

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

November 9, 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 - Absent
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
Jeremy Davis, Planner
Nick Vaskov, Deputy City Attorney II
Randy Cagle, PW, Real Property Services Manager
Madeleine Jabbour, Public Works Transportation
Janice Carr, Fire Department
Tony Taylor, Parks & Recreation
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Angelo Carvalho

WELCOME: Chairman Jay Aston

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF OCTOBER 12, 2005.**

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

CONSENT AGENDA

A. PW-177-05 (23399) CVS PHARMACY STORE #2989: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY SAFECO INSURANCE COMPANY TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$160,368.51.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

B. PW-178-05 (23400) CRAIG PLAZA: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY SAHARA VEGAS, LLC AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$256,758.50.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

C. PW-179-05 (23401) NVE PARCEL 33: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY GREEN VALLEY ASSOCIATES, LLC AND NORTH VALLEY ENTERPRISES, LLC AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$268,281.07.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

D. PW-180-05 (23402) ANN LOSEE OFF-SITE SEWER: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY PARDEE HOMES OF NEVADA AND ACCEPT THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$204,771.85.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

E. PW-181-05 (23404) SHADOW MOUNTAIN: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY SHADOW MOUNTAIN INVESTORS, LLC AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$77,590.94.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

F. PW-182-05 (23405) A & P COMMERCIAL BUILDINGS, PHASE II: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY LEXON INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$24,454.65.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

G. PW-183-05 (23406) BEEBE COURT: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY BEBE 14, LLC AND ACCEPT THE IRREVOCABLE STANDBY LETTER OF CREDIT IN THE AMOUNT OF \$202,659.77.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

NEW BUSINESS

1. **AMP-59-05 (22911) RES. @ MONTECITO PAV. #3 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MONTECITO COMPANIES ON BEHALF OF TROPICAL-LAMB, LLC, PROPERTY OWNER, 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 GENERALLY LOCATED NORTH OF TROPICAL PARKWAY AND APPROXIMATELY 1000 FEET WEST OF LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-30-601-006.**

It was requested by the applicant to continue AMP-59-05 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 Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

2. **ZN-85-05 (22912) RES. @ MONTECITO PAV. #3 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MONTECITO COMPANIES ON BEHALF OF TROPICAL-LAMB, 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 NORTH OF TROPICAL PARKWAY AND APPROXIMATELY 1000 FEET WEST OF LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-30-601-006.**

It was requested by the applicant to continue ZN-85-05 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 Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

3. **AMP-60-05 (22909) RES. @ MONTECITO PAV. #1 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MONTECITO COMPANIES ON BEHALF OF TROPICAL-LAMB, LLC, PROPERTY OWNER, 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 SOUTHWEST CORNER OF AZURE AVENUE AND LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-30-601-003 AND 123-30-601-005.**

It was requested by the applicant to continue AMP-60-05 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 Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

4. **ZN-86-05 (22910) RES. @ MONTECITO PAV. #1 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MONTECITO COMPANIES ON BEHALF OF TROPICAL-LAMB, 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 LOCATED AT THE SOUTHWEST CORNER OF AZURE AVENUE AND LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-30-601-003 AND 123-30-601-005.**

It was requested by the applicant to continue ZN-86-05 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 Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

5. **AMP-58-05 (22882) INTEGRITY TOWNHOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY INTEGRITY PROPERTY SOLUTIONS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LIGHT INDUSTRIAL TO HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-15-401-010.**

It was requested by the applicant to continue AMP-58-05 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 Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

6. **ZN-84-05 (22887) INTEGRITY TOWNHOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY INTEGRITY PROPERTY SOLUTIONS, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 38 TOWNHOUSES. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-15-401-010.**

It was requested by the applicant to continue ZN-84-05 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 Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 8 was heard next.

7. UN-116-05 (22901) STADIUM SELF STORAGE NLV (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ARIEL L. VALLI AND RICK WALLACE ON BEHALF OF CORONADO CENTENNIAL, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW MINI-WAREHOUSING. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND KITAMAYA STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-102-001.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending UN-116-06 be continued as the plan did not show compliance with the parking and was not addressed on the site plan along with other minor issues, one being part of the parking lot did not meet the proper landscaping requirements between a right-of-way of 20 feet, the applicant had not submitted building elevations for the two story building proposed as part of the development and did not meet the turning radii required by the Fire Department.

If the Commission desires approval, the following conditions are recommended:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to any area of a parking lot which abuts a public street shall be setback from the property line a minimum of 20 feet.
3. That the development shall comply with all of the C-2, General Commercial zone setback requirements.
4. That site plan approval of the future retail portion shown shall not be implied.
5. That site plan approval of the proposed monument sign is not implied.
6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
7. 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.
8. 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.

9. Approval of a traffic study is required prior to submittal of the civil improvement plans.
10. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway and Commerce Street.
11. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
12. A revocable encroachment permit for landscaping within the public right of way is required.
13. 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.
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. Locations shall be in compliance with *City of North Las Vegas Municipal Code* which will require relocation of the project's western most driveway on Centennial Parkway.
15. 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.
16. The property owner is required to grant a roadway easement for commercial driveway(s).
17. The property owner is required to sign a restrictive covenant for utilities.
18. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100.B:
 - a. Centennial Parkway
 - b. Kitamaya Street
19. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.

20. Gates shall be designed in accordance with Fire Code requirements.
21. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Ariel Valli, Architect, 81 Columbia, Suite 200, Aliso Viejo, CA 92656 appeared on behalf of the applicant asking that this item be approved as the items Staff was concerned about were of a minor nature and he was willing to drop the variance request for the 20 foot building set-back and go back to a 30 foot set-back and was willing to read through all conditions of approval and make all site plan changes discussed. He felt the revised site plan would be similar to the one already presented and felt it would be appropriate to consider the application at this time. After considering the variance request, the applicant felt it was best to drop the request and provide a 30 foot set-back along the south property line along with a 20 foot landscape set-back.

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

Chairman Aston closed the Public Hearing.

Commissioner Harry Shull asked Staff if they would recommend approval based on the changes talked about by the applicant. Marc Jordan, Planning Manager responded the changes were minor and could be reviewed when the building permits were submitted.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 11 was heard next.

8. **UN-117-05 (22940) DOW INDUSTRIES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DOW INDUSTRIES ON BEHALF OF WILLIAM D. DECKER AND MICHAEL D. AND THEA M. DECKER, PROPERTY OWNERS, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A TEMPORARY OFFICE BUILDING. THE PROPERTY IS GENERALLY LOCATED NORTH OF LA MADRE WAY AND APPROXIMATELY 500 FEET EAST OF LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-36-301-006 AND 124-36-301-007.**

It was requested by the applicant to continue UN-117-05 to January 11, 2006.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO JANUARY 11, 2006

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

9. **FDP-26-05 (23027) LOSEE PLAZA. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF ANN LOSEE PAD LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A 15,766 SQUARE FOOT COMMERCIAL DEVELOPMENT. THE PROPERTY IS LOCATED SOUTHWEST CORNER OF ANN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-802-010.**

It was requested by the applicant to continue FDP-26-05 to November 22, 2005.

ACTION: CONTINUED TO NOVEMBER 22, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

10. **UN-121-05 (23032) LOSEE PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF ANN LOSEE PAD, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-802-010.**

It was requested by the applicant to continue UN-121-05 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 Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 13 was heard next.

11. **UN-120-05 (23031) SIMMONS CENTRE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE BANK OF NORTH LAS VEGAS ON BEHALF OF SIMMONS CENTRE, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (BANK). THE PROPERTY IS GENERALLY LOCATED WEST OF SIMMONS STREET AND APPROXIMATELY 600 FEET NORTH OF ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-414-003.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-120-05 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; except to allow for the second drive-thru lane at the front of the site along Ann Road.
2. That UN-120-05 is site-specific and non-transferable.
3. That any expansions to the proposed use shall be subject to Planning Commission review and approval.
4. Review and approval of site sign shall not be included in use permit.

Ron York, 3953 Monja Circle, Las Vegas, NV 89104 appeared on behalf of the applicant.

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 Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

12. **VAC-33-05 (22886) LONE MOUNTAIN ESTATES II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CELEBRATE HOMES ON BEHALF OF CELEBRATE PROPERTIES, LLC, PROPERTY OWNER, TO VACATE A 10-FOOT-WIDE PORTION OF THE NORTHERLY SIDE OF LONE MOUNTAIN ROAD COMMENCING APPROXIMATELY 35 FEET WEST OF THE NORTHWEST CORNER OF ALLEN LANE AND LONE MOUNTAIN ROAD AND PROCEEDING WEST APPROXIMATELY 610 LINEAL FEET. THE ASSESSOR'S PARCEL NUMBER IS 124-31-802-011.**

Commissioner Harry Shull stated he would be abstaining on this application as his company was the applicant.

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

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

David Bonner of Southwest Engineering, 3610 North Rancho Drive, Las Vegas, NV 89130 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Carvalho

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: Commissioner Shull

Item No. 15 was heard next.

13. **ZN-89-05 (23033) CENTENNIAL CROSSING III (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF REGENA HOMES, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND REGENA AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001.**

It was requested by the applicant to continue ZN-89-05 to December 14, 2005.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO DECEMBER 14, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

14. **T-1226 (23029) CENTENNIAL CROSSING III. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF REGENA HOMES, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATES DISTRICT (PROPOSED R-3 MULTI-FAMILY RESIDENTIAL DISTRICT) CONSISTING OF 67 CONDOMINIUM UNITS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001.**

It was requested by the applicant to continue T-1226 to December 14, 2005.

ACTION: CONTINUED TO DECEMBER 14, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 26 was heard next.

15. **AMP-61-05 (22995) INTERNATIONAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA, LLC ON BEHALF OF CAREFREE HOLDINGS, LP, 5440 W. SAHARA, LLC, ZOMACK 1, LLC, AND D'NAL 3, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LOW DENSITY RESIDENTIAL TO MEDIUM LOW DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 800 FEET NORTHEAST OF THE INTERSECTION OF VALLEY DRIVE AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-501-005, 139-07-510-029 THRU -036, 139-07-510-047 THRU -056, 139-07-510-058 THRU -059, 139-07-601-010, 139-07-603-001, 139-07-610-056 THRU -065, 139-07-610-071 THRU -081, 139-07-610-083 THRU -085, AND 139-07-610-088.**

Chairman Jay Aston stated he would be abstaining as the company he worked for had entered into escrow on the property and asked Vice-Chairman Cato to conduct the meeting.

