

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

September 14, 2005

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

COMPREHENSIVE PLAN UPDATE: 5:15 pm, Conference Room, North Las Vegas City Hall,
2200 Civic Center Drive

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

CALL TO ORDER: 6:02 pm., Council Chambers, North Las Vegas City Hall,
2200 Civic Center Drive

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

STAFF PRESENT: Jory Stewart, Planning & Development Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Jeremy Davis, Planner
Nick Vaskov, Deputy City Attorney II
Randy Cagle, PW, Real Property Services Manager
Kevin Futch, PW, Transportation
James Frater, Fire Department
Tony Taylor, Parks Planner
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Chairman Jay Aston

WELCOME: Chairman Jay Aston

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF JULY 27, 2005. (CONTINUED AUGUST 24, 2005)**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Commissioners Trivedi and Carvalho

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF AUGUST 10, 2005.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

CONSENT AGENDA

A. **PW-143-05 (22584) ELDORADO NO. 12 RCL NO. 21: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$665,194.59.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

B. PW-144-05 (22585) SIERRA POINTE APARTMENTS: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CHEYENNE APARTMENTS PPG LP AND ACCEPT THE IRREVOCABLE STANDBY LETTER OF CREDIT IN THE AMOUNT OF \$1,037,797.15.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

C. PW-145-05 (22586) AMARILLO: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY KB HOME NEVADA, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$1,221,859.79.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

D. PW-146-05 (22587) LONE MOUNTAIN & LOSEE, UNIT 3: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY U.S. HOME CORPORATION AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$1,136,692.70.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

E. PW-147-05 (22588) SIMMONS MARKETPLACE II: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY BANK OF AMERICA TO RELEASE THE CASH-IN-LIEU OF BOND - SEPARATE ACCOUNT IN THE AMOUNT OF \$176,818.57.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

F. PW-148-05 (22591) WASHBURN & BRUCE, UNIT II: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY DEVELOPERS SURETY AND INDEMNITY COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$412,359.70.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

G. PW-149-05 (22592) VENTANA @ SIERRA MONTANA, UNIT 2: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY BEAZER HOMES HOLDINGS CORP. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$288,682.22.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- H. **PW-150-05 (22593) CRAIG LOSEE HOTEL & CASINO: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN HOME ASSURANCE COMPANY TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$297,125.90.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- I. **PW-151-05 (22594) WAL-MART SUPERCENTER #3351: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY WAL-MART STORES, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$2,351,633.13.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

NEW BUSINESS

1. **AMP-40-05 (22196) CLAYTON AND CORALIE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MIKE PARISH, ON BEHALF OF DOYLE AND SHIRLEY HATCH AND INTEGRITY PARTNERS, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF REGIONAL COMMERCIAL TO HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CLAYTON STREET AND CORALIE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-04-410-001 AND 139-04-410-002.**

It was requested by the applicant to continue AMP-40-05 to the October 12, 2005 meeting.

Chairman Jay Aston opened the Public Hearing.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

2. **ZN-64-05 (22170) CLAYTON AND CORALIE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MIKE PARISH, ON BEHALF OF DOYLE AND SHIRLEY HATCH AND INTEGRITY PARTNERS, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT AND A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CLAYTON STREET AND CORALIE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-04-410-001 AND 139-04-410-002.**

It was requested by the applicant to continue ZN-64-05 to the October 12, 2005 meeting.

Chairman Jay Aston opened the Public Hearing.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO OCTOBER 12, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

3. **UN-82-05 (22147) CRAIG PROMENADE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JEONG-SHEN CHEN, ON BEHALF OF CRAIG RETAIL PARTNERS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A MASSAGE THERAPY ESTABLISHMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CRAIG ROAD AND REVERE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-03-302-001 AND 139-03-302-004.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-82-05 subject to the following condition:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.

Wendy Lu, 4811 West Desert Inn Road, Las Vegas, NV 89102 appeared on behalf of the applicant stating they were trying to open a massage business at 775 West Craig Road.

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

Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89032 was concerned about a massage parlor going in by the park and asked what type of licensing was required, if they were bonded and what type of education they had, as there were massage establishments that were legitimate but there also were some that were not.

Chairman Aston closed the Public Hearing.

Ms. Lu stated they would be hiring independent massage therapists who were licensed and had passed the national test, were certified and had background checks from the Police Department.

Commissioner Jo Cato stated she had some concerns regarding massage therapy as it carried bad stigma. About 1 ½ years ago, there were some challenges with another massage establishment and the City was not embracing that business and the owners had to prove it was a legitimate business and there was a condition imposed where the establishment was checked in six months. She asked how it could be guaranteed the employees would have the qualifications needed and was concerned about the safety of the general public and was leery of approving a massage business at that location and would rather it be located away from the park and the neighborhood. Commissioner Cato asked what type of health the applicant was referring to in their letter.

Ms. Lu responded they were referring to back pain and the relief of the pain. Commissioner Cato asked if this was the applicant's first massage business or if they had a business of this type in another state. Ms. Lu responded this was the applicant's first

time in the massage business.

Commissioner Dean Leavitt asked the applicant how many massage therapists would be employed. Ms. Lu responded they would employ approximately three therapists. Commissioner Leavitt asked if they would have outcall service or just massage therapy in the confines of the office. Ms. Lu responded there would be no outcall service. Commissioner Leavitt asked the hours of operation. Ms. Lu responded they had not yet determined the hours of operation but would like to be open as late as possible. Commissioner Leavitt asked if the hours of operation were conditioned, if the applicant was willing to adhere to them. Ms. Lu responded the applicant could not answer that question until he knew the conditioned hours of operation.

Deputy City Attorney Nick Vaskov stated approximately six months ago the City performed a comprehensive review of its massage establishment business licensing regulations. He stated they were very comprehensive and were probably some of the strictest in the valley. The applicant, for business license purposes, would go through a background check and would have to meet suitability requirements. In addition, there were restrictions on hours of operation and outcall services and he felt most of the concerns were addressed in the business license regulations.

Commissioner Dilip Trivedi stated since the applicant had not had this type of business before, he felt it would be a good idea to have a six month review. Ms. Lu asked if the six months would be from the meeting date or from the date the license was received, as it took about three months to obtain a license. Deputy City Attorney Vaskov stated the Board had the discretion to impose reasonable conditions, but that type of condition might be better suited for the business license and not the use itself.

Chairman Aston stated he agreed with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH THE ADDITION OF CONDITION NO. 2 TO READ:

2. THE APPLICANT MEET WITH THE NORTH LAS VEGAS POLICE DEPARTMENT FOR A CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED) EVALUATION.

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: Vice-Chairman Cato

ABSTAIN: None

4. **ZN-06-04 (22201) RUNVEE HOBART EAST (PUBLIC HEARING). AN APPLICATION SUBMITTED BY R&S INVESTMENTS, ON BEHALF OF R&S WASHBURN, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED RECLASSIFICATION OF PROPERTY TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW 1553 DWELLING UNITS, WHERE 1525 HAD BEEN PREVIOUSLY APPROVED. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CARLA ANN ROAD AND WALNUT ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-30-701-002.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of the amendment to Condition No. 37 of ZN-06-04 as follows:

37. The maximum number of dwelling units permitted within the development be 1,553.

Dean Rasmussen, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89128 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

5. **T-1201 (1201) RUNVEE HOBART EAST 3B. AN APPLICATION SUBMITTED BY R & S INVESTMENTS ON BEHALF OF R & S WASHBURN, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 239 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CARLA ANN ROAD AND WALNUT ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-30-701-002.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval subject to the following conditions with the deletion of Condition No. 6:

1. Unless expressly authorized through a variance, waiver or another approved method; the development shall comply with all applicable codes, ordinances, and design standards.
2. That T-1201 shall become null and void if the City Council does not approve the amendment to ZN-06-04.
3. That T-1084 shall become null and void if T-1201 is approved by the Planning Commission.
4. That T-1201 shall comply with the conditions of approval for T-1080.
5. Tentative map T-1201 shall comply with all conditions of approval for ZN-06-04; the Planned Unit Development zoning requirements; and the single-family design standards.
6. That Lots 229 and 230 shall be redesigned to accommodate the proposed entrance gates located on Eagle Glacier Avenue.
7. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.

Dean Rasmussen, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89128 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH THE DELETION OF CONDITION NO. 6

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

6. T-1202 (22163) RUNVEE HOBART 3A. AN APPLICATION SUBMITTED BY R & S INVESTMENTS ON BEHALF OF R & S WASHBURN LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 525 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF TROPICAL PARKWAY AND WALNUT ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-30-701-002.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of T-1202 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes, ordinances, and design standards.
2. That T-1202 shall become null and void if the City Council does not approve the amendment to ZN-06-04.
3. That T-1085 shall become null and void if T-1202 is approved by the Planning Commission.
4. That T-1202 shall comply with the conditions of approval for T-1080.
5. Tentative map T-1202 shall comply with all conditions of approval for ZN-06-04; the Planned Unit Development zoning requirements; and the single-family design standards.
6. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.

Dean Rasmussen, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89128 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 9 was heard next.

7. **AMP-39-05 (22136) BESTWAY RECYCLING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAVID KIM, ON BEHALF OF ROBERT C. LEPOME, ET AL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MEDIUM DENSITY RESIDENTIAL TO INDUSTRIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOWAN ROAD AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-12-302-008.**

It was requested by the applicant to continue AMP-39-05 to September 28, 2005.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: SEPTEMBER 28, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

8. **ZN-62-05 (22137) BESTWAY RECYCLING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAVID KIM, ON BEHALF OF ROBERT C. LEPOME, ET AL, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO AN M-2 GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOWAN ROAD AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-12-302-008.**

It was requested by the applicant to continue ZN-62-05 to September 28, 2005.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: SEPTEMBER 28, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

9. **AMP-41-05 (222195) 215 & RANGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PAUL S. STREET, ON BEHALF OF JACK & BEVCO AND THE BEVERLY H. WHITING FAMILY LIVING TRUST, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO INDUSTRIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF NELLIS BOULEVARD AND AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-201-004 AND 123-28-201-007.**

Item Nos. 9 and 10 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of AMP-41-05.

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

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

10. **ZN-66-05 (22194) 215 & RANGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PAUL S. STREET, ON BEHALF OF JACK & BEVCO AND THE BEVERLY H. WHITING FAMILY LIVING TRUST, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN O-L OPEN LAND DISTRICT TO AN M-2 GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF NELLIS BOULEVARD AND AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-201-004 AND 123-28-201-007.**

Item Nos. 9 and 10 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-66-05.

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

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 18 was heard next.

11. **ZN-68-05 (22178) CENTENNIAL CROSSING III (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF ALBERT SEASTRUNK, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001.**

It was requested by the applicant to continue ZN-68-05 to September 28, 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 28, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

12. **T-1205 (22179) CENTENNIAL CROSSING III. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF ALBERT SEASTRUNK, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATES RESIDENTIAL DISTRICT, (PROPOSED R-2 TWO FAMILY RESIDENTIAL DISTRICT) CONSISTING OF 44 LOTS FOR A TWO FAMILY (DUPLIX) DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001.**

It was requested by the applicant to continue T-1205 to September 28, 2005.

ACTION: CONTINUED TO SEPTEMBER 28, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

13. **AMP-42-05 (22171) CENTENNIAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF ST. MARKS PLACE, LLC, AND CENTENNIAL LOSEE CENTER, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO MEDIUM HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED SOUTH OF ROME BOULEVARD AND APPROXIMATELY 340 FEET EAST OF LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-24-401-001 AND 124-24-401-002.**

AMP-42-05 was withdrawn without prejudice.

14. **ZN-67-05 (22173) CENTENNIAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF ST. MARKS PLACE, LLC, AND CENTENNIAL LOSEE CENTER, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED SOUTH OF ROME BOULEVARD AND APPROXIMATELY 340 FEET EAST OF LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-24-401-001 AND 124-24-401-002.**

ZN-67-05 was withdrawn without prejudice.

15. **T-1204 (22174) CENTENNIAL VILLAGE. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF ST. MARKS PLACE LLC/LOSEE CENTER LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT, (PROPOSED FOR AN R-2 TWO FAMILY RESIDENTIAL DISTRICT) CONSISTING OF 82 SINGLE-FAMILY DWELLING UNITS. THE PROPERTY IS LOCATED SOUTH OF ROME BOULEVARD AND APPROXIMATELY 340 FEET EAST OF LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-24-401-001 AND 124-24-401-002.**

T-1204 was withdrawn without prejudice.

16. **SPR-47-05 (22177) CENTENNIAL VILLAGE. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF ST. MARKS PLACE LLC/LOSEE CENTER LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT FOR A 91,250 SQUARE FOOT RETAIL COMMERCIAL DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-24-401-002.**

SPR-47-05 was withdrawn without prejudice.

