

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

October 12, 2005

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

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

CALL TO ORDER: 6:00 pm., Council Chambers, North Las Vegas City Hall,
2200 Civic Center Drive

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

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

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Steve Brown

WELCOME: Chairman Jay Aston

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF SEPTEMBER 14, 2005.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: Commissioner Shull

CONSENT AGENDA

A. PW-165-05 (22974) NVE PARCEL 23: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$917,171.75.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

B. PW-166-05 (23035) ANN PROFESSIONAL PLAZA: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY ALIANTE COMMONS, LLC AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$648,217.01.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- C. PW-167-05 (23036) LAUREL CANYON OFFSITE SEWER: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY RICHMOND AMERICAN HOMES OF NV, INC. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$1,078,244.55.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 2 was heard next.

NEW BUSINESS

1. **UN-95-05 (22605) GO-MEX GRILL, LLC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ANGEL E. GOMEZ ON BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES (BEER AND WINE) IN CONJUNCTION WITH A RESTAURANT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-002.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of UN-95-05 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.
2. The sale of alcoholic beverages is limited to beer and wine as outlined in Title 5 of the *North Las Vegas Municipal Code*.
3. The use permit is site specific and non-transferrable.

Angel Gomez, 5320 Simmons Street, North Las Vegas, NV 89031 stated he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 6 was heard next.

2. **UN-98-05 (22634) LSV 082 RC FARMS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY VERIZON WIRELESS ON BEHALF OF AV NEVADA 2, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A 65-FOOT-TALL MONOPALM TELECOMMUNICATIONS TOWER. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 250 FEET SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 820 FEET WEST OF LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-501-011.**

It was requested by the applicant to continue UN-98-05 indefinitely.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

3. **ZN-78-05 (22644) CENTENNIAL PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF APPROXIMATELY 44,500 SQUARE FEET OF RETAIL SPACE AND 34 UNITS OF WORK / LIVE LOFTS. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 200 FEET SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 200 FEET EAST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-002.**

It was requested by the applicant to continue ZN-78-05 to October 26, 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 26, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

4. **UN-99-05 (22649) CENTENNIAL PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED PUD PLANNED UNIT DEVELOPMENT DISTRICT) TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A SUPPER CLUB. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 200 FEET SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 200 FEET EAST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-002.**

It was requested by the applicant to continue UN-99-05 to October 26, 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 26, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

5. **UN-100-05 (22648) CENTENNIAL PLAZA PAD 5 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED PUD PLANNED UNIT DEVELOPMENT DISTRICT) TO ALLOW A CHILD CARE FACILITY. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 200 FEET SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 200 FEET EAST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-002.**

It was requested by the applicant to continue UN-100-05 to October 26, 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 26, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Item No. 8 was heard next.

6. **ZN-75-05 (22636) GOLDFIELD III (PUBLIC HEARING). AN APPLICATION SUBMITTED BY WILLIAM LYON HOMES ON BEHALF OF CTR, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED WEST OF DEEM DRIVE AND APPROXIMATELY 30 FEET SOUTH OF LONE MOUNTAIN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-03-503-004.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of ZN-75-05.

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

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

7. UN-96-05 (22632) CRAIG ROAD HOSPITALITY CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SUN WEST GENERAL CONTRACTORS ON BEHALF OF CRAIG CROSSING, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW TWO (2) HOTELS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CRAIG ROAD AND FREHNER ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-01-201-024, 139-01-201-025 AND 139-01-201-026.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-96-05 with two additional conditions: Condition No. 13 - The final development plan for the site shall be subject to Staff review and approval and Condition No. 14 - As the on-site utilities and easements are not shown on the plan, the applicant/property owner may be required to relocate said utilities and easements at his own expense. The original conditions are as follows:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The development shall be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to following:
 - a. Six (6) foot wide landscaped islands within each parking row for every fifteen (15) parking spaces contained within the row; and
 - b. Twenty-five (25) feet of perimeter landscaping along Frehner Road; and
 - c. Additional architectural embellishments be provided to reduce the perceived mass and add visual interest; and
 - d. Architectural screening over each heating and cooling unit would need to be provided, subject to staff review and approval.
3. If a wall is proposed to be provided along Craig Road, the wall shall be located between the perimeter landscaping and the parking area.
4. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
5. 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.

6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
7. 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.
8. Approval of a traffic study is required prior to submittal of the civil improvement plans.
9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. The property owner is required to sign a restrictive covenant for utilities.
11. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
12. Any future development plans must show the twenty (20) feet of right-of-way along Craig Road, east of the existing commercial driveway, that the City is acquiring to complete Phase III of the Craig Road street improvement project.

Mr. Jordan also stated, if approved, UN-96-05 would go forward to City Council for final consideration as the use was for a hotel.

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 including the two additional conditions read into the record.

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

Jeff Ashgay, Morgan Family Trust, 2310 South Cimarron Road, Las Vegas, NV 89117 spoke on behalf of the Morgan Family Trust. Mr. Ashgay asked where the access was to the site and asked who the target market was and if it would be a weekly/monthly establishment. Ms. Lazovich responded the project was not an extended stay facility. It was going to be branded as a Hilton and a Marriott. She stated she had letters from both corporations indicating the average stay would be approximately one to four nights. She

also stated the property owner had an easement that ran off of Craig Road, so there could be a driveway cut on Craig Road. If the new Craig Road ramp, touched down too far and that was not possible, there was another driveway access easement on Berg Street.

Mr. Ashgay asked the size of the pads at the front of the property. Chairman Aston suggested Mr. Ashgay speak with the applicant to discuss his concerns, as they were not pertinent to the approval of the application.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH THE ADDITION OF CONDITION NOS. 13 AND 14 AS FOLLOWS:

13. THE FINAL DEVELOPMENT PLAN FOR THE SITE SHALL BE SUBJECT TO STAFF REVIEW AND APPROVAL.
14. AS THE ON-SITE UTILITIES AND EASEMENTS ARE NOT SHOWN ON THE PLAN, THE APPLICANT/PROPERTY OWNER MAY BE REQUIRED TO RELOCATE SAID UTILITIES AND EASEMENTS AT HIS OWN EXPENSE.

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Item No. 9 was heard next.

8. **UN-115-05 (22876) NORTH 5TH & REGENA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SIEMPRE, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A SUPPER CLUB. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF REGENA AVENUE AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-26-101-005.**

It was requested by the applicant to continue UN-115-05 to November 9, 2005.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating they were requesting a continuance as they were still working with Staff on modifications to the plan, which have been submitted.

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: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 17 was heard next.

9. **AMP-50-05 (22625) VALENCIA #4 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ALEX COLEMAN, LLC ON BEHALF OF CARLOS MARTINEZ, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF VERY LOW DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED WEST OF COLEMAN STREET AND APPROXIMATELY 350 FEET NORTH OF ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-05-802-008.**

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-50-05.

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

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

10. **ZN-77-05 (22637) VALENCIA #4 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ALEX COLEMAN, LLC ON BEHALF OF CARLOS MARTINEZ, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED WEST OF COLEMAN STREET AND APPROXIMATELY 350 FEET NORTH OF ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-05-802-008.**

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-77-05.

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

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

11. **AMP-49-05 (22624) VALENCIA #5 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ALEX COLEMAN, LLC ON BEHALF OF ALEX COLEMAN, LLC AND DEBORAH WILLIAMS-CONWAY, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF VERY LOW DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ALEXANDER ROAD AND FUSELIER DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-05-801-007, 139-05-801-008 AND 139-05-801-010.**

Item Nos. 11 and 12 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of AMP-49-05.

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

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

Chairman Jay Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commission Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

12. **ZN-76-05 (22638) VALENCIA #5 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ALEX COLEMAN, LLC ON BEHALF OF ALEX COLEMAN, LLC AND DEBORAH WILLIAMS-CONWAY, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ALEXANDER ROAD AND FUSELIER DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-05-801-007, 139-05-801-008 AND 139-05-801-010.**

Item Nos. 11 and 12 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-76-05.

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

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

Chairman Jay Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commission Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

13. **ZN-81-05 (22618) LONE MOUNTAIN VILLAS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STANDARD PACIFIC HOMES ON BEHALF OF RAMIRO FLORES AND MARIA R. GANDARA, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED EAST OF DEEM DRIVE AND APPROXIMATELY 350 FEET SOUTH OF LONE MOUNTAIN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-03-504-007.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-81-05.

