAL AZURE, UNITS 3A (D.R. HORTON, INC.) & 3B (U.S. HOME CORPORATION): APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENTS BY D.R. HORTON, INC. AND U.S. HOME CORPORATION AND ACCEPT THE SUBDIVISION BONDS IN THE AMOUNT OF \$548,328.55 (D.R. HORTON, INC.) AND \$421,167.34 (U.S. HOME CORPORATION).**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- P. PW-114-05 (21811) TIERRA DE LAS PALMAS, LARGE LOT: ACCEPT THE CASH-IN-LIEU OF BOND AGREEMENT - SEPARATE ACCOUNT IN THE AMOUNT OF \$23,765 AS REPLACEMENT SURETY.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- Q. PW-115-05 (21812) SERGEANT JORDAN & GOLDFIELD: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY DEVELOPERS SURETY AND INDEMNITY COMPANY TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$307,530.19.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- R. **PW-116-05 (21813) CHEYENNE VALLEY, UNIT 3: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY GULF INSURANCE COMPANY TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$531,838.07.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- S. **PW-117-05 (21814) SHADOW SPRINGS, PHASE 1, UNIT 1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY LUMBERMENS MUTUAL CASUALTY COMPANY TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$669,817.67.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Item No. 6 was heard first.

NEW BUSINESS

1. **ZN-04-05 (21401) TWILIGHT @ RIVERWALK RANCH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY D. R. HORTON, INC., PROPERTY OWNER, TO AMEND CONDITIONS #7A, #8E AND #18 OF A PREVIOUSLY APPROVED RECLASSIFICATION OF PROPERTY TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF VALLEY DRIVE AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-30-203-002.**

Item Nos. 1 and 31 were presented together.

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of amendments to ZN-04-05 as listed in Memo dated July 27, 2005 with Condition No. 8.e. amended. Recommended conditions are as follows:

7. That development shall comply with the single-Family Development Standards, including, but not limited to the following:
 - a. Twenty feet of perimeter landscaping and a five (5) foot meandering sidewalk, separated a minimum of five (5) feet from back of curb, must be provided along Centennial Parkway and Valley Drive.
 - b. The applicant must provide, at minimum, four (4) models with two (2) elevations each. Varying colors, roof lines and garage doors must be provided, as required by the Single-Family Design Guidelines, subject to review and approval of Planning and Development staff.
8. e. 15' to the Front Living Area. However, 50% of the development may have a 10-foot front setback to the living area. Furthermore, no two (2) homes with a ten (10) foot front setback may be located next to each other in the development except for two homes with a ten (10) foot front setback may be located next to each other at a maximum of five (5) locations within the development as long as the elevations or models of these lots are different.

18. **Delete**

Ms. Adams also noted if the item was approved with recommended amendments, it would be forwarded to City Council for final consideration with all conditions of approval listed and renumbered appropriately.

Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 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, and
Trivedi

NAYS: None

ABSTAIN: None

Item No. 31 was heard next.

2. **UN-73-05 (21337) PLAZA MEXICO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GUILLERMO SATARAY PARRA, PROPERTY OWNER, FOR A USE PERMIT IN AN R-A/CR REDEVELOPMENT AREA COMMERCIAL/RETAIL SUBDISTRICT TO ALLOW A 23-FOOT-HIGH DIRECTORY SIGN WHERE AN EIGHT (8) FOOT MONUMENT SIGN IS ALLOWED. THE PROPERTY IS LOCATED AT 2630 TO 2638 EAST LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-24-201-001.**

Chairman Jay Aston recognized Councilwoman Stephanie Smith.

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending denial of UN-73-05, as the intent of the ordinance requiring maximum eight foot high signs adjacent to or across from residential development was to protect neighborhoods from visual obstructions and bright lighting and the proposed sign was 23 foot which would exceed the typical wall height and create visual obstruction; however, if the application was approved, the following conditions were recommended:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development be allowed one (1) 23-foot high, 120-square-foot directory sign.
3. The directory sign shall be provided with a decorative cover and utilize materials, colors, textures or finishes that are complimentary or similar to the materials on the facade of the principal building.
4. The proposed sign shall not be located within the traffic sight visibility zone.

Tirso Sataray, 2630 East Lake Mead Boulevard, North Las Vegas, NV 89030 appeared on behalf of the applicant stating there property next to theirs had the same height sign being requested with this application.

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

Arlenne J. Dziminski 2700 E. Lake Mead Boulevard, Suite #9, North Las Vegas, NV 89030 administrator for the property adjacent to the subject property. Ms. Dziminski asked why an ordinance for new signage could be changed upon request. She was opposed to the sign being 23 foot high and stated it was out of character for the street.

Chairman Aston closed the Public Hearing.

Tirso Sataray had no additional comments.

Commissioner Steve Brown asked the applicant if he had pictures showing his property.

Commissioner Brown asked Staff the height of the sign on adjacent property. Ms. Dziminski stated the sign height was 20 feet. Commissioner Brown asked Ms. Dziminski if she knew the square footage. Ms. Dziminski responded she did not know.

Mr. Sataray showed a picture of the property and stated there would be a chiropractor business located in their center and the adjacent property also had a chiropractor and did not want competition. Commissioner Brown stated he was in support of having a sign of equal height but not larger.

Chairman Jay Aston asked how many tenants were on the properties. Ms. Dziminski stated they had ten units and the property for the sign be requested had only four tenants. Mr. Sataray stated he had six units in his center and would be building more.

Commissioner Dean Leavitt asked the applicant how many acres were involved. Mr. Sataray responded there was two acres.

Commissioner Brown stated he would not support a sign that blocked the sign on the adjacent property. Mr. Sataray stated the sign would be on Daley Street, one block away.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH CONDITION NOS. 2 AND 4 AMENDED AS FOLLOWS:

2. THAT THE DEVELOPMENT BE ALLOWED ONE (1) 20-FOOT HIGH, 120-SQUARE-FOOT DIRECTORY SIGN.
4. THE PROPOSED SIGN SHALL NOT BE LOCATED WITHIN THE TRAFFIC SIGHT VISIBILITY ZONE THE LOCATION OF THE SIGN WILL BE AS INDICATED ON THE SITE MAP, AT THE CORNER OF DALEY STREET AND LAKE MEAD BOULEVARD.

MOTION: Commissioner Brown

SECOND: Vice-Chairman Cato

AYES: Vice-Chairman Cato, Commissioners Brown and Trivedi

NAYS: Chairman Aston and Commissioner Leavitt

ABSTAIN: None

Chairman Jay Aston recognized Councilman Shari Buck.

3. **UN-60-01 (21382) CINGULAR WIRELESS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CINGULAR WIRELESS ON BEHALF OF UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR AN AMENDMENT TO AN EXISTING USE PERMIT IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A TEN (10) FOOT EXTENSION TO AN EXISTING MONOPOLE FOR A TOTAL OF 70 FEET. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHEAST CORNER OF ROME BOULEVARD AND PALMER STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-24-801-001.**

Vice-Chairman Jo Cato stated she would be abstaining on this item as she manages the Cingular account for the company she works for.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of UN-60-01 because the zoning ordinance considers it to be legal non-conforming which does not allow modification or enlargement of the current tower and the zoning for R-3 would not allow it under its present state; however, if the Commission determined approval was warranted, Staff recommends the following amendments to previously approved conditions:

4. The height of the tower shall not exceed 70 feet.
11. That the applicant shall provide a tower with a stealth design (i.e. pine tree or palm tree).

Marck Sawyer, 7477 West Lake Mead Blvd appeared on behalf of the applicant stating he concurred with Staff recommendation.

Chairman Jay Aston clarified the applicant was agreeable to Staff recommendation. The applicant stated the Tower was owned by Nextel and Sprint was going on the next phase, ten feet above them and Cingular would be locating ten feet above that. They would need to get the agreement of Nextel and Sprint to change the tower at Cingular's expense. It has been done before and they could pursue it but there were no guarantees all companies would work together to accomplish it.