17. **UN-85-05 (22176) CENTENNIAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF ST. MARKS PLACE, LLC, AND CENTENNIAL LOSEE CENTER, LLC, PROPERTY OWNERS, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (BANK) WITH A DRIVE-THRU. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LOSEE ROAD AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-24-401-001.**

UN-85-05 was withdrawn without prejudice.

18. **ZN-63-05 (22160) TWENTY ACRES TROPICAL & LINN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CHRISTIAN HAASE, ON BEHALF OF NORTH EL CAMPO, LLC AND SOUTH TROPICAL, LLC ET AL, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN O-L OPEN LAND DISTRICT TO AN M-2 GENERAL INDUSTRIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF EL CAMPO GRANDE AVENUE AND LINN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-701-002, 123-28-701-003, 123-28-701-004 AND 123-28-701-005.**

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of ZN-63-05.

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

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 21 was heard next.

19. **VAC-29-05 (22200) ALEX COLEMAN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTEX HOMES, ON BEHALF OF ALEX COLEMAN, LLC, PROPERTY OWNER, TO VACATE A PORTION OF FUSELIER DRIVE FROM ALEXANDER ROAD TO GILMORE AVENUE, APPROXIMATELY 1212 LINEAR FEET. THE ASSESSOR'S PARCEL NUMBER IS 139-08-501-004.**

VAC-29-05 was withdrawn.

20. **T-1203 (22180) ALEX COLEMAN. AN APPLICATION SUBMITTED BY CENTEX HOMES ON BEHALF OF SANDY ALLEN, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 118 SINGLE FAMILY DWELLINGS. THE PROPERTIES ARE LOCATED AT THE SOUTHWEST CORNER OF ALEXANDER ROAD AND COLEMAN STREET AND AT THE NORTHWEST CORNER OF COLEMAN STREET AND GILMORE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-08-501-001, 139-08-501-003, 139-08-501-004, 139-08-501-005, 139-08-501-007, 139-08-501-008, 139-08-501-009, 139-08-502-001, 139-08-502-003, 139-08-502-004, 139-08-502-007, 139-08-502-008, 139-08-502-011, 139-08-502-012, 139-08-201-005.**

T-1203 was withdrawn.

21. **UN-81-05 (22141) STARBUCKS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY R. PHIL ZOBRIST, ON BEHALF OF CHEYENNE MARKETPLACE, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS GENERALLY LOCATED NORTH OF CHEYENNE AVENUE AND APPROXIMATELY 300 FEET EAST OF MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-09-801-008.**

The application was submitted by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-81-05 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. The development shall comply with all applicable conditions of FDP-18-04; and
3. The special use permit is site-specific and non-transferable; and
4. Any future expansions of the use shall be approved by the Planning Commission.

Phil Zobrist, 2870 Quartz Canyon Drive, Henderson, NV 89052 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.

Commissioner Dean Leavitt appreciated the diligence by the applicant and was pleased at how the project was turning out.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

22. ZN-65-05 (22183) CENTENNIAL & NORTH 5TH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAND BARON INVESTMENTS, ON BEHALF OF THE CONTOS FAMILY TRUST, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 323 RESIDENTIAL UNITS AND 74,000 SQUARE FEET OF COMMERCIAL, RETAIL AND SUPPORT SERVICES. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF NORTH FIFTH STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-23-401-001.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of ZN-65-05 subject to the following conditions with the deletion of Condition Nos. 18, 23, 24, and 51, amend Condition No. 22 to allow the rear property line setback to be 10 feet for trash enclosures and carports to allow for their proposed carports they have along the side of the development, and Condition No. 46 amended to state that landscaping and meandering sidewalk would be permitted within the drainage easement along Centennial Parkway.

Dave Clapsaddle of G.C. Garcia, Inc. 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating he concurred with the recommended changes to conditions. Mr. Clapsaddle explained the project and stated he had questions regarding Condition Nos. 17 and 18. He stated they were showing 323 units with a certain amount of office, restaurant and retail and would like to clarify that Condition Nos. 17 and 18 meant there was some flexibility that went with the approval. If Condition No. 18 was deleted, they were showing 323 units. He did not know if years down the road, the market would reflect they could absorb more than 323 residential units and they could possibly go to 400 units but understood parking was the main driver and if they went to 400 units, he understood they would need to remove some office, retail and change the mix of project to stay within the framework of the development and the design guidelines. He also wanted to clarify that if Condition No. 18 was being deleted, they could go more than 323 units if they needed 350 units later but must work within the concept of between 74,000 and 103,000 square feet of commercial, restaurant and retail as long as they stay within the general framework of the plan.

Mr. Eastman responded he was correct. The only difference with Condition No. 17, which the applicant and Staff were in agreement, was that Condition No. 17 required the vertical mixed use and that was the reason for it to be in place. Mr. Clapsaddle stated he agreed with that interpretation. He also stated the design and development guidelines submitted with the application were also part of the approval.

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

Chairman Aston closed the Public Hearing.

Mr. Eastman stated the Public Works Department informed him of two other changes to conditions: Condition No. 31 should be deleted and Condition 27 amended to read: as North 5th Street is a planned limited access corridor, left turn access shall be restricted”.

Mr. Clapsaddle stated he agreed with the amendments to Condition Nos. 27 and 31.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH THE DELETION OF CONDITION NOS. 18, 23, 24, 31 AND 51 AND CONDITIONS NOS. 22, 27 AND 46 AMENDED AS FOLLOWS:

22. THE SETBACKS FOR THIS DEVELOPMENT SHALL CONFORM TO THE FOLLOWING:

- NORTH 5TH STREET* - 25 FEET
- CENTENNIAL PARKWAY* - 30 FEET
- ROME BOULEVARD - 30 FEET
- REAR (EAST) PROPERTY LINE* - 60 FEET, OR THE MAXIMUM HEIGHT OF THE STRUCTURE
- REAR (EAST) PROPERTY LINE* - 10 FEET FOR TRASH ENCLOSURES AND CARPORTS ONLY
- PARKING/DRIVE AISLE FROM STREET* - 20 FEET
- INTERIOR BUILDING-TO-BUILDING - 20 FEET

*UNDER NO CIRCUMSTANCE MAY THE DRAINAGE EASEMENT ALONG CENTENNIAL PARKWAY BE ENCROACHED UPON, UNLESS SPECIFICALLY APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

27. AS NORTH 5TH STREET IS A PLANNED, LIMITED ACCESS CORRIDOR, LEFT TURN ACCESS SHALL BE RESTRICTED.

46. ONLY LANDSCAPING AND MEANDERING SIDEWALKS WILL BE PERMITTED WITHIN THE DRAINAGE EASEMENT ALONG CENTENNIAL PARKWAY.

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

23. UN-84-05 (22197) CENTENNIAL & NORTH 5TH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAND BARON INVESTMENTS, ON BEHALF OF THE CONTOS FAMILY TRUST, PROPERTY OWNER, FOR A USE PERMIT IN AN C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED PUD PLANNED UNIT DEVELOPMENT DISTRICT) TO ALLOW A CONVENIENCE STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF NORTH FIFTH STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-23-401-001.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-84-05 subject to the following conditions:

1. That this special use permit is site specific and non-transferable.
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. That the development of this site be consistent with all applicable conditions of ZN-65-05. If ZN-65-05 is not approved by the City Council, this application shall be considered null and void.
4. That the building elevations comply with those submitted for the convenience store.
5. That the parking comply with the minimum standards established in the Zoning Ordinance for a convenience store.
6. That a Master Sign Program for the entire Planned Unit Development be approved by staff prior to the issuance of any building permits.
7. That recessed canned lights that direct light downward be required for the gas canopy.
8. That a photometric lighting plan be provided for the subject use prior to the issuance of any building permits. The maximum foot-candle readings at the implied (or real) property boundaries of the convenience store and gas pumps shall not exceed 0.5 fc.
9. That stone veneer around each of the support columns on the gas canopy be a minimum seven feet (7.00') above grade. All exposed metal on the gas canopy be painted with sand-textured paint to match the convenience store.

10. That exterior roof ladders shall not be permitted. All access to the roofs shall be from the insides of the buildings.
11. That exterior drain scuppers shall not be permitted.
12. That no more than eight (8) fueling stations (i.e., pumps) be permitted.

Dave Clapsaddle of G.C. Garcia, Inc. 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 25 was heard next.

24. ZOA-11-05 (22519) SUBDIVISION SIGNS REQUIREMENTS (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 17 (ZONING ORDINANCE) SECTIONS 17.24.110(K) & 17.24.110(L) TO CHANGE THE REQUIREMENTS REGARDING SUBDIVISION DEVELOPMENT SALE SIGNS & SUBDIVISION DIRECTIONAL SIGNS AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

It was requested by the applicant to continue ZOA-11-05 to October 12, 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 OCTOBER 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

25. **FDP-17-05 (22150) DESERT MOON. AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 82 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED NORTH OF CENTENNIAL PARKWAY APPROXIMATELY 840 FEET WEST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-401-003, 124-22-401-005 AND 124-22-401-006.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending that FDP-17-05 be continued to allow the applicant time to address the issues as outlined in the analysis section of the Staff Report dated September 14, 2005.

Rebeka DeWitt of G.C. Wallace, 2580 Anthem Village Drive, Henderson, NV 89052 appeared on behalf of the applicant stating a revised site plan and building elevations were submitted on September 13, 2005, but not in time for Staff to review them, so she was agreeable to continue to September 28, 2005. Chairman Aston asked Staff if that would give enough time to review the revised information. Mr. Jordan responded that would give sufficient time for review.

ACTION: CONTINUED TO SEPTEMBER 28, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

- 26. SPR-46-05 (22175) BROOKS PARK. AN APPLICATION SUBMITTED BY NEIL R. DUTSON, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT FOR A REDUCTION IN PERIMETER LANDSCAPING FROM THE REQUIRED TWENTY (20) FEET TO TEN (10) FEET. THE PROPERTIES ARE LOCATED AT 2929 AND 2934 BROOKSPARK DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-15-615-007 AND 139-15-615-008.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of SPR-46-05 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That development comply with all requirements of the Industrial Design Guidelines except that perimeter landscaping at 2926 and 2934 Brookspark Drive may be reduced to ten (10) feet in width.
3. 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.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Approval of a traffic study is required prior to submittal of the civil improvement plans.
6. 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.
7. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
8. The property owner is required to grant a roadway easement for commercial driveway(s).

9. The property owner is required to sign a restrictive covenant for utilities.

The applicant was not present for comment.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- 27. FDP-16-05 (21982) FIRE STATION #57. AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A 9,500 SQ. FT. BUILDING FOR FIRE STATION NO. 57. THE PROPERTY IS LOCATED AT 3120 EAST AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 124-25-501-009.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of FDP-16-05 subject to the following conditions with the deletion of Condition No. 3:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances.
2. That the development comply with all conditions of approval of ZN-48-01.
3. That pop-outs or other architectural detailing shall be provided around all windows and doors.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH THE DELETION OF CONDITION NO. 3

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

28. **SPR-49-05 (22186) CVS. AN APPLICATION SUBMITTED BY CARTER & BURGESS INC. ON BEHALF OF CVS 7252 NV LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT FOR A WAIVER OF LANDSCAPE STANDARDS TO ALLOW 18.17 FEET WHERE 20 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CRAIG ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 139-05-301-006.**

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

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development shall comply with the Commercial Development Standards and Design Guidelines, except 18.13 feet of perimeter landscaping shall be provided for approximately 67 feet along Allen Lane adjacent to the parking area at the northwest corner of the site.

Brian Reed of Carter Burgess, 6655 Bermuda Road, Las Vegas, NV 89119 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 31 was heard next.

OLD BUSINESS

29. **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. (CONTINUED JULY 27, 2005)**

AMP-30-05 was withdrawn.

30. **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. (CONTINUED JULY 27, 2005)**

ZN-49-05 was withdrawn.

31. VAC-23-05 (21474) CRAIG ROAD CONDOS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CRAIG ROAD, LLC, PROPERTY OWNER, TO VACATE A PORTION OF VANDENBERG DRIVE FROM CRAIG ROAD AND PROCEEDING SOUTH APPROXIMATELY 572 LINEAL FEET. THE ASSESSOR'S PARCEL NUMBERS ARE 140-06-601-006 AND 140-06-701-028. (CONTINUED AUGUST 10, 2005)

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending continuance of VAC-23-05 to allow the applicant time to coordinate with Clark County as they have written a letter in opposition. If, however, the Planning Commission determines approval is warranted, the Fire Department would like to add one condition of approval, "that an emergency access easement design approved by the Fire Department shall be installed to provide emergency access from Craig Road to Macadamia Drive."