Dean Rasmuson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89117 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

14. **T-1210 (22619) LONE MOUNTAIN VILLAS. AN APPLICATION SUBMITTED BY STANDARD PACIFIC HOMES ON BEHALF OF DARK LLC, R L HOMES, MCCARTNEY JESS ETAL AND RAMIRO FLORES AND MARIA R GANDARA, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT CONSISTING OF 86 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LONE MOUNTAIN ROAD AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-03-504-001, 139-03-504-006, 139-03-504-008, 139-03-504-011, 139-03-504-013 AND 139-03-504-014.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of T-1210 subject to conditions listed in the revised memorandum dated October 12, 2005 as follows:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. If ZN-81-05 is not approved by City Council then this tentative map application shall be null and void.
3. Right-of-way dedication for a flared intersection, including a right turn lane, is required at Lone Mountain Road and North 5th Street per the *City of North Las Vegas Uniform Standard Drawings for North 5th Street Improvements*, Drawing Number 201.1. (See attachment)
4. All development along North 5th Street shall provide a twenty foot landscape easement/ common element adjacent to the right-of-way.
5. Approval of a traffic study is required prior to submittal of the civil improvement plans.
6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along North 5th Street and Lone Mountain Road.
7. 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. Deem Drive
 - c. Sergeant Jordan Avenue
 - d. Lone Mountain Road

8. The North 5th Street geometrics are subject to review and approval of the City Traffic Engineer.
9. 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.
10. A revocable encroachment permit for the landscaping in the public right of way is required.
11. Plans are required to be labeled with street names in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
12. Street Names must be approved by the City of North Las Vegas Central Fire Alarm Office.
13. All common elements shall be labeled and are to be maintained by the Home Owners Association.
14. 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.
15. Approval of a drainage study is required prior to submittal of the civil improvement plans.
16. All known geologic hazards shall be shown on the 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.
17. Sixty (60) foot minor residential collector streets shall be designed and constructed per the *City of North Las Vegas 60' Standard Street Section with Offset Sidewalk*.
18. Measures to achieve a noise level reduction, outdoor to indoor, of 25 decibels must be incorporated into the design and construction.

19. 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.

Dean Rasmuson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89117 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

15. **AMP-52-05 (22650) ROME PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DECATUR 215 STORAGE, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO HIGH DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED SOUTH OF ROME BOULEVARD AND APPROXIMATELY 650 FEET WEST OF VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-19-401-002.**

Item Nos. 15 and 16 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of AMP-52-05.

Les Travis of Gary Guy Wilson Architect, 7625 S. Industrial Road #100, Las Vegas, NV 89139 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

16. **ZN-79-05 (22643) ROME PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DECATUR 215 STORAGE, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-2 GENERAL COMMERCIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED SOUTH OF ROME BOULEVARD AND APPROXIMATELY 650 FEET WEST OF VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-19-401-002.**

Item Nos. 15 and 16 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-79-05.

Les Travis of Gary Guy Wilson Architect, 7625 S. Industrial Road #100, Las Vegas, NV 89139 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Item No. 18 was heard next.

17. VN-24-05 (22647) ELLIS & LAKE MEAD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TIM C. AYALA ON BEHALF OF DANIEL AND AMELIA AGUIRRE, PROPERTY OWNERS, FOR A VARIANCE IN AN R-A/CR REDEVELOPMENT AREA/COMMERCIAL RETAIL SUBDISTRICT TO ALLOW A 5-FOOT SETBACK BETWEEN A COMMERCIAL BUILDING AND A RESIDENTIAL ZONE BOUNDARY, WHERE 10 FEET IS REQUIRED, AND TO ALLOW A 3-FOOT SETBACK BETWEEN A COMMERCIAL PARKING LOT AND A RESIDENTIAL ZONE BOUNDARY, WHERE 5 FEET IS REQUIRED. THE PROPERTY IS GENERALLY LOCATED WEST OF ELLIS STREET AND APPROXIMATELY 200 FEET NORTH OF LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-24-210-216.

It was requested by the applicant to continue VN-24-05 to the October 26, 2005 meeting.

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 26, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 21 was heard next.

18. **AMP-51-05 (22651) K & G FOAM DESIGN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KEVIN BOYD ON BEHALF OF ALEXANDER & BELMONT, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO DELETE AN UNNAMED EAST-WEST STREET BEGINNING ON BELMONT STREET APPROXIMATELY 625 FEET SOUTH OF ALEXANDER ROAD AND PROCEEDING APPROXIMATELY 1000 FEET WEST. THE ASSESSOR'S PARCEL NUMBER IS 139-12-103-005.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending AMP-51-05 be continued to allow the applicant time to demonstrate the subject street was not needed for a utility corridor.

Anthony Annotti, 2917 East Alexander Road, North Las Vegas, NV 89030 appeared on behalf of the applicant stating after he completed the traffic study, it was determined by the Traffic Engineer that the property had already been removed from the site. He stated he tried to put in the street in 1997 but was unable to do so. He stated the Building Department told him he had to re-file for the balance of the removal of 300 feet.

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

Chairman Aston closed the Public Hearing.

Chairman Aston stated the traffic did not appear to be Staff's concern; they were concerned with potential future utilities and were asking the applicant to work with them, confirming there would not be a need for underground utilities coming in on that section of the property. Chairman Aston asked Staff if there was information the applicant could use to demonstrate that. Randy Cagle of Public Works responded Public Works would be satisfied if the applicant could provide a letter from the adjacent property owners agreeing to the AMP and not needing it for a utility corridor. Chairman Aston asked the applicant if he needed assistance finding out who the adjacent property owners were. Mr. Annotti stated he knew the adjacent property owner and knew he was agreeable. Chairman Aston stated a letter from him was still necessary. Mr. Cagle clarified adjacent property owners include all owners, even those adjacent to the south.

ACTION: CONTINUED TO OCTOBER 26, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

19. **ZOA-12-05 (22641) PLANNING COMMISSION DUTIES (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 2 (ADMINISTRATION AND PERSONNEL ORDINANCE), SECTION 2.24.010 TO ELIMINATE, FROM THE ENUMERATED DUTIES OF THE TRAFFIC AND PARKING COMMITTEE, THE DUTY TO ACT AS THE CITY'S CAPITAL IMPROVEMENTS ADVISORY COMMITTEE PURSUANT TO NEVADA REVISED STATUTES CHAPTER 278B AND AMENDING TITLE 17 (ZONING ORDINANCE), SECTION 17.08.020(D) DESIGNATING THE CITY'S PLANNING COMMISSION TO ACT AS THE CITY'S CAPITAL IMPROVEMENTS ADVISORY COMMITTEE PURSUANT TO NEVADA REVISED STATUTES 278B, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who stated Staff was recommending approval of ZOA-12-05.

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

Chairman Aston closed the Public Hearing.

Chairman Aston asked what the ordinance meant. Nick Vaskov, Deputy City Attorney responded under State law, local governments can enact impact fees, which were fees attributable to new development for the cost of capital improvements like roadway, signals, etc. State law presumes local governments will use their Planning Commission as an advisory board who reviews the proposed impact fees and signs off on them. The current ordinance states the Traffic and Parking Advisory Committee performs that function, which is out of balance with State law, which states it should be a Planning Commission function. Chairman Aston asked if that would come through as an agenda item. Deputy City Attorney Vaskov responded it would go forward to City Council for final consideration. Chairman Aston asked if any issues brought to the Commission for action, would be an agenda item with a Staff Report. Deputy City Attorney Vaskov stated it would, and there would be a thorough analysis by either Traffic or Public Works on the impact fees and those would be voted on.

Commissioner Dean Leavitt stated he was happy the Commission could assume the new responsibility.

Commissioner Harry Shull asked if by passing the ordinance, it would enable the Commission to impose impact fees for new development coming into the area and if it would replace the fee that was being paid for Fire mitigation so sprinklers did not have to

be put in homes, etc. Deputy City Attorney Vaskov responded that was the general idea. The City currently has that power, the authority was being transferred from the Traffic and Parking Safety Committee to the Planning Commission.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

20. **ZOA-13-05 (22759) SALOON TAVERNS/RESTAURANTS (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 5 (BUSINESS LICENSES AND REGULATIONS ORDINANCE), SECTION 5.26.360 AND TITLE 17 (ZONING ORDINANCE), SECTION 17.28.050 TO INCREASE THE PROXIMITY RESTRICTIONS BETWEEN SALOONS, TAVERN/RESTAURANTS OR NON-PROFIT CLUBS TO 2500 FEET, WHERE 1500 FEET IS CURRENTLY REQUIRED; AMENDING TITLE 17 (ZONING ORDINANCE), SECTION 17.28.050 TO ADD A NEW PROXIMITY RESTRICTION PROVIDING THAT SALOONS, TAVERN / RESTAURANTS OR NON-PROFIT CLUBS BE AT LEAST 500 FEET FROM ANY DEVELOPED RESIDENTIAL DISTRICT; AMENDING TITLE 17 (ZONING ORDINANCE), SECTION 17.28.050 TO CLARIFY WHICH SALOON, TAVERN / RESTAURANT OR NON-PROFIT CLUB PROXIMITY REQUIREMENTS ARE SUBJECT TO WAIVER; AMENDING PRIOR ORDINANCES 2110, 2114 AND 2138 AS DESCRIBED ABOVE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of ZOA-13-05.

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

Chairman Aston closed the Public Hearing.