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

Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt supported the stealth design.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Vice-Chairman Cato

4. **VAC-22-05 (21402) GEYSER PEAK 2 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MERITAGE HOMES ON BEHALF OF MTH HOMES NEVADA, INC., PROPERTY OWNER, TO VACATE A PORTION OF TROPICAL PARKWAY COMMENCING AT THE INTERSECTION OF BRUCE STREET AND PROCEEDING WEST APPROXIMATELY 570 FEET, REMOVING THE RIGHT TURN LANE. THE ASSESSOR'S PARCEL NUMBER IS 124-26-313-040.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of VAC-22-05 subject to the following condition:

1. The vacation must record concurrently with the final map. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.

Rebeka DeWitt, 2580 Anthem Village Drive, Henderson, NV 89052 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: Commissioner Brown

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

NAYS: None

ABSTAIN: None

5. **UN-69-05 (21390) RUBY TUESDAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RT LAS VEGAS FRANCHISE, LLC ON BEHALF OF MESA INVESTMENTS, LLC AND APK REALTY & INVESTMENTS, PROPERTY OWNERS, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A SUPPER CLUB. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND REVERE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-04-701-022.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-69-05 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 submitted floor plan shall be revised to meet the Business Licences and Regulations (Title 5) requirements including that only one (1) bar seat is allowed per fifteen (15) restaurant seats and that the salad bar shall be separated from the bar area by a barrier sufficient to prevent access by minors.
3. A trellis or other covering shall be added above the outdoor service area.
4. A solid metal gate shall be used screen the outdoor service area.
5. UN-69-05 is site specific and non-transferable.
6. UN-69-05 shall comply with the conditions of approval for SPR-38-04 and T-1126.
7. Approval of a drainage study update is required prior to submittal of the civil improvement plans.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

Michael Bradshaw, 5858 South Pecos #100, Las Vegas, NV 89120 appeared on behalf of the applicant stating he concurred with Staff recommendation.

Marc Jordan stated Staff was deleting Condition No. 8.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH THE
DELETION OF CONDITION NO. 8

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

Item No. 7 was heard next.

6. **UN-70-05 (21425) U-HAUL CENTER WEST (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TRAVIS PATCH ON BEHALF OF UH STORAGE LP, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE EXPANSION OF AN EXISTING MINI-WAREHOUSING FACILITY AND TO ADD RV PARKING. THE PROPERTY IS LOCATED AT 160 WEST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-03-601-007.**

It was requested by the applicant to withdraw UN-70-05.

Item No. 12 was heard next.

7. **AMP-34-05 (21388) STORAGE WEST-DORRELL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAACO, LTD. ON BEHALF OF THE FEHRMAN FAMILY TRUST, ET AL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MDR MEDIUM DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DORRELL LANE AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-101-014 AND 124-22-101-015.**

Item Nos. 7 and 8 were presented together.

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending denial of AMP-34-05 because the applicant did not submit a market analysis to support the requested commercial land use designation and the proposed plan amendment does not meet any of the criteria set forth in the Comprehensive Plan. Staff believes a more suitable land use designation would be the Medium Density Residential which is currently in place; therefore, Staff was recommending denial of the proposed amendment to the Comprehensive Plan and the zone change.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant explaining the proposed use and location. There is a home improvement store and a Walmart type facility planned. On the other side is an approved R-1 subdivision for D.R. Horton with 6,000 square foot lots and there are two applications scheduled to go before the City Council for a tri-plex development by D.R. Horton and a single-family development component. Along Dorrell Lane, D.R. Horton has changed some of the zoning. Dorrell will connect from North 5th Street to the Commerce alignment and just to the south of Dorrell, there is 60 to 65 acres of school property. There is currently a school under construction. Mr. Gronauer stated a mini-storage use was a good transitional buffer from medium density to commercial to single-family residential.

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

Bob Borgersen, 7617 Island Rail, North Las Vegas, NV 89084 stated there were no homes currently being built in the area, so future home buyers are not available to oppose the development and did not feel future buyers would want a storage facility in their back yard.

Eddie Schmitz, 27 Pinnacle Hill Court, North Las Vegas, NV 89032 stated his opposition.

Chairman Aston closed the Public Hearing.

Bob Gronauer stated with respect to the mini-storage facility, one of the variances being requested was located at the northern part of the boundary line. The code requires 30 feet from residential property lines. When building mini-storage facilities, you use the back of the building, which the wall itself is decorative block, and with respect to the perimeter wall if they were required to build 30 feet, 20 feet or 10 feet, you would have a dead space gap. With respect to the street, the vacation that was mentioned, they were asking to vacate Elaine Street, a street located between the commercial center and the applicant's proposed application. He understood Staff wanted Elaine Street for an access road as it went up to the property near the Beltway, which was owned by Bureau of Land Management. He stated it was not on the Master Plan of Streets and Highways and there was already a 60 foot right-of-way street.

Chairman Aston stated he was concerned the property owner to the north might not be aware of the amendment being requested.

Vice-Chairman Jo Cato was concerned the people buying in the D.R. Horton project, which was not yet developed, would not be aware of the storage facility.

Chairman Aston asked Mr. Gronauer if a disclosure would be made to home buyers in the D.R. Horton Development. Mr. Gronauer responded Nevada Revised Statutes required a homebuilder to provide a disclosure of the land use plan and zoning category. He added the home would be backing up to Commerce Street, so outside of the separation between the road, there will be landscaping buffering along Commerce Street.

Commissioner Dean Leavitt asked the applicant if he would agree to a two week continuance to allow time to verify if the applicant had control of the property to the north. Mr. Gronauer responded, he would be agreeable to a two week continuance.

Chairman Jay Aston recognized City attorney Sean McGowan.

Commissioner Steve Brown asked the applicant why a commercial site would be better than medium density residential. Mr. Gronauer responded the mini-storage was being used as a buffer.

ACTION: CONTINUED TO AUGUST 10, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

Chairman Aston stated the Public Hearing would remain open.

8. **ZN-54-05 (21387) STORAGE WEST-DORRELL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAACO, LTD. ON BEHALF OF THE FEHRMAN FAMILY TRUST, ET AL, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DORRELL LANE AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-101-014 AND 124-22-101-015.**

ACTION: CONTINUED TO AUGUST 10, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

9. **VAC-21-05 (21383) STORAGE WEST - DORRELL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAACO, LTD., ON BEHALF OF REVERE DORRELL, LLC, ET AL, PROPERTY OWNER, TO VACATE ELAINE STREET COMMENCING AT THE INTERSECTION OF DORRELL LANE AND PROCEEDING NORTH APPROXIMATELY 610 FEET TO THE INTERSECTION OF DONALD ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-22-101-015.**

ACTION: CONTINUED TO AUGUST 10, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

10. **VN-21-05 (21385) STORAGE WEST-DORRELL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAACO, LTD., ON BEHALF OF THE FEHRMAN FAMILY TRUST, ET AL, PROPERTY OWNER, FOR A VARIANCE IN AN R-E RANCH ESTATES DISTRICT (PROPOSED C-1 NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW 6 FEET OF SEPARATION BETWEEN A COMMERCIAL USE AND A RESIDENTIAL ZONE BOUNDARY, WHERE 30 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DORRELL LANE AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-101-014 AND 124-22-101-015.**

ACTION: CONTINUED TO AUGUST 10, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

11. **UN-68-05 (21386) STORAGE WEST-DORRELL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAACO, LTD. ON BEHALF OF THE FEHRMAN FAMILY TRUST, ET AL, PROPERTY OWNER, FOR A USE PERMIT IN AN R-E RANCH ESTATES DISTRICT (PROPOSED C-1 NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW A 93,300 SQUARE FOOT MINI-STORAGE FACILITY WITH A CARETAKER RESIDENCE AND NINE (9) COVERED VEHICLE PARKING SPACES. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DORRELL LANE AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-101-014 AND 124-22-101-015.**

ACTION: CONTINUED TO AUGUST 10, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

12. **AMP-30-05 (21216) CENTENNIAL/NORTH FIFTH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES ON BEHALF OF THE PT CORPORATION AND NORTH 5TH 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 NORTH FIFTH STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-503-001, 124-27-503-007, 124-27-503-008 AND 124-27-503-009.**

Item Nos. 12 and 13 were heard together.

It was requested by the applicant to continue AMP-30-05 to September 14, 2005.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO SEPTEMBER 14, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

13. **ZN-49-05 (21213) CENTENNIAL/NORTH FIFTH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES ON BEHALF OF THE PT CORPORATION AND NORTH 5TH CENTENNIAL-1, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF NORTH FIFTH STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-503-001, 124-27-503-007, 124-27-503-008 AND 124-27-503-009.**

Item Nos. 12 and 13 were heard together.