Dave Clapsaddle of G.C. Garcia, Inc. 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating the neighbors were concerned about access to the project and also were concerned regarding the possibility of cut through traffic. They have worked with the neighbors to move the access and facilitate the vacation of a portion of Vandenberg, which solved two issues, one issue was concern regarding the driveway location to the south of the site next to the neighbors and the second issue was, it solved the problem of cut through traffic. In working with Staff, the last concern was from the Fire Department, whom they met with today, and agreed to the Fire Department's additional condition. Mr. Clapsaddle stated they had been in contact with Commissioner Gates' office and had not heard any concerns and did not have a copy of the letter from Clark County recommending denial. He stated all of Vandenberg Lane was in the City of North Las Vegas and to the south was the County property on which they would need to work with the County. He stated the right-of-way was all in the City's jurisdiction and they would continue to work with the County.

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

Renee Albert, 4111 Pistachio Nut, Las Vegas, NV 89115 stated she was in favor of the vacation of Vandenberg Lane and the development as proposed, specifically with the entrance gate as far north as possible. She stated she was across the street from where the vacation would be located at Macadamia Nut and Vandenberg Lane and was concerned about the safety of the pedestrian activity of the children in the neighborhood.

Zuzana Herchik, 4106 Pistachio Nut, Las Vegas, NV 89115 stated she was in favor of the vacation of Vandenberg Lane as it would address the issues and concerns of the neighborhood regarding traffic.

Peter Herchik, 4106 Pistachio Nut Avenue, Las Vegas, NV 89115 stated he was in favor of the vacation of Vandenberg Lane.

Mr. Clapsaddle stated the vacation of Vandenberg Lane was wanted by the neighbors and it would solve their traffic concerns.

Chairman Jay Aston asked James Frater of the Fire Department if he was aware of the earlier meeting and what was discussed. Mr. Frater responded he was at the meeting and had proposed and agreed with an emergency access easement. It would be a manual gate which would be locked and have a knock box, and the Fire Department would be able to access the area via Craig Road if necessary. Chairman Aston asked Mr. Frater if he had any concerns with the vacation. Mr. Frater responded he did not have any concerns with the additional condition read into the record.

Chairman Aston asked if the City was required to obtain some type of notification from the County before proceeding with the vacation. Randy Cagle, PW, Real Property Services Manager responded Clark County had been notified, so he felt all notification requirements to Clark County had been met. Chairman Aston asked Mr. Cagle if he had any other concerns or comments on this vacation. Mr. Cagle responded if the Planning Commission were to approve the vacation, Public Works would add one condition to read "That a public drainage easement and public utility easement be reserved over the entire area to be vacated."

Mr. Clapsaddle stated he agreed to the addition of that condition.

Commissioner Dean Leavitt stated he spent some time driving the neighborhood and watching traffic and agreed with the residents that the vacation was necessary and was in support of the application.

Commissioner Angelo Carvalho stated he agreed with Commissioner Leavitt and was in support of the application.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH THE ADDITION OF THE FOLLOWING CONDITIONS:

1. AN EMERGENCY ACCESS EASEMENT DESIGN APPROVED BY THE FIRE DEPARTMENT SHALL BE INSTALLED TO PROVIDE EMERGENCY ACCESS FROM CRAIG ROAD TO MACADAMIA DRIVE.

2. THAT A PUBLIC DRAINAGE EASEMENT AND A PUBLIC UTILITY EASEMENT BE RESERVED OVER THE ENTIRE AREA TO BE VACATED.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

32. SPR-28-05 (20920) CRAIG ROAD CONDOS. AN APPLICATION SUBMITTED BY CRAIG ROAD LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 152-UNIT MULTI-FAMILY DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND VANDENBERG LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 140-06-601-006 AND 140-06-701-028. (CONTINUED JUNE 22 AND AUGUST 10, 2005)

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

1. The applicant shall construct a standard cul-de-sac, per *Clark County Area Uniform Standard Drawing* No. 212, entirely on the subject property.
2. The applicant shall provide a forty (40) foot wide drainage easement for the existing Clark County Regional Flood Control District facility which is located within the Vandenberg Road alignment.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. 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.
5. Show the limits of the Federal Emergency Management Agency Special Flood Hazard Area Zone A on the tentative map.
6. 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.
7. The final map shall be labeled as a "Merger and Resubdivision".
8. The property owner is required to grant roadway easements where public and private streets intersect.

9. All common elements shall be labeled and are to be maintained by the Home Owners Association.
10. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
11. 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.
12. A revocable encroachment permit for landscaping within the public right of way is required.
13. Approval of a traffic study is required prior to submittal of the civil improvement plans.
14. A queuing analysis is required.
15. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Craig Road.
16. No parking signs shall be installed on Craig Road and Vandenberg Drive.
17. The developer shall provide no parking signs and red-painted curbs on the internal streets.
18. The developer shall stripe the driveways and apply no parking markings to driveways less than twenty (20) feet.
19. The development shall be in full compliance with the Multi-Family Residential Development Standards and Design Guidelines and the R-3 zoning district regulations, which will likely cause the submitted site plan to change.
20. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
21. The development shall not exceed 152 dwelling units and 304 total bedrooms, as long as the minimum amount of open space and parking are provided.
22. Measures to achieve a noise level reduction, outdoor-to-indoor, of 65 decibels must be incorporated into the design and construction of each residential unit.

23. The prospective tenants shall sign a written notice declaring knowledge of the following statement: "This residential property is located within DNL 65-70dB noise contours delineated by Nellis Air Force Base, wherein the housing development may be subject to daytime and nighttime flyovers by U.S. military aircraft, which may cause intermittent noise of approximately 65 - 70 decibels."
24. That the following language be included in any legal contract conveying ownership or leasing of the land or units: "This residential property is located within DNL 65-70dB noise contours delineated by Nellis Air Force Base. The U.S. Air Force discourages residential development within DNL 65-70dB noise contours."
25. All items mentioned herein shall be satisfied prior to submittal of the Civil Improvement Plans or the recordation of any maps.
26. The block wall design shall be 100% opaque along the north side of the parcel and along the western property line. The 100% opaque wall shall be six feet (6.00') in height and shall use colored split-face CMU blocks facing outward with pilasters spaced not greater than 25 feet, or portion thereof. The pilasters shall match the buildings and each pilaster shall have a concrete colored cap.
27. The block wall along the east side of the parcel may be 100% opaque and consistent with condition #26 or the wall may incorporate wrought-iron fencing between the pilasters. The picket spacing, in addition to all other aspects of the construction of said fencing, shall comply with applicable building code requirements. The wrought-iron fence shall be six feet (6.00') in height and shall have pilasters spaced not greater than 25 feet, or portion thereof. The pilasters shall match the buildings and each pilaster shall have a concrete colored cap.
28. All Emergency Access locations shall also include a man-gate for pedestrian access and shall also be labeled as "Pedestrian Access Easement".
29. The submitted landscape plan and/or site plan shall not be considered or implied to be "approved". Corrections and/or changes are required prior to the plans being in compliance with all codes and ordinances.
30. Building heights shall comply with the requirements set forth in the Zoning Ordinance under the R-3 zoning district. Building elevations shall be subject to staff review and approval at time of building permit review.
31. The following amenities shall be provided as a minimum:
 1. Circuitous lighted paths
 2. A minimum of 20 24-inch box trees per acre

3. 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
 4. Swimming Pool with restrooms as required by Clark County Health Department.
 5. Picnic tables and barbecue grills
 6. Benches spaced along park pathways
 7. Details of amenities to be provided
32. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
 33. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
 34. A sufficient number of trash enclosures shall be provided such that at least one trash enclosure is within 300 feet of each dwelling unit.
 35. No multi-family dwelling structure shall be within 50 feet of the southern property line.
 36. Permits are required for all structures except as exempted by the CNLV Municipal Code, Building Administrative Code Sections 15.72.140 (B) and (C).
 37. Clarify the purpose of, or eliminate, the parallel dotted lines adjacent to the southern property line.
 38. A minimum 30,000 square feet of usable open space shall be completely constructed and usable prior to the issuance of the building permit for the 50th dwelling unit.
 39. All of the required 60,800 square feet of open space shall be completely constructed and usable prior to the issuance of the building permit for the 100th dwelling unit.

Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

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

There was a break in proceedings at 7:25 p.m.

The meeting reconvened at 7:40 p.m.

Item No. 34 was heard next.

33. **VAC-14-05 (20372) VACATION OF FUSELIER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ALEX COLEMAN, LLC, ON BEHALF OF ALEX COLEMAN, LLC, ROBBIN S. MARTINDALE, ETAL, VELMA DUPREE ELLIS GRUBBS, PROPERTY OWNERS, TO VACATE FUSELIER DRIVE BETWEEN GOWAN ROAD AND ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-08-501-004, 139-08-501-005, 139-08-501-008, 139-08-501-009, 139-08-502-001, 139-08-502-003, 139-08-502-007, 139-08-502-008, 139-08-601-008, 139-08-602-001, 139-08-602-003 AND 139-08-602-005. (CONTINUED MAY 25, JUNE 8, JULY 13, AND AUGUST 10, 2005)**

It was requested by the applicant to continue VAC-14-05 to November 9, 2005.

Chairman Jay Aston asked the applicant to show good cause for the continuance as it was the fifth request.

Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating, they were continuing to work with the Public Works Department to work out concerns and felt it would take another 45 days to complete the process.

Chairman Aston asked Randy Cagle of the Public Works Department if he felt 45 days was adequate time to resolve any issues. Mr. Cagle responded he felt it was adequate time to resolve issues.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 9, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

34. 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. (CONTINUED JULY 27, AUGUST 10 AND 24, 2005)

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant requesting that VN-21-05 be withdrawn.

35. 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. (CONTINUED JULY 27, AUGUST 10 AND 24, 2005)

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-68-05 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That UN-68-05 is site-specific and non-transferable; and
3. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, with the exception of the following:
 - a. That a minimum ten feet (10.00') of landscaping be provided adjacent to the northern property line. Within said 10-foot landscape area shall be a minimum one 24-inch box tree planted not greater than 10 feet on-center. In addition to the 24-inch box trees, the landscape area shall be provided with adequate materials (e.g., shrubs, irrigation, etc.) to be in compliance with the requirements set forth in the Zoning Ordinance.
4. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to the following:
 - a. The sidewalks along Commerce Street and Dorrell Lane shall be separated by a minimum five feet of landscaping from the backs-of-curb and shall be meandering; and
 - b. The screen wall shall be provided along the entire northern and western sides of the development except at required driveway locations and shall not interfere with clear-sight-visibility zones. The screen wall shall maintain a minimum setback of 20 feet from abutting rights-of-way. Decorative design,

as defined in the Zoning Ordinance, shall be used where the wall is visible from adjacent parcels, sites or areas at the time of building permit application; and

- c. Foundation landscaping, or an accepted alternative, shall be provided adjacent to the north and west sides of the "Office/Apartment"; and
 - d. A minimum two trash enclosures shall be provided within the gated area.
 - e. With the exception of roof areas, all exposed metal surfaces shall be painted with sand-textured paint.
5. That a minimum two enclosed parking stalls be provided for the caretaker(s); and
 6. That interior on-site parking for the storage facility shall be provided as required by the Zoning Ordinance at the time of building permit application; and
 7. That a maximum 630 storage units be allowed; and
 8. That the development of this site be in compliance with all standards set forth in Section 17.24.020.C.15 of the Zoning Ordinance; and
 9. That wall signage shall only be permitted on the south-, east- and west-facing walls. Free-standing signage shall be limited to monument signs not greater than eight feet (8.00') in overall height and one per street frontage. All distance, separation and setback requirements shall be in compliance with ordinance requirements; and
 10. If VN-21-05 is approved, then this development shall comply with all conditions of VN-21-05. If VN-21-05 is not approved, then condition #3.a shall be deleted.
 11. If AMP-34-05, ZN-54-05 and VAC-21-05 are not approved, then this application shall be considered null and void.
 12. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100.B:
 - a. Dorrell Lane
 - b. Commerce Street
 - c. Elaine Street, should VAC-21-05 be denied
 13. Off-site improvements for Elaine Street, should VAC-21-05 be denied, and Dorrell Lane must be constructed adjacent to the proposed parcel shown as "NOT A PART".

14. The applicant shall apply for a vacation of the westerly ten feet of Commerce Street, adjacent to the subject property; the total right-of-way width, per the *Master Plan of Streets and Highways*, is sixty (60) feet.
15. Right-of-way dedication for a CAT bus turn-out is required on Dorrell Lane near Commerce Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
16. Appropriate subdivision and/or parcel mapping is required to consolidate the parcels. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
17. 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.
18. A revocable encroachment permit for landscaping within the public right of way is required.
19. 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.
20. 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.
21. The property owner is required to grant a roadway easement for commercial driveway(s).
22. The property owner is required to sign a restrictive covenant for utilities.
23. Approval of a traffic study is required prior to submittal of the civil improvement plans.
24. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Dorrell Lane and Commerce Street.
25. A shared access agreement with the proposed parcel to the west shall be provided.
26. All known geologic hazards shall be shown on any future site plans and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.