Chairman Aston asked Staff if City Council had reviewed the ordinance. Mr. Jordan responded Council directed Staff to prepare the ordinance.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Item No. 23 was heard next.

21. **T-1211 (22628) CHEYENNE "H" BIZCTR. AN APPLICATION SUBMITTED BY HEDLEY CONSTRUCTION & MANAGEMENT INC. ON BEHALF OF RONALD REISS TRS., PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2 GENERAL INDUSTRIAL DISTRICT CONSISTING OF AN APPROXIMATE 7.55 ACRE INDUSTRIAL DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CHEYENNE AVENUE AND CLAYTON STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-08-803-010.**

It was requested by the applicant to continue T-1211 to October 26, 2005.

ACTION: CONTINUED TO OCTOBER 26, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

22. **SPR-53-05 (22533) CHEYENNE "H" BIZCTR. AN APPLICATION SUBMITTED BY HEDLEY BIZCTR CHEYENNE LP ON BEHALF OF RONALD REISS TRS., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT CONSISTING OF A 129,260 SQUARE FOOT OFFICE/WAREHOUSE DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CHEYENNE AVENUE AND CLAYTON STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-08-803-010.**

It was requested by the applicant to continue SPR-53-05 to October 26, 2005.

ACTION: CONTINUED TO OCTOBER 26, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 25 was heard next.

23. **T-1209 (22627) CELEBRATES CASA DEL SOL. AN APPLICATION SUBMITTED BY CELEBRATE HOMES ON BEHALF OF CELEBRATE PROPERTIES LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 86 SINGLE FAMILY DWELLINGS. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-32-810-001.**

Commissioner Harry Shull stated he would be abstaining as his company owned the property.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of T-1209 with Condition No. 6 amended, replacing the amenities with the new list of amenities in the memo from Parks & Recreation dated October 5, 2005. The conditions recommended in the Staff Report are as follows:

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 six (6) foot parkways shall be provided along the corner of Lots 56, 70, 71, 75, 76 and 86.
3. Tentative map T-1209 shall comply with all conditions of approval for ZN-25-93.
4. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
5. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
6. That the following list be established as the minimum open space and recreational amenities:
 - a. Circuitous lighted paths
 - b. A minimum of 20 24-inch box trees per acre
 - c. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface (ref: ASTM Playground Equipment for Public Use, sec. 6.2-6.3), and

- d. accompanying shade ramada
 - d. At least one large grassy open space area for group / organized play with drinking fountain
 - e. One large shade area/gazebo(30' diameter), lighted
 - f. Picnic tables and barbecue grills
 - g. Benches spaced along park pathways
 - h. Dog stations at grassy areas
 - i. Details of amenities to be provided
7. Permits are required for all structures except as exempted by the CNLV Municipal Code, Building Administrative Code Section 15.72.140 B and C.
8. Construction of the developed open space is to be started no later than the issuance of the 29th building permit and completed upon the issuance of the 57th building permit.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 and Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant. Mr. Garcia stated they concurred with Staff recommendation. Ms. Lazovich stated she agreed with the amendment to Condition No. 6 as proposed by Parks and Recreation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 6 AMENDED TO READ:

6. THAT THE FOLLOWING LIST BE ESTABLISHED AS THE MINIMUM OPEN SPACE AND RECREATIONAL AMENITIES:
- A. CIRCUITOUS LIGHTED PATHS
 - B. A MINIMUM OF 20 24-INCH BOX TREES PER ACRE
 - C. AT LEAST 2 DIFFERING AGE APPROPRIATE PLAY STRUCTURES FOR CHILDREN (REF: ASTM PLAYGROUND EQUIPMENT FOR PUBLIC USE, SEC. 6.2-6.3) WITH EPDM RESILIENT FALL PROTECTION OVER A NON-POROUS SURFACE AND ACCOMPANYING SHADE RAMADA.
 - D. AT LEAST ONE LARGE GRASSY OPEN SPACE AREA FOR GROUP / ORGANIZED PLAY

- E. ONE LARGE GROUP SHADE AREA/GAZEBO (30' DIAMETER), LIGHTED (DUE TO SMALL SIZE OF OPEN SPACE, THIS WILL BE USED FOR THE SHADE RAMADA FOR THE PLAYGROUND AREA.)
- F. PICNIC TABLES AND BARBECUE GRILLS
- G. BENCHES SPACED ALONG PARK PATHWAYS

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: Commissioner Shull

- 24. T-1174 (20141) GOWAN INDUSTRIAL. AN APPLICATION SUBMITTED BY QUINN DEVELOPMENT ON BEHALF OF GOWAN INDUSTRIAL, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2 GENERAL INDUSTRIAL DISTRICT CONSISTING OF ONE INDUSTRIAL LOT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF GOWAN ROAD AND CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-12-201-002, 139-12-201-005, 139-12-201-006 AND 139-12-201-007.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of T-1174 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. Approval of T-1174 shall not be considered or implied as an approved site plan.
3. Approval of a traffic study is required prior to submittal of the civil improvement plans.
4. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along the project's Civic Center and Gowan Road frontages.
5. The developer shall construct a raised medium within Gowan Road, opposite the westerly driveway.
6. Right-of-way dedication and construction of a CAT bus turn-out is required on Civic Center Drive near Gowan Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
7. Adjacent to any eighty (80) foot right-of-way, a common lot, with a minimum width of five feet, shall be provided behind the required bus turn-out.
8. The Civic Center Drive/Gowan Road intersection geometrics shall be revised to include a "pork chop" island. The "pork chop" island is to be shown on the civil improvements plans.
9. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
10. The property owner is required to grant a roadway easement for commercial driveway(s).

11. All 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.
12. Approval of a drainage study is required prior to submittal of the civil improvement plans.
13. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the actual thickness of the pavement sections will be determined by the Department of Public Works.
14. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
15. A revocable encroachment permit for landscaping within the public right of way is required.
16. All Nevada Power Company easements and poles must be shown. The poles shall be fully located within the landscape area and if the relocation of any poles is required it will be at the expense of the developer.
17. The property owner is required to sign a restrictive covenant for utilities.
18. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Lazell Preater, 2480 E. Tompkins Avenue #232, Las Vegas, NV 89121 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Item No. 26 was heard next.

25. WAV-05-05 (22635) PROVANCE EAST. AN APPLICATION SUBMITTED BY U.S. HOME CORPORATION ON BEHALF OF CELEBRATE HOLDING LLC, PROPERTY OWNER, FOR APPROVAL OF A WAIVER FROM TITLE 16 IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A 2-FOOT SEPARATION BETWEEN THE DRIVEWAY AND THE SIDE PROPERTY LINE WHERE SEVEN (7) FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF SIMMONS STREET AND THE GOWAN OUTFALL CHANNEL. THE ASSESSOR'S PARCEL NUMBERS ARE 139-05-601-002, 139-05-601-003, 139-05-601-004, 139-05-601-005, 139-05-601-006, 139-05-601-007, 139-05-601-008, 139-05-601-009, 139-05-601-010 AND 139-05-601-033.

It was requested by the applicant to continue WAV-05-05 to October 26, 2005.

ACTION: CONTINUED TO OCTOBER 26, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 17 was heard next.

26. **WAV-06-05 (22645) CENTENNIAL CROSSING II. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF LA GRANGE LLC AND MIKE CHERNINE SEPARATE PROPERTY TRUST, PROPERTY OWNER, FOR APPROVAL OF A WAIVER FROM TITLE 16 IN AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED FOR R-2 TWO-FAMILY RESIDENTIAL DISTRICT) TO ALLOW A 2-FOOT SEPARATION BETWEEN THE DRIVEWAY AND THE SIDE PROPERTY LINE WHERE SEVEN (7) FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-401-004.**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending denial of WAV-06-05 due to the proximity of the driveways to each other, which causes the potential for increased conflicts between competing uses of the limited inner drive area.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant giving an overview of the project. He stated they were adding a duplex product with driveways that allow for a four foot interval between the driveways. In the last approval granted by the Commission, they agreed to provide pavers instead of concrete for the driveway to give a more aesthetic appearance and to enhance landscaping in the island between the two driveways. Condition No. 2 includes one 24-inch box pine and eight shrubs with a minimum of five gallons, so there would be a substantial amount of plant material combined with the pavers to create an attractive street scape.

Commissioner Steve Brown clarified there was four feet between the driveways and asked if there were trees planted, if the driveway would be destroyed when the tree got larger. Mr. Garcia responded, because of the pavers, even if there were some heaving, it could be remedied.

Commissioner Dean Leavitt asked the applicant if there had been any consideration to one half of the duplex and flip it so there was greater separation between the driveways. Mr. Garcia responded it was possible to come up with a design that might work but it would be difficult to get a substantial separation between the driveways.