It was requested by the applicant to continue ZN-49-05 to September 14, 2005.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO SEPTEMBER 14, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Item No. 18 was heard next.

14. **AMP-36-05 (21476) TEXT AMENDMENT - NEW LAND USE (PUBLIC HEARING).
A TEXT AMENDMENT TO THE COMPREHENSIVE PLAN ADDING A NEW LAND
USE DESIGNATION OF VERY HIGH DENSITY RESIDENTIAL (18-50 DWELLING
UNITS PER ACRE).**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of AMP-36-05 and that Resolution No. 2319 be forwarded to City Council for final consideration.

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

- **Bob Borgersen, 4717 Island Rail, North Las Vegas, NV 89084** was opposed to higher density.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

15. **ZOA-08-05 (21475) R-2/R-3 DISTRICT DENSITY CHANGE (PUBLIC HEARING). ZONING ORDINANCE AMENDMENT CHANGING THE ALLOWABLE DENSITY IN THE R-2 TWO-FAMILY RESIDENTIAL DISTRICT FROM 12 DWELLING UNITS PER ACRE TO 10 DWELLING UNITS PER ACRE TO MATCH THE MDR MEDIUM DENSITY RESIDENTIAL DESIGNATION AND TO CHANGE THE ALLOWABLE DENSITY IN THE R-3 MULTI-FAMILY RESIDENTIAL DISTRICT FROM 25 DWELLING UNITS PER ACRE TO 18 DWELLING UNITS PER ACRE TO MATCH THE HDR HIGH DENSITY RESIDENTIAL DESIGNATION.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZOA-08-05.

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

Chairman Aston closed the Public Hearing.

Commissioner Steve Brown and Commissioner Dean Leavitt both thanked Staff for their efforts on this application.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

16. **ZOA-10-05 (21821) TITLE 17 AMENDMENT (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 17 (ZONING ORDINANCE) SECTIONS 17.20.110, 17.20.120, 17.20.130, 17.20.210(H) & 17.28.050(B) TO REQUIRE A SPECIAL USE PERMIT FOR HOTELS AND MOTELS WITH FINAL ACTION AT THE CITY COUNCIL 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-10-05.

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

Chairman Aston closed the Public Hearing.

Chairman Aston asked Staff is this was a permanent or temporary change. Mr. Eastman responded the change was permanent. If, however, the Commission wanted to direct Staff to examine the different types of hotel and motel uses and come up with language to differentiate the uses within the community, that would be something Staff could work on.

Commissioner Dean Leavitt suggested if Staff forwarded the idea to City Council, there were members of the Commission who were willing and able to help with examining the different types of hotel and motel uses.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

17. **FDP-11-05 (21454) AMARILLO (ANN & COMMERCE). AN APPLICATION SUBMITTED BY KB HOME NEVADA INC., PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 53 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED ON THE SOUTHEAST CORNER OF ANN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-34-5501-005.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of FDP-11-05 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. That the development comply with all conditions of approval of ZN-104-04 and T-1148.

Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating she 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, and Trivedi

NAYS: None

ABSTAIN: None

Item No. 19 was heard next.

18. **SPR-27-03 (21429) CRAIG RETAIL PARTNERS, LLC. AN APPLICATION SUBMITTED BY CRAIG RETAIL PARTNERS, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO WAIVE THE MEANDERING SIDEWALK STANDARD. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CRAIG ROAD AND REVERE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-03-302-001, 139-03-302-002, 139-03-302-003, AND 139-03-302-004.**

It was requested by the applicant to continue SPR-27-03 to August 10, 2005.

ACTION: CONTINUED TO AUGUST 10, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Item No. 20 was heard next.

19. **SPR-38-05 (21400) DE LUCA LIQUOR WAREHOUSE. AN APPLICATION SUBMITTED BY PRECISION CONSTRUCTION ON BEHALF OF ARTHUR WIRTZ FAMILY LP, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT FOR AN EXPANSION OF APPROXIMATELY 158,000 SQ. FT. OF OFFICE/WAREHOUSE AND 43 ADDITIONAL PARKING SPACES. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND CLAYTON STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-16-101-008.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of SPR-38-05 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. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. NDOT concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
5. Right-of-way dedication for a flared intersection, including a right turn lane, is required at Clayton Street and Cheyenne Avenue per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
6. Right-of-way dedication for a CAT bus turn-out is required on Cheyenne Avenue near Clayton Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
7. The applicant shall submit a traffic study update for review and approval.

Steve Quinn, Precision Construction, 2319 Western Avenue, Las Vegas, NV 89102 appeared on behalf of the applicant stating he concurred with Staff recommendation with a couple of exceptions. Condition No. 5 requested right-of-way dedication for a flared intersection. The applicant did not own the corner, as it was deeded to Howard Hughes

Properties for signage when the property was purchased. On Condition No. 6, he would like the opportunity to work with the City Attorney's Office to work out the details of the right-of-way for the CAT bus turn-out.

Chairman Jay Aston asked if the area for the CAT bus turn-out was up against a 20 foot landscape buffer on Cheyenne Avenue. The applicant responded he thought it was 15 foot.

Chairman Aston suggested leaving the conditions as stated in the Staff Report and address the issues at a later date. Mr. Quinn agreed to that; he just wanted it reflected in the record there were some issues to be worked out.

Vice-Chairman Jo Cato asked for clarification. Commissioner Steve Brown asked Staff if they wanted a continuance, if the applicant thought there were problems to work out.

Marc Jordan, Planning Manager responded language could be added to Condition Nos. 5 and 6, "or as approved by the Traffic Engineer." Chairman Aston stated it was in the Code that the CAT bus turn-out could go into the landscape, so that was not an issue. There was only an issue with Condition No. 5.

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

5. RIGHT-OF-WAY DEDICATION FOR A FLARED INTERSECTION, INCLUDING A RIGHT TURN LANE, IS REQUIRED AT CLAYTON STREET AND CHEYENNE AVENUE PER THE *UNIFORM STANDARD DRAWINGS FOR PUBLIC WORKS' CONSTRUCTION OFF-SITE IMPROVEMENTS DRAWING* NUMBER 201.1 AND 245.1 OR AS APPROVED BY TRAFFIC ENGINEER.

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

20. **T-1190 (21428) LONE MOUNTAIN ESTATES 2. AN APPLICATION SUBMITTED BY CELEBRATE HOMES, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATES DISTRICT CONSISTING OF NINE (9) SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF LONE MOUNTAIN ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 124-31-802-011.**

It was requested by the applicant to continue T-1190 to August 10, 2005.

ACTION: CONTINUED TO AUGUST 10, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Item No. 23 was heard next.

21. **SPR-39-05 (21431) TEMPLE DEVELOPMENT. AN APPLICATION SUBMITTED BY AARON TEMPLE ON BEHALF OF CCD TEMPLE LLC, FOR A SITE PLAN REVIEW IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO WAIVE THE REQUIREMENT FOR ARCHITECTURAL EMBELLISHMENTS AROUND WINDOWS AND DOORS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ROME BOULEVARD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-813-001 THRU 148 EXCLUDING 124-22-813-066, 101 AND 128.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of SPR-39-05 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 shall comply with the Single Family Design Guidelines except for the following:
 - a. This development shall not be required to comply with Section 17.24.210(G)(11) of the Zoning Ordinance which requires that overhanging eaves or projecting cornice details be incorporated into the design of a building.