27. Approval of a drainage study update is required prior to submittal of the civil improvement plans.
28. 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.
29. Fire access lanes shall have an unobstructed width of 24 feet.
30. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
31. Adjacent to any eighty (80) foot right-of-way, a common lot or landscape area with a minimum width of five feet shall be provided behind the sidewalk and bus loading pad.

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 initial project had been revised. Over the past couple of weeks they had worked with Staff on several issues. The building had been moved further away from the northern property line, which eliminated the variance on the previous application, which was withdrawn. In addition, the site had been revised and the proposed RV parking was removed. They would be required to double the amount of trees or put them 10 feet on center. If the number of trees were doubled, it would add a better buffer because when you were on the other side of the wall, you would only see the trees along the northern property line after they had matured. He stated this was a low intense use, was self maintained and they were in concurrence with Staff recommendation except for a request for a couple of changes or clarifications. The first request was for Condition No. 4.d. He stated typically, when they built storage facilities in North Las Vegas, they had one trash enclosure and did not feel two trash enclosures were necessary unless it was a code requirement and asked for clarification. Mr. Gronauer asked to delete Condition No. 7 because there was a condition that stated a maximum of 630 storage units but Condition No. 6 states the applicant needed to comply with the new zoning ordinance as far as parking requirements to the storage units actually being proposed and felt if Condition No. 6 were imposed, then they should have as many storage units as code would allow. Condition No. 23 was for a required traffic study. Typically, with mini-storage facilities, they do not have to do a traffic study, so he asked the wording be changed to read "If required, a traffic study prior to submittal of the civil improvements plans." He also requested that on Condition No. 29 the wording "or as approved by the Fire Department" be added to the end of the sentence, because if you look at the mini-warehouse section of the code, 17.24.020.c.15, it gave the driveway lengths, stating "all one-way driveways shall provide for one ten foot parking lane and one 15 foot travel lane and traffic direction and parking shall be designated by signing or painting," which would give about 25 feet and they were providing approximately 32 feet in some areas.

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

Chairman Aston closed the Public Hearing.

Vice-Chairman Jo Cato asked Staff to clarify Condition Nos. 6 and 7, the storage units versus the ordinance. Mr. Eastman responded, from Staff's perspective, they could easily delete Condition No. 7. Generally, with the zoning ordinance, the parking is tied to the number of units, so the number of units would be regulated by the amount of parking that would fit on the site, so Condition No. 7 could be deleted.

Commissioner Dean Leavitt asked Staff how they felt about deleting Condition No. 4.d. Mr. Eastman responded they had not found any requirements for two trash enclosures in either the Design Standards or the mini-warehouse portion of the Code, so the request for two trash enclosures was more for the convenience of their tenants; therefore, Staff was not opposed to deleting Condition No. 4.d.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH THE DELETION OF CONDITION NO. 7 AND CONDITION NOS. 4.D., 23 AND 29 AMENDED AS FOLLOWS:

- 4.d. A MINIMUM OF ONE TRASH ENCLOSURE SHALL BE PROVIDED WITHIN THE GATED AREA.
- 23. IF REQUIRED, A TRAFFIC STUDY WILL BE SUBMITTED PRIOR TO SUBMITTAL OF THE CIVIL IMPROVEMENT PLANS.
- 29. FIRE ACCESS LANES SHALL HAVE AN UNOBSTRUCTED WIDTH OF 24 FEET OR AS APPROVED BY THE FIRE DEPARTMENT.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

36. 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. (CONTINUED JULY 27, AUGUST 10 AND 24, 2005)

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of T-1190 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 applicant shall apply for a vacation of the northerly ten feet of Lone Mountain Road, adjacent to the subject property. The total right-of-way width, per the *Master Plan of Streets and Highways*, is ninety (90) feet, north half = forty (40) feet; south half = fifty (50) feet.
3. 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. Lone Mountain Road
 - b. Allen Lane
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. Acceptance of this Tentative Map 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.
7. All common elements shall be labeled and are to be maintained by the Home Owners Association.
8. The street names shall be in accordance with the North Las Vegas Street Naming

and Address Assignment Standards.

9. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
10. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right of way.
11. A revocable encroachment permit for landscaping within the public right of way is required.
12. The development shall comply with the Single-Family Design Standards, including but not limited to the following:
 - a. The sidewalk along Lone Mountain Road must be separated from the back of the street curb by a minimum of five (5) feet and be meandering.
 - b. 15 feet of perimeter landscaping along Allen Lane and Lone Mountain Road.
13. Approval of a traffic study is required prior to submittal of the civil improvement plans.
14. The civil improvements plans for the project shall include schedule 40 PVC fiber optic conduit along Lone Mountain Road and Allen Lane.
15. Right-of-way dedication and construction of a CAT bus turn-out is required on Lone Mountain Road near Allen Lane per the Uniform Standard Drawings for Public Works' Construction Off-Site Improvement Number 234.1.
16. All Nevada Power Company easement, 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.

David Potter, 3610 North Rancho Drive, Las Vegas, NV 89130 appeared on behalf of the applicant stating he concurred with Staff recommendation. He asked for clarification on Condition No. 16. He stated the distribution lines referred to are on adjacent property but are near the subject project. The feeds to the homes and/or buildings are from those distribution lines and he wanted to clarify the applicant did not have to put those distribution lines underground. Randy Cagle of the Public Works Department responded if the power poles were not on the applicant's property, it would be difficult to place them underground, but they would not be allowed to make any modification or take any service from those poles. He stated the condition was okay as written, as it applied to the applicant's property.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

37. ZN-55-05 (21637) VILLA SORENO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY VILLA SERENO, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 90 TOWNHOUSE UNITS. THE PROPERTY IS LOCATED WEST OF NORTH 5TH STREET AND APPROXIMATELY 350 FEET NORTH OF AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-504-002, 124-27-504-004 AND 124-27-504-006. (CONTINUED AUGUST 10 AND 24, 2005)

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of ZN-55-05 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.
2. The development shall not exceed 90 dwelling units or 180 total bedrooms with the understanding that all required open space and parking are provided.
3. Multifamily building setbacks from the property line shall consist of:

North 5 th Street	25 feet
Regena Ave)	15 feet
Azure Avenue	15 feet
Side	24 feet
Rear	20 feet
Building-to-Building	20 feet
4. The development shall provide a minimum of 1.49 acres (64,904 sq. ft.) of usable open space, as approved by staff.
5. The developer shall meet jointly with the Departments of Parks and Recreation and Planning and Development to discuss the design and usability of proposed open space areas and the amenities to be provided prior to submitting a final development plan.
6. At a minimum, the following amenities shall be provided within the open space:
 - a. Circuitous lighted paths
 - b. A minimum of twenty 24-inch box trees per acre
 - c. At least two (2) differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada.

- d. At least one large open space area for group/organized play
 - e. One large group shade area/gazebo (30' diameter), lighted
 - f. Swimming pool with clubhouse
 - g. Picnic tables and barbecue grills
 - h. Benches spaced along park pathways
 - l. Details of amenities to be provided
 - j. Exercise stations and mile markers spaced along paths
 - k. Plaza areas shall be stamped and colored concrete
 - l. Buildings located adjacent to Azure Avenue shall be linked to the circuitous paths
 - m. Safe pedestrian crossing across street connecting buildings adjacent to Azure Avenue
7. The landscape buffer may be counted toward the required open space, provided that a meandering pedestrian trail with a minimum width of five (5) feet is included within the landscape setback and that amenities are provided along the pedestrian trail, as approved by staff.
9. Perimeter walls shall be owned and maintained by the Homeowner's Association.
10. Small variety deciduous trees shall be planted on each side of each garage entrance way, as shown on the conceptual landscape plan. The trees shall be a minimum 24" box (minimum 1-½ inch caliper measured six inches above the top of the root ball). Additional live ground cover shall be planted to provide 60% ground coverage, as approved by staff. The planting area for said trees and ground cover shall be labeled a common element and shall be maintained by the homeowners association. If it is determined through the soils report that landscaping cannot be planted within five (5) feet of a wall, then landscaping shall be provided in a sealed planter or another alternative method, as approved by staff.
11. This planned unit development shall comply with the Multiple Family Development Standards, except that:
- a. A total of ten (10) parking spaces may be located within the landscape buffer area along the western property boundary as shown on the preliminary development plan.
12. The prospective homeowners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm. The notice shall also state the R.C. Farms, in part, is protected by state statutes as an agricultural use.

13. All required landscaping areas and open space areas shall be labeled as common elements and be maintained by the homeowners association.
14. As the applicant has access to Regena Avenue and Azure Avenue, vehicular access to North 5th Street, including emergency access, will not be permitted.
15. 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:
 - a. North 5th Street
 - b. Azure Avenue
 - c. Regena Avenue
 - d. Unnamed Street along the westerly perimeter of the development, should the associated vacation not be submitted and/or approved.
16. North 5th Street shall be designed in accordance with the *City of North Las Vegas Uniform Standard Drawings for North 5th Street Improvements*.
17. All development along North 5th Street shall provide a twenty foot landscape easement/ common element adjacent to the right-of-way.
18. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along North 5th Street.
19. The applicant shall apply for a vacation of the right-of-way along the westerly border of the development.
20. Approval of a traffic study including a queuing analysis is required prior to submittal of the civil improvement plans.
21. The access on Azure Avenue shall be for emergency access and egress only.
22. All common elements shall be labeled and are to be maintained by the Home Owners Association.
23. The property owner is required to grant roadway easements where public and private streets intersect.
24. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.

25. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
26. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
27. A revocable encroachment permit for landscaping within the public right of way is required.
28. 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.
29. Approval of a drainage study is required prior to submittal of the civil improvement plans.
30. 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.
31. A construction phasing plan, depicting onsite development and supporting offsite improvements, as well as construction access routes, shall be provided by the developer. Approval by the Department of Public Works is required prior to the issuance of any permits.
32. 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*.
33. No driveway shall be located within six (6) feet of a curb return, light pole, fire hydrant or other utility features. Compliance may require modifications to the site.

Stephanie Allen 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.

Chairman Aston asked if there was a landscaped area at the back of the parking area where the waiver was being requested. Ms. Allen responded there were trees in that location.

Chairman Aston asked the depth of the landscape area. Ms. Allen responded it was approximately two feet. Chairman Aston asked if landscape diamonds could be added in that location to help maintain the landscape buffer. Ms. Allen responded they would agree to add the landscape diamonds. Chairman Aston asked if the landscape waiver was addressed in the conditions. Jeremy Davis, Planner responded the waiver was included in the recommended conditions of approval.

Chairman Aston asked Staff if the waiver could be conditioned. Marc Jordan, Planning manager responded the condition regarding the waiver could be amended.

Mr. Jordan made clarification on Condition No. 11.a that since it only involved a few of the parking spaces and since there was only a certain number of trees and suggested five diamonds be included.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH CONDITION NO. 11.a AMENDED AS FOLLOWS:

11.a A TOTAL OF TEN (10) PARKING SPACES MAY BE LOCATED WITHIN THE LANDSCAPE BUFFER AREA ALONG THE WESTERN PROPERTY BOUNDARY AS SHOWN ON THE PRELIMINARY DEVELOPMENT PLAN, WITH FIVE LANDSCAPE DIAMONDS LOCATED WITHIN THE PARKING SPACES.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

38. **AMP-37-05 (21840) NORTHVIEW (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PJ & CB, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS, TO REMOVE DEER SPRINGS WAY BETWEEN LOSEE ROAD AND LAWRENCE STREET AND TO REMOVE A PORTION OF LAWRENCE STREET BETWEEN DEER SPRINGS WAY AND DORRELL LANE. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DEER SPRINGS WAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-701-003, 124-23-701-004, 124-23-601-001, 124-23-601-002, 124-23-601-003, 124-23-601-004, 124-23-601-005, 124-23-601-006, 124-23-601-007, 124-23-601-008, 124-23-601-009, 124-23-601-010, 124-23-601-011, 124-23-601-012, 124-23-601-013, 124-23-601-014, 124-23-601-015 AND 124-23-601-016. (CONTINUED AUGUST 24, 2005)**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of AMP-37-05 as Deer Springs Way was required to provide a vital link between the developing residential neighborhood west of Lawrence Street to Losee Road and the I-215 Beltway. Also, because the area was part of the transit supported land use development currently being considered, Deer Springs Way was needed as a vital connection between this area and the proposed VA Hospital and the proposed UNLV Campus that would be located on Pecos just east of this development. Staff also believed Deer Springs Way would serve as an opportunity to provide a pedestrian friendly mixed use corridor that would be beneficial to the proposed development and should be shown on the plan, which would be consistent with the Visioning 2025 Strategic Plan that was adopted by the City Council. In addition, RTC submitted a letter stating this corridor was needed as part of that future plan. Mr. Jordan also stated Staff was recommending that Lawrence Street be retained on the Master Plan as it would preserve the grid in the area and be conducive to a transit oriented development for the property located west of Lawrence Street. In addition, the plan has been amended, which shows Deer Springs Way; however, it was a circuitous pathway which winds up to the multi-family to the north and winds through the commercial development and does not seem like a logical alignment of that corridor. If the applicant were willing, Staff would recommend the item be continued to allow the applicant time to work with Staff regarding the geometrics of the design through the site.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor Las Vegas, NV 89109 appeared on behalf of the applicant giving some history on the entire site, making presentation for Item Nos. 38, 39, and 40 together. Mr. Gronauer went over the Master Plan in the area of Centennial Parkway, Losee Road, North 5th Street, and I-215 stating a portion of the property was master planned for Regional Commercial uses and his client had plans to develop the first mall in the City of North Las Vegas. There have been many hearings and meetings to get to this point. The property

started out as a 40 acre site and then the applicant purchased another 40 acre site and then was able to obtain approvals or signatures to purchase property from several other land owners in the area, where they had assembled a strategic piece of property on 120 acres. The hospital to the south is finalizing their contracts to move forward with the hospital in the next couple of weeks. There is other commercial development to the south of Losee Road and on the south side of Centennial Parkway. The proposed project is off of the I-215 off-ramp.