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of AMP-61-05.

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

Vice-Chairman Jo Cato opened the Public Hearing. The following participants came forward:

Lorelei Menist, 4332 Erica Drive, North Las Vegas, NV 89032 stated she was concerned about the effect the development would have on the infrastructure and the impact on the school system. She felt her quality of life was being compromised with condominiums and apartment complexes going up in the area. She would like the lot sizes increased from 4500 square feet to at least 6,000 square feet. Ms. Menist was appalled that one of the Commissioners had a vested interest and was in escrow on the parcel of property and felt there was a question of ethics and asked the Commission to consider denying this application.

Vice-Chairman Cato clarified that the Commissioners were also residents of North Las Vegas and work for different entities and Chairman Jay Aston happens to work for the applicant; it is not a matter of having vested interest and he did abstain from the application.

Patrick Leary 3527 Barrel Race Court, North Las Vegas, NV 89032 stated he lived in the Silverwood Ranch development and at the City Council level he tried to stop the two unit duplexes that were in the area. He stated he lived on a 6,000 square foot lot and the proposed lots were 4500 to 4600 square feet and the developer wanted to put in high density housing. He would like to keep single family homes on larger lots as there was not enough infrastructure or schools to support higher density. If it was a senior development, there would not be as many people leaving in the morning and then coming home in the evening. The issue with Celebrate Homes was because it was the Cheyenne Technology Corridor and they rezoned 35 acres and built homes instead of businesses. He felt if there were more people there would be more crime in the area. Mr. Leary asked if the R-1 lots were under 6,000 square feet or it was the 4500 square foot lots that changed two years ago. Jeremy Davis, Planner responded the R-1 zoning district had a minimum lot size of 6,000 square feet. Mr. Leary stated he wanted the zoning kept that way. Mr. Leary also asked about the exits from the proposed development. The original plan showed streets exiting at a diagonal at Gowan Road and Valley Drive and at Gowan Road and Allen Lane. Randy Cagle of Public Works responded there were only two means of ingress/egress to the area. The diagonals Mr. Leary spoke about were in the original subdivision plat that had access roads coming in at 45 degrees at Valley Drive and Allen Lane, which were vacated and would no longer be streets. Mr. Leary asked the Commission to keep the density at R-1.

Pat Quinn, 4331 Rippling Brook Drive, North Las Vegas, NV 89032 stated he agreed with the previous speakers. He did not feel the requested density was consistent with the surrounding area. The current zoning maps show 90% of the surrounding area as R-1 and the R-1 would be affected by the multi-family dwellings. The proposed development would bring approximately 1700 more people living in the area, which would add approximately 500 to 600 extra vehicles on the streets, and would also overcrowd the schools and the local community center was already overcrowded. He was opposed to the application.

Martha Slack, 3917 Arrow Brook Way, North Las Vegas, NV 89032 stated she concurred with the previous speakers. She moved to the area six years ago and was appalled by the fact that they would build 158 additional homes in the area. She felt the property should be developed but did not want to see the higher density.

Kevin Kelley, 4016 W. Gowan Road, North Las Vegas, NV 89032 stated he was building a custom home on Gowan Road just outside the proposed development. He stated the property had been slow to develop but with the infrastructure he has had to put in, more of the surrounding properties would be developing. He felt the area was prime for custom homes.

Douglas A. Wood, 4108 Bola Drive, North Las Vegas, NV 89032 stated there was a zoning item for a density bump due to special circumstances with Carefree earlier but he did not understand why Carefree was going for a higher density at this time. He was

concerned that if the rezoning was for senior housing, it would mean more traffic. He was opposed to the rezoning because it put higher density zoning in the middle of a lot of R-1 and a lot of low density where it never should have been.

Anita Wood, 4108 Bola Drive, North Las Vegas, NV 89032 stated they met with Ken Templeton on the Carefree project and worked out an arrangement with Carefree. What happened in that instance was, that rather than changing the zoning, they were given a density bump rather than a zone change. They were given a density bump under the R-1 because of the fact that this was a project for seniors and the zoning did not change and the understanding was, so that it did not set a precedent for higher zoning on the connecting and adjacent parcels. Now, this application has been submitted and the one thing that was agreed to with Templeton, himself, was the fact that Carefree was not supposed to start a precedent of higher density on the adjacent parcels. Now, they are coming in with an application to change the zoning to higher density on the adjacent parcels, which is one of the neighbors' big concerns. With the current application, the neighbors have not had one phone call, the project has not been explained, and the developer had not talked to any of the main contact people so they would know what was going on, so the only thing she was aware of was what she was able to read. Ms. Wood stated she was concerned the developer was requesting rezoning, which he previously agreed he would not do and asked that the item be continued to give Mr. Templeton a chance to meet with the neighbors so they could find out what was being planned in their neighborhood.

Vice-Chairman Cato closed the Public Hearing.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 stated Alexander Avenue was to the north, Allen Lane to the east, Gowan Road to the south and Valley Drive to the west. The Templeton Carefree development currently exists in the area. Over the past couple of years, it was a difficult task to assemble 104 parcels to try to come in with one comprehensive type of development. Unfortunately, there are four hold out parcels they were not able to obtain. The site has been a troublesome site; it was an in-fill piece of property consisting of 104 parcels. Mr. Gronauer went over the proposed site plan, showing the transitional zoning. In this instance, they were proposing 26 acres of R-1 development (118 units with a density of 4.5 dwelling units per acre) which he called layer one where they would be building R-1, which is 6,000 square foot lots. There are only three existing homes on Gowan and they were not coming in with a zone change or Amendment to the Master Plan. The whole site is 84 acres, and they cannot put in that many acre of one zoning product. Out of the 84 acres, 26 acres was used for the buffering to the existing R-1 developments. In the transitioning, they were going from low density to medium low density, which was 4500 square foot lots on 29 acres (5.4 units per acre). There is a density of 4.5 dwelling units per acre, which is similar to the rest of the area being developed mostly as R-1 and then it is bumped up to 5.4 dwelling units per acre and

that was why they were asking for a medium-low density Master Plan change. Closer to the senior apartments, they go to an R-2 product, which is an R-2 zone change from medium density. The medium density product was closer to the center (102 units a density of 7.9 dwelling units per acre). They would also like to build an R-2 product, which is a townhome, which was a perfect buffer to the existing multi-family and the density under R-2 cannot be more than 10 dwelling units per acre. Realistically, it would probably be approximately 8 units per acre with attached townhomes. Ryland Homes has taken a difficult piece of property, owned by many different owners, that would not have been developed. The project meets and exceeds the open space requirements and has amenities, so they would not be overcrowding the existing community centers. They have not had any negative comments from the School District. Mr. Gronauer stated they were doing 26 acres of 6,000 square foot lots, they are doing 29 acres of 4500 square foot lots and then there is a Z lot product, which is an attached product of 7.9 units per acre on 13 acres and 16 acres adjacent to the Templeton project with up to 10 units per acre. He felt this was a harmonious community and asked for the Commission's approval.

Vice-Chairman Cato stated when Carefree was developed, she knew there were several community meetings with the residents and came to a compromise and asked Mr. Gronauer why there had not been any meetings with the community. Mr. Gronauer stated Byron Goynes had canvassed some of the neighborhood. One of the things they wanted to do was to have a canvassing effort.

Commissioner Steve Brown asked Staff to define an island of density. Marc Jordan, Planning Manager stated an island of higher density would be looked at as being surrounded by lower density but in this case, Carefree Villas was a higher density so there was a transition Mr. Gronauer was referring to. When Staff reviewed this application, they were not reviewing it as an island of higher density in this case.

Commissioner Brown stated the residents were concerned about the infrastructure and schools and Mr. Gronauer mentioned the School District would normally be at the meeting and asked if there was a letter from the School District in opposition. Jeremy Davis, Planner responded Staff had not received any letters in opposition for any of the International Village applications. Mr. Gronauer stated one of his representatives met with the School District and that was one of the issues they wanted to check out early and if they had issues, they would have been at the meeting.

Commissioner Brown asked Traffic is they had a problem with the higher density in that area. Madeleine Jabbour responded they had not received a traffic study. Commissioner Brown asked who was on the Board when Carefree was approved. Vice-Chairman Cato responded she and Commissioner Shull were the only Commissioners on the Board at that time. Commissioner Harry Shull stated Templeton built a nice project which was lower

density than was allowed, approximately 11 units per acre, single story, so it blended with the existing community. The proposed plan for this application had some merit and they had a workable plan and felt the developer had done a nice job.

Commissioner Brown asked the applicant if he was opposed to continuing the application for a couple of weeks in order to meet with the residents. Mr. Gronauer responded if that was what was recommended by the Commission, he would be willing to continue. He stated they could move along with the project and meet with the residents before the application was heard by City Council or continue for two weeks so they could meet with the residents. Commissioner Brown stated the residents had valid concerns regarding the increase in the density but due to the change in land prices and based on Staff's recommendation for approval, he was in support of the application as presented.

Commissioner Dilip Trivedi stated he lived in the neighborhood and also had not received a notice, but stated this was the second fastest growing community in the country and the growth could not be stopped. With land prices being elevated, higher density housing would be the norm and he was in support of the application. He asked the applicant the difference in the number of units that would be added with medium low density as opposed the low density. Mr. Jordan stated there would be approximately 365 units if it were developed as low density at 4.5 units per acre for the whole site.

Commissioner Angelo Carvalho stated he also lived in the area and liked the design and was in support of the application, as he did not see the development adding that much more congestion and overcrowding of the schools.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Chairman Aston

Mr. Gronauer stated one of his colleagues would be taking names and numbers of the residents, so they could continue to meet with them.

16. **ZN-87-05 (23002) INTERNATIONAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA, LLC ON BEHALF OF CAREFREE HOLDINGS, LP, 5440 W. SAHARA, LLC, ZOMACK 1, LLC, AND D'NAL 3, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 158 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 800 FEET NORTHEAST OF THE INTERSECTION OF VALLEY DRIVE AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-501-005, 139-07-510-029 THRU -036, 139-07-510-047 THRU -056, 139-07-510-058 THRU -059, 139-07-601-010, 139-07-603-001, 139-07-610-056 THRU -065, 139-07-610-071 THRU -081, 139-07-610-083 THRU -085, AND 139-07-610-088.**

Chairman Jay Aston stated he would be abstaining as the company he worked for had entered into escrow on the property and asked Vice-Chairman Cato to conduct the meeting.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant requesting to continue ZN-87-05 to the November 22, 2005 meeting so they could submit a revised plan to Staff in order to clarify some of their concerns.