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

- **Bob Borgersen, 7617 Island Rail, North Las Vegas, NV 89084** stated his opposition to the waiver.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

OLD BUSINESS

22. **ZN-47-05 (20914) PROJECT NLV (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE MENDENHALL FAMILY TRUST AND NELSON VENTURES ON BEHALF OF THE MENDENHALL FAMILY TRUST AND THE MENDENHALL LEGACY, LP, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT AND AN M-2 GENERAL INDUSTRIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF:**

MINI-WAREHOUSING	8,400 SF	COMMERCIAL RETAIL	1,146,000 SF
MOVIE THEATER	100,000 SF	MULTIFAMILY DWELLING UNITS	508 UNITS
OFFICE	50,000 SF	ABOVE MIXED USE COMMERCIAL	166,000 SF
TOWNHOMES	216,000 SF		

THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF NORTH FIFTH STREET AND CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-02-302-009 AND 139-02-401-003. (CONTINUED JUNE 22, 2005)

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of ZN-47-05 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. A final development plan shall be submitted for each phase of the Planned Unit Development.
3. A final phasing plan shall be submitted with the first final development plan for this Planned Unit Development.
4. Building elevations shall be submitted for each commercial and multi-family building with the final development plan for each phase of this Planned Unit Development.
5. The final development plan shall provide details of the open space/park areas showing landscaping, amenities, boundaries and calculated square footage.
6. A pedestrian circulation plan, including ADA access routes, safe walking pathways, and traffic calming measures shall be submitted with the final development plan for this Planned Unit Development.
7. Adequate parking shall be provided and shown on the final development plan, and

shall comply with the zoning ordinance or a shared parking analysis subject to staff review and approval.

8. A theater complex or an alternative “major entertainment amenity,” shall be developed as part of the second phase of this development. The theater complex, or alternative, shall be a minimum of 75,000 square feet, identified on the final development plan and the type of entertainment venue shall be subject to approval by the Planning Commission as part of the final development plan review.
9. Interior driveways shall meet the minimum requirements of an “interior street scape” in a planned unit development, and street furniture that is approved by the Public Works Department and Planning and Development Department, shall be required.
10. The number of parking stalls for the residents and guests shall be provided in accordance with the requirements set forth in the Zoning Ordinance for multi-family developments. The location of the residential parking shall be within a secured parking garage constructed as a “basement” below the residential units. The parking garage shall adjoin the building in which the units it serves are located. Guest parking is not required to be located within the secured garage.
11. The commercial square footage shown on the preliminary development plan is considered conceptual and shall be reduced if it is found that there is insufficient parking, buffer area, and open space, upon submittal of the final development plan.
12. The number of multi-family units shown on the preliminary development plan is considered conceptual and shall be reduced if it is found that there is insufficient parking, buffer area, and open space, upon submittal of the final development plan.
13. Exterior roof ladders and down spouts shall not be permitted.
14. In addition to the stipulations stated herein, the residential portions of the development shall comply with the Multiple-Family Development Standards and Design Guidelines, with the exception of the exterior finish of the buildings. This condition may be modified, waived, replaced or altered to the extent those changes are consistent with the goals, policies, objectives, standards and guidelines of a future mixed use zoning ordinance amendment or other code requirements of the City, as adopted by the City Council upon submittal of a final development plan.
15. The overall design of the site and buildings shall comply with the Commercial Development Standards and Design Guidelines. This condition may be modified, waived, replaced or altered to the extent those changes are consistent with the goals, policies, objectives, standards and guidelines of a future mixed use zoning ordinance amendment or other code requirements of the City, as adopted by the

City Council upon the submittal of a final development plan.

16. A decorative wall that is aesthetically compatible with the trail design shall be placed between the proposed loading area and the regional trail subject to staff review and approval.
17. A minimum of four access point shall be provided to the regional trail adjoining the Las Vegas Wash. One access point shall be provided adjacent to Craig Road. One access point shall be provided at the northern most edge and the southern most edge of the retail commercial adjoining the Las Vegas Wash. One access point shall be provided adjacent to Alexander Road. Gateway treatments shall be provided at all trail access points as approved by Planning and Development Department and the Parks and Recreation Department.
18. Commercial uses in this Planned Unit Development shall only those allowed under the C-2, General Commercial District as principally permitted uses, or as special uses subject to Title 17 § 24.020, with the exception of the following:
 - a. The following Special Uses in Section 17.20.110 of the Zoning Ordinance (Title 17) shall not require the approval of a special use permit within the commercial portion of the property:
 - i. Banks and financial institutions, excluding payday loan, check cashing and other similar facilities
 - ii. Video Game Arcades
 - b. The following uses shall be prohibited from this Planned Unit Development:
 - i. Automobile drive-in theater
 - ii. Automobile repair
 - iii. Cemeteries
 - iv. Mortuaries
 - v. Recreational Vehicle Park and campgrounds
 - vi. Swap meet, flea market
 - vii. Automobile, boat or recreational vehicle sales, service and rental lots
 - viii. Pawnshop
19. Commercial uses shall be subject to the following total minimum and maximum area except as otherwise stipulated herein:
 - a. A maximum of 1,500,000 square feet of general commercial
 - b. A minimum of 130,000 square feet of commercial uses must be located below residential uses
20. The number of Multi-family dwelling units shall be limited to a maximum of 650.

21. The developer shall disclose the appropriate Airport Terminal Environs Overlay District to any lessee of, or upon the sale of property included in this application. The developer shall also disclose that this property is located in the 65-70 (or 70-75) decibel noise Air Installation Compatible Use Zone (AICUZ) as defined by Nellis Air Force Base in September 2004. The United States Air Force discourages residential development in the 65-70 decibel AICUZ areas and strongly discourages residential development in the 70-75 decibel AICUZ areas.
22. Turning radii along the fire access lanes shall be designed in accordance with the Fire Code.
23. Fire access lanes shall be located in accordance with Fire Code Requirements.
24. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
25. This development is not required to comply with the Commercial Development Standards requirement for each parking lot to contain 120 or fewer parking spaces separated by a twenty (20) foot wide landscaped planter. The applicant shall provide the required number of trees as part of a landscaping plan to be submitted at the time of final development plan approval for Phase II (Power Center Commercial component) of the project.
26. This development is not required to comply with the Commercial Development Standards requirement to provide a landscaping island between every other row of parking in Phase II (Power Center Commercial component) of the project. This development will be required to provide a parking lot landscaping plan showing the required number of trees in an alternative arrangement at the time of final development plan submittal.
27. The proposed entrance driveway off of Craig Road must receive approval from the Bureau of Land Management and the City of North Las Vegas to cross the trail right-of-way purchased with Southern Nevada Public Land Management funds prior to the submittal of the first Final Development Plan. City staff shall work with the Bureau of Land Management toward the approval.
28. The applicant shall submit an engineered diagram of the entrance driveway off of Craig Road. The engineered diagram shall show safe pedestrian crossing of the proposed driveway from the trail easement adjoining Craig Road to the trail right-of-way adjoining the wash.
29. The setbacks for this development shall conform to the requirements of the C-2,

General Commercial Zoning District.

30. The Master Development Plan and Design Guidelines submitted with this application shall apply to this development and is adopted by reference. If there is a conflict between the Master Development Plan and Design Guidelines and any applicable code or ordinance, the more restrictive shall apply.
31. The Master Development Plan and Design Guidelines shall be amended to be consistent with the conditions of approval for ZN-47-05 and any applicable code or ordinance and shall be subject to staff review and approval. A final Master Development Plan and Design Guidelines shall be submitted prior to the submittal of the first Final Development Plan.
32. Approval of a master transportation study is required prior to submittal of the civil improvement plans.
33. The master transportation study must be accepted by the Freeway and Arterial System of Transportation (F.A.S.T.) prior to approval of the civil improvement plans.
34. As the uses of the buildings have not been determined at this time, each subsequent component of the project will be required to submit a traffic study update for review and approval prior to submittal of the civil improvement plans and/or issuance of building permits.
35. 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. North 5th Street
 - b. Alexander Road
36. Right-of-way dedication for a flared intersection, including a right turn lane, is required at North 5th Street and Craig Road, and at Alexander Road and North 5th Street per the *City of North Las Vegas Uniform Standard Drawings for North 5th Street Improvements*, Drawing Number 201.1 and 245.1 ALT.
37. North 5th Street shall be designed in accordance with the *City of North Las Vegas Uniform Standard Drawings for North 5th Street Improvements*.
38. Right-of-way dedication and construction of a CAT bus turn-out is required on Craig Road near North 5th Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1 or 234.3.
39. As North 5th Street is a planned, limited access corridor, access may be restricted in the future.