Chairman Jay Aston asked Tony Taylor of Parks and Recreation if there were trees where the roots tended to go down instead of spreading out. Mr. Taylor responded it depended on the way the tree was watered. If a tree was over watered, there would be shallow roots at the top. Chairman Aston stated some landscapers put pipes in the ground so the water went deeper and suggested a condition be added for a deep rooted watering system. Mr. Taylor stated a root barrier could be placed on the side, so the roots could not go in that direction.

Commissioner Harry Shull stated if the design were shifted, when the home was attached at the garage, it was more like a single-family home. It would be open on all four sides and the garage was typically an area without windows. The design presented gives the best feel for a single-family home and probably was the most acceptable by the marketplace. He felt four foot separation and heavy landscaping would solve the problem.

Commissioner Dilip Trivedi felt if the tree was moved from between the two driveways, the problem would be solved.

Mr. Garcia stated it was to the applicant's advantage to make an attractive low-maintenance home. He felt the root barrier was probably the most effective way to take care of the roots and was agreeable to an additional condition regarding the root barrier.

Kevin Futch of Public Works stated there was a product available, called a tree well, which comes in different sizes and a 4' X 4' tree well would accommodate a 24" box tree. The depth of the tree well varies in depth but probably extends approximately 4' deep and would prevent the roots from cracking the pavers.

Mr. Garcia presented, for the record, a letter from the Home Owners Association in support of the applicant's efforts.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE ADDITION OF A CONDITION THAT READS:

INSTALL A 4' X 4' ROOT BARRIER WITH EACH 24" BOX TREE BETWEEN THE DRIVEWAYS

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 28 was heard next.

27. **WAV-07-05 (22646) CENTENNIAL CROSSING III. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF ALBERT SEASTRUNK, PROPERTY OWNER, FOR APPROVAL OF A WAIVER FROM TITLE 16 IN AN R-E RANCH ESTATES DISTRICT (PROPOSED FOR R-2, TWO-FAMILY RESIDENTIAL DISTRICT) TO ALLOW A 2-FOOT SEPARATION BETWEEN THE DRIVEWAY AND THE SIDE PROPERTY LINE WHERE SEVEN (7) FEET IS REQUIRED. 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 withdraw WAV-07-05.

Item No. 33 was heard next.

- 28. FDP-20-05 (22629) QUALCOMM NLV. AN APPLICATION SUBMITTED BY QUALCOMM INCORPORATED, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A 215,525 SQUARE FOOT TWO-STORY OFFICE/INDUSTRIAL BUILDING, AN 11,500 SQUARE FOOT SINGLE-STORY MULTI-PURPOSE BUILDING AND ASSOCIATED AMENITIES. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHEAST CORNER OF CHEYENNE AVENUE AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-07-801-015.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of FDP-20-05 subject to the following conditions:

1. That the development of this site be in compliance with all applicable conditions for ZN-76-02 and T-1124; and
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
3. That the only approved preliminary development plan for the subject 33±-acre non-residential area shall hereto forth be the one attached hereto dated May 18, 2005; and
4. That the applicant comply with all FAA requirements as set forth in the attached memorandum; and
5. That the development of the subject site be in substantial compliance with the submitted elevations and site plan. The submitted landscape plan shall be considered conceptual and is not binding; and
6. That Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code; and
7. That Fire access lanes shall be located in accordance with Fire Code requirements; and
8. That landscaping shall be installed along the entire frontages of Cheyenne Avenue and Valley Drive in conjunction with the first phase of this development. Landscaping shall also be provided between the two-family residential development and the driveway accessing the site from Valley Drive; and

9. Access to the roofs shall be from inside the buildings. Exterior roof ladders are not permitted; and
10. Drainage from the roofs shall be through internal down spouts; and
11. The areas identified as "Future Development" shall be lined with boulders, bollards, tack-down curbing, or another approved method to prevent vehicles from driving onto the areas. Chain-link fencing shall not be allowed for this purpose; and
12. All future phases of this development shall require their own final development plan and all future buildings shall substantially match those approved herein.

James C. Callaghan of Qualcomm, Inc., 5775 Morehouse Drive, San Diego, CA 92121
appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS:

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- 29. FDP-21-05 (22630) DIAMANTE WEST. AN APPLICATION SUBMITTED BY TOUSA HOMES ON BEHALF OF LOLAND ASSETS, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 81 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CHEYENNE AVENUE AND CLAYTON STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-09-401-002.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of FDP-21-05 subject to the following conditions:

1. That this development shall comply with all approved conditions of ZN-130-04 and T-1158; and
2. The submitted elevations and landscape plans shall be considered "conceptual" and are not binding. The City reserves the right to provide detailed comments on these items until such time that the applicable building permit applications are submitted through the Permit Application Center; and
3. The applicant shall provide, as a minimum, the following amenities:
 - a. Circuitous lighted paths, as shown on tentative map
 - b. A minimum of 20 24-inch box trees per acre
 - c. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying 30' shade ramada w/ picnic tables
 - d. At least one large open space area for group / organized play
 - e. 2 12' x 12' covered Picnic tables and barbecue grills
 - f. 4 Benches spaced along park pathways
 - g. Water fountain at playground area
 - h. Doggie stations at grassy areas
 - i. Details of amenities to be provided
4. Permits are required for all structures except as exempted by the CNLV Municipal Code, Building Administrative Code Section 15.72.140 B. & C.
5. The applicant shall comply with all Federal Aviation Administration (FAA) requirements, in accordance with the attached memorandum from Clark County Department of Aviation.

6. No street, curb or sidewalk shall be considered as part of any individual lot that is constructed with, or intended for construction of, a single-family home.
7. No individual lot constructed with, or intended for construction of, a single-family home shall contain a pedestrian access, landscape, drainage or emergency access easement.
8. The chicanes shall be identified as "Common Elements", landscaped in accordance with Ordinance requirements, and owned and maintained by the Homeowners' Association.

Robert Cunningham of Taney Engineering, 4445 South Jones Blvd, Suite 1, Las Vegas, NV 89103 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

30. FDP-22-05 (22631) DIAMANTE EAST. AN APPLICATION SUBMITTED BY TOUSA HOMES ON BEHALF OF LOLAND ASSETS, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 111 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CHEYENNE AVENUE AND MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-09-401-004.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of FDP-22-05 subject to the following conditions with Condition No. 7 amended to read: "The area to the west of Lot #63 (identified as part of Common Element "K") shall be relocated, eliminated or absorbed into Lot #63" and Condition No. 8 was amended to read: "The area between Lots #68 - 73 and Lots #78 - 82 shall be relocated or eliminated:"

1. That this development shall comply with all approved conditions of ZN-131-04 and T-1157; and
2. The submitted elevations and landscape plans shall be considered "conceptual" and are not binding. The City reserves the right to provide detailed comments on these items until such time that the applicable building permit applications are submitted through the Permit Application Center; and
3. Permits are required for all structures except as exempted by the CNLV Municipal Code, Building Administrative Code Section 15.72.140 B. & C.
4. The applicant shall comply with all Federal Aviation Administration (FAA) requirements, in accordance with the attached memorandum from Clark County Department of Aviation.
5. No street, curb or sidewalk shall be considered as part of any individual lot that is constructed with, or intended for construction of, a single-family home.
6. No individual lot constructed with, or intended for construction of, a single-family home shall contain a pedestrian access, landscape, drainage or emergency access easement.
7. The area to the west of Lot #63 (identified as part of Common Element "K") shall be relocated, eliminated or absorbed into Lot #63. If it is determined to be "necessary" to satisfy the open space requirements and acceptable to the Planning Commission, then wall-mounted lights shall be provided on each of the abutting walls to provide a minimum average foot-candle reading of 10.0 within the area. The "area" shall be defined by the abutting walls to the east, north and west, and the extended alignment of the centerline of Teasdale Lane to the south. A photometric lighting

plan, stamped by a Nevada-licensed electrical engineer, shall be submitted for the subject area in conjunction with the landscape and irrigation plans.

8. The area between Lots #68 - 73 and Lots #78 - 82 shall be relocated or eliminated. If it is determined to be "necessary" to satisfy the open space requirements and acceptable to the Planning Commission, then clear lines of sight shall be allowed into all areas, as seen from the right rear corner of Lot #64. Wall-mounted lights shall be provided on all abutting walls to provide a minimum average foot-candle reading of 10.0 within the area. The "area" shall be defined by the abutting walls to the east, south and west, and the eastward extended alignment of the northern property line of Lot #82. A photometric lighting plan, stamped by a Nevada-licensed electrical engineer, shall be submitted for the subject area in conjunction with the landscape and irrigation plans.
9. The existing billboard on the property must be removed prior to the issuance of any construction-related permits.
10. The perimeter wall design shall be provided adjacent to the "Future Commercial Site" at the northwest corner of Cheyenne Avenue and Martin Luther King Boulevard.