Vice-Chairman Cato opened the Public Hearing and stated it would remain open.

ACTION: CONTINUED TO NOVEMBER 22, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Chairman Aston

17. **AMP-62-05 (22990) INTERNATIONAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA, LLC ON BEHALF OF KEN TEMPLETON, CAREFREE HOLDINGS, LP, 5440 W. SAHARA, LLC, ZOMACK 1, LLC, AND D'NAL 3, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 2200 FEET NORTHEAST OF THE INTERSECTION OF VALLEY DRIVE AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-501-006, 139-07-510-026 THRU -030, 139-07-510-035 THRU -040, 139-07-510-043 THRU -044, 139-07-510-046 THRU -047, 139-07-510-054 THRU -060, 139-07-510-065, 139-07-602-003, 139-07-603-001, 139-07-610-044 THRU -052, AND 139-07-610-056 THRU -066.**

Chairman Jay Aston stated he would be abstaining as the company he worked for had entered into escrow on the property and asked Vice-Chairman Cato to conduct the meeting.

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of AMP-62-05 since the applicant had submitted a new boundary exhibit correcting and eliminating all the areas of concern as stated in the Staff Report.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant and asked that all previous comments from Item No. 15 be incorporated as follows:

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 stated Alexander Avenue was to the north, Allen Lane to the east, Gowan Road to the south and Valley Drive to the west. The Templeton Carefree development currently exists in the area. Over the past couple of years, it was a difficult task to assemble 104 parcels to try to come in with one comprehensive type of development. Unfortunately, there are four hold out parcels they were not able to obtain. The site has been a troublesome site; it was an in-fill piece of property consisting of 104 parcels. Mr. Gronauer went over the proposed site plan, showing the transitional zoning. In this instance, they were proposing 26 acres of R-1 development (118 units with a density of 4.5 dwelling units per acre) which he called layer one where they would be building R-1, which is 6,000 square foot lots. There are only three existing homes on Gowan and they were not coming in with a zone change or

Amendment to the Master Plan. The whole site is 84 acres, and they cannot put in that many acre of one zoning product. Out of the 84 acres, 26 acres was used for the buffering to the existing R-1 developments. In the transitioning, they were going from low density to medium low density, which was 4500 square foot lots on 29 acres (5.4 units per acre). There is a density of 4.5 dwelling units per acre, which is similar to the rest of the area being developed mostly as R-1 and then it is bumped up to 5.4 dwelling units per acre and that was why they were asking for a medium-low density Master Plan change. Closer to the senior apartments, they go to an R-2 product, which is an R-2 zone change from medium density. The medium density product was closer to the center (102 units a density of 7.9 dwelling units per acre). They would also like to build an R-2 product, which is a townhome, which was a perfect buffer to the existing multi-family and the density under R-2 cannot be more than 10 dwelling units per acre. Realistically, it would probably be approximately 8 units per acre with attached townhomes. Ryland Homes has taken a difficult piece of property, owned by many different owners, that would not have been developed. The project meets and exceeds the open space requirements and has amenities, so they would not be overcrowding the existing community centers. They have not had any negative comments from the School District. Mr. Gronauer stated they were doing 26 acres of 6,000 square foot lots, they are doing 29 acres of 4500 square foot lots and then there is a Z lot product, which is an attached product of 7.9 units per acre on 13 acres and 16 acres adjacent to the Templeton project with up to 10 units per acre. He felt this was a harmonious community and asked for the Commission's approval.

Vice-Chairman Cato stated when Carefree was developed, she knew there were several community meetings with the residents and came to a compromise and asked Mr. Gronauer why there had not been any meetings with the community. Mr. Gronauer stated Byron Goynes had canvassed some of the neighborhood. One of the things they wanted to do was to have a canvassing effort.

Commissioner Steve Brown asked Staff to define an island of density. Marc Jordan, Planning Manager stated an island of higher density would be looked at as being surrounded by lower density but in this case, Carefree Villas was a higher density so there was a transition Mr. Gronauer was referring to. When Staff reviewed this application, they were not reviewing it as an island of higher density in this case.

Commissioner Brown stated the residents were concerned about the infrastructure and schools and Mr. Gronauer mentioned the School District would normally be at the meeting and asked if there was a letter from the School District in opposition. Jeremy Davis, Planner responded Staff had not received any letters in opposition for any of the International Village applications. Mr. Gronauer stated one of his representatives met with the School District and that was one of the issues they wanted to check out early and if they had issues, they would have been at the meeting.

Vice-Chairman Jo Cato opened the Public Hearing. The following participants came forward:

Patrick Leary, 3527 Barrel Race Court, North Las Vegas, NV 89032 made a comment regarding the statement that “the City is growing and we are not going to stop development.” The original Master Plan was for 6,000 square feet per piece of property, which was later amended approximately two years ago by City Council to 4500 square feet so they could put more units within an area. He did not feel it was okay to put duplexes in the middle of a single-family area. In most areas where there is multi-family, they are along the street side of the development, not surrounded by single-family homes. If the proposed development was all senior housing, he would not have a problem with it because there would not be as much traffic and activity in the area.

Lorelei Menist, 4332 Erica Drive, North Las Vegas, NV 89032 stated she wanted to see documentation that the applicant notified the School District about the planned project because she felt if the School District realized the impact the community would have on schools, they might have some input. She also mentioned there were people in the community who were not sent the public hearing notice. She asked the Commission to take a look at the impact medium density would have in the area. Ms. Menist also commented on Commissioner Dilip Trivedi’s comment on Item No. 15 regarding the scarcity of property, stating she disagreed with him. Just because there was a shortage of property and the developers were overbidding on the land, that the quality of life should not be compromised. She also asked if Commissioner Harry Shull had a vested interest in the project. Commissioner Shull responded he did not, stating Mr. Leary misrepresented that he had built duplexes which he had not. Ms. Menist did not feel the Commission was looking out for the best interest of that area.

Vice-Chairman Cato asked Staff to explain the mailing radius for the public hearing notices. Marc Jordan, Planning Manager stated they were required to go out 750 feet from the exterior boundaries of the property. Some of the boundaries are internal to the development. Ms. Menist stated they did not really reach out to notify the residents. Mr. Jordan clarified the notices were mailed according to State Law, which is 750 feet minimum from the property.

Kevin Kelly, 4016 West Gowan Road, North Las Vegas, NV 89032 stated when the parcels were assembled, they should be built on according to what they were zoned. When he purchased his half acre parcel, he looked at those types of properties, not R-2 or some other type of zoning.

Douglas Wood, 4108 Bola Drive, North Las Vegas, NV 89032 asked what happened to PUD density averaging, which was what Gold Crest was and asked why that couldn’t be done with the project instead of changing the zoning. Mr. Jordan asked Mr. Wood to repeat

the question. Mr. Wood stated Gold Crest obeyed the full R-1 zoning of the area even though there was high density even though there was high density because a portion was lower density and the remainder was pushed into the high density area but overall the PUD had the same zoning density. Mr. Jordan stated the Gold Crest PUD, was approved in 1989 and was for 160 acres which included some commercial, R-1, multi-family and a park and a school site. When looking at the whole PUD, and you do the math on the residential portion, you would have the density for the whole parcel. In this case, you do not have that, you have one development with three zoning designations, the proposed PUD, the proposed R-2 and the existing R-1. The density on the PUD is 5.44 units per acre. Jeremy Davis, Planner stated the average density for the whole project was approximately 6.87 dwelling units per acre. Mr. Wood asked the density of the R-1. Mr. Jordan responded the R-1 for the Comprehensive Plan was 4.5 units per acre. Mr. Wood stated this was spot zoning and was an island of high density surrounded by low density and would not work.

Anita Wood, 4108 Bola Drive, North Las Vegas, NV 89032 stated the residents worked hard with Ken Templeton to create an ordinance that made sure Carefree stayed R-1 low density. Staff stated they did not look at the project as an island and the reason was because it maintained its R-1 standing and maintained a low density standing. Now, the applicant was proposing transitional zoning. She stated she was a fan of transitional zoning; however, they were taking R-1, transitioning it to R-2 and then back to R-1, and asked what kind of transitional zoning that was. She stated the Carefree project was R-1 and could not be looked at as multi-family. The ordinance stated it was R-1 and they got a density bonus for doing a senior project. The R-2 in the center of the proposed project will be an island. Ms. Wood was upset that, what was agreed to when Carefree was being built was now being changed. Commissioner Shull pointed out the developer for the proposed project was not the same developer who built Carefree. Ms. Wood felt there should be a neighborhood meeting and asked the item be continued.

Martha Slack, 3917 Arrow Brook Way, North Las Vegas, NV 89032 stated residents who lived next door to her were not notified of the public hearing.

Pat Quinn, 4331 Rippling Brook Drive, North Las Vegas, NV 89032 stated it was obvious the residents did not want the proposed project and asked why it could not be kept single family residential.

Commissioner Steve Brown clarified, the Commissioners were all volunteers and received nothing in return, except to serve their community. They do not receive a bonus from the developer, the City pays them enough to offset the cost of gas and the people on the Board are not voting because it was self-serving. The Chairman was out of the room, because he was not allowed to vote on this and related applications. Commissioner Brown also agreed with Anita Wood that the application should be continued. He asked Staff to clarify the transitioning and asked if Carefree had 11 units per acre. Mr. Jordan responded

Carefree was a PUD that was rezoned for the senior project. The Comprehensive Plan designation was still low density, which allowed up to 4.5 units per acre; however, in the low density, under the guidelines, you can have senior housing in a low density area as long as it meets a certain criteria. If you comply with everything, you can go up to 11 units per acre, but was not sure of the exact density. Commissioner Brown asked the difference from the project being built as R-1 versus the current average of 6.87 units per acre. Mr. Gronauer stated it would be 378 units per acre.

Commissioner Harry Shull asked Staff if they knew the total mailing to the residents. Mr. Jordan responded they did not have those figures available at this time, but could get them. Commissioner Shull asked if the number was several hundred or one hundred. Mr. Jordan responded it was more than one hundred as there were quite a few residents within 750 feet. Commissioner Shull stated if there were more than one hundred notices mailed and only five or six people showed up in opposition, that did not represent a majority.