40. A pedestrian access easement must be granted over the existing sixty (60) foot drainage easement adjacent to Craig Road for the continuation of the trail.
41. Approval of a drainage study is required prior to submittal of the civil improvement plans.
42. 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.
43. 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.
44. 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.
45. Show the limits of the Federal Emergency Management Agency Special Flood Hazard Area Zone A on the tentative map.
46. The City of North Las Vegas does not permit the construction of any buildings within a Federal Emergency Management Agency (FEMA) designated Special Flood Hazard Area (SFHA). Under this policy, the applicant must meet the following requirements prior to issuance of permits and certificates of occupancy:
 - a. Grading and off-site construction permits may be issued once a copy of the Conditional Letter of Map Review (CLOMR) application has been submitted to FEMA for processing.
 - b. Building permits may be issued once a CLOMR has been obtained from FEMA.
 - c. Certificates of Occupancy can be issued once a Letter of Map Revision (LOMR) has been obtained from FEMA.
47. Structures will not be permitted on/over the underground storm drain facility located along Craig Road.

48. Any proposed items within existing drainage easements are subject to review and approval of the Director of Public Works.
49. Acceptance of this Preliminary Site Plan shall not be construed to be approval of any flood control/storm drain facilities shown; approval of any drainage concepts or facilities are contingent upon the approval of the Technical Drainage Study for the development.
50. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Craig Road, Alexander Road and North 5th Street, if not already existing.
51. 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.
52. Proposed internal streets/accesses are subject to review and approval by the Department of Public Works.
53. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
54. 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.
55. A revocable encroachment permit for landscaping within the public right of way is required.
56. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
57. All off-site improvements must be completed prior to final inspection of the first building.

George Garcia of G.C. Garcia, Inc. 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating she concurred with Staff recommendation. He stated there were a couple of areas that needed clarification. He clarified on Condition No. 8, that 70,000 square feet of major entertainment amenities did not have to be in one location but could be in multiple locations. He asked that the words

“as a basement below the residential units” be stricken from Condition No. 10 because, while the garages are below the residential units, they are not literally basements. On Condition No. 19 he asked to add in the words, “as a maximum of 1,300,000 square feet of residential” which would complement the 650 units that are already identified as a cap. He stated he would work with Staff on clarifying the language in Condition No. 30. Also, on Condition No. 44, there was a minor clarification on the third from the last part of 44, it says footprint of proposed structures, he would like it changed to read “footprint of proposed residential structures.” Mr. Garcia stated there were two conditions they did not agree with and had indicated that to Staff. Condition No. 16 relates to a decorative wall along the trail. They felt it was unsafe to have a block wall along the trail which would trap people between the chainlink fence and the block wall along the drainage channel and would continue working with Staff on that condition between now and when it went to Council. He also stated they did not agree with Condition No. 39 as they could not give up a major access on North 5th Street.

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

- **Bob Borgersen, 7517 Island Rail, North Las Vegas, NV 89084** felt there should have been a neighborhood meeting on this project.
- **Eddie Schmitz, 27 Pinnacle Hill Court, North Las Vegas, NV 89032** also stated there should have been a neighborhood meeting.

Chairman Aston closed the Public Hearing.

Mr. Garcia stated Golden Welch asked him to relay that he was concerned regarding the limited access on North 5th Street for the industrial users. In response to comments made during the Public Hearing, Mr. Garcia stated when the item was heard at a previous meeting, there were no residents present who were opposed to the project.

Commissioner Steve Brown asked the applicant to repeat the numbers of the conditions he was concerned about. Mr. Garcia responded, they were Condition Nos. 8, 10, 16, 19, 30, 39, and 44. He also added Condition Nos. 16 and 39 they had objected to and the others they asked for clarification or modification. Commissioner Brown stated he was also concerned about the safety of the block wall along the trail and asked Staff their feelings on a compromise of a lower wall that would provide a break in the looks without blocking the view and creating a trapped tunnel, possibly about 3 1/3 feet with wrought iron. Marc, Jordan, Planning Manager responded language could be added, “that a decorative wrought iron, combination decorative block wall.” Commissioner Brown asked if there was a possibility of striking Condition No. 39 and asked Staff for their input. Clete Kus of Public Works responded Public Works would object to striking Condition No. 39.

Commissioner Dean Leavitt had concerns of the access point being located across the street from a school and asked the applicant if it was possible to make the access point

closer to Alexander Avenue.

Chairman Jay Aston asked if the tentative map, final development plan and other items would be reviewed by the Planning Commission and whether some language could be added to cover any concerns regarding the conditions. Mr. Garcia responded there would be some adjustments as the project progressed, but he would prefer Condition No. 39 be addressed at this point and would like it finalized by the time it is heard by City Council.

Commissioner Dilip Trivedi stated he was not sure how the amphitheater would work on two major arterials and felt it might be better at a different location or possibly offer some other type of amenity. He also asked Staff if the number of parking spaces could be reduced. Robert Eastman, Principal Planner responded there currently was no flexibility in the parking standards, but the applicant had the right to submit a parking study to request alternative parking requirements. Under normal circumstances, the Design Standards required parking to be developed in smaller parking lots that were clustered together to help break up the parking lot so it was not as expansive as shown on the proposed site. To reduce the actual number of parking spaces would be difficult as parking was based upon the large amount of commercial space. There are also residential uses which require dedicated parking so customers do not infringe upon the parking of the residents. Mr. Garcia also stated the amenity package had been discussed with Staff and Parks and Recreation but was not final. There has been some discussion whether the amphitheater is the best amenity and the applicant will come back with the amenity package and will continue to work with Staff and Parks and Recreation to find the best amenity package.

Vice-Chairman Jo Cato asked the applicant what was meant by parking below the residences, if he was referring to garages. Mr. Garcia responded it would be secured parking for the residents only.

Commissioner Dean Leavitt was in support of the project and felt Staff's and applicant's concerns could be worked out before the application was heard by City Council.

Mr. Jordan stated there were some changes Staff would agree to at this time. Staff approved removing the words "as a basement" from Condition No. 10; Condition No. 16 could be amended to read "a combination of wrought iron and decorative wall" with the remainder of language to remain the same; Condition No. 44 to be amended to add "residential" as indicated by the applicant, which the last sentence would read "The footprint of the proposed residential structure shall be plotted" and the addition of a sentence to read "The applicant must then indemnify the City for all commercial structures located on faults and/or fissures."

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH

AMENDMENTS TO CONDITION NOS. 10, 16, AND 44 AS FOLLOWS:

10. THE NUMBER OF PARKING STALLS FOR THE RESIDENTS AND GUESTS SHALL BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH IN THE ZONING ORDINANCE FOR MULTI-FAMILY DEVELOPMENTS. THE LOCATION OF THE RESIDENTIAL PARKING SHALL BE WITHIN A SECURED PARKING GARAGE CONSTRUCTED BELOW THE RESIDENTIAL UNITS. THE PARKING GARAGE SHALL ADJOIN THE BUILDING IN WHICH THE UNITS IT SERVES ARE LOCATED. GUEST PARKING IS NOT REQUIRED TO BE LOCATED WITHIN THE SECURED GARAGE.
16. A COMBINATION WROUGHT IRON AND DECORATIVE WALL THAT IS AESTHETICALLY COMPATIBLE WITH THE TRAIL DESIGN SHALL BE PLACED BETWEEN THE PROPOSED LOADING AREA AND THE REGIONAL TRAIL SUBJECT TO STAFF REVIEW AND APPROVAL.
44. 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 RESIDENTIAL 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. THE APPLICANT MUST INDEMNIFY THE CITY FOR ALL FOR ALL COMMERCIAL STRUCTURES LOCATED ON FAULTS AND/OR FISSURES.

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

Item No. 24 was heard next.

23. **T-1182 (20875) VALLEY/EL CAMPO GRANDE. AN APPLICATION SUBMITTED BY PHD ASSETS, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT CONSISTING OF 53 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-801-001. (CONTINUED JUNE 22, 2005)**

It was requested by the applicant to continue T-1182 to August 24, 2005.

ACTION: CONTINUED TO AUGUST 24, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Item No. 25 was heard next.