Mr. Gronauer presented the site plan, stating one of the issues they had run into while trying to design 120 acres of property was, in order to make a true type of mixed use development, where it would be pedestrian friendly, they needed to make sure they had connectivity and that connectivity would not be disrupted by an 80 foot right-of-way street or major arterial streets. If they have to put Deer Springs Way in, in its true format as an 80 foot right-of-way, all you would get from point A to point B, was basically more or less of a freeway type of design and that type of design would separate the northern 40 acres of the project and the southern 80 acres of the project, which he compared to the Boulevard Mall in the City of Las Vegas, stating the businesses on the north side of Twain Avenue were not as successful as the businesses on the south side of Twain Avenue. Mr. Gronauer stated the site plan showed a mixture of uses. There will be anchor tenants, with commercial retail, office, restaurants, and as you go further north, there will be loft condos, similar to the District in the City of Henderson. Where the Deer Springs Way alignment would be, there would be a component which would be the light rail system, because they believe there was no better way to tie the shopping center in, than with the proposed light rail system that would go north and south on North 5th Street and east and west on Deer Springs Way. They have designed an area for the Regional Transportation Commission (RTC) to design and construct some type of center for a station. He stated there would still be connectivity, as you walk through the 120 acre development, there would be a theater complex, some other four level condos, some office space further to the north and condo buildings and a boutique hotel. Essentially, there would be a mixture of various uses, which they wanted to tie together and believed by putting Deer Springs Way in as an 80 foot right-of-way, they would be encouraged to cut a portion of the project off and try to develop it as a more traditional multi-family commercial project. He stated they had many conversations with Staff and he believed everyone was in support of the concept of the regional mall. He stated they also had a neighborhood meeting, where approximately 80 neighbors showed up, there were 78 people who had positive comments. A good portion of the comments were from neighbors who were in favor of not having Deer Springs Way come through the project. He stated they did not want the commercial traffic coming into their residential neighborhoods. Mr. Gronauer stated he believed as part of the vacation request and the PUD application, they had a resolution. He stated he realized he could not eliminate the right-of-way for Deer Springs Way between Lawrence Street and Losee Road one hundred percent but believed they could provide light rail transit and were proposing access for two-lane traffic along the alignment. One of the issues, which they can work out with Public Works between now and

when the item is heard by City Council, was how it could be tied in to the other street path, to Losee Road. The roadway design would be similar to what was proposed between the buildings. They were providing a two-way street, which was 24 feet in width, there are nine foot parallel parking stalls and on two sides there were 19 foot sidewalks, which gave the effect of understanding that cars could be driven through that type of development and you could also walk on both sides of the street. Mr. Gronauer proposed the following condition: "The vacation of Deer Springs Way is subject to the developer providing a transportation corridor within 300 feet to the north or south of the original alignment of Deer Springs Way between Losee Road and Lawrence Street which would accommodate future transit, pedestrian access, and a minimum of two vehicular travel lanes. This alignment shall be approved by Public Works prior to recordation of the vacation or approval of the final development plan." If Deer Springs Way were vacated, they would be required to provide access from point "A" on Lawrence Street to point "B" on Losee Road.

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

Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89032 stated she felt the project was needed but was concerned about the two 40 story condo towers and asked if the City had a fire truck that could reach 40 stories if necessary. She also asked if this was an age restricted project and, if not, where the children would be attending school. She did not feel adding more high density was a good idea.

Chairman Jay Aston explained there needed to be a certain amount of density in order to receive the Federal funding for the light rail corridor a certain amount of density was needed to support the new UNLV Campus, the hospital and the mixed use projects.

Chairman Aston closed the Public Hearing.

Chairman Aston asked how Staff concerns could be addressed in order to move forward with the project and whether they could be addressed with the vacation or the amendment to the master plan. Marc Jordan, Planning Manager responded a condition could be placed on the vacation request and the PUD rezoning request. He stated Public Works Traffic Staff would need to respond regarding the condition Mr. Gronauer presented, but had a condition worded for the PUD, Condition No. 18, which had already been drafted by Staff to address that. Chairman Aston stated if the Commission had the flexibility to move in that direction, if there was any action they could take on the AMP. Mr. Jordan responded he needed to consult with Traffic regarding their concerns. Kevin Futch of Public Works Traffic, responded they were in the same dilemma of which item to address first. He was concerned if Deer Springs Way and Lawrence Street were deleted from the Master Plan of Streets and Highways and the development fell through in the future or the vacation of the street and the new alignment, new transit corridor and new roadway were not built or programmed, in the future the ability was lost to put those roadways back in place. He

stated conditions could not be placed on the AMP, so he suggested conditions be placed on the vacation. Chairman Aston asked if they could move forward with the vacation.

Commissioner Dean Leavitt stated he was encouraged by the realignment of Deer Springs Way to promote or encourage the pedestrian type traffic and wanted to see the project go forward.

Chairman Aston stated he was in agreement with Commissioner Leavitt and was wondering why you couldn't follow along the transit but when there was a transit station there, it would be difficult.

Mr. Gronauer stated they may be able to work with Public Works to change the design to make it work and also stated they may still give the 80 feet but it would not be an 80 foot road, it would be a two lane street with sidewalks, and light rail.

Commissioner Leavitt explained to Deborah Lewis that the School District knows the project would house children at this stage and the Fire Department would review the plans and the applicant would have to comply with all codes.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

39. VAC-26-05 (21844) NORTHVIEW (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PJ & CB, LLC, PROPERTY OWNER, TO VACATE DEER SPRINGS WAY BETWEEN LOSEE ROAD AND LAWRENCE STREET AND TO VACATE A PORTION OF LAWRENCE STREET BETWEEN DEER SPRINGS WAY AND DORRELL LANE. THE ASSESSOR'S PARCEL NUMBER IS 124-23-601-012. (CONTINUED AUGUST 24, 2005)

All comments from Item No. 38 were carried forward as follows:

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of AMP-37-05 as Deer Springs Way was required to provide a vital link between the developing residential neighborhood west of Lawrence Street to Losee Road and the I-215 Beltway. Also, because the area was part of the transit supported land use development currently being considered, Deer Springs Way was needed as a vital connection between this area and the proposed VA Hospital and the proposed UNLV Campus that would be located on Pecos just east of this development. Staff also believed Deer Springs Way would serve as an opportunity to provide a pedestrian friendly mixed use corridor that would be beneficial to the proposed development and should be shown on the plan, which would be consistent with the Visioning 2025 Strategic Plan that was adopted by the City Council. In addition, RTC submitted a letter stating this corridor was needed as part of that future plan. Mr. Jordan also stated Staff was recommending that Lawrence Street be retained on the Master Plan as it would preserve the grid in the area and be conducive to a transit oriented development for the property located west of Lawrence Street. In addition, the plan has been amended, which shows Deer Springs Way; however, it was a circuitous pathway which winds up to the multi-family to the north and winds through the commercial development and does not seem like a logical alignment of that corridor. If the applicant were willing, Staff would recommend the item be continued to allow the applicant time to work with Staff regarding the geometrics of the design through the site.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor Las Vegas, NV 89109 appeared on behalf of the applicant giving some history on the entire site, making presentation for Item Nos. 38, 39, and 40 together. Mr. Gronauer went over the Master Plan in the area of Centennial Parkway, Losee Road, North 5th Street, and I-215 stating a portion of the property was master planned for Regional Commercial uses and his client had plans to develop the first mall in the City of North Las Vegas. There have been many hearings and meetings to get to this point. The property started out as a 40 acre site and then the applicant purchased another 40 acre site and then was able to obtain approvals or signatures to purchase property from several other land owners in the area, where they had assembled a strategic piece of property on 120 acres.

The hospital to the south is finalizing their contracts to move forward with the hospital in the next couple of weeks. There is other commercial development to the south of Losee Road and on the south side of Centennial Parkway. The proposed project is off of the I-215 off-ramp.

Mr. Gronauer presented the site plan, stating one of the issues they had run into while trying to design 120 acres of property was, in order to make a true type of mixed use development, where it would be pedestrian friendly, they needed to make sure they had connectivity and that connectivity would not be disrupted by an 80 foot right-of-way street or major arterial streets. If they have to put Deer Springs Way in, in its true format as an 80 foot right-of-way, all you would get from point A to point B, was basically more or less of a freeway type of design and that type of design would separate the northern 40 acres of the project and the southern 80 acres of the project, which he compared to the Boulevard Mall in the City of Las Vegas, stating the businesses on the north side of Twain Avenue were not as successful as the businesses on the south side of Twain Avenue. Mr. Gronauer stated the site plan showed a mixture of uses. There will be anchor tenants, with commercial retail, office, restaurants, and as you go further north, there will be loft condos, similar to the District in the City of Henderson. Where the Deer Springs Way alignment would be, there would be a component which would be the light rail system, because they believe there was no better way to tie the shopping center in, than with the proposed light rail system that would go north and south on North 5th Street and east and west on Deer Springs Way. They have designed an area for the Regional Transportation Commission (RTC) to design and construct some type of center for a station. He stated there would still be connectivity, as you walk through the 120 acre development, there would be a theater complex, some other four level condos, some office space further to the north and condo buildings and a boutique hotel. Essentially, there would be a mixture of various uses, which they wanted to tie together and believed by putting Deer Springs Way in as an 80 foot right-of-way, they would be encouraged to cut a portion of the project off and try to develop it as a more traditional multi-family commercial project. He stated they had many conversations with Staff and he believed everyone was in support of the concept of the regional mall. He stated they also had a neighborhood meeting, where approximately 80 neighbors showed up, there were 78 people who had positive comments. A good portion of the comments were from neighbors who were in favor of not having Deer Springs Way come through the project. He stated they did not want the commercial traffic coming into their residential neighborhoods. Mr. Gronauer stated he believed as part of the vacation request and the PUD application, they had a resolution. He stated he realized he could not eliminate the right-of-way for Deer Springs Way between Lawrence Street and Losee Road one hundred percent but believed they could provide light rail transit and were proposing access for two-lane traffic along the alignment. One of the issues, which they can work out with Public Works between now and when the item is heard by City Council, was how it could be tied in to the other street path, to Losee Road. The roadway design would be similar to what was proposed between the

buildings. They were providing a two-way street, which was 24 feet in width, there are nine foot parallel parking stalls and on two sides there were 19 foot sidewalks, which gave the effect of understanding that cars could be driven through that type of development and you could also walk on both sides of the street. Mr. Gronauer proposed the following condition: "The vacation of Deer Springs Way is subject to the developer providing a transportation corridor within 300 feet to the north or south of the original alignment of Deer Springs Way between Losee Road and Lawrence Street which would accommodate future transit, pedestrian access, and a minimum of two vehicular travel lanes. This alignment shall be approved by Public Works prior to recordation of the vacation or approval of the final development plan." If Deer Springs Way were vacated, they would be required to provide access from point "A" on Lawrence Street to point "B" on Losee Road.

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

Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89032 stated she felt the project was needed but was concerned about the two 40 story condo towers and asked if the City had a fire truck that could reach 40 stories if necessary. She also asked if this was an age restricted project and, if not, where the children would be attending school. She did not feel adding more high density was a good idea.