Mr. Gronauer pointed out the medium density area being proposed would be adjacent to the proposed R-1, which was the Z-lot product, on 13 acres and was 102 units at a density of 7.9 dwelling units per acre. He explained the same product was being built in three other major master planned communities that have some strict architectural control requirements. Along with that you must build a certain way and get certain approvals. That type of product is coming into the proposed development and it was nice to know there were developers who would build products from Southern Highland, Summerlin and bring them to this area. Even though they were allowed to build up to 10 units per acre, which was 130 units, they were only building 102 units of Z-lots, which was below the amount allowed. They were asking for medium density on the back portion, which was approximately 16 acres, which would probably be approximately 8 units per acre due to the design criteria, even though 10 units per acre was allowed. When looking at the transitional densities to the north, if it is 10 or 11 units to the acre multi-family senior housing, the fact was, it was an existing multi-family product. He felt they had addressed all of Staff's concerns and were providing more single family 6,000 and 4500 square foot lots than the other two types of products that would be proposed. Mr. Gronauer stated they had met with the School District on October 17, 2005. There was a new school planned for North 5th Street and Gowan Road in August, 2007 and the project would not be built for approximately two years. He also stated the only reason Templeton was listed on the application was due to the three remnant parcels being purchased from him.

Commissioner Dilip Trivedi stated he was sure Ryland Homes wanted to be a good neighbor and since he lived in the neighborhood, his home was probably outside of the 750 foot notification radius but felt a neighborhood meeting was appropriate before voting on the application.

Mr. Gronauer stated they had planned to meet with the neighbors before the item was heard by City Council and provide them more information and, if needed, they would use a larger radius for the notification area. He stated he had held Mr. Goynes back from talking to many of the neighbors who he has actually spoken to in the immediate area and, unfortunately, not everyone was home at the time the canvassing was done. Many comments received were that people were happy the property was being developed.

Commissioner Trivedi asked the applicant if he would be willing to continue for two weeks. Mr. Gronauer responded he preferred to move forward and continue to meet with the neighbors.

ACTION: CONTINUED TO NOVEMBER 22, 2005

MOTION: Commissioner Trivedi

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: Chairman Aston

18. **ZN-88-05 (23006) INTERNATIONAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA, LLC ON BEHALF OF KEN TEMPLETON, CAREFREE HOLDINGS, LP, 5440 W. SAHARA, LLC, ZOMACK 1, LLC, AND D'NAL 3, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT AND AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 2200 FEET NORTHEAST OF THE INTERSECTION OF VALLEY DRIVE AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-501-006, 139-07-510-026 THRU -030, 139-07-510-035 THRU -040, 139-07-510-043 THRU -044, 139-07-510-046 THRU -047, 139-07-510-054 THRU -060, 139-07-510-065, 139-07-602-003, 139-07-603-001, 139-07-610-044 THRU -052, AND 139-07-610-056 THRU -066.**

Chairman Jay Aston stated he would be abstaining as the company he worked for had entered into escrow on the property and asked Vice-Chairman Cato to conduct the meeting.

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated since AMP-62-05 was continued, this application would also need to be continued.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 stated he had no comment.

Vice-Chairman Jo Cato opened the Public Hearing and incorporated all comments from Item Nos. 15 through 17 as follows:

Public comments from Item No. 15

Lorelei Menist, 4332 Erica Drive, North Las Vegas, NV 89032 stated she was concerned about the effect the development would have on the infrastructure and the impact on the school system. She felt her quality of life was being compromised with condominiums and apartment complexes going up in the area. She would like the lot sizes increased from 4500 square feet to at least 6,000 square feet. Ms. Menist was appalled that one of the Commissioners had a vested interest and was in escrow on the parcel of property and felt there was a question of ethics and asked the Commission to consider denying this application.

Vice-Chairman Cato clarified that the Commissioners were also residents of North Las Vegas and work for different entities and Chairman Jay Aston happens to work for the applicant; it is not a matter of having vested interest and he did abstain from the application.

Patrick Leary 3527 Barrel Race Court, North Las Vegas, NV 89032 stated he lived in the Silverwood Ranch development and at the City Council level he tried to stop the two unit duplexes that were in the area. He stated he lived on a 6,000 square foot lot and the proposed lots were 4500 to 4600 square feet and the developer wanted to put in high density housing. He would like to keep single family homes on larger lots as there was not enough infrastructure or schools to support higher density. If it was a senior development, there would not be as many people leaving in the morning and then coming home in the evening. The issue with Celebrate Homes was because it was the Cheyenne Technology Corridor and they rezoned 35 acres and built homes instead of businesses. He felt if there were more people there would be more crime in the area. Mr. Leary asked if the R-1 lots were under 6,000 square feet or it was the 4500 square foot lots that changed two years ago. Jeremy Davis, Planner responded the R-1 zoning district had a minimum lot size of 6,000 square feet. Mr. Leary stated he wanted the zoning kept that way. Mr. Leary also asked about the exits from the proposed development. The original plan showed streets exiting at a diagonal at Gowan Road and Valley Drive and at Gowan Road and Allen Lane. Randy Cagle of Public Works responded there were only two means of ingress/egress to the area. The diagonals Mr. Leary spoke about were in the original subdivision plat that had access roads coming in at 45 degrees at Valley Drive and Allen Lane, which were vacated and would no longer be streets. Mr. Leary asked the Commission to keep the density at R-1.

Pat Quinn, 4331 Rippling Brook Drive, North Las Vegas, NV 89032 stated he agreed with the previous speakers. He did not feel the requested density was consistent with the surrounding area. The current zoning maps show 90% of the surrounding area as R-1 and the R-1 would be affected by the multi-family dwellings. The proposed development would bring approximately 1700 more people living in the area, which would add approximately 500 to 600 extra vehicles on the streets, and would also overcrowd the schools and the local community center was already overcrowded. He was opposed to the application.

Martha Slack, 3917 Arrow Brook Way, North Las Vegas, NV 89032 stated she concurred with the previous speakers. She moved to the area six years ago and was appalled by the fact that they would build 158 additional homes in the area. She felt the property should be developed but did not want to see the higher density.

Kevin Kelley, 4016 W. Gowan Road, North Las Vegas, NV 89032 stated he was building a custom home on Gowan Road just outside the proposed development. He stated the property had been slow to develop but with the infrastructure he has had to put in, more of the surrounding properties would be developing. He felt the area was prime for custom homes.

Douglas A. Wood, 4108 Bola Drive, North Las Vegas, NV 89032 stated there was a zoning item for a density bump due to special circumstances with Carefree earlier but he did not understand why Carefree was going for a higher density at this time. He was concerned that if the rezoning was for senior housing, it would mean more traffic. He was opposed to the rezoning because it put higher density zoning in the middle of a lot of R-1 and a lot of low density where it never should have been.

Anita Wood, 4108 Bola Drive, North Las Vegas, NV 89032 stated they met with Ken Templeton on the Carefree project and worked out an arrangement with Carefree. What happened in that instance was, that rather than changing the zoning, they were given a density bump rather than a zone change. They were given a density bump under the R-1 because of the fact that this was a project for seniors and the zoning did not change and the understanding was, so that it did not set a precedent for higher zoning on the connecting and adjacent parcels. Now, this application has been submitted and the one thing that was agreed to with Templeton, himself, was the fact that Carefree was not supposed to start a precedent of higher density on the adjacent parcels. Now, they are coming in with an application to change the zoning to higher density on the adjacent parcels, which is one of the neighbors' big concerns. With the current application, the neighbors have not had one phone call, the project has not been explained, and the developer had not talked to any of the main contact people so they would know what was going on, so the only thing she was aware of was what she was able to read. Ms. Wood stated she was concerned the developer was requesting rezoning, which he previously agreed he would not do and asked that the item be continued to give Mr. Templeton a chance to meet with the neighbors so they could find out what was being planned in their neighborhood.

Public comments from item No. 17:

Patrick Leary, 3527 Barrel Race Court, North Las Vegas, NV 89032 made a comment regarding the statement that "the City is growing and we are not going to stop development." The original Master Plan was for 6,000 square feet per piece of property, which was later amended approximately two years ago by City Council to 4500 square feet so they could put more units within an area. He did not feel it was okay to put duplexes in the middle of a single-family area. In most areas where there is multi-family, they are along the street side of the development, not surrounded by single-family homes. If the proposed development was all senior housing, he would not have a problem with it because there would not be as much traffic and activity in the area.

Lorelei Menist, 4332 Erica Drive, North Las Vegas, NV 89032 stated she wanted to see documentation that the applicant notified the School District about the planned project because she felt if the School District realized the impact the community would have on schools, they might have some input. She also mentioned there were people in the community who were not sent the public hearing notice. She asked the Commission to take a look at the impact medium density would have in the area. Ms. Menist also commented on Commissioner Dilip Trivedi's comment on Item No. 15 regarding the scarcity of property, stating she disagreed with him. Just because there was a shortage of property and the developers were overbidding on the land, that the quality of life should not be compromised. She also asked if Commissioner Harry Shull had a vested interest in the project. Commissioner Shull responded he did not, stating Mr. Leary misrepresented that he had built duplexes which he had not. Ms. Menist did not feel the Commission was looking out for the best interest of that area.

Vice-Chairman Cato asked Staff to explain the mailing radius for the public hearing notices. Marc Jordan, Planning Manager stated they were required to go out 750 feet from the exterior boundaries of the property. Some of the boundaries are internal to the development. Ms. Menist stated they did not really reach out to notify the residents. Mr. Jordan clarified the notices were mailed according to State Law, which is 750 feet minimum from the property.

Kevin Kelly, 4016 West Gowan Road, North Las Vegas, NV 89032 stated when the parcels were assembled, they should be built on according to what they were zoned. When he purchased his half acre parcel, he looked at those types of properties, not R-2 or some other type of zoning.

Douglas Wood, 4108 Bola Drive, North Las Vegas, NV 89032 asked what happened to PUD density averaging, which was what Gold Crest was and asked why that couldn't be done with the project instead of changing the zoning. Mr. Jordan asked Mr. Wood to repeat the question. Mr. Wood stated Gold Crest obeyed the full R-1 zoning of the area even though there was high density even though there was high density because a portion was lower density and the remainder was pushed into the high density area but overall the PUD had the same zoning density. Mr. Jordan stated the Gold Crest PUD, was approved in 1989 and was for 160 acres which included some commercial, R-1, multi-family and a park and a school site. When looking at the whole PUD, and you do the math on the residential portion, you would have the density for the whole parcel. In this case, you do not have that, you have one development with three zoning designations, the proposed PUD, the proposed R-2 and the existing R-1. The density on the PUD is 5.44 units per acre. Jeremy Davis, Planner stated the average density for the whole project was approximately 6.87 dwelling units per acre. Mr. Wood asked the density of the R-1. Mr. Jordan responded the R-1 for the Comprehensive Plan was 4.5 units per acre. Mr. Wood stated this was spot zoning and was an island of high density surrounded by low density and would not work.