24. UN-30-05 (19520) OUR LADY OF GUADALUPE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TIM C. AYALA ON BEHALF OF MARCO SANDOVAL, PROPERTY OWNER, FOR A USE PERMIT IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A CHURCH. THE PROPERTY IS GENERALLY LOCATED NORTH OF CAREY AVENUE AND APPROXIMATELY 94 FEET EAST OF NORTH STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-16-802-003. (CONTINUED APRIL 13, AND MAY 25, 2005)

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-30-05 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. The site shall comply with Commercial Design Guidelines including but not limited to:
 - a. Areas at least 25 feet in width from back of curb to perimeter wall or building (which may include sidewalks) shall be maintained adjacent to all streets; and
 - b. In addition to a solid masonry wall, a landscaped buffer area with a minimum width of 20 feet shall be planted and maintained with 24 inch box trees at a maximum spacing of 20 feet on center adjacent to any abutting residential property; and
 - c. Landscaped areas shall be landscaped with approved plant materials to provide a minimum ground coverage of 60% (not including trees); and
 - d. Sidewalks shall be located at least six (6) feet from the facade of the building to provide planting beds for foundation landscaping; and
 - e. Building exteriors shall be constructed with approved materials and finished in earth tone or neutral colors indigenous to the Las Vegas Valley and its surrounds; and
 - f. Dumpsters of sufficient size and number for the needs of the development shall be provided and located away from the street front and screened from view of the right-of-way, sidewalks and abutting properties through the use of landscaping and screening. The constructed screening shall match the design of the primary structure; and
 - g. A detailed photometric lighting plan shall be prepared by a licensed electrical engineer; and
 - h. Only monument type freestanding signs shall be installed in commercial areas which are located across the street from residential areas; and
 - i. The parking lot shall be concealed from the public right-of-way by landscaping and three (3) foot earthen berms; and

3. That UN-30-05 is site-specific and non-transferable.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
7. The property owner is required to grant a roadway easement for commercial driveway(s).
8. The property owner is required to sign a restrictive covenant for utilities.
9. A revocable encroachment permit for landscaping within the public right of way is required.
10. 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.
11. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
12. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Tim Ayala, 4600 Sunset Road, Henderson, NV 89014 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

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

Item No. 28 was heard next.

25. **VAC-17-05 (20895) INTERNATIONAL VILLAGE (PUBLIC HEARING. AN APPLICATION SUBMITTED BY ONE CAP ON BEHALF OF 5440 WEST SAHARA, LLC, PROPERTY OWNER, TO VACATE LIBERIA DRIVE BETWEEN INDIA AVENUE AND BURMA ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-610-034 AND 139-07-610-035. (CONTINUED JUNE 22 AND JULY 13, 2005)**

Items Nos. 25, 26 and 27 were heard together.

Chairman Jay Aston stated he would be abstaining as his company was involved with the purchase.

It was requested by the applicant to continue VAC-17-05 to August 24, 2005.

This was the third request for continuance. The applicant was not present for comment. Chairman Aston asked Planning Manager Marc Jordan for direction. Mr. Jordan responded Staff had no objection to the continuance as they were working with Staff.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 24, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: Chairman Aston

26. **VAC-19-05 (21067) INTERNATIONAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ONE CAP ON BEHALF OF THE 5440 WEST SAHARA, LLC, PROPERTY OWNER, TO VACATE MEXICO DRIVE COMMENCING APPROXIMATELY 498 FEET NORTHEAST OF ASIA ROAD AND PROCEEDING NORTH APPROXIMATELY 651 FEET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-510-034 AND 139-07-510-035. (CONTINUED JULY 13, 2005)**

Items Nos. 25, 26 and 27 were heard together.

Chairman Jay Aston stated he would be abstaining as his company was involved with the purchase.

It was requested by the applicant to continue VAC-19-05 to August 24, 2005.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 24, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: Chairman Aston

27. **VAC-20-05 (21221) INTERNATIONAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ONE CAP ON BEHALF OF THE 5440 WEST SAHARA, LLC, PROPERTY OWNER, TO VACATE HAWAII DRIVE COMMENCING APPROXIMATELY 897 FEET NORTHEAST OF INDIA AVENUE AND PROCEEDING NORTH APPROXIMATELY 474 FEET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-610-063 AND 139-07-610-064. (CONTINUED JULY 13, 2005)**

Items Nos. 25, 26 and 27 were heard together.

Chairman Jay Aston stated he would be abstaining as his company was involved with the purchase.

It was requested by the applicant to continue VAC-20-05 to August 24, 2005.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 24, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: Chairman Aston

Item No. 1 was heard next.

28. SPR-25-05 (20715) VALUE PLACE. AN APPLICATION SUBMITTED BY NEW RIVER DEVELOPMENT, LLC, ON BEHALF OF AN FINANCIAL CORPORATION, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A 363-UNIT EXTENDED STAY HOTEL DEVELOPMENT WITH THREE (3) FOUR-STORY BUILDINGS FOR A TOTAL OF 127,920 SQUARE FEET. THE PROPERTY IS GENERALLY LOCATED EAST OF COMMERCE STREET APPROXIMATELY 300 FEET NORTH OF CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-03-601-001. (CONTINUED JUNE 8, JUNE 22 AND JULY 13, 2005)

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending denial of SPR-25-05; however, if the Commission determined approval was warranted, Staff recommends continuance to allow the applicant time to redesign the site plan according to recommendations made through the Crime Prevention Through Environmental Design analysis. Staff also recommends that if SPR-25-05 is approved, that it be 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 Commercial Development Standards and Design Guidelines including but not limited to landscaping, building design, and pedestrian plaza space, except that:
 - a. The required buffer landscaping along the northern property boundary shall be a minimum ten (10) feet wide.
 - b. The building elevation shall be revised to add architectural metal screening over each heating and air conditioning vent under each window.
3. The following amenities shall be provided as part of the first building permit request and subject to Parks and Recreation Department staff approval:
 - a. Pool(s) with an aggregate minimum surface area of 1,086 square feet with a cabana that has separate male and female restrooms
 - b. One lighted large group shade area adjacent to the pool to include one picnic area
 - c. Circuitous Lighted Paths with Benches
 - d. Dog stations shall be required and located near areas that might be used for

walking dogs unless the applicant enforces a “no pets” policy.

- e. Recreation Center
 - f. One picnic area with at least two (2) to four (4) picnic tables, two family size grills and appropriate trash receptacles to be located adjacent to each building with one to be constructed in the lighted shade area adjacent to the pool area
4. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
 5. 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. Commerce Street (including the area adjacent to the proposed parcel labeled “Not a Part - Future Development”)
 6. Right-of-way dedication and construction of a CAT bus turn-out is required on Commerce Street near Craig Road. The applicant shall provide the bus stop placement within the exclusive right turn lane, per *Uniform Standard Drawings for Public Works’ Construction Off-Site Improvements* Drawing Number 234.3, for the property labeled “Not a Part - Future Development”
 7. Adjacent to any eighty (80) foot right-of-way, a common lot/landscape area, with a minimum width of five feet, shall be provided behind the required bus turn-out.
 8. A landscaped median island shall be constructed within Commerce Street from Craig Road north six hundred sixty (660) feet.
 9. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Craig Road and Commerce Street.
 10. Approval of a traffic study is required prior to submittal of the civil improvement plans.
 11. 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.

12. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
13. Appropriate subdivision and/or parcel mapping is required to create the parcel(s) as proposed. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code* and must record prior to the final map of the subject development.
14. The required improvements for Commerce Street shall be completed within one-hundred eighty (180) days of issuance of the first building permit.
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. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
18. 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.
19. A revocable encroachment permit for landscaping within the public right of way is required.
20. 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.
21. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
22. Approval of a drainage study is required prior to submittal of the civil improvement plans.
23. 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.