Robert Cunningham of Taney Engineering, 4445 South Jones Blvd, Suite 1, Las Vegas, NV 89103 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 7 AND 8 AMENDED AS FOLLOWS:

7. THE AREA TO THE WEST OF LOT #63 (IDENTIFIED AS PART OF COMMON ELEMENT "K") SHALL BE RELOCATED, ELIMINATED OR ABSORBED INTO LOT #63.
8. THE AREA BETWEEN LOTS #68 - 73 AND LOTS #78 - 82 SHALL BE RELOCATED OR ELIMINATED.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

31. **FDP-23-05 (22642) CHEYENNE MARKETPLACE PAD 3. AN APPLICATION SUBMITTED BY CHEYENNE MARKETPLACE, LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A 6,144 SQUARE FOOT RETAIL BUILDING (PAD 3). THE PROPERTY IS LOCATED APPROXIMATELY 375 FEET NORTH OF CHEYENNE AVENUE AND EAST OF MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-09-801-011.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of FDP-23-05 and that it be forwarded to City Council for final consideration with the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That the development of this site shall comply with all applicable conditions of FDP-23-03, FDP-18-04, ZN-23-89, Ordinance No. 1552 and Ordinance No. 1743; and
3. That the building match the elevations, including the sloped tile roof element, approved for Building Pad 1 as part of FDP-18-04; and
4. That the development of Pad 3 be in compliance with the Commercial Design Standards, including but not limited to the following:
 - a. the trash enclosure shall be relocated to face south, rather than west; and
 - b. the building shall be located at the minimum front (west) setback, which is 20 feet from the property line; and
 - c. the "Loading Zone" may be relocated to the south side of the building provided it is in compliance with all applicable traffic, Fire and Building Code requirements; and
 - d. the submitted alternative to the foundation landscaping requirements shall be considered acceptable; and
5. The development of this site shall be in compliance with all applicable FAA requirements per the attached memorandum from Clark County Department of Aviation.

6. The landscape plan submitted herein is approved in concept only and is not binding.

Phil Zobrist, 2870 Quartz Canyon, Henderson, NV 89052 appeared on behalf of the applicant stating he was confused as to the orientation of the building. He asked if the orientation was to be in the center or to the street. Marc Jordan, Planning Manager responded it should be to the street. Mr. Zobrist confirmed that was to Martin Luther King Boulevard and that it should face the street, not the interior of the shopping center. Mr. Jordan responded if it was agreeable to the applicant, maybe the item should be continued for two weeks to allow him to meet with Staff to go over his concerns.

Chairman Jay Aston asked the applicant if he was agreeable to continue for two weeks. Mr. Zobrist responded he was just asking for clarification on the orientation of the building. Mr. Jordan explained the building orientation to the street frontage meant pushing the building to the street frontage, not changing the elevation. Four sided architectural features are required, which is part of any commercial requirement.

Mr. Zobrist stated he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- 32. T-1208 (22626) COLEMAN-GILMORE. AN APPLICATION SUBMITTED BY CENTEX HOMES ON BEHALF OF ALEX COLEMAN, LLC AND SANDY ALLEN, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT CONSISTING OF 127 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ALEXANDER ROAD AND COLEMAN STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-08-201-005, 139-08-501-001, 139-08-501-002, 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, 139-08-502-012, 139-08-502-012.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of T-1208 subject to the following conditions with the deletion of Condition No. 5:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The development of this site shall substantially conform to the submitted tentative map.
3. The number of lots for this development shall not exceed 127.
4. The development of this site shall be in compliance with the Single-Family Development Standards and Design Guidelines.
5. All corner side lot landscape areas shall be identified as "Common Elements."
6. All perimeter walls shall be owned and maintained by the Homeowners' Association and shall be constructed entirely within the common elements.
7. All utility, emergency access and/or drainage easements shall be identified as "Common Elements", shall be owned and maintained by the Homeowners' Association, also identified as "Pedestrian Access Easements", and provided with meandering sidewalks and landscaping. Bollards and/or large boulders (minimum 2,000 pounds) shall be placed along each end of said common elements and appropriately space so as to prevent vehicles from accessing the areas.
8. The applicant shall comply with all Federal Aviation Administration (FAA) requirements, in accordance with the attached memorandum from Clark County Department of Aviation.

9. No street, curb or sidewalk shall be considered as part of any individual lot that is constructed with, or intended for construction of, a single-family home.
10. No individual lot constructed with, or intended for construction of, a single-family home shall contain a pedestrian access, landscape, drainage or emergency access easement.
11. All walls facing or visible from any street, common element, sidewalk or abutting parcel shall be decorative.
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:
 1. Simmons Street
 2. Alexander Road
 3. Fuselier Drive
 4. Coleman Street
 5. Gilmore Avenue
13. Right of way dedication and construction of a CAT bus turn-out on Alexander Road near Simmons Street is required per the Uniform Standards Drawings for Public Works' Construction Off-Site Improvements Drawing Number 234.1.
14. A minimum 5' common lot be provided behind any proposed bus turn-out
15. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Simmons Street and Alexander Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
16. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
17. A revocable encroachment permit for landscaping within the public right of way is required.
18. Plans are required to be labeled with street names in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
19. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
20. All common elements shall be labeled as such and to be maintained by the Home Owners Association.

21. 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.
22. Approval of a traffic study is required prior to submittal of the civil improvement plans.
23. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Simmons Street if not already existing.
24. Sixty (60) foot minor residential collector streets shall be designed and constructed per the *City of North Las Vegas 60' Standard Street Section with Offset Sidewalk*.
25. Approval of a drainage study is required prior to submittal of the civil improvement plans.
26. 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.
27. 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.
28. In order to alleviate sawtooth pavement conditions in otherwise completely improved corridors, the developer may be required to construct additional street improvements, as determined by the Director of the Public Works or his designee. (Ref: NLVMC 17.24.160.K).
29. Proposed residential driveway slopes shall not exceed twelve percent (12%).
30. The rear corners of lots #1, #21 and #117 nearest to the intersections shall be revised to maintain the minimum required landscaping depth. Lots #1 and #117 are required to maintain a minimum width of ten feet (10.00') and Lot #21 is required to maintain a minimum landscape depth of fifteen feet (15.00') to follow the backs-of-sidewalk.

31. Street cross-sections and typical lot details on Sheet 1 of 4 shall not be considered, or implied to be, "approved" with this tentative map.

Brent Wilson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89117 appeared on behalf of the applicant stating he concurred with Staff recommendation except for Condition Nos. 5 and 30. He asked that Condition No. 5 be deleted and Condition No. 30 be amended to read: The rear corners of all lots nearest to the intersections shall be revised to maintain the minimum required landscaping depth. Lots #1 and #117 are required to maintain a minimum width of ten feet (10.00') and Lot #21 is required to maintain a minimum landscape depth of fifteen feet (15.00') to follow the backs-of-sidewalk.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 5 DELETED AND CONDITION NO. 30 AMENDED TO READ:

30. THE REAR CORNERS OF ALL LOTS NEAREST TO THE INTERSECTIONS SHALL BE REVISED TO MAINTAIN THE MINIMUM REQUIRED LANDSCAPING DEPTH. LOTS #1 AND #117 ARE REQUIRED TO MAINTAIN A MINIMUM WIDTH OF TEN FEET (10.00') AND LOT #21 IS REQUIRED TO MAINTAIN A MINIMUM LANDSCAPE DEPTH OF FIFTEEN FEET (15.00') TO FOLLOW THE BACKS-OF-SIDEWALK.

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 36 was heard next.

OLD BUSINESS

33. **AMP-28-05 (20924) CANYON BAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY R. S. BHATHAL AND MARTHA S. BHATHAL, PROPERTY OWNERS, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO DELETE RICE AVENUE BETWEEN DECATUR BOULEVARD AND MONTGOMERY STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-201-002 AND 124-30-201-003. (CONTINUED JUNE 22 AND AUGUST 24, 2005)**

It was requested by the applicant to continue AMP-28-05 to November 9, 2005.

Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant and explained they were requesting the continuance in order to give them time to deal with surrounding property owners and dedication of other streets in the area to determine whether the vacation was appropriate. They are waiting to see what the other property owners would be required to dedicate.

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: Commissioner Shull

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

NAYS: None

ABSTAIN: None

34. **VAC-18-05 (20919) CANYON BAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY R. S. BHATHAL AND MARTHA S. BHATHAL, PROPERTY OWNERS, TO VACATE RICE AVENUE BETWEEN DECATUR BOULEVARD AND MONTGOMERY STREET AND TO VACATE MONTGOMERY STREET BETWEEN RICE AVENUE AND RANCH HOUSE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-201-002 AND 124-30-201-003. (CONTINUED JUNE 22 AND AUGUST 24, 2005)**

It was requested by the applicant to continue VAC-18-05 to November 9, 2005.

Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant and explained they were requesting the continuance in order to give them time to deal with surrounding property owners and dedication of other streets in the area to determine whether the vacation was appropriate. They are waiting to see what the other property owners would be required to dedicate.