Anita Wood, 4108 Bola Drive, North Las Vegas, NV 89032 stated the residents worked hard with Ken Templeton to create an ordinance that made sure Carefree stayed R-1 low density. Staff stated they did not look at the project as an island and the reason was because it maintained its R-1 standing and maintained a low density standing. Now, the applicant was proposing transitional zoning. She stated she was a fan of transitional zoning; however, they were taking R-1, transitioning it to R-2 and then back to R-1, and asked what kind of transitional zoning that was. She stated the Carefree project was R-1 and could not be looked at as multi-family. The ordinance stated it was R-1 and they got a density bonus for doing a senior project. The R-2 in the center of the proposed project will be an island. Ms. Wood was upset that, what was agreed to when Carefree was being built was now being changed. Commissioner Shull pointed out the developer for the proposed project was not the same developer who built Carefree. Ms. Wood felt there should be a neighborhood meeting and asked the item be continued.

Martha Slack, 3917 Arrow Brook Way, North Las Vegas, NV 89032 stated residents who lived next door to her were not notified of the public hearing.

Pat Quinn, 4331 Rippling Brook Drive, North Las Vegas, NV 89032 stated it was obvious the residents did not want the proposed project and asked why it could not be kept single family residential.

Commissioner Steve Brown clarified, the Commissioners were all volunteers and received nothing in return, except to serve their community. They do not receive a bonus from the developer, the City pays them enough to offset the cost of gas and the people on the Board are not voting because it was self-serving. The Chairman was out of the room, because he was not allowed to vote on this and related applications. Commissioner Brown also agreed with Anita Wood that the application should be continued. He asked Staff to clarify the transitioning and asked if Carefree had 11 units per acre. Mr. Jordan responded Carefree was a PUD that was rezoned for the senior project. The Comprehensive Plan designation was still low density, which allowed up to 4.5 units per acre; however, in the low density, under the guidelines, you can have senior housing in a low density area as long as it meets a certain criteria. If you comply with everything, you can go up to 11 units per acre, but was not sure of the exact density. Commissioner Brown asked the difference from the project being built as R-1 versus the current average of 6.87 units per acre. Mr. Gronauer stated it would be 378 units per acre.

Commissioner Harry Shull asked Staff if they knew the total mailing to the residents. Mr. Jordan responded they did not have those figures available at this time, but could get them. Commissioner Shull asked if the number was several hundred or one hundred. Mr. Jordan responded it was more than one hundred as there were quite a few residents within 750 feet. Commissioner Shull stated if there were more than one hundred notices mailed and only five or six people showed up in opposition, that did not represent a majority.

Mr. Gronauer pointed out the medium density area being proposed would be adjacent to the proposed R-1, which was the Z-lot product, on 13 acres and was 102 units at a density of 7.9 dwelling units per acre. He explained the same product was being built in three other major master planned communities that have some strict architectural control requirements. Along with that you must build a certain way and get certain approvals. That type of product is coming into the proposed development and it was nice to know there were developers who would build products from Southern Highland, Summerlin and bring them to this area. Even though they were allowed to build up to 10 units per acre, which was 130 units, they were only building 102 units of Z-lots, which was below the amount allowed. They were asking for medium density on the back portion, which was approximately 16 acres, which would probably be approximately 8 units per acre due to the design criteria, even though 10 units per acre was allowed. When looking at the transitional densities to the north, if it is 10 or 11 units to the acre multi-family senior housing, the fact was, it was an existing multi-family product. He felt they had addressed all of Staff's concerns and were providing more single family 6,000 and 4500 square foot lots than the other two types of products that would be proposed. Mr. Gronauer stated they had met with the School District on October 17, 2005. There was a new school planned for North 5th Street and Gowan Road in August, 2007 and the project would not be built for approximately two years. He also stated the only reason Templeton was listed on the application was due to the three remnant parcels being purchased from him.

Commissioner Dilip Trivedi stated he was sure Ryland Homes wanted to be a good neighbor and since he lived in the neighborhood, his home was probably outside of the 750 foot notification radius but felt a neighborhood meeting was appropriate before voting on the application.

Mr. Gronauer stated they had planned to meet with the neighbors before the item was heard by City Council and provide them more information and, if needed, they would use a larger radius for the notification area. He stated he had held Mr. Goynes back from talking to many of the neighbors who he has actually spoken to in the immediate area and, unfortunately, not everyone was home at the time the canvassing was done. Many comments received were that people were happy the property was being developed.

Commissioner Trivedi asked the applicant if he would be willing to continue for two weeks. Mr. Gronauer responded he preferred to move forward and continue to meet with the neighbors.

Vice-Chairman Cato stated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 22, 2005

MOTION: Commissioner Trivedi

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Chairman Aston

19. **T-1225 (23028) INTERNATIONAL VILLAGE. AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA, LLC ON BEHALF OF ZOMACK 1, LLC, D'NAL 3, LLC, 5440 W. SAHARA, LLC AND CAREFREE HOLDINGS, LP / TEMPLETON GROUP, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT (PROPOSED FOR R-2, TWO FAMILY) CONSISTING OF 102 SINGLE-FAMILY AND 200 MULTI-FAMILY DWELLINGS. THE PROPERTY IS LOCATED APPROXIMATELY 2200 FEET NORTHEAST OF THE INTERSECTION OF VALLEY DRIVE AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-501-006, 139-07-510-026 THRU -030, 139-07-510-035 THRU -040, 139-07-510-043 THRU -044, 139-07-510-046 THRU -047, 139-07-510-054 THRU -060, 139-07-510-065, 139-07-602-003, 139-07-603-001, 139-07-610-044 THRU -052, AND 139-07-610-056 THRU -066.**

Chairman Jay Aston stated he would be abstaining as the company he worked for had entered into escrow on the property and asked Vice-Chairman Cato to conduct the meeting.

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated in order for the item to be continued, the applicant would need to agree.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 clarified this application was associated to AMP-62-05 which was previously continued. Mr. Davis responded T-1225 was the associated tentative map for AMP-62-05 and ZN-88-05, one being for medium density residential and the other was for the R-2 zoning district request. Mr. Gronauer stated he would agree to continue for two weeks.

ACTION: CONTINUED TO NOVEMBER 22, 2005

MOTION: Commissioner Trivedi

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Chairman Aston

20. **T-1224 (22999) INTERNATIONAL VILLAGE. AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA, LLC ON BEHALF OF ZOMACK 1, LLC, D'NAL 3, LLC, AND 5440 W. SAHARA, LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 118 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF VALLEY DRIVE AND GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-601-006, 139-07-601-007, 139-07-601-010, 139-07-601-011, 139-07-601-014, 139-07-601-015, 139-07-601-016, 139-07-601-017, 139-07-601-034, 139-07-601-035, 139-07-601-046, 139-07-601-037, 139-07-601-038, 139-07-601-039, 139-07-601-040, 139-07-601-041, 139-07-601-042, 139-07-601-044, 139-07-601-045, 139-07-601-047, 139-07-601-049, 139-07-601-017, 139-07-601-046, 139-07-601-048, 139-07-601-050, 139-07-601-051, 139-07-601-052, 139-07-601-054, 139-07-601-055, 139-07-601-056, 139-07-601-073, 139-07-601-074 AND 139-07-601-075.**

Chairman Jay Aston stated he would be abstaining as the company he worked for had entered into escrow on the property and asked Vice-Chairman Cato to conduct the meeting.

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of T-1224 as the applicant had submitted a revised boundary map which addressed concerns listed in the Staff Report and the concerns regarding corner side lot landscaping and perimeter landscaping for a portion of the development; however Staff felt those items could be handled in a future conforming tentative map. The approval is subject to the following conditions listed on the revised memo dated November 9, 2005 as follows:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. This tentative map shall comply with the Single Family Development Standards, including:
 - a. Ten (10) feet of corner/side lot landscaping (which may include sidewalk) shall be provided adjacent to all local streets.
 - b. A minimum of fifteen (15) feet of perimeter landscaping (which may include sidewalk) shall be provided along Gowan Road and Valley Drive.
 - c. Pedestrian gates shall be located at the south terminus of Lilum and Austin Bay and at the western terminus of Alpine Meadow, and shall be located in a common element.

3. All required landscaping areas and open space areas shall be labeled as common elements and be maintained by the homeowners association.
4. Perimeter and end walls shall be owned and maintained by the homeowners association.
5. The developer shall disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
6. The developer shall include all property in T-1224, T-1225 and ZN-87-05 in a master homeowners association with the responsibility for maintenance of common elements and landscaping areas shown on the submitted tentative map that are not specifically reserved for the use of residents of T-1224. Provisions and enforcement of such shall be provided for within the CC&R's.
7. Measures to achieve a noise level reduction, outdoor to indoor, of 25 decibels must be incorporated into the design and construction.
8. The developer shall submit a final subdivision plan and improvements plans for the International Village development to the Southern Nevada Water Authority, and shall obtain approval of said plans prior to filing the final map for this tentative map.
9. The developer shall provide a means of Fire Department access from Gowan Road onto Austin Bay.
10. Written verification must be submitted to the Clark County Health Department from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the map or plan has been approved with regard to water pollution and sewage disposal in accordance with the Nevada Water Pollution Control Law.
11. A letter from the appropriate sewer agency must be submitted to the Clark County Health Department stating that service from the existing system of community sewerage will be extended to the subdivision and the community facility for treatment will not be caused to exceed its capacity and the discharge permit requirements by this added service or that the facility will be expanded to provide for the added service.
12. A letter from the appropriate water utility must be submitted to the Clark County Health Department stating that it will supply water for domestic and fire protection purposes, that the system has the necessary facilities to treat water to meet the standards of the Water Supply Regulations Part I, and that the capacity is available to meet the demands of the system.