24. The site plan shall be redesigned so that the main entrance gate is centrally located with no more than ten (10) parking spaces located outside of the main gate for temporary guest parking.
25. The site plan shall be redesigned so that the main amenities are centrally located and directly adjacent to the main office.
26. North and South access gates off of Commerce Street shall be emergency access only.
27. Vehicular and pedestrian ingress and egress from the property shall be through keycard access.
28. Access to buildings, pool area, and other amenities should be controlled by keycard at all entrances.
29. Keycard(s) shall have scheduled activation and deactivation.
30. Landscaping, lighting, and building plans shall be subject to Police Department review and approval.
31. The main property address shall be clearly posted and visible from the street. Each individual building shall be clearly marked with the appropriate building number, and should be positioned so as to be easily viewed from vehicular and pedestrian pathways throughout the complex.
32. Surveillance cameras shall be installed to observe all parking areas, access doors, common and amenity areas.
33. The site shall have twenty-four (24) hour uniformed security guard(s) with the ability to walk/bike/drive the property. The number of guards should be proportional to the number of units, and service calls to the City of North Las Vegas Police Department.
34. Vehicle information shall be obtained from guests, and kept on file in the office.
35. The hotel shall participate in the City of North Las Vegas Police Department program IDL: Identify, Detect, and Locate or similar program as offered by the City.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating the application is not for a special use permit but for a site plan review for an extended stay hotel. Mr. Gronauer went over the land use plan adopted in 1999. He focused on the strip

of property from Decatur and Craig Road down to Craig Road and I-15. When a site plan is reviewed, it is based on the use allowed within the Master Plan itself. One of the most heavily traveled corridors in North Las Vegas is the Craig Road corridor. The proposed project is directly across the street from a proposed master plan site for 40 acres of commercial. Mr. Gronauer presented a map showing the land use plan allowed for commercial uses on the subject property. (Mr. Gronauer stated the map was presented for the record, but did not submit the map). Mr. Gronauer also submitted a zoning map (map was not submitted for the record as stated), showing residential, commercial and industrial uses. The location of the site is zoned for commercial uses and that was why the property was zoned C-2, which was the appropriate zoning for commercial uses. An aerial of the site was presented (not submitted for the record as stated), showing a narrow piece of property highlighted in blue. Across the street, shown in red, was approximately 40 acres of commercial and also showing commercial in other areas in close proximity to the proposed project site. One of the requirements for the site plan review was to show it was in conformance to the Master Plan. He stated the site plan was in conformance with the Land Use Plan, was in conformance with Zoning Map and it was an allowed use in C-2 zoning as shown in the permitted land use section in Title 17. He noted, if the use was not allowed and was subject to the discretionary approval of a compatible and harmonious standard, it would be a special use. Special uses are taverns, convenience stores with gasoline stations, etc. and some other uses are not permitted in a C-2 zone. Mr. Gronauer stated the site plan met all Commercial Development and Design Guidelines except the property to the north was zoned R-1, but would never be developed as such. The site plan showed three separate buildings, which meet or exceed requirements in the Commercial Design Standards. Mr. Gronauer relayed there was a neighborhood meeting, where some of the issues with respect to the project being a Budget Suites versus another type of suite hotel that was being proposed. He stated the only thing this project had in common with a Budget Suite, was that it was a daily, weekly type of rental. The proposed project was a different design and was nothing in comparison to a Budget Suite Hotel with respect to their site plans and how they were viewed. The founder of Value Hotel was also the founder of Candlewood Suites and Residence Inn who sold out to the Marriott Group. Mr. Gronauer presented a letter from Nellis Air Force Base who uses hotels to house their officers and their families. Mr. Gronauer stated one of the major issues discussed in the neighborhood meeting was security. He thought they were in agreement with the Police Department that they should not be compared to a Budget Suites. He stated the buildings would be locked 24/7 with the exception of the main office, there would be security on site, there was adequate lighting on the property, there were cameras to view the property in strategic locations, so they felt they had done a good job with the security. The Police Department added additional conditions and he was willing to accept those. Mr. Gronauer also stated there was a variety of uses up and down Craig Road, which were designed for commercial uses and the proposed project met the code requirements and he was willing to work with the neighbors on security plans and addressing additional issues.

Chairman Jay Aston stated he and Commissioner Dean Leavitt attended the neighborhood meeting and listened to the public's comments regarding this issue. He reminded the Board this was a site plan review and to keep that in mind when making their comments.

Chairman Aston stated since this was not a Public Hearing item, and since there was a large number of yellow cards, he would allow Joan Faircloth and Nancy Appleyard to speak on behalf of the residents. The following people submitted cards in opposition but were not permitted to speak on the item:

- **Cliff Wilson, 4026 Hemphill Street, North Las Vegas, NV 89032**
- **Eddie Schmitz, 27 Pinnacle Hill Court, North Las Vegas, NV 89032**
- **B. Bradley 5 Vista Del Rey Court, North Las Vegas, NV 89032**
- **Bob Borgersen, 7617 Island Rail, North Las Vegas, NV 89084**
- **Carol L. Hicks, 4734 Wild Draw Drive, North Las Vegas, NV 89031**
- **Julie A. Riley, 4736 Wild Draw Drive, North Las Vegas, NV 89031**
- **Shawn & Michelle Del Rio, 216 Tainted Berry Avenue, North Las Vegas, NV 89031**
- **Caribona Bradley, 4704 Vista Del Rey Court, Las Vegas, NV 89031**
- **Lloyd Bradley, 4704 Vista Del Rey Court, North Las Vegas, NV 89031**
- **Tracie Twitty, 4729 Vista Del Rey Court, North Las Vegas, NV 89031**
- **Dan Petcoff, 4514 Old Canyon Court, North Las Vegas, NV 89081**
- **W. Finney, 4716 Vista Del Rey Court, North Las Vegas, NV 89031**
- **Carmen Glover, 4720 Bell Canyon Court, North Las Vegas, NV 89031**
- **Robert C. Mersereau, 4836 Crystal Sword, North Las Vegas, NV 89031**

The following participants were called forward:

- **Joan Faircloth, 1308 Moorpoint Drive, North Las Vegas, NV 89031** stated the project was being built on Commerce Street not Craig Road as referred to by the

applicant. Commerce Street in that area was residential and there current was no commercial development. There have been hundreds of signatures previously submitted in opposition to this development and she submitted more signatures. She stated there were 32 people in attendance at the neighborhood meeting and after listening to the developer's presentation, they took a vote and all 32 people were opposed to the proposed project. The developer could not promise the residents the development would not have an impact on the school. She stated she called two other schools that had extended stay hotels in their zones and both had over 100 children attending their schools who lived in those hotels. Ms. Faircloth stated the Police Department recommended denial along with the Planning Department, the neighboring businesses, the schools, and the neighbors being opposed to the development.

- **Nancy Appleyard, 5722 Royal Sands Street, North Las Vegas, NV 89031** stated she realized Value Place had the legal right to development a hotel on the property; however, felt they had not done a satisfactory job of showing the residents that it would not have an adverse affect to the safety, welfare or economy of the neighborhood. The development would be in a residential area on Commerce Street and there was no additional commercial development north of Alexander Road on Commerce Street. In addition, there was only industrial from Cheyenne Avenue to Alexander Road on Commerce Street. The hotel cannot guarantee the clientele they would draw, would be the professional businessmen they were leading them to believe would stay there. Due to the low rates and weekly rental options, they felt it would attract the transient, homeless, displaced and criminals.

Mr. Gronauer stated with respect to the safety issue, they could not do much more than accept the Police Department's recommendation. Lighting had been increased, security fencing has been added, and they were in agreement with everything the Police Department had recommended. If there were other ideas of what needed to be done, they were open to listen to the concerns. He also stated there was no need to argue the code as the development was an allowed use.

Vice-Chairman Jo Cato stated she understood the code allowed this use but did not believe it was in the best interest of the general welfare of the neighborhood adjoining the property. She understood the applicant would be following the Police Department's recommendation for safety but felt a four story building would not be harmonious with the area. The entrance is on Commerce Street and not Craig Road and did not feel it was good for the safety and welfare of the neighbors and was not in support of the project.

Commissioner Dean Leavitt stated he had received four personal e-mails from individuals and a business owner, who were opposed to this project and submitted them for the record. He commended the applicant for working with the Police Department to perform a Crime

Prevention Through Environment Design (CPTED) analysis; however, it failed. There were 15 items looked at and out of the 15, they were lacking in all but one area. He would not be in support of this application.

Commissioner Dilip Trivedi asked the applicant if he had any direct contact with the School District to get their opinion of the project. The applicant responded he did not have contact with the School District but there had been discussions with neighbors at the neighborhood meeting held Monday night. The School District did not have this type of use as a school impact. With respect to development impacts on schools, the School District looked at single family and multi-family. Single family units are considered to include mobile homes and townhouses, multi-family units include a combination of apartments and condominiums; therefore, this development did not fall within those categories. Commissioner Trivedi asked the applicant if he was willing to get in touch with the School District for their input. The applicant responded he was willing to do that. Commissioner Trivedi asked the applicant if a compromise could be worked out with the neighbors. The applicant responded he did not feel the project was wanted by the neighbors no matter what changes were made. Commissioner Trivedi suggested maybe a police substation could be added to the property and asked the applicant if he would be willing to continue the application to work with the neighbors. The applicant responded if there was a good faith effort on the neighbors part, he was willing to do that, but did not feel it would be helpful.