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: Commissioner Shull

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

NAYS: None

ABSTAIN: None

35. **T-1182 (20875) VALLEY/EL CAMPO GRANDE. AN APPLICATION SUBMITTED BY PHD ASSETS, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT CONSISTING OF 53 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-801-001. (CONTINUED JUNE 22, JULY 27 AND AUGUST 24, 2005)**

Withdrawn by the applicant.

Item No. 37 was heard next.

- 36. FDP-14-05 (21762) LOTUS BROADCASTING. AN APPLICATION SUBMITTED BY LOTUS COMMUNICATIONS ON BEHALF OF LOTUS BROADCASTING CORPORATION, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF COMMUNICATION MAINTENANCE FACILITY WITH FOUR (4) TRANSMISSION TOWERS. THE PROPERTY IS LOCATED WEST OF MARTIN LUTHER KING BOULEVARD AND APPROXIMATELY 350 FEET SOUTH OF BROOKS AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-16-210-004, 139-16-210-005, 139-16-210-006, 139-16-210-007, 139-16-210-008 AND 139-16-201-003. (CONTINUED AUGUST 24, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of FDP-14-05 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 and ordinances.
2. That the development comply with all conditions of approval of ZN-20-02.
3. That the final development shall conform to the approved preliminary development plan as approved by City Council.

Lazell Preater, 2480 E. Tompkins Avenue, Suite 232, Las Vegas, NV 89121 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 41 was heard next.

37. **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, AND SEPTEMBER 14, 2005)**

Withdrawn by the applicant

38. **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. (CONTINUED SEPTEMBER 14, 2005)**

It was requested by the applicant to continue AMP-40-05 indefinitely.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Leavitt

SECOND: Commission Shull

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

NAYS: None

ABSTAIN: None

39. **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. (CONTINUED SEPTEMBER 14, 2005)**

It was requested by the applicant to continue ZN-64-05 indefinitely.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Leavitt

SECOND: Commission Shull

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

NAYS: None

ABSTAIN: None

40. 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. (CONTINUED SEPTEMBER 14, 2005)

It was requested by the applicant to continue ZOA-11-05 to November 9, 2005.

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

Chairman Jay Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 9, 2005

MOTION: Commission Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 48 was heard next.

- 41. SPR-52-05 (22440) RACE BUSINESS PARK. AN APPLICATION SUBMITTED BY JOHN DAVID BURKE, ARCHITECT, ON BEHALF OF RICHARD AND KAREN SIKORSKI, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT FOR 259,808 SQUARE FOOT OF INDUSTRIAL COMMERCIAL DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND HOLLYWOOD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-002. (CONTINUED SEPTEMBER 28, 2005)**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of SPR-52-05 subject to the following conditions listed in revised memo dated October 12, 2005:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The commercial retail portion of the development, which include the two (2) convenience food stores with gas pumps and the two (2) convenience food restaurants with a drive through shall be in compliance with the Commercial Development Standards and Design Guidelines.
3. The office/warehouse complex, the flex space building and the "build to suite" portion of the development shall comply with the Industrial Development Design Standards.
4. The gas canopies shall incorporate the same materials proposed on the main structures.
5. Recessed lighting shall be used for the gas canopies.
6. Exterior down spouts and exterior roof ladders are not allowed, and shall be located within the building.
7. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
8. Applicant shall provide letter of agreement from Clark County Sanitation District agreeing to provide sanitary sewer service. Said letter to be reviewed and approved by the City of North Las Vegas Utilities Department prior to submitting Civil Plans.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.

10. 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.
11. The civil improvement plans for th project shall include schedule 40 PVC fiber optic conduit along Ann Road, Hollywood Boulevard and El Camp Grande Avenue.
12. Right-of-way dedication for a CAT bus turn-out is required on Hollywood near El Campo Grande Avenue and on Ann Road near Hollywood Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1 or 234.3. The bus turn-out locations are subject to review and approval of the City Traffic Engineer.
13. Adjacent to any eighty (80) foot right-of-way, a common lot, with a minimum width of five feet, shall be provided behind the required bus turn-out.
14. Right -of-way dedication and construction of a flared intersection, including a right turn lane, is required at El Campo Grande Avenue & Hollywood Boulevard and at Hollywood Boulevard and Ann Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
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:
 1. Ann Road
 2. Hollywood Boulevard
 3. El Camp Grande Avenue
 4. Shatz Street
16. The property owner is required to grant a roadway easement for commercial driveways(s).
17. The property owner is required to sign a restrictive covenant for utilities.
18. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
19. Approval of a drainage study is required prior to submittal of the civil improvement plans.

20. 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.

John Berg, 3471 West Oquendo Road, Suite 301, Las Vegas, NV 89118 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

42. UN-89-05 (22420) RACE BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JOHN DAVID BURKE, ARCHITECT, ON BEHALF OF RICHARD AND KAREN SIKORSKI LIVING TRUST, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU ON PAD A. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND HOLLYWOOD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-002. (CONTINUED SEPTEMBER 28, 2005)

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of UN-89-05 subject to the following conditions listed in the revised memo dated October 12, 2005:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That all conditions of approval for SPR-52-05 shall apply.
3. The commercial retail portion of the development, which includes the two (2) convenience food stores with gas pumps and the two (2) convenience food restaurants with a drive through shall be in compliance with the Commercial Development Standards and Design Guidelines.
4. Exterior down spouts and exterior roof ladders are not allowed, and shall be located within the building.
5. Subsequent expansions or additions to the use shall be subject to Planning Commission review and approval.
6. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

John Berg, 3471 West Oquendo Road, Suite 301, Las Vegas, NV 89118 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

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

43. UN-90-05 (22422) RACE BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JOHN DAVID BURKE, ARCHITECT, ON BEHALF OF RICHARD AND KAREN SIKORSKI LIVING TRUST, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU ON PAD B. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND HOLLYWOOD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-002. (CONTINUED SEPTEMBER 28, 2005)

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of UN-90-05 subject to the following conditions listed in the revised memo dated October 12, 2005:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That all conditions of approval for SPR-52-05 shall apply.
3. The commercial retail portion of the development, which includes the two (2) convenience food stores with gas pumps and the two (2) convenience food restaurants with a drive through shall be in compliance with the Commercial Development Standards and Design Guidelines.
4. Exterior down spouts and exterior roof ladders are not allowed, and shall be located within the building.
5. Subsequent expansions or additions to the use shall be subject to Planning Commission review and approval.
6. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

John Berg, 3471 West Oquendo Road, Suite 301, Las Vegas, NV 89118 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

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

44. UN-91-05 (22433) RACE BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JOHN DAVID BURKE, ARCHITECT, ON BEHALF OF RICHARD AND KAREN SIKORSKI LIVING TRUST, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS ON PAD A. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND HOLLYWOOD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-002. (CONTINUED SEPTEMBER 28, 2005)

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of UN-91-05 subject to the following conditions listed in the revised memo dated October 12, 2005:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That all conditions of approval for SPR-52-05 shall apply.
3. The commercial retail portion of the development, which include the two (2) convenience food stores with gas pumps and the two (2) convenience food restaurants with a drive through shall be in compliance with the Commercial Development Standards and Design Guidelines.
4. The gas canopies shall incorporate the same materials proposed on the main structures.
5. Recessed lighting shall be used for the gas canopies.
6. Exterior down spouts and exterior roof ladders are not allowed, and shall be located within the building.
7. Subsequent expansions or additions to the use shall be subject to Planning Commission review and approval.
8. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

John Berg, 3471 West Oquendo Road, Suite 301, Las Vegas, NV 89118 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

45. UN-92-05 (22435) RACE BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JOHN DAVID BURKE, ARCHITECT, ON BEHALF OF RICHARD AND KAREN SIKORSKI LIVING TRUST, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS ON PAD B. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND HOLLYWOOD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-002. (CONTINUED SEPTEMBER 28, 2005)

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of UN-92-05 subject to the following conditions listed in the revised memo dated October 12, 2005:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That all conditions of approval for SPR-52-05 shall apply.
3. The commercial retail portion of the development, which include the two (2) convenience food stores with gas pumps and the two (2) convenience food restaurants with a drive through shall be in compliance with the Commercial Development Standards and Design Guidelines.
4. The gas canopies shall incorporate the same materials proposed on the main structures.
5. Recessed lighting shall be used for the gas canopies.
6. Exterior down spouts and exterior roof ladders are not allowed, and shall be located within the building.
7. Subsequent expansions or additions to the use shall be subject to Planning Commission review and approval.
8. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

John Berg, 3471 West Oquendo Road, Suite 301, Las Vegas, NV 89118 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

46. **ZN-73-05 (22461) CRAIG & ALLEN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ENGLE HOMES ON BEHALF OF ALLEN VILLAGE, LLC AND CRAIG SELF STORAGE, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A MINI-WAREHOUSING FACILITY. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 139-06-701-002. (CONTINUED SEPTEMBER 28, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending that ZN-73-05 be continued indefinitely to allow the applicant time to merge the site and re-subdivide to allow a buffer on the commercial site where it was required. This would allow the applicant to move forward with the proper buffering on the commercial site and would allow the residential to be developed as proposed and would meet the buffering requirements in Title 17.