13. Improvement plans must be submitted to the Clark County Health District for review and approval before the final map can be signed. Include "Finished Floor" elevations and "Sanitary Sewer Manhole" rim elevations on all utility plans to expedite review of the required sewer "BACK WATER VALVES" on the improvement plans.
14. The developer shall be responsible for the landscaping and maintenance of White Ash on the tentative map.
16. Five (5) copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review and approval to the Department of Public Works and the Department of Planning and Development prior to submittal of the final map and civil improvement plans.
17. Approval of this application and site plan is contingent upon vacations that have not been approved or submitted at this time. Should the applicant not acquire approval of the subject vacations, modifications to the lot layout of the Tentative Map are imminent.
18. The Conforming Tentative Map shall not be approved prior to approval of the subject vacations.
19. 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.
20. Approval of a drainage study is required prior to submittal of the civil improvement plans.
21. 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.
22. 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.

23. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics and thickness of the pavement sections will be determined by the Department of Public Works.
24. Approval of a traffic study is required prior to submittal of the civil improvement plans.
25. All common elements shall be labeled and are to be maintained by the Home Owners Association.
26. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
27. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
28. 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.
29. A revocable encroachment permit for landscaping within the public right of way is required.
30. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
31. Proposed residential driveway slopes shall not exceed twelve percent (12%).
32. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
33. Right-of-way dedication and construction of a CAT bus turn-out is required on Valley Drive near Gowan Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
34. Adjacent to any eighty (80) foot right-of-way, a common lot and/or landscape and pedestrian access easement , with a minimum width of five (5) feet, shall be provided behind the required bus turn-out.
35. 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.

36. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics and thickness of the pavement sections will be determined by the Department of Public Works
37. This development shall comply with NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating this was the R-1 zoned property. This was the beginning of the layers for transitional zoning so since all that was required was a tentative map, he asked the Commission to follow Staff recommendation.

Marc Jordan, Planning Manager stated some new information had been presented to Staff. Since the previous tentative map and AMP and zone change were continued, the only access to this tentative map was through that development; therefore this tentative map, if it were approved, would not have any access and recommended that this item also be continued and would need the applicant's concurrence for that.

Mr. Gronauer stated the tentative map could be conditioned so that there was access provided to the site or the tentative map failed or was null and void, because one way or the other they would have access to the subdivision.

Randy Cagle of Public Works stated in looking at the proposed tentative map he was concerned that if the adjacent tentative map was not approved, just providing access to the site may not solve all the issues there might be with emergency access and dead end streets, and felt the item should be continued to be heard with the other tentative map.

Jory Stewart, Planning and Development Director agreed with Mr. Cagle and did not see any harm in holding the tentative map for two weeks.

Mr. Gronauer agreed to continue the application for two weeks.

ACTION: CONTINUED TO NOVEMBER 22, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Chairman Aston

Lorelei Menist, 4332 Erica Drive, North Las Vegas, NV 89032 apologized for the comment about the Commissioners being self-serving and felt they were do a fine job.

There was a break in proceedings at 8:13 p.m.

The meeting reconvened at 8:26 p.m.

Item No. 25 was heard next.

21. UN-118-05 (23007) GONZALEZ AUTO SERVICE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DOLORES DEL REAL ON BEHALF OF SONNIA AND EDUARDO DIESTRA, PROPERTY OWNERS, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS LOCATED AT 3217 MARY DEE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-813-008.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-118-05 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That UN-118-05 is site-specific and non-transferable.
3. All work shall be performed within a building.
4. No outside over-night parking of vehicles awaiting repairs shall be permitted, unless screened in accordance with the requirements in the Zoning Ordinance.
5. A minimum two parking stalls per bay, plus one per employee, shall be identified for the subject auto service use.
6. The subject special use permit is limited to the sales, replacement and / or repairs of tires, alternators, starters and brakes. Other minor auto services such as tune-ups, fuel injection service, oil change and lube, tire balancing, tire rotations, oil filter replacement, and electrical system diagnoses and repairs may also be performed at this location as long as it does not involve the removal of body parts.
7. A decorative block screen wall along Mary Dee Avenue is required between the buildings where a "wire fence" is identified on the site plan. An opening to the wall may be permitted as long as any proposed gate is backed with a heavy gauge metal mesh or screen that obscures the view of stored vehicles. Chain-link fencing is not permitted along Mary Dee Avenue. The screen wall and gate shall be a minimum six feet (6.00') in height with a maximum height not to exceed eight feet (8.00') in height.
8. All required improvements shall be properly permitted and inspected prior to the approval of a Certificate of Occupancy, or the application or issuance of a business license, whichever comes first.

Dolores del Real, 3217 Mary Dee Avenue, North Las Vegas, NV 89030 appeared on behalf of the applicant stating they wanted to start a business for minor automobile repairs and 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 Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

22. **UN-119-05 (23030) IT'S A GRIND (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CARY WEEKS ON BEHALF OF SIMMONS MP, LLC, ET AL, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS GENERALLY LOCATED WEST OF SIMMONS STREET AND APPROXIMATELY 700 FEET SOUTH OF ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-32-113-005.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-119-05 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 use permit is site-specific and non-transferrable.
3. The development of this site shall comply with all conditions of SPR-25-02.

Rodney Weeks, 893 Rusty Branch, Las Vegas, NV 89123 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 Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

23. **ZN-08-04 (23034) VILLAGES AT SIERRA RANCH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KB HOME NEVADA, INC. ON BEHALF OF HEARTHSTONE MULTI-ASSET ENTITY B, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED RECLASSIFICATION OF PROPERTY TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW REDUCTIONS IN SETBACKS FOR THE FOLLOWING: LOTS AT ENTRIES, SIDE CORNER SETBACKS, IRREGULARLY-SHAPED CORNER LOTS NOT AT ENTRIES, AND PORCHES AND PORTICOS. THE PROPERTY IS BORDERED ON THE WEST BY COMMERCE STREET, ON THE EAST BY NORTH FIFTH STREET, ON THE NORTH BY AZURE AVENUE, AND ON THE SOUTH BY EL CAMPO GRANDE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-611-001 THRU -044, 124-27-612-001 THRU -076, 124-27-616-001 THRU -044, 124-27-617-001 THRU -070, 124-27-710-001 THRU -089, 124-27-711-001 THRU -048, 124-27-712-001 THRU -056, 124-27-714-001 THRU -055, 124-27-601-003, 124-27-611-047, 124-27-701-005, 124-27-701-008 AND 124-27-712-057.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated the applicant was requesting an amendment to the corner side lots within the development. Under the Small Lot Design Standards, there is a ten foot setback required with the upper story being required to be set back 20 feet. Because of some common elements, that condition would require the buildings be set back another five feet. The condition is to clarify the differences between when there is a common element and an easement. The setbacks have been listed in the revised memo dated November 9, 2005, which was handed out in briefings. Staff is recommending approval of the amendment to ZN-08-04 with Condition No. 5 being revised as follows:

5. That the following setbacks apply:

Dwelling and/or garage:

Front:	10 feet (from property line) provided garages maintain 18 feet (from back-of-sidewalk)
Rear:	10 feet
Side (interior):	5 feet
Side (corner*):	5 feet for bottom floors and 10 additional feet for second floors
Side (corner**):	10 feet for bottom floors and 10 additional feet for second floors

*adjacent to Common Element

**adjacent to Landscape Easement

Porches and/or porticos:

Front: 4 feet (from back-of-sidewalk)
Side (interior): 4 feet
Side (corner): 4 feet, provided the clear-sight-visibility zone is properly maintained

Lots 1 and 70 in Village 2 only:

Front: same as above
Rear: same as above
Side (interior): same as above
Side (corner): same as above, except the rear corner of the dwelling (only), which may have a one-foot (1.00') reduced setback

Lot 97 in Village 5 only:

Front: same as above
Rear: same as above
Side (interior): same as above
Side (corner): same as above, except the second floor may be set back seven (7) additional feet

NOTE: All setbacks not specifically mentioned herein shall comply with the R-1, Single-Family Residential District requirements.

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

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

Chairman Aston closed the Public Hearing.

Chairman Aston asked Staff if this condition was specific for this application. Mr. Jordan responded the proposed condition was specific to this application but would apply to the whole PUD with the exception of a few lots, i.e., 1 and 70 and 97 of those particular villages. Chairman Aston asked whether it would be looking into a zoning ordinance

amendment. Mr. Jordan responded it was; however, it would be better addressed when the Small Lot Design Standards were addressed because this amendment came from that section.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

24. SPR-58-05 (22964) ANN & DECATUR COM. CTR. AN APPLICATION SUBMITTED BY ANN AND DECATUR 2005, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT FOR A WAIVER OF A REQUIRED LANDSCAPING ISLAND IN THE PARKING LOT. THE PROPERTY IS LOCATED SOUTH OF ANN ROAD APPROXIMATELY 485 FEET EAST OF DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-31-101-011.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of SPR-58-05 subject to the following conditions:

1. That, unless otherwise approved through a variance, waiver or other approved method, this development shall comply with all applicable codes and ordinances.
2. That the development comply with the Commercial Development Standards and Design Guidelines with the exception that landscaping diamonds may be provided in every double row of parking rather than the required landscaping island between every other double row. The landscaping islands must be a minimum of 5' x 5' in size and will contain, at minimum, one (1) 24-inch box tree and groundcover necessary to provide 60% coverage, not including the tree.
3. Fire access lanes shall be located in accordance with Fire Code requirements.
4. 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.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. 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.
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 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.
10. 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.
11. The property owner is required to grant a roadway easement for commercial driveway(s).

Mike Bradshaw, 3068 East Sunset Road, #7, Las Vegas, NV 89120 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 28 was heard next.

25. **SPR-59-05 (22998) LV CORPORATE CENTER BLDG. 11. AN APPLICATION SUBMITTED BY CHRIS ROPER ON BEHALF OF PROLOGIS - KURT FULLER, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A 253,200 SQUARE FOOT OFFICE/WAREHOUSE BUILDING. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CORPORATE CENTER DRIVE AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-810-005.**

It was requested by the applicant to continue SPR-59-05 to December 14, 2005.

ACTION: CONTINUED TO DECEMBER 14, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 21 was heard next.

26. **T-1221 (22885) GILMORE FUSELIER UNIT 1. AN APPLICATION SUBMITTED BY CENTEX HOMES ON BEHALF OF ALEX COLEMAN LLC, ROBBIN MARTINDALE, AND SUPRANNE CARLSON, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 54 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF GILMORE AVENUE AND COLEMAN STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-08-602-001, 139-08-602-002, 139-08-602-003, 139-08-602-004 AND 139-08-602-005.**

It was requested by the applicant to continue T-1221 to November 22, 2005.