Vice-Chairman Cato stated a few years ago, when Carefree Villas was before the Commission, a compromise was made to build single-story instead of high rise units. She stated possibly, it was the style and if they used a different style, maybe the neighbors would accept it.

Commissioner Steve Brown stated as part of the site plan, the impact the project had on the area must be considered. He felt the project would have an adverse affect on the City, the residents in the area, and traffic and was not in support of the project.

Chairman Jay Aston stated he appreciated the public's concern for the City of North Las Vegas.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

29. UN-62-05 (21215) ANOTHER MOBILE FLEET SVC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ANOTHER MOBILE FLEET SERVICE, INC. ON BEHALF OF MICHAEL D. HALVERSON, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE REPAIR FACILITY (TRUCK). THE PROPERTY IS LOCATED AT 1220 ROCK PEBBLE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-110-014. (CONTINUED JULY 13, 2005)

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-62-05 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. If there are vehicles waiting for repair or are stored outside, the existing chainlink fence shall be replaced with a wall that meets the requirements of the Zoning Ordinance.
3. If there are vehicles waiting for repair or are stored outside, the existing chainlink gate shall be replaced with a gate that meets the requirements of the Zoning Ordinance.
4. UN-62-05 is site-specific and non-transferable.

Dave Mosdale, 1220 Rock Pebble Road, Las Vegas, NV appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

Vice-Chairman Jo Cato commended Staff for working with the applicant.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

30. UN-67-05 (21201) COLLEGE PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY WEINGARTEN NOSTAT, INC., ON BEHALF OF COLLEGE PARK REALTY & WEINGARTEN NOSTAT, INC., PROPERTY OWNERS, FOR A USE PERMIT IN AN R-A/CR REDEVELOPMENT AREA COMMERCIAL/RETAIL SUBDISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH DRIVE THRU. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LAKE MEAD BOULEVARD AND MCDANIEL STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-23-713-003. (CONTINUED JULY 13, 2005)

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending UN-67-05 be approved and forwarded to the Redevelopment Agency with the following recommended conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. The development shall comply with the Commercial Development Design Standards including but not limited to architectural character and materials; and
3. The development shall comply with the Commercial Development Design Standards except for the following: a minimum ten (10) foot landscape perimeter constructed with a three (3) foot berm and dense landscaping such that a hedge is formed; and
4. The applicant shall execute an approved landscape plan that meets Zoning Ordinance requirements when applying for a business license; and
5. Approval of a traffic study is required prior to submittal of the civil improvement plans; and
6. Approval of a drainage study is required prior to submittal of the civil improvement plans; and
7. The applicant must provide verification of the parking analysis be submitted to the Planning and Development Department when applying for a building permit.

David Ellertsen, 103 East Charleston Boulevard, Suite 105, Las Vegas, NV 89104 appeared on behalf of the applicant stating he concurred with Staff recommendation but asked for Condition Nos. 5 and 6 to be reworded. He asked that Condition No. 5 be reworded to say "approval of a traffic study or mitigation, whichever is determined necessary by Staff." Condition No. 6 he asked to be reworded to say "approval of a drainage study or the providing of an update letter to the original drainage study."

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

RaeAnn Peterson, 1720 Arrowhead, North Las Vegas, NV 89030 was concerned that

McDaniel Street and Lake Mead Boulevard was a precarious traffic situation and was worried about the increase in Traffic at that intersection.

Mr. Ellersten asked Traffic Staff if the concept of the mitigation was to help address any additional traffic measures that might be required at the intersection of Lake Mead Boulevard and McDaniel Street. Clete Kus of Public Works responded, yes, the purpose of the traffic study was to look at the impact the proposed development would have and would include recommendations which could include improvements to that intersection to reduce congestion and some of the other issues. Mr. Ellersten stated there were no new driveways associated with the proposed project, it would be utilizing existing driveways.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION; FORWARDED TO THE REDEVELOPMENT AGENCY FOR FINAL CONSIDERATION WITH CONDITION NOS. 5 AND 6 AMENDED AS FOLLOWS:

5. APPROVAL OF A TRAFFIC STUDY OR MITIGATION, WHICHEVER IS DETERMINED NECESSARY BY STAFF PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENTS PLAN.
6. APPROVAL OF A DRAINAGE STUDY OR THE PROVIDING OF AN UPDATE LETTER TO THE ORIGINAL DRAINAGE STUDY IS REQUIRED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENTS PLANS.

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

Item No. 32 was heard next.

31. FDP-08-05 RIVERWALK RANCH TWILIGHT. AN APPLICATION SUBMITTED BY D. R. HORTON, INC., PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 159 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF TROPICAL PARKWAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-203-002. (CONTINUED JULY 13, 2005)

Item Nos. 1 and 31 were presented together.

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of FDP-08-05 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. That the development comply with all conditions of approval of ZN-04-05 and T-1148.
3. The following park amenities shall be provided within the open space:
 - a. Circuitous lighted paths;
 - b. A minimum of 20 24-inch box trees per acre;
 - c. At least 2 differing age appropriate play structures for children (ref: ASTM Playground Equipment for Public Use, Sec. 6.2-6.3) with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada;
 - d. One large group shade area / gazebo (30' diameter), lighted
 - e. Picnic tables and barbecue grills
 - f. Benches spaced along park pathways
 - g. Details of amenities to be provided

Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating she 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, and Trivedi

NAYS: None

ABSTAIN: None

Item No. 2 was heard next.

32. SPR-34-05 (21205) CORNERSTONE TRASH ENCLOSURE. AN APPLICATION SUBMITTED BY SUSAN WHEELER, ON BEHALF OF CORNER SHOPPING CENTER, INC., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-A/CR REDEVELOPMENT AREA DISTRICT AND COMMERCIAL RETAIL SUBDISTRICT TO MOVE A TRASH ENCLOSURE TO THE FRONT OF THE SITE WHERE ORIENTATION TO THE BACK IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CIVIC CENTER DRIVE AND LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-24-310-001. (CONTINUED JULY 13, 2005)

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of SPR-34-05 and that it be forwarded to the Redevelopment Agency for final consideration subject to the following conditions listed in the Planning Commission memo dated July 27, 2005:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. The trash enclosure shall comply with the Commercial Development Design Standards except the location of the trash enclosure may be located as shown on the revised site plan dated July 26, 2005; and
3. The trash enclosure shall be constructed with split face block, an opaque metal gate and an opaque metal canopy; and
4. Permanent landscaping shall be constructed on the sides and rear of the enclosure and at the base of the existing sign. A landscaping plan shall be submitted for Staff review when applying for a building permit; and
5. Appropriate subdivision and/or parcel mapping is required to consolidate APN 139-24-310-001 and APN 139-24-310-002. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.

Elmore Bacon, 3737 Pecos McCleod, Las Vegas, NV appeared on behalf of the applicant stating he concurred with Staff recommendation.

Chairman Jay Aston called the following people forward for their comments:

Eddie Schmitz, 27 Pinnacle Hill Court, North Las Vegas, NV 89032 asked to see a picture of where the trash enclosure would be located. It was pointed out by the applicant who stated Republic Services did not have access to the rear of the site.

Bob Borgersen, 7617 Island Rail, North Las Vegas, NV 89084 did not feel it was appropriate to have a trash enclosure at the front of the site.

Chairman Aston stated Staff was concerned about the enclosure being located at the front of the site also, but there were no other appropriate locations.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION AND
FORWARDED TO THE REDEVELOPMENT AGENCY FOR FINAL
CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

. **Eddie Schmitz, 27 Pinnacle Hill Court, North Las Vegas, NV 89032** thanked Commission and Staff for their work on SPR-25-05.

. **Bob Borgersen, 7617 Island Rail, North Las Vegas, NV 89084** asked the Commission to consider having a public forum at the beginning of the Planning Commission meetings.

DIRECTOR'S BUSINESS

The director had nothing to report.

CHAIRMAN'S BUSINESS

Chairman Jay Aston asked Staff to consider revising the Welcome statement on the agenda.

Commissioner Dean Leavitt requested that Staff review the outcome of the City Council meetings at the Briefings for the Commissioners.

ADJOURNMENT

The adjourned at 9:12 p.m.

APPROVED: September 14, 2005

/s/ Jay Aston
Jay Aston, Chairman

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