Robert Cunningham of Taney Engineering, 4445 South Jones Blvd, Suite 1, Las Vegas, NV 89103 appeared on behalf of the applicant stating the item was continued from the September 28, 2005 Planning Commission meeting and they had addressed all of concerns and felt the landscape buffer, being part of the residential subdivision adjacent to it, was a benefit because the wall would be built at the back of the landscape buffer and all the landscaping would be facing into the residential property. He felt the homeowners would take better care of the landscape area than the mini-storage.

Blake Rosser, 2620 West Horizon Ridge Parkway, Henderson, NV 89052. Mr. Rosser stated he was concerned about the wall being at the back of the property and the back side being landscaped. They did a section to show the distance of the homes to their driveway access and their interior roads to the landscape buffer to the berm that was helping to screen the mini-storage. Obviously, it benefits the home development more to have an actual division line at the sidewalk. They were concerned about the liability and maintenance issue because it would be built in conjunction with a residential development. They also addressed the one house that was adjacent to the property by moving the fire lane and now there was no side yard against the mini-storage. There was a fire exit and the landscape buffer, so there was more than a 41 foot distance to the property line. Both the developer of the residential portion and the developer of the commercial have done an excellent job of working together. Mr. Rosser stated the residential developer did not want homes backing directly against the mini-storage facility.

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

Chairman Aston closed the Public Hearing.

Commissioner Harry Shull asked Staff to explain what they were requesting of the applicant. Mr. Eastman responded the design was fine; but, from a legal standpoint, the property line of the commercial must be located on the outside of the buffer so the landscape buffer was on the commercial property. The wall could remain as proposed. The issue was, from a legal standpoint, Staff could not condition the neighboring tentative map to provide the landscaping. Staff was asking that the landscape buffer be added to the commercial parcel. It can be landscaped as proposed, the wall can remain as shown, and the open space could still be used by the residential development. Marc Jordan, Planning Manager added the applicant indicated the landscaping was to protect the residential neighbors and as part of the application, it was a planned unit development, to ensure that protection was in place. Jory Stewart, Planning & Development Director also stated the landscaping, if it were done as proposed on the developer's map, she agreed, they had worked out a nice plan with the adjoining residential development but when the developers go away, the landscaping would become the responsibility of the home owners association, who are property owners in the residential development. If they fail to maintain the landscaping, it would likely become the City's responsibility instead of the commercial property where it was required in the first place. Commissioner Shull stated he understood what Staff was explaining and agreed.

Commissioner Dilip Trivedi asked if there was a landscape buffer easement that could be imposed. Mr. Jordan responded there was not. The neighboring property was proposed for R-1 which did not require landscaping.

Mr. Rosser stated the homeowners association pays monthly dues to maintain their open space and it was a lot less likely they would fail to maintain it than a commercial development. Chairman Aston stated that was understood, but there was a legal issue as to who actually owned the property.

Mr. Cunningham stated the property owner was present and wanted to speak regarding some timing issues concerning the project.

Chairman Aston asked Staff if the property line issue was addressed in the conditions of approval and if so, which condition it was. Mr. Eastman stated the conditions listed in the revised memo would require the commercial development to put in the buffer, so it would reduce the number of storage units, as the landscaping would be required to be placed on the commercial parcel.

Chairman Aston suggested the applicant consider having the commercial property owner be responsible for the landscape buffer.

Evan Archevani, 245 East Warm Springs Road, Las Vegas, NV stated he appreciated the Commission's efforts to help solve the problem because they had been trying to come up with a solution for some time.

Mr. Jordan stated if this item were approved, it would change the preliminary development plan because of the boundary of the property. The boundary did not include the landscaping the applicant was showing on the maps; therefore, the applicant would be required to provide more landscaping on the site, which would require them to shrink the buildings and push everything back. The conditions would impose more to the applicant. Staff was recommending continuance, to allow the applicant to adjust the boundaries to incorporate the landscaping as part of their site. As a result, because of Title 17, that would be an enlargement of the proposed PUD, which would require Staff to renotify and post a new sign on the property, so it would have to be continued so the applicant could get a new legal description and allow Staff time to send out new notices.

Mr. Archevani stated there was a time constraint on the project and asked for approval. He felt a continuance would put the approval of the project into the year 2006 and it would be difficult to bring a residential project before the Commission due to the economics.

Chairman Aston asked Staff if a continuance would push approval into the next year. Mr. Jordan explained there were two projects. The applicant was talking about the residential project, which was not before the Commission at this time and was not sure of the applicant's time on that project. Mr. Rosser stated moving the property lines would cause a tax burden on his property. He asked the Commission to approve the application with the recommended conditions.

Commissioner Shull stated he understood the time constraints but due to the legal issues it could not be approved at this time.

Commissioner Steve Brown stated if the residential project were to come before the Commission first, with the landscaping buffer as shown, if a waiver could be granted on the commercial site normally to allow them not to put in landscaping as a buffer. Mr. Jordan responded if the tentative map came first, with the buffer, Staff still would not support it, because if nothing was done within two years, the tentative map would expire. Also, if the developer decided not to develop and sold to another developer, they had the right to come in with a new tentative map and redesign the property because they were not bound by the tentative map; therefore, there was nothing to ensure the open space would be developed. Commissioner Brown asked if the residential development was before the Commission and was approved, it was built and had landscaping along the buffer area, and then two years later they wanted to put commercial on the corner, because of the landscaping on the residential side, if it would be allowed for the commercial not to provide landscaping on the commercial property. Mr. Jordan responded they would need a waiver approved by the Commission. Commissioner Brown asked if the property line were moved, and after the development was complete, if the property could be deeded back to the residential property owner. Mr. Jordan responded that could not be done because if it were part of the PUD, they could not deed it over because it was part of an approved PUD and would change the PUD without going through the proper process.

Mr. Cunningham stated, on behalf of the residential developer, they had worked closely with the commercial developer and everything needed to be approved together at the City Council level by the end of the year in order for the deal to go forward.

Commissioner Brown stated if the application were to be approved and the residential development did not get built, there was nothing that said the new owner was forced to put in the landscape buffer and then there would be a situation where City Code was contradicted.

Mr. Archevani asked if there was a way the application could be forwarded to City Council with the stipulation that one project would get approved before the other and without that, the recommendation to Council was for denial unless the landscape buffer could be done.

Chairman Aston asked Staff if it was better for the applicant to continue or deny this application. Mr. Jordan responded the item should be continued so the applicant could resolve the landscape issue. If it were continued to November 9, 2005 and the applicant gave Staff a revised legal description and a new preliminary development plan showing the new boundaries, they could make a new public hearing notice in time for the November 9, 2005 Planning Commission meeting. If the applicant were to go for an up/down vote, and the application was denied, the applicant would be required to appeal the decision and the appeal process would probably take longer than if the item were approved. Under the rules, if the Council were to also agree and want to expand the boundaries, that could cause the item to be remanded back to the Planning Commission for a new public hearing notice, which would definitely put it into the new year.

Mr. Archevani asked if they had the option of asking for an up/down vote and not a continuance. Chairman Aston asked legal staff if the Commission could make a motion without recommendation to go forward to City Council. Nick Vaskov, Deputy City Attorney responded that was correct. It must be an up/down vote. Chairman Aston explained to the applicant the best option was to continue the application.

Mr. Rosser stated the mini-storage was approved as a commercial development. Recently, they applied to convert it to R-1 and if the R-1 application was removed, then it would all be commercial and there would not be a landscape buffer between two commercial properties. If the R-1 was not developed and the application was withdrawn, there would still be a commercial parcel. He stated he originally delayed his project, to try to work out a commercial development with Mr. Archevani. At the time, Mr. Archevani stated it looked like there was better offers from residential developers and they worked together in presenting the project together and would not be burdened with residential neighbors and making him acquire an additional half acre of property and to take on the tax liability, and at a later date be prevented from deeding it back to the residential development who would maintain it, it would put a hardship on him and he asked for an up/down vote.

Mr. Jordan stated the residential development was a request for a PUD to R-1, so it was not just a blank commercial parcel. There was an approved preliminary development plan on the parcel, until otherwise amended or the zoning was changed. If the R-1 were to go away, there would still be a PUD with an approved preliminary development plan and; therefore, multi-family would actually disrupt the existing PUD. He reminded the Commission, that in this case, they did not need the applicant's concurrence to continue the application.