ACTION: CONTINUED TO NOVEMBER 22, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

27. **T-1222 (22883) ALEXANDER & SIMMONS. AN APPLICATION SUBMITTED BY CENTEX HOMES ON BEHALF OF DEBORAH WILLIAMS-CONWAY, CARLOS MARTINEZ AND ALEX COLEMAN, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 81 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF SIMMONS STREET AND ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-05-801-005, 139-05-801-006, 139-05-801-007, 1 139-05-801-008, 139-05-801-009, 139-05-801-010, 139-05-802-008, 139-05-802-007, 139-05-802-008, 139-05-802-009, 139-05-802-010.**

It was requested by the applicant to continue T-1222 to November 22, 2005.

ACTION: CONTINUED TO NOVEMBER 22, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 30 was heard next.

28. SPR-57-05 (22905) FELIX FRAGOSO. AN APPLICATION SUBMITTED BY FELIX FRAGOSO, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT FOR A WAIVER FOR 1,168 SQUARE FEET OF LIVING SPACE WHERE 1,200 SQUARE FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 2528 CRAWFORD AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-13-410-137.

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending SPR-57-05 be denied as it was believed the applicant had not adequately demonstrated why the waiver should be granted and it appeared that compliance, by adding approximately 32 square feet, should be able to be obtained without substantially changing the proposed plans. If the Commission determined approval was warranted, the following conditions were recommended:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development shall comply with the Single-Family Design Guidelines, except for the following:
 - a. A minimum 1,168 square feet of indoor living area shall be provided for the new unit.
3. A new building permit application is required that includes pop-outs around all exterior doors and windows and clay or concrete tiles on the roof. The exterior finish of the existing dwelling shall match that of the new unit (i.e., stucco.)
4. A color board shall be submitted to the Planning and Development Department as part of the building permit application packet.

Francisco Flores, 2725 East Evans Avenue, North Las Vegas, NV 89030 appeared on behalf of the applicant stating the project was submitted and was denied due to the fact there needed to be a garage attached and this time, with the revision, the garage was added. Once the plans were revised, they did not know if it was appropriate for them to redo it again and the exception on the waiver was requested by the applicant due to the fact that the living space, along with the other space that had to be met, the measurements were not coming together.

Commissioner Brown asked if this was just one of the two dwellings that was 1168 square feet and the other was larger. Mr. Flores responded the new dwelling would be 1168

square feet because the existing dwelling was 1176 square feet. The existing dwelling was a little larger than the one being added. Commissioner Brown asked if the existing dwelling was less than 1200 square feet. Mr. Flores responded that was correct.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Brown

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 33 was heard next.

29. T-1223 (22944) VILLAS AT CHEYENNE. AN APPLICATION SUBMITTED BY THG VILLAS II LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 368 CONDOMINIUM UNITS. THE PROPERTY IS GENERALLY LOCATED WEST OF SIMMONS STREET AND APPROXIMATELY 600 FEET NORTH OF CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-08-402-006.

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of T-1223 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The following additional amenities shall be constructed/provided:
 - a. At least two (2) differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada, units to be ADA accessible.
 - b. Two (2) 20' X 20' sheltered picnic tables with barbecue grills and trash cans.
 - c. Dog stations at each grass area.
3. All improvements mentioned herein shall be properly permitted and "final" inspected by the Building & Safety Division and the Department of Parks and Recreation prior to recordation of any final maps.
4. The applicant must comply with all Clark County Department of Aviation requirements, as set forth in the attached memorandum, prior to recordation of any final maps.

Robert Griswold, 7837 Vista Lazanha, San Diego, CA appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 7 was heard next.

OLD BUSINESS

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

This item was withdrawn.

31. **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, AUGUST 24, AND OCTOBER 12, 2005)**

It was requested by the applicant to continue AMP-28-05 to November 22, 2005.

Since it was the third request to continue, Chairman Jay Aston asked the applicant to show just cause.

Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating the continuance was being requested to continue working with the Public Works Department to come up with a way to make the application work in conjunction with some streets to the south of the project and were working on a condition that would possibly satisfy Staff's concerns as well as alleviate the applicant's concerns.

Chairman Aston asked Ms. Lazovich if she felt the issue would be resolved by the November 22, 2005 meeting. Ms. Lazovich responded they were proposing a condition to Public Works and felt it should be completed by that time.

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 Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

32. 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, AUGUST 24, AND OCTOBER 12, 2005)

It was requested by the applicant to continue VAC-18-05 to November 22, 2005.

Since it was the third request to continue, Chairman Jay Aston asked the applicant to show just cause.

Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating the continuance was being requested to continue working with the Public Works Department to come up with a way to make the application work in conjunction with some streets to the south of the project and were working on a condition that would possibly satisfy Staff's concerns as well as alleviate the applicant's concerns.

Chairman Aston asked Ms. Lazovich if she felt the issue would be resolved by the November 22, 2005 meeting. Ms. Lazovich responded they were proposing a condition to Public Works and felt it should be completed by that time.

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 Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 35 was heard next.

33. 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 AND OCTOBER 12, 2005)

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of ZOA-11-05. There were two proposed changes. The first change reduced the number of signs allowed from ten to eight and the second change added some distance requirement from an existing residence, a buffer zone of 150 feet and there was a way to get that reduced to 100 feet.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

34. 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 AND OCTOBER 12, 2005)

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of ZN-73-05 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. That development shall comply with Commercial Development Standards, including but not limited to the following;
 - a. 25 feet of perimeter landscaping along Craig Road and Allen Lane which may include the sidewalk.
 - b. 20 feet of landscape buffer required adjacent to abutting residential property.
 - c. The sidewalk must be separated a minimum of five (5) feet from the back of curb and be meandering.
 - d. Six (6) feet landscape islands are required at the end of every parking row and within every row for every 15 parking spaces.
3. The maximum height of all buildings shall not exceed 35.0 feet.
4. The development shall comply with the current parking requirements.
5. That the development comply with the appropriate Building Code requirements.
6. Right-of-way dedication of a flared intersection is required at Craig Road and Allen Lane per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
7. Right-of-way dedication and construction of a CAT bus turn-out is required on Allen Lane near Craig Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.

8. 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.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.
10. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along the project's Allen Lane frontage.
11. 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.
12. The property owner is required to grant a roadway easement for commercial driveway(s).
13. The property owner is required to sign a restrictive covenant for utilities.
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. 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.
16. Approval of a drainage study is required prior to submittal of the civil improvement plans.
17. 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.
18. 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.
19. 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.

20. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
21. 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*.
22. Complete half street improvements for Allen Lane and Goldcrest Drive will be required with the parcel map.
23. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
24. Turning radii along the fire access lanes shall be designed in accordance with the Fire Code

Robert Cunningham of Taney Engineering, 4445 South Jones, Las Vegas, NV appeared on behalf of the applicant asking for clarification on three conditions. On Condition No. 2.b, he asked that the words, “may include the sidewalk” be added and asked that Condition No. 22 be deleted as they were not going to be doing a parcel map.

Randy Cagle of Public Works stated that typically with a boundary line adjustment, the property line does not move, so there are still issues with the underlying property line being there, which was why the parcel map was required, so would like that condition to remain.

Chairman Aston asked Staff if they had any concerns on the other conditions. Marc Jordan, Planning Manager responded on Condition No. 2.b, it stated 20 feet of landscaping adjacent to the residential. When looking at the plan, it looks like there is 20 feet or more so he was not sure why they would want to amend a condition when it appeared they were complying with it. Likewise, in this particular case, if they were to do that, it was something that had not been brought up to Staff. The 20 feet is there to serve as a buffer to the residential so under that request, it sounds like they would be reducing the landscape from 20 feet to 15 feet, which, according to the preliminary development plan, they have 20 feet or more already. Chairman Aston asked if the plan showed the existing sidewalk.

Blake Rosser, 2620 West Horizon Ridge Parkway, Henderson, NV 89014 stated there was a bit of a discrepancy because the original plan provided when the landscape buffer was on the home development side, included a portion of the sidewalk, which was approximately 120 feet. The boundary adjustment included the area with a meandering sidewalk and there was a portion of the sidewalk on the residential portion.

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

Chairman Aston closed the Public Hearing.

Chairman Aston stated the applicant was requesting that, since the sidewalk was not shown, and if the sidewalk were added, they might encroach into the landscape buffer and asked if the plan needed to show that or if it could be addressed and added as a condition. Mr. Jordan responded that it could be addressed and added as a condition but was up to the Commission's discretion. It should be looked at from the perspective that they have a building that is literally next to the perimeter wall and if you went from the back of sidewalk, which is where the property line would normally be, you would have a 15 foot setback for the building. Normally, for buildings in commercial areas next to residential, you were looking at 30 feet, so he was not sure Staff would be in support of reducing any landscaping. Chairman Aston asked if the property line was from back of sidewalk or back of curb. Mr. Rosser responded it was from back of curb. Chairman Aston asked if a sidewalk was required in that area. Mr. Jordan responded it was an interior residential street and would most like be required.

Chairman Aston stated he felt the condition should be amended since the applicant had made an effort to comply.

Commissioner Steve Brown added there also was a street as a buffer and felt a 20 foot landscape buffer with the sidewalk included would be sufficient and he would be in support of that.

Chairman Aston asked Staff if they could add "with sidewalk to be included in the buffer area" to the condition. Mr. Jordan responded 2.b could be amended to read: "20 feet of landscape buffer, which may include the sidewalk, shall be required adjacent to abutting residential property."

Chairman Aston asked about Condition No. 21 referred to by the applicant. Mr. Cunningham responded he was concerned with Condition No. 22 because there was a commercial and residential portion to the site and with the parcel map they were being conditioned to put in all of Allen Lane and Goldfield Street and with the parcel map you were dealing with two different projects and two different property owners and they would like to put Allen Lane in with this development so the street did not get ripped up with the utility stubs and everything else and the rest with the residential. Condition No. 22 states they would be required to put all of it in with the parcel map.

Randy Cagle of Public Works stated Public Works was adamant that with the parcel map, they get the roadway improvements complete. There is a dangerous intersection at Allen and Craig with only half of an intersection, so they were insisting on the improvements with the parcel map.

Mr. Rosser asked if they could create a condition to provide the improvements, at the time the half street improvements were done, with the turn lane and bus turnout because that was part of the R-1, which was on the opposite side of the street. They were going to improve that because that was going into their main entrance and the rest of Allen. They were trying to create a boundary line because the problem was with the home developer and they were cooperating with a switch that it would take four months to do a parcel map and they don't want to close unless they can get a boundary adjustment so they were trying to get their portion moved. In the interest of time, they were creating a boundary adjustment on the other portion.