Chairman Jay Aston explained there needed to be a certain amount of density in order to receive the Federal funding for the light rail corridor a certain amount of density was needed to support the new UNLV Campus, the hospital and the mixed use projects.

Chairman Aston closed the Public Hearing.

Chairman Aston asked how Staff concerns could be addressed in order to move forward with the project and whether they could be addressed with the vacation or the amendment to the master plan. Marc Jordan, Planning Manager responded a condition could be placed on the vacation request and the PUD rezoning request. He stated Public Works Traffic Staff would need to respond regarding the condition Mr. Gronauer presented, but had a condition worded for the PUD, Condition No. 18, which had already been drafted by Staff to address that. Chairman Aston stated if the Commission had the flexibility to move in that direction, if there was any action they could take on the AMP. Mr. Jordan responded he needed to consult with Traffic regarding their concerns. Kevin Futch of Public Works Traffic, responded they were in the same dilemma of which item to address first. He was concerned if Deer Springs Way and Lawrence Street were deleted from the Master Plan of Streets and Highways and the development fell through in the future or the vacation of the street and the new alignment, new transit corridor and new roadway were not built or programmed, in the future the ability was lost to put those roadways back in place. He stated conditions could not be placed on the AMP, so he suggested conditions be placed

on the vacation. Chairman Aston asked if they could move forward with the vacation.

Commissioner Dean Leavitt stated he was encouraged by the realignment of Deer Springs Way to promote or encourage the pedestrian type traffic and wanted to see the project go forward.

Chairman Aston stated he was in agreement with Commissioner Leavitt and was wondering why you couldn't follow along the transit but when there was a transit station there, it would be difficult.

Mr. Gronauer stated they may be able to work with Public Works to change the design to make it work and also stated they may still give the 80 feet but it would not be an 80 foot road, it would be a two lane street with sidewalks, and light rail.

Commissioner Leavitt explained to Deborah Lewis that the School District knows the project would house children at this stage and the Fire Department would review the plans and the applicant would have to comply with all codes.

Marc Jordan, Planning Manager stated he had no additional information but deferred to Traffic Staff if they wanted to add conditions. Kevin Futch of Public Works, Traffic read the following conditions into the record:

1. The vacation of Deer Springs Way is subject to the developer providing a transportation corridor between Losee Road and Lawrence Street that will accommodate, at a minimum, two vehicular travel lanes, a pedestrian pathway, and two future transit lanes. The width and location of the proposed transportation corridor shall be at the discretion of the Public Works Director.
2. The Vacation shall be null and void if not recorded within one year.
3. The vacation shall record concurrently with the approval for the Civil Improvement plans.
4. The cost of the transportation corridor between Lawrence Street and Losee Road shall be borne by the developer.
5. If VAC-26-05 or ZN-57-05 is either denied or is deemed null and void, then AMP-37-05 shall be null and void.

Mr. Gronauer stated he was in agreement with the conditions as read into the record.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION SUBJECT TO THE FOLLOWING CONDITIONS:

1. THE VACATION OF DEER SPRINGS WAY IS SUBJECT TO THE DEVELOPER PROVIDING A TRANSPORTATION CORRIDOR BETWEEN LOSEE ROAD AND LAWRENCE STREET THAT WILL ACCOMMODATE, AT A MINIMUM, TWO VEHICULAR TRAVEL LANES, A PEDESTRIAN PATHWAY, AND TWO FUTURE TRANSIT LANES. THE WIDTH AND LOCATION OF THE PROPOSED TRANSPORTATION CORRIDOR SHALL BE AT THE DISCRETION OF THE PUBLIC WORKS DIRECTOR.
2. THE VACATION SHALL BE NULL AND VOID IF NOT RECORDED WITHIN ONE YEAR.
3. THE VACATION SHALL RECORD CONCURRENTLY WITH THE APPROVAL OF THE CIVIL IMPROVEMENT PLANS.
4. THE COST OF THE TRANSPORTATION CORRIDOR BETWEEN LAWRENCE STREET AND LOSEE ROAD SHALL BE BORNE BY THE DEVELOPER.
5. IF VAC-26-05 OR ZN-57-05 IS EITHER DENIED OR IS DEEMED NULL AND VOID, THEN AMP-37-05 SHALL BE NULL AND VOID.

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

40. ZN-57-05 (21847) NORTHVIEW (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PJ & CB, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT, A C-2 GENERAL COMMERCIAL DISTRICT, AND A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF:

- **2.8 MILLION SQUARE FEET OF CONDOMINIUM UNITS, INCLUDING TWO (2) FORTY-STORY TOWERS,**
- **1.7 MILLION SQUARE FEET OF COMMERCIAL, AND**
- **712,000 SQUARE FEET OF RETAIL / OFFICE SPACE.**

THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-701-003, 124-23-701-004, 124-23-601-001, 124-23-601-002, 124-23-601-003, 124-23-601-004, 124-23-601-005, 124-23-601-006, 124-23-601-007, 124-23-601-008, 124-23-601-009, 124-23-601-010, 124-23-601-011, 124-23-601-012, 124-23-601-013, 124-23-601-014, 124-23-601-015, 124-23-601-016, AND 124-23-801-002. (CONTINUED AUGUST 24, 2005)

All comments from Item No. 38 were carried forward as follows:

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of AMP-37-05 as Deer Springs Way was required to provide a vital link between the developing residential neighborhood west of Lawrence Street to Losee Road and the I-215 Beltway. Also, because the area was part of the transit supported land use development currently being considered, Deer Springs Way was needed as a vital connection between this area and the proposed VA Hospital and the proposed UNLV Campus that would be located on Pecos just east of this development. Staff also believed Deer Springs Way would serve as an opportunity to provide a pedestrian friendly mixed use corridor that would be beneficial to the proposed development and should be shown on the plan, which would be consistent with the Visioning 2025 Strategic Plan that was adopted by the City Council. In addition, RTC submitted a letter stating this corridor was needed as part of that future plan. Mr. Jordan also stated Staff was recommending that Lawrence Street be retained on the Master Plan as it would preserve the grid in the area and be conducive to a transit oriented development for the property located west of Lawrence Street. In addition, the plan has been amended, which shows Deer Springs Way; however, it was a circuitous pathway which winds up to the multi-family to the north and winds through the commercial development and does not seem like a logical alignment of

that corridor. If the applicant were willing, Staff would recommend the item be continued to allow the applicant time to work with Staff regarding the geometrics of the design through the site.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor Las Vegas, NV 89109 appeared on behalf of the applicant giving some history on the entire site, making presentation for Item Nos. 38, 39, and 40 together. Mr. Gronauer went over the Master Plan in the area of Centennial Parkway, Losee Road, North 5th Street, and I-215 stating a portion of the property was master planned for Regional Commercial uses and his client had plans to develop the first mall in the City of North Las Vegas. There have been many hearings and meetings to get to this point. The property started out as a 40 acre site and then the applicant purchased another 40 acre site and then was able to obtain approvals or signatures to purchase property from several other land owners in the area, where they had assembled a strategic piece of property on 120 acres. The hospital to the south is finalizing their contracts to move forward with the hospital in the next couple of weeks. There is other commercial development to the south of Losee Road and on the south side of Centennial Parkway. The proposed project is off of the I-215 off-ramp.

Mr. Gronauer presented the site plan, stating one of the issues they had run into while trying to design 120 acres of property was, in order to make a true type of mixed use development, where it would be pedestrian friendly, they needed to make sure they had connectivity and that connectivity would not be disrupted by an 80 foot right-of-way street or major arterial streets. If they have to put Deer Springs Way in, in its true format as an 80 foot right-of-way, all you would get from point A to point B, was basically more or less of a freeway type of design and that type of design would separate the northern 40 acres of the project and the southern 80 acres of the project, which he compared to the Boulevard Mall in the City of Las Vegas, stating the businesses on the north side of Twain Avenue were not as successful as the businesses on the south side of Twain Avenue. Mr. Gronauer stated the site plan showed a mixture of uses. There will be anchor tenants, with commercial retail, office, restaurants, and as you go further north, there will be loft condos, similar to the District in the City of Henderson. Where the Deer Springs Way alignment would be, there would be a component which would be the light rail system, because they believe there was no better way to tie the shopping center in, than with the proposed light rail system that would go north and south on North 5th Street and east and west on Deer Springs Way. They have designed an area for the Regional Transportation Commission (RTC) to design and construct some type of center for a station. He stated there would still be connectivity, as you walk through the 120 acre development, there would be a theater complex, some other four level condos, some office space further to the north and condo buildings and a boutique hotel. Essentially, there would be a mixture of various uses, which they wanted to tie

together and believed by putting Deer Springs Way in as an 80 foot right-of-way, they would be encouraged to cut a portion of the project off and try to develop it as a more traditional multi-family commercial project. He stated they had many conversations with Staff and he believed everyone was in support of the concept of the regional mall. He stated they also had a neighborhood meeting, where approximately 80 neighbors showed up, there were 78 people who had positive comments. A good portion of the comments were from neighbors who were in favor of not having Deer Springs Way come through the project. He stated they did not want the commercial traffic coming into their residential neighborhoods. Mr. Gronauer stated he believed as part of the vacation request and the PUD application, they had a resolution. He stated he realized he could not eliminate the right-of-way for Deer Springs Way between Lawrence Street and Losee Road one hundred percent but believed they could provide light rail transit and were proposing access for two-lane traffic along the alignment. One of the issues, which they can work out with Public Works between now and when the item is heard by City Council, was how it could be tied in to the other street path, to Losee Road. The roadway design would be similar to what was proposed between the buildings. They were providing a two-way street, which was 24 feet in width, there are nine foot parallel parking stalls and on two sides there were 19 foot sidewalks, which gave the effect of understanding that cars could be driven through that type of development and you could also walk on both sides of the street. Mr. Gronauer proposed the following condition: "The vacation of Deer Springs Way is subject to the developer providing a transportation corridor within 300 feet to the north or south of the original alignment of Deer Springs Way between Losee Road and Lawrence Street which would accommodate future transit, pedestrian access, and a minimum of two vehicular travel lanes. This alignment shall be approved by Public Works prior to recordation of the vacation or approval of the final development plan." If Deer Springs Way were vacated, they would be required to provide access from point "A" on Lawrence Street to point "B" on Losee Road.

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

Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89032 stated she felt the project was needed but was concerned about the two 40 story condo towers and asked if the City had a fire truck that could reach 40 stories if necessary. She also asked if this was an age restricted project and, if not, where the children would be attending school. She did not feel adding more high density was a good idea.

Chairman Jay Aston explained there needed to be a certain amount of density in order to receive the Federal funding for the light rail corridor a certain amount of density was needed to support the new UNLV Campus, the hospital and the mixed use projects.

Chairman Aston closed the Public Hearing.

Chairman Aston asked how Staff concerns could be addressed in order to move forward with the project and whether they could be addressed with the vacation or the amendment to the master plan. Marc Jordan, Planning Manager responded a condition could be placed on the vacation request and the PUD rezoning request. He stated Public Works Traffic Staff would need to respond regarding the condition Mr. Gronauer presented, but had a condition worded for the PUD, Condition No. 18, which had already been drafted by Staff to address that. Chairman Aston stated if the Commission had the flexibility to move in that direction, if there was any action they could take on the AMP. Mr. Jordan responded he needed to consult with Traffic regarding their concerns. Kevin Futch of Public Works Traffic, responded they were in the same dilemma of which item to address first. He was concerned if Deer Springs Way and Lawrence Street were deleted from the Master Plan of Streets and Highways and the development fell through in the future or the vacation of the street and the new alignment, new transit corridor and new roadway were not built or programmed, in the future the ability was lost to put those roadways back in place. He stated conditions could not be placed on the AMP, so he suggested conditions be placed on the vacation. Chairman Aston asked if they could move forward with the vacation.

Commissioner Dean Leavitt stated he was encouraged by the realignment of Deer Springs Way to promote or encourage the pedestrian type traffic and wanted to see the project go forward.

Chairman Aston stated he was in agreement with Commissioner Leavitt and was wondering why you couldn't follow along the transit but when there was a transit station there, it would be difficult.

Mr. Gronauer stated they may be able to work with Public Works to change the design to make it work and also stated they may still give the 80 feet but it would not be an 80 foot road, it would be a two lane street with sidewalks, and light rail.

Commissioner Leavitt explained to Deborah Lewis that the School District knows the project would house children at this stage and the Fire Department would review the plans and the applicant would have to comply with all codes.