ACTION: CONTINUED TO NOVEMBER 9, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

47. UN-88-05 (22415) GREEN VALLEY GROCERY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREEN VALLEY GROCERY ON BEHALF OF SMITH-CHRISTENSEN ENTERPRISES, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LAMB BOULEVARD AND SMILEY ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-32-301-018. (CONTINUED SEPTEMBER 28, 2005)

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-88-05 subject to the following conditions with the addition of Condition No. 12 to read: "A traffic study, including a parking analysis, shall be submitted to the City Traffic Engineer for review and approval prior to approval and issuance of any building permit:"

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That UN-88-05 is site specific and non-transferable.
3. Development of the site shall comply with the Commercial Development Standards and Design Guidelines, including but no limited to the following;
 - a. 25 feet of perimeter landscaping along Lamb Boulevard and Smiley Road which may include the sidewalk.
 - b. Sidewalks shall be located at least six feet away from the facade of the building to provide foundation landscaping.
 - c. Refuse collections areas shall be screened through use of landscaping to better integrate the structure into the site and must have a roof cover.
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 civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Lamb Boulevard.
7. 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.

8. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. The property owner is required to sign a restrictive covenant for utilities.
11. Appropriate subdivision and/or parcel mapping is required to create parcels of differing land uses. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.

John Barger, 2480 East Tompkins Avenue, Las Vegas, NV 89118 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE ADDITION OF CONDITION NO. 12 TO READ:

12. A TRAFFIC STUDY, INCLUDING A PARKING ANALYSIS, SHALL BE SUBMITTED TO THE CITY TRAFFIC ENGINEER FOR REVIEW AND APPROVAL PRIOR TO APPROVAL AND ISSUANCE OF ANY BUILDING PERMIT

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 51 was heard next.

- 48. AMP-48-05 (22449) DEER SPRINGS CROSSING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEER SPRINGS CROSSING ON BEHALF OF ROME'S GOLDEN 40, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LOW DENSITY RESIDENTIAL TO COMMUNITY COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF NORTH FIFTH STREET AND ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-301-001, 124-23-301-002, 124-23-301-003, 124-23-301-004, 124-23-301-005, 124-23-301-006, 124-23-301-007, 124-23-301-008, 124-23-301-010, 124-23-301-011, 124-23-301-012, 124-23-301-013, 124-23-301-014 AND 124-23-301-017. (CONTINUED SEPTEMBER 28, 2005)**

It was requested by the applicant to continue AMP-48-05 to November 22, 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 NOVEMBER 22, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

49. **ZN-71-05 (22450) DEER SPRINGS CROSSING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEER SPRINGS CROSSING ON BEHALF OF ROME'S GOLDEN 40, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF NORTH FIFTH STREET AND ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-301-001, 124-23-301-002, 124-23-301-003, 124-23-301-004, 124-23-301-005, 124-23-301-006, 124-23-301-007, 124-23-301-008, 124-23-301-010, 124-23-301-011, 124-23-301-012, 124-23-301-013, 124-23-301-014 AND 124-23-301-017. (CONTINUED SEPTEMBER 28, 2005)**

It was requested by the applicant to continue ZN-71-05 to November 22, 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 NOVEMBER 22, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

50. **VAC-31-05 (22162) DEER SPRINGS CROSSING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEER SPRINGS CROSSING ON BEHALF OF ROME'S GOLDEN 40, LLC, PROPERTY OWNER, TO VACATE A PORTION OF ENGEL AVENUE FROM NORTH FIFTH STREET TO DONNA STREET (APPROXIMATELY 1250 LINEAL FEET) AND A PORTION OF HOPE STREET FROM DEER SPRINGS WAY TO ROME BOULEVARD (APPROXIMATELY 1250 LINEAL FEET). THE ASSESSOR'S PARCEL NUMBER IS 124-23-301-00. (CONTINUED SEPTEMBER 28, 2005)**

It was requested by the applicant to continue VAC-31-05 to November 22, 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 NOVEMBER 22, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 52 was heard next.

51. UN-70-01 (22412) TRIPLE Y ENTERPRISES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY STEVE YEGHIAYAN ON BEHALF OF STEVE AND PAUL YEGHIAYAN, PROPERTY OWNERS, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN EXPANSION OF AN AUTO REPAIR FACILITY. THE PROPERTY IS LOCATED AT 3420 PRECISION DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-08-701-029. (CONTINUED SEPTEMBER 28, 2005)

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-70-01 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development of this site be in compliance with all applicable conditions of VN-04-03.
3. That the special use permit is site-specific and non-transferable.
4. The driveway shall be a minimum of 32 feet wide.
5. Only two driveways will be permitted on Precision Drive.
6. The driveway number and location are subject to review and approval of the traffic engineer.
7. Paint spray operations shall be conducted in an approved paint spray booth that is constructed and protected in accordance with Ordinance 1283.
8. Landscape and irrigation plans shall be reviewed and approved by planning prior to application of a business license. Clear-sight visibility zones shall be identified on the plans. All landscape materials shall be installed prior to issuance of a certificate of occupancy.
9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. The property owner is required to sign a restrictive covenant for utilities.
11. Work or repairs to a vehicle are only permitted to take place indoors.

Steve Yeghiayan, 3420 Precision Drive stated they were putting their name on the

awning and asked if the name were removed, the awning would be approved. Mr. Jordan responded that was correct; there was no signage allowed on the awning. Mr. Yeghiayan stated he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 53 was heard next.

- 52. UN-87-05 (22402) ADS PIPE SYSTEM OFFICE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ADVANCED DRAINAGE SYSTEMS, INC. ON BEHALF OF ADJ PROP, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A TEMPORARY TRAILER. THE PROPERTY IS LOCATED AT 4200 FREHNER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-402-006. (CONTINUED SEPTEMBER 28, 2005)**

It was requested by the applicant to continue UN-87-05 to October 26, 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 26, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

53. FDP-19-05 (22444) RIVERWALK RANCH HIGH NOON. AN APPLICATION SUBMITTED BY D. R. HORTON, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A 189 UNIT MULTI-FAMILY DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF RANCH HOUSE ROAD AND MONTGOMERY STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-202-001, 124-30-202-002, 124-30-202-003, 124-30-202-004, 124-30-202-005, 124-30-202-006, 124-30-202-007, 124-30-204-003, AND 124-30-204-004. (CONTINUED SEPTEMBER 28, 2005)

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of FDP-19-05 subject to the conditions listed in the revised memo dated October 12, 2005 as follows:

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-23-05 and T-1152.
3. As a minimum the following amenities shall be provided within the open space:
 - a. Circuitous lighted paths;
 - b. A minimum of 20 24-inch box trees per acre;
 - c. At least 2 differing age appropriate play structures for children 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 cabana;
 - g. Six picnic site with tables and barbecue grills;
 - h. Benches spaced along park pathways;
 - i. Sand play area;
 - j. Doggie stations at each grass area;
 - k. Park pet play structures in small area;
 - l. Details of amenities to be provided.
4. Permit are required for all structures except as exempted by the CNLV Municipal Code, Building Administrative Code Section 15.72.140 B and C.

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

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

54. SPR-48-05 (22263) WALGREENS STORE. AN APPLICATION SUBMITTED BY RAND ENTERPRISES, LLC ON BEHALF OF SIEMPRE, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT FOR A WAIVER OF BUILDING ORIENTATION. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF NORTH FIFTH STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-26-101-001. (CONTINUED SEPTEMBER 28, 2005)

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff was recommending approval of SPR-48-05 subject to the conditions listed in the revised memo dated October 12, 2005 as follows:

1. That, unless otherwise approved through a variance, waiver or other approved method, this development shall comply with all applicable codes and ordinances.
2. The applicant must provide a shared access to North 5th Street with the parcel to the south (APN 124-26-101-005) and to the east (APN 124-26-101-002).
3. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
4. North 5th Street shall be designed in accordance with the *City of North Las Vegas Uniform Standard Drawings for North 5th Street Improvements*.
5. All development along North 5th Street shall provide a twenty foot landscape and pedestrian access easement/common element adjacent to the right-of-way.
6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along North 5th Street.
7. 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.
8. The North 5th Street section and geometrics are subject to review and approval of the Director of Public Works, or his designee.
9. The applicant must provide a shared access to North 5th Street with the parcel to the south (APN 124-26-101-005) and to the east (APN 124-26-101-002).

10. 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:
 1. North 5th Street
 2. Centennial Parkway
11. Right-of-way dedication and construction of a CAT bus turn-out is required on Centennial Parkway near North 5th Street. It is suggested that the applicant provide the bus stop placement within the exclusive right turn lane for the property per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.3.
12. Approval of a traffic study is required prior to submittal of the civil improvement plans.
13. 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.
14. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
15. The property owner is required to grant a roadway easement for commercial driveway(s).
16. The property owner is required to 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.
17. A revocable encroachment permit for landscaping within the public right of way is required.
18. Approval of a drainage study is required prior to submittal of the civil improvement plans.
19. 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.

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

Maneesh Dwivedi, K & I Architects & Interiors, 1850 North Central Avenue, Suite 200, Phoenix, AZ 85004 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

There was no report given.

CHAIRMAN'S BUSINESS

There was no report given.

ADJOURNMENT

The meeting adjourned at 8:18 p.m.

APPROVED: November 9, 2005

/s/ Jay Aston
Jay Aston, Chairman

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