In addition to the discussion from Item No. 38, Marc Jordan, Planning Manager added Staff had some concerns regarding the plan as submitted. He stated Staff would like to see the area along the Deer Springs corridor alignment redesigned either by turning the building to provide more commercial or retail along Lawrence Street and also a little bit more along the Deer Springs alignment as they felt it would invite pedestrians into more entrances into the retail provided in that area. In addition, because the bulk of the residential was located on

the north side Staff would like to see the grocery store moved from the current location on the south side of the development to the north side, as in its current location it would encourage residents to drive to the grocery store. In addition, pads 11 and 10 shown next to Lawrence Street, Staff would like to see redesigned with the same type of entrance as pads that pads 13 and 12 have incorporated with a decorative pattern type of design. As a result of the changes, Staff is still recommending the item be continued to allow the applicant to make the recommended changes; however, if the Commission desires approval, the following conditions listed in the revised memo dated September 14, 2005 are 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. A final development plan is required and the commercial and residential components of the Planned Unit Development shall be submitted on one final development plan.
 - a. A phasing plan shall be submitted with the final development plan for this Planned Unit Development.
 - b. Building elevations shall be submitted for each commercial and multi-family building with the final development plan for this Planned Unit Development.
 - c. The final development plan shall provide details of the open space/park areas showing landscaping, amenities, boundaries and calculated square footage.
 - d. 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.
3. Adequate parking shall be provided and shown on the final development plan, and shall comply with the zoning ordinance.
4. 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.
5. 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.
6. 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.
 7. Exterior roof ladders and down spouts shall not be permitted.
 8. 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.
 9. 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.
 10. 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 that the following uses shall be prohibited from this Planned Unit Development:
 - a. Automobile drive-in theater
 - b. Automobile repair
 - c. Cemeteries
 - d. Mortuaries
 - e. Recreational Vehicle Park and campgrounds
 - f. Swap meet, flea market
 - g. Automobile, boat or recreational vehicle sales, service and rental lots
 - h. Pawnshop
 - i. Check cashing facilities
 11. A detached meandering sidewalk must be provided along both Losee Road and

Centennial Parkway.

12. A pedestrian access gate shall be added between the internal sidewalk in the multifamily development to the sidewalks along the north side of the project.
13. The number of multi-family dwelling units shall be limited to a maximum of 1,250.
14. The applicant must meet with the Parks and Recreation Department to discuss what amenities will be offered in this development. All amenities must be included on the final development plan.
15. Turning radii must comply with Fire Code.
16. Parking shall meet Fire Code.
17. Fire access lanes shall be within 150 feet of all ground floor walls.
18. The applicant shall provide a transportation corridor between Losee Road and Lawrence Street that will accommodate, at a minimum, two vehicular travel lanes, a pedestrian pathway, and two future transit lanes. The width of the proposed transportation corridor shall be at the discretion of the Public Works Director.
19. Approval of a drainage study is required prior to submittal of the civil improvement plans.
20. 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.
21. A master transportation plan with modeling containing 20-year projections will be required prior to submittal of the civil improvement plans.
22. 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.
23. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway and Losee Road.

24. 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:
 - a. Centennial Parkway
 - b. Losee Road
 - c. Lawrence Street
25. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Losee Road and Centennial Parkway per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
26. Right-of-way dedication and construction of a CAT bus turn-out is required on the frontage of Losee Road and on the frontage of Centennial Parkway per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1 or 234.3, subject to the City Traffic Engineer.
27. All public street section geometrics are subject to review and approval by the Director of Public Works or his designee.
28. 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.
29. The property owner is required to grant a roadway easement for commercial driveway(s).
30. 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.
31. A revocable encroachment permit for landscaping within the public right of way is required.
32. 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.
33. The property owner is required to sign a restrictive covenant for utilities.

34. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.

Chairman Jay Aston asked if there would still be a final development plan submitted for this project. Mr. Jordan responded there would be a final development plan.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, Las Vegas, NV 89109 stated he was willing to work with Staff on making additional changes to the plan and stated the mall developer was currently making changes and as far as the grocery store was concerned, he would note Staff's concern, but the bottom line was, when the grocery anchor tenant was brought in, they would be choosing their location. He stated they wanted to keep the density to a minimum in the residential area.

Chairman Jay Aston opened the Public Hearing and stated there were no additional comments.

Commissioner Dean Leavitt asked Staff if he were to recommend approval, if there were amendments to any of the conditions. Mr. Jordan responded he was okay with Staff recommended conditions, as their concerns were incorporated into the conditions of approval and deferred the question to Traffic. Mr. Futch responded his recommendation was to strike Condition No. 18 and replace it with the five conditions listed for VAC-26-05. Commissioner Leavitt asked Mr. Gronauer if he was agreeable to the change. Mr. Gronauer responded he concurred with the amended conditions.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH CONDITION NO. 18 DELETED AND THE FOLLOWING FIVE CONDITIONS ADDED IN ITS PLACE:

1. THE VACATION OF DEER SPRINGS WAY IS SUBJECT TO THE DEVELOPER PROVIDING A TRANSPORTATION CORRIDOR BETWEEN LOSEE ROAD AND LAWRENCE STREET THAT WILL ACCOMMODATE, AT A MINIMUM, TWO VEHICULAR TRAVEL LANES, A PEDESTRIAN PATHWAY, AND TWO FUTURE TRANSIT LANES. THE WIDTH AND LOCATION OF THE PROPOSED TRANSPORTATION CORRIDOR SHALL BE AT THE DISCRETION OF THE PUBLIC WORKS DIRECTOR.
2. THE VACATION SHALL BE NULL AND VOID IF NOT RECORDED

WITHIN ONE YEAR.

3. THE VACATION SHALL RECORD CONCURRENTLY WITH THE APPROVAL FO THE CIVIL IMPROVEMENT PLANS.
4. THE COST OF THE TRANSPORTATION CORRIDOR BETWEEN LAWRENCE STREET AND LOSEE ROAD SHALL BE BORNE BY THE DEVELOPER.
5. IF VAC-26-05 OR ZN-57-05 IS EITHER DENIED OR IS DEEMED NULL AND VOID, THEN AMP-37-05 SHALL BE NULL AND VOID.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

41. **AMP-38-05 (21849) CENTENNIAL CROSSING II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF LA GRANGE LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MEDIUM LOW DENSITY RESIDENTIAL TO MEDIUM HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 360 FEET NORTH OF CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-22-401-004. (CONTINUED AUGUST 24, 2005)**

Item Nos. 41 and 42 were presented together.

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of AMP-38-05 for Medium Density Residential and ZN-59-05 be approved for the R-2 Two-Family Residential District.

Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating he concurred with Staff recommendation as it did allow R-2 and had no issues with the conditions attached to the rezoning.

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

Richard Cherchio, 417 Horse Pointe Avenue, North Las Vegas, NV 89084 submitted a letter from Mr. Hemminger, who was unable to attend the meeting and a petition signed by concerned citizens along River Glider Avenue. Mr. Cherchio also read a letter he wrote regarding his concerns and opposition.

There was also a card submitted by **Kent A. Andrude, 447 River Glider Avenue, North Las Vegas, NV 89084** who was unable to stay for the entire meeting but was opposed to this item.

Chairman Aston closed the Public Hearing.

Chairman Aston confirmed Staff was not supporting the Medium High Density Residential that was requested but was supporting Medium Density Residential. Mr. Davis confirmed that was correct. Chairman Aston also confirmed on ZN-59-05 in order to get the medium density for the AMP, you would need R-2 zoning. Mr. Davis responded that was correct. Chairman Aston asked the current density after the revision on medium density. Mr. Davis responded the density range for medium density was 4.5 to 10 dwelling units per acre and

the associated tentative map application, as revised, would be 8.4 dwelling units per acre. Chairman Aston asked the density for the existing neighborhood abutting the proposed site. Marc Jordan, Planning Manager responded the existing neighborhood, The Parks, to the north was zoned R-CL and based upon reviewing projects of R-CL development in the past, it was approximately 5.5 dwelling units per acre. Chairman Aston asked Mr. Cherchio if there were two story homes in his community. Mr. Cherchio responded there were two story homes in Whispering Meadows. Chairman Aston asked if there were two story homes in Sunny Brook. Mr. Cherchio responded the homes in that project were all single story.

Mr. Clapsaddle explained there was C-1 zoning to the south, C-1 on two other corners and on the east side of Commerce Street, it was all R-2 zoning and they were proposing R-2 to match the land use and zoning on the opposite side of the street. The property to the north was zoned R-CL, which was single-family compact lots. He believed the lot sizes proposed on the tentative map would be compatible with the existing homes. Mr. Clapsaddle stated there had been approximately six neighborhood meetings and they had six different designs for the subdivision. They started with 58 lots and were now down to 52 lots. One of the previous designs proposed two-story duplexes along the property line. The neighbors did not like the design, so the developer revised the plan. The current tentative map shows the street on the north side of the property in a different location with a common lot, that would be heavily landscaped along the north property line. They removed all the two-story duplexes directly abutting The Parks subdivision to give more landscaping and add a better buffer. They have also been working Mr. Cherchio during the meeting, and offered, as a condition of the tentative map, to combine lots 37 and 38 into one lot, with one single story, single-family detached home, to give a better buffer than was currently shown on the tentative map.

ACTION: APPROVED FOR MEDIUM DENSITY RESIDENTIAL

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

42. **ZN-59-05 (21853) CENTENNIAL CROSSING II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF LA GRANGE, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 360 FEET NORTH OF CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-22-401-004. (CONTINUED AUGUST 24, 2005)**

Item Nos. 41 and 42 were presented together.

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of AMP-38-05 for Medium Density Residential and ZN-59-05 be approved for the R-2 Two-Family Residential District.

Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating he concurred with Staff recommendation as it did allow R-2 and had no issues with the conditions attached to the rezoning.

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

Richard Cherchio, 417 Horse Pointe Avenue, North Las Vegas, NV 89084 submitted a letter from Mr. Hemminger, who was unable to attend the meeting and a petition signed by concerned citizens along River Glider Avenue. Mr. Cherchio also read a letter he wrote regarding his concerns and opposition.

There was also a card submitted by **Kent A. Andrude, 447 River Glider Avenue, North Las Vegas, NV 89084** who was unable to stay for the entire meeting but was opposed to this item.

Chairman Aston closed the Public Hearing.

Chairman Aston confirmed Staff was not supporting the Medium High Density Residential that was requested but was supporting Medium Density Residential. Mr. Davis confirmed that was correct. Chairman Aston also confirmed on ZN-59-05 in order to get the medium density for the AMP, you would need R-2 zoning. Mr. Davis responded that was correct. Chairman Aston asked the current density after the revision on medium density. Mr. Davis responded the density range for medium density was 4.5 to 10 dwelling units per acre and

the associated tentative map application, as revised, would be 8.4 dwelling units per acre. Chairman Aston asked the density for the existing neighborhood abutting the proposed site. Marc Jordan, Planning Manager responded the existing neighborhood, The Parks, to the north was zoned R-CL and based upon reviewing projects of R-CL development in the past, it was approximately 5.5 dwelling units per acre. Chairman Aston asked Mr. Cherchio if there were two story homes in his community. Mr. Cherchio responded there were two story homes in Whispering Meadows. Chairman Aston asked if there were two story homes in Sunny Brook. Mr. Cherchio responded the homes in that project were all single story.

Mr. Clapsaddle explained there was C-1 zoning to the south, C-1 on two other corners and on the east side of Commerce Street, it was all R-2 zoning and they were proposing R-2 to match the land use and zoning on the opposite side of the street. The property to the north was zoned R-CL, which was single-family compact lots. He believed the lot sizes proposed on the tentative map would be compatible with the existing homes. Mr. Clapsaddle stated there had been approximately six neighborhood meetings and they had six different designs for the subdivision. They started with 58 lots and were now down to 52 lots. One of the previous designs proposed two-story duplexes along the property line. The neighbors did not like the design, so the developer revised the plan. The current tentative map shows the street on the north side of the property in a different location with a common lot, that would be heavily landscaped along the north property line. They removed all the two-story duplexes directly abutting The Parks subdivision to give more landscaping and add a better buffer. They have also been working Mr. Cherchio during the meeting, and offered, as a condition of the tentative map, to combine lots 37 and 38 into one lot, with one single story, single-family detached home, to give a better buffer than was currently shown on the tentative map.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

43. T-1199 (21851) CENTENNIAL CROSSING II. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF LA GRANGE LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATES DISTRICT CONSISTING OF 58 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 250 FEET NORTH OF CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-22-401-004. (CONTINUED AUGUST 24, 2005)

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of T-1199. The number of dwelling units have been reduced to 52 and the density was currently 8.41 dwelling units per acre. The proposed duplex units no longer back onto the single family development to the north except for lot 37. The Commerce Street Alignment was corrected and the proposed duplex units also met required set-backs except for lot 36, where the front set-back was not met; however, the problem may be solved by mirroring the duplex building footprint. Staff agreed with the offer to combine lots 37 and 38 into one lot and place a single-family residential dwelling unit on that lot; however, the applicant would need to obtain a special use permit to do so. The following conditions are recommended with Condition No. 3 amended to read, "That lots 37 and 38 shall be combined to create a single-family lot with a single-story home," and the addition of Condition No. 38 to read, "T-1199 shall be null and void if a use permit for a single-family home on the combined lots 37 and 38 is not approved:"

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. This tentative map shall be null and void if AMP-38-05 and ZN-59-05 are not approved by the City Council.
3. Lots fifty-one (51) through fifty-eight (58) shall have single-story duplex buildings.
4. That the developer disclose to the prospective home buyers that the two-family buildings shall be required to maintain consistent exterior paint color and roofing materials between individual dwelling units and that provisions and enforcement of such shall be provided within the CC&R's.
5. This tentative map shall be revised prior to submittal of the final map if the applicant does not receive an approval for a waiver of the Subdivision Ordinance (Title 16) requirement for a seven-foot setback between the driveway and the property line.
6. All required landscaping areas and open space areas shall be labeled as common elements and be maintained by the homeowners association.

7. Perimeter walls shall be owned and maintained by the homeowners association.
8. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
9. Written verification must be submitted to the Clark County Health Department from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the map or plan has been approved with regard to water pollution and sewage disposal in accordance with the Nevada Water Pollution Control Law.
10. A letter from the appropriate sewer agency must be submitted to the Clark County Health Department stating that service from the existing system of community sewerage will be extended to the subdivision and the community facility for treatment will not be caused to exceed its capacity and the discharge permit requirements by this added service or that the facility will be expanded to provide for the added service.
11. A letter from the appropriate water utility must be submitted to the Clark County Health Department stating that it will supply water for domestic and fire protection purposes, that the system has the necessary facilities to treat water to meet the standards of the Water Supply Regulations Part I, and that the capacity is available to meet the demands of the system.
12. Improvement plans must be submitted to the Clark County Health District for review and approval before the final map can be signed. Include "Finished Floor" elevations and "Sanitary Sewer Manhole" rim elevations on all utility plans to expedite review of the required sewer "BACK WATER VALVES" on the improvement plans.
13. The prospective homeowners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm. The notice shall also state the R.C. Farms, in part, is protected by state statutes as an agricultural use.
14. Approval of a drainage study is required prior to submittal of the civil improvement plans.
15. 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.

16. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
17. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the actual thickness of the pavement sections, for public and private streets, will be determined by the Department of Public Works.
18. Approval of a traffic study is required prior to submittal of the civil improvement plans.
19. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Commerce Street and Centennial Parkway.
20. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. Commerce Street
 - b. Centennial Parkway
21. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in *Clark County Area Uniform Standard Drawing* No. 210. The use of roll curb will require an additional one foot of right of way.
22. Sidewalk is required on a minimum of one side of all interior, private streets.
23. Sidewalks shall be mapped as part of the private street or located within a common element and not part of the lot.
24. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
25. The property owner is required to grant roadway easements where public and private streets intersect.
26. All common elements shall be labeled and are to be maintained by the Home Owners Association.
27. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.

28. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
29. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
30. A revocable encroachment permit for landscaping within the public right of way is required.
31. A construction phasing plan, depicting onsite development and supporting offsite improvements, as well as construction access routes, shall be provided by the developer. Approval by the Department of Public Works is required prior to the issuance of any permits.
32. Proposed residential driveway slopes shall not exceed a slope of twelve percent (12%).
33. 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.
34. Appropriate subdivision and/or parcel mapping is required create the parcels as proposed. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
35. The Parcel Map (#21648) currently in process, must record prior to the final map.
36. Right-of-way dedication for a CAT bus turn-out is required on Centennial Parkway near Commerce Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
37. Right-of-way dedication for a flared intersection, including a right turn lane, is required at Commerce Street and Centennial Parkway per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.

Chairman Jay Aston asked the applicant if he had a single-story duplex product.

Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appearing on behalf of the applicant, responded he did not have a single-story duplex product, everything else would be two-story. At the current time, there was only one

lot that abutted the single-family homes in The Parks and they moved all the two-story products to the south to give plenty of buffer. They are offering to amend Condition No. 3 to combine two lots into one and understood he would need a special use permit for the single-family home on the combined lot. Chairman Aston asked if the developer had a single-family product to put on the combined lot. Mr. Clapsaddle responded they had a single-family product that would fit on the lot, which met all standards of the code pertaining to set-backs.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH CONDITION NO. 3 AMENDED AND THE ADDITION OF CONDITION NO. 38 AS FOLLOWS:

3. LOTS 37 AND 32 SHALL BE COMBINED TO CREATE A SINGLE-FAMILY LOT WITH A SINGLE STORY HOME.
38. T-1199 SHALL BE NULL AND VOID IF A USE PERMIT FOR A SINGLE-FAMILY HOME ON THE COMBINED LOTS 37 AND 38 IS NOT APPROVED.

MOTION: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 45 was heard next.

44. **VAC-28-05 (21852) RIVERWALK @ ANN ROAD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TERRITORY, INC. ON BEHALF OF RIVERWALK TERRITORY, LLC, PROPERTY OWNER, TO VACATE A PORTION OF MONTGOMERY STREET FROM ANN ROAD AND PROCEEDING NORTH APPROXIMATELY 678 LINEAL FEET. THE ASSESSOR'S PARCEL NUMBER IS 124-30-401-011. (CONTINUED AUGUST 24, 2005)**

It was requested by the applicant to continue VAC-28-05 to October 12, 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 OCTOBER 12, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

- 45. SPR-44-05 (21841) CENTENNIAL & COMMERCE. AN APPLICATION SUBMITTED BY ROBERT GRONAUER ON BEHALF OF CCD TEMPLE LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-2 TWO FAMILY RESIDENTIAL DISTRICT FOR WAIVERS FROM THE MULTIFAMILY DESIGN GUIDELINES. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-813-029, 124-22-813-030, AND 124-22-813-031. (CONTINUED AUGUST 24, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated the applicant had submitted a revised letter of intent withdrawing all of their waiver requests with the exception of one, which was to allow a waiver from the set-backs that required a multi-family structure greater than 20 feet in height to have a 50 foot set-back from any other single-family residential property line. As this development and the proposed tri-plex was located at the corner of the development, it would be closer than 50 feet to some neighboring single-family homes. However, since the proposed three-family dwelling was a row house that had more features that made it at least appear somewhat like a duplex, and it was a one-time use in the development, and the affected properties for the most part were in the same development, Staff was supporting the waiver request and were recommending approval subject to the following conditions with the deletion of Condition No. 2.b:

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 Multi-Family Design Guidelines except for the following:
 - a. The multi-family structure may exceed one story or twenty (20) feet in height and be constructed within fifty (50) feet of an adjacent single-family residential property line.
 - b. 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.
3. The applicant shall submit a floor plan for review and approval.
4. An amended final map/certificate of amendment may be required, as determined by the Public Works Department.

Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, Las Vegas, NV 89109 appeared on behalf of the applicant stating she concurred with Staff recommendation and asked for clarification on the issues of trash enclosures and buffer yards, that they were not needed as the project was not considered an apartment complex.

Chairman Aston asked if they were listed in the conditions of approval. Mr. Eastman responded they were not listed as conditions. Ms. Lazovich stated they were in the multi-family design guidelines as a whole and she was concerned they might apply even though the project was not an apartment complex.

Marc Jordan, Planning Manager stated since the original Condition No. 2.b has been deleted, a new Condition 2.b could be added to read, "That a trash enclosure would not be required." Ms. Lazovich asked about the buffer yards. Mr. Jordan stated Condition No. 2.a could be amended to read, "The multi-family structure may exceed one story or twenty (20) feet in height and be constructed within fifty (50) feet of an adjacent single-family residential property line with a ten (10) foot buffer between the three family structure and any single-family home."

Mr. Jordan clarified that even though there was a ten foot buffer, they had to comply with the open space requirements for each dwelling unit and would have to maintain 500 square feet per unit, which was shown on the plan.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH CONDITION NO. 2a AMENDED, 2b DELETED AND THE ADDITION OF A NEW CONDITION NO. 2b ADDED AS FOLLOWS:

2.a. THE MULTI-FAMILY STRUCTURE MAY EXCEED ONE STORY OR TWENTY (20) FEET IN HEIGHT AND BE CONSTRUCTED WITHIN FIFTY (50) FEET OF AN ADJACENT SINGLE-FAMILY RESIDENTIAL PROPERTY LINE WITH A TEN (10) FOOT BUFFER BETWEEN A THREE FAMILY STRUCTURE AND ANY SINGLE FAMILY HOME.

2.b. A TRASH ENCLOSURE WOULD NOT BE REQUIRED.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

46. SPR-43-05 (21837) ASHLEY FURNITURE WAREHOUSE. AN APPLICATION SUBMITTED BY JIM THROGMORTON ON BEHALF OF SOUTHWESTERN FURNITURE OF WISCONSIN LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A 96,572 SQ. FT. WAREHOUSE. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CIVIC CENTER DRIVE AND BRANSON STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-12-202-014. (CONTINUED AUGUST 24, 2005)

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of SPR-43-05 subject to the following conditions with Condition No. 2 amended to delete part "d".

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The proposed site shall be in compliance with the Commercial Development Standards and Design Guidelines including but not limited to the following:
 - a. Serving and loading zones shall be screened by the use of decorative walls and/or dense landscaping
 - b. Foundation landscaping must be provided.
 - c. Buildings must incorporate jogs, offsets, or other architectural features, and roof variety and variations of roof lines.
 - d. Building must be oriented to the corner and street front.
 - e. 20 feet of perimeter landscaping not including sidewalk must be provided along all streets.
 - f. With the following exceptions; that on corner lots the building is not required be oriented to the corner and street front.
3. 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.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Approval of a traffic study is required prior to submittal of the civil improvement plans.

6. 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.
7. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Civic Center Drive.
8. 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:
 1. Civic Center Drive
 2. Branson Avenue
 3. Berg Street
9. Access to Berg Street is prohibited.
10. All proposed street sections are subject to review and approval by the Department of Public Works.
11. The property owner may be required to grant a pedestrian access easement for sidewalk located on private property, when that sidewalk is providing public access adjacent to the right-of-way.
12. A revocable encroachment permit for landscaping within the public right of way may be required.
13. 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.
14. All off-site improvements must be completed prior to final inspection of the building.
15. Commercial driveways are to be constructed in accordance with Clark County Area Uniform Standard Drawing numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
16. The property owner is required to grant a roadway easement for commercial driveway(s).

17. The property owner is required to sign a restrictive covenant for utilities.
18. Turning radii along fire access lanes shall be designed in accordance with the Fire Code.
19. The installation of sprinklers for fire suppression is required.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH THE DELETION OF CONDITION NO. 2.d

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

47. **T-1198 (21843) VILLA SERENO. AN APPLICATION SUBMITTED BY VILLA SERENO ON BEHALF OF VILLA SERENO LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATES DISTRICT CONSISTING OF 90 UNITS OF TOWNHOUSES. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF NORTH FIFTH STREET AND REGENA AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-504-002, 124-27-504-004 AND 124-27-504-006. (CONTINUED AUGUST 24, 2005)**

It was requested by the applicant to continue T-1198 to September 28, 2005.

ACTION: CONTINUED TO SEPTEMBER 28, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

48. SPR-45-05 (21850) BROADSTONE HIGH DESERT. AN APPLICATION SUBMITTED BY ALIANCE RESIDENTIAL COMPANY ON BEHALF OF LUCID LAND DEVELOPMENT, UNLIMITED HOLDINGS INC. AND TERRA SANTA LTD, PROPERTY OWNERS, FOR A SITE PLAN REVIEW IN A C-1 GENERAL COMMERCIAL DISTRICT AND PUD PLANNED UNIT DEVELOPMENT DISTRICT (PROPOSED ALL TO A R-3 MULTI-FAMILY RESIDENTIAL DISTRICT) TO ALLOW A 312 UNIT MULTI-FAMILY DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-102-001, 124-26-102-002, 124-26-103-001 AND 124-26-103-003. (CONTINUED AUGUST 24, 2005)

It was requested by the applicant to continue SPR-45-05 to September 28, 2005.

ACTION: CONTINUED TO SEPTEMBER 28, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

The director had no report.

CHAIRMAN'S BUSINESS

Commissioner Dean Leavitt asked Planning and Development Staff to take a look at the meeting schedule for the holidays. He also requested there be another joint meeting with City Council.

Commissioner Dilip Trivedi asked that it be discussed with Council to possibly offer a gas stipend to Commissioners for meeting attendance.

ADJOURNMENT

The meeting adjourned at 9:37 p.m.

APPROVED: October 12, 2005

/s/ Jay Aston
Jay Aston, Chairman

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