Mr. Cagle stated at the end of Condition No. 22 the wording "or as otherwise directed by the Director of Public Works" be added, so he can make the decision whether those improvements would be required with the parcel map.

Mr. Jordan stated it might be clarified on Condition No. 2.c that it applied to Allen Lane.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NOS. 2.b, 2.c AND 22 AMENDED AS FOLLOWS:

- 2.b 20 FEET OF LANDSCAPE BUFFER, WHICH MAY INCLUDE THE
SIDEWALK, SHALL BE REQUIRED ADJACENT TO ABUTTING
RESIDENTIAL PROPERTY.
- 2.c THE SIDEWALK MUST BE SEPARATED A MINIMUM OF FIVE (5)
FEET FROM THE BACK OF CURB AND BE MEANDERING ALONG
ALLEN LANE.
- 22. COMPLETE HALF STREET IMPROVEMENTS FOR ALLEN LANE
AND GOLDCREST DRIVE WILL BE REQUIRED WITH THE PARCEL
MAP, OR AS OTHERWISE DIRECTED BY THE DIRECTOR OF
PUBLIC WORKS.

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 38 was heard next.

35. **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. (CONTINUED OCTOBER 12, 2005)**

It was requested by the applicant to continue UN-115-05 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 Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

36. **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. (CONTINUED OCTOBER 12 AND 26, 2005)**

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating he had a meeting with Staff on November 8, 2005 and was trying to address some of the open space issues that were being redesigned. They have contacted the neighbors to inform them they were requesting to continue ZN-78-05 for two weeks to November 22, 2005 to resolve the issues.

Chairman Jay Aston asked the applicant if that would be enough time to resolve the issues. Mr. Gronauer responded it was.

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 Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

37. **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. (CONTINUED OCTOBER 12 AND 26, 2005)**

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating he had a meeting with Staff on November 8, 2005 and was trying to address some of the open space issues that were being redesigned. They have contacted the neighbors to inform them they were requesting to continue UN-99-05 for two weeks to November 22, 2005 to resolve the issues.

Chairman Jay Aston asked the applicant if that would be enough time to resolve the issues. Mr. Gronauer responded it was.

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 Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 39 was heard next.

- 38. 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. (CONTINUED OCTOBER 12 AND 26, 2005)**

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of VN-24-05 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. This development shall comply with all requirements of the Commercial Development Standards and Design guidelines, except for
 - a. The required foundation landscaping and sidewalk may be reduced to five (5) feet as shown on the submitted site plan.
 - b. A marked pedestrian pathway shall be provided from the furthest parking space to the building entrance along the rear of the parking spaces. The building entrance shall be relocated so that direct inline access is maintained from the marked pedestrian path.
 - c. The required buffer landscaping may be reduced to seven (7) feet along the northern property line providing that five (5) feet of landscaping is placed along the southern property line and that one landscape diamond with tree is provided for every two parking stalls, as approved by staff.
 - d. The proposed building may be oriented away from the street.
3. The number of operator workstations shown on the submitted floor plan are conceptual and must be reduced so that the site plan complies with the minimum number of required parking spaces.

4. This variance is limited to the trash enclosure and the setback from a residential zone boundary is reduced to a minimum of five (5) feet.

Tim Ayala, 4600 Sunset Road, Las Vegas, NV appeared on behalf of the applicant stating he concurred with Staff recommendation and asked that the building be allowed at the rear of the lot.

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

Chairman Aston closed the Public Hearing.

Chairman Aston clarified there were three waivers. Staff was not in support of the waiver for the building orientation but were in support of the landscape buffer and the foundation landscaping. Mr. Davis responded that was correct and the conditions of approval reflected the recommendation and did not include the building orientation waiver.

Commissioner Harry Shull asked if the applicant was in favor of the recommendation. Mr. Ayala stated he agreed with the recommendation but was asking for approval of the waiver for the building orientation. Mr. Davis stated a condition would need to be added to address that.

Mr. Davis stated Staff recommended Condition No. 2 be amended to include "d. The proposed building may be oriented away from the street."

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE ADDITION OF CONDITION NO. 2.d AS FOLLOWS:

2.d. THE PROPOSED BUILDING MAY BE ORIENTED AWAY FROM THE STREET.

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 41 was heard next.

39. **SPR-55-05 (22832) CENTENNIAL VILLAGE. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF ST. MARKS PLACE / LOSEE CENTER B LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT FOR NINE (9) OFFICE/RETAIL BUILDINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-24-401-001 AND 124-24-401-002. (CONTINUED OCTOBER 26, 2005)**

It was requested by the applicant to continue SPR-55-05 to November 22, 2005.

ACTION: CONTINUED TO NOVEMBER 22, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

40. **UN-114-05 (22850) CENTENNIAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF CENTENNIAL LOSEE CENTER, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (BANK WITH DRIVE-THRU). THE PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF LOSEE ROAD AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-24-401-001. (CONTINUED OCTOBER 26, 2005)**

It was requested by the applicant to continue UN-114-05 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 Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 29 was heard next.

41. VAC-32-05 (22839) LA MADRE/BRUCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TIOGA GRAND, LLC ON BEHALF OF TIOGA GRAND LLC AND TOK SUN KIM, PROPERTY OWNERS, TO VACATE A PORTION OF LA MADRE WAY FROM BRUCE STREET TO HAROLD STREET (APPROXIMATELY 585 LINEAL FEET). THE ASSESSOR'S PARCEL NUMBER IS 124-35-801-001. (CONTINUED OCTOBER 26, 2005)

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending denial of VAC-32-05 as LaMadre Way was needed as an east/west access from Lawrence Street to Bruce Street. In addition, the northerly portion of LaMadre Way from Lawrence Street to Harold Street was being constructed as part of the recently improved LaMadre and Lawrence Subdivision directly to the east.

Stephanie Allen of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating they were requesting to vacate 580 feet located between Bruce Street to the west, Harold Street to the east and LaMadre Way. The property owner to the north of LaMadre Way would be the only one affected by the vacation other than the applicant. The applicant has been working with that property owner and they have a letter in support of the vacation signed by both Karen and Bart Blood, property owners of the property to the north, which was submitted for the record. There is a tentative map approved to the east of the parcel and they do have access on LaMadre Way; however, they are not landlocked, they have full access to the west on Harold Street and to the east on Lawrence Street, both of which are 60 foot right-of-ways. Both streets go all the way to the north to Washburn and to the south to Lone Mountain Road.

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

Chairman Aston closed the Public Hearing.

Commissioner Harry Shull asked Staff if the contiguous property owner was in favor of abandonment, if it changed the City's position regarding the vacation. Randy Cagle of Public Works responded he would like to hear Traffic's comments before he made his comments. Madeleine Jabbour of Public Works Transportation stated LaMadre Way was already being constructed so it was continuous from Lawrence Street to Harold Street. The size of the development was small so it did not require the vacation. If the development were larger, it might be considered, but at this point Public Works was still recommending denial. Commissioner Shull asked staff if the Commission could approve the vacation. Randy Cagle of Public Works responded if it was the desire of the Planning Commission to approve, he had three conditions to read into the record. Commissioner Shull asked for the recommended conditions. Mr. Cagle read the following conditions for the record:

1. That a vacation record concurrently with the final map.
2. That if a vacation is not recorded within one year, that it be null and void.
3. The applicant to apply and obtain from Clark County the vacation of the north half of LaMadre Way. If the applicant is unsuccessful in obtaining this vacation, VAC-32-05 shall be null and void.

Ms. Allen made a comment regarding the third condition, stating the applicant was not the owner of the property to the north, so, even though they have been informed they have the intent to vacate LaMadre Way, the applicant does not have control whether or not they request to vacate that portion of LaMadre Way.

Mr. Cagle stated according to State Law, any abutting property owner has the right to request the vacation of a portion or all of the street, so he would argue they have the right to request that the north half be vacated. Ms. Allen responded the letter clearly stated they would try to vacate, so they would work with the property owner to make sure that portion was vacated within one year.

Commissioner Harry Shull asked Staff if the tentative map was approved, and if so, how the applicant would get a final map. Mr. Davis responded the tentative map was the next item on the agenda. Commissioner Shull asked if it was possible to get a tentative map recorded within one year. Mr. Cagle responded that comment was a standard requirement on all vacations and had not had a problem with meeting the one year time frame.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITIONS:

1. THAT A VACATION RECORD CONCURRENTLY WITH THE FINAL MAP.
2. THAT IF A VACATION IS NOT RECORDED WITHIN ONE YEAR, THAT IT BE NULL AND VOID.
3. THE APPLICANT TO APPLY AND OBTAIN FROM CLARK COUNTY THE VACATION OF THE NORTH HALF OF LA MADRE WAY. IF THE APPLICANT IS UNSUCCESSFUL IN OBTAINING THIS VACATION, VAC-32-05 SHALL BE NULL AND VOID.

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

42. T-1218 (22840) LA MADRE/BRUCE. AN APPLICATION SUBMITTED BY TIOGA GRAND LLC ON BEHALF OF TIOGA GRAND LLC AND TOK SUN KIM, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 24 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LA MADRE WAY AND BRUCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-801-001, 124-35-801-002, 124-35-801-003 AND 124-35-801-004. (CONTINUED OCTOBER 26, 2005)

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending an indefinite continuance of T-1218 to allow the applicant to address issues in the analysis section of the revised memo dated November 9, 2005, which also includes talking to the School District. If the Commission desired approval of T-1218, the following conditions are recommended:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The development comply with the Single-Family Design Guidelines including that the sidewalks along Bruce Street be meandering, a sidewalk be located on at least one side of every local street, and that public utility and drainage easements shall also be designed to provide pedestrian access.
3. All required landscaping areas and open space areas shall be labeled as common elements and be maintained by the homeowners association.
4. Perimeter walls shall be owned and maintained by the homeowner's association.
5. The developer shall disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
6. The prospective homeowners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm. The notice shall also state the R.C. Farms, in part, is protected by state statutes as an agricultural use.
7. The developer, or property owner, shall disclose that this property is located in a 65-70 decibel noise Air Installation Compatible Use Zone (AICUZ) as defined by Nellis Air Force Base in September 2004. The United States Air Force discourages residential development in 65-70 decibel AICUZ areas.

8. The setback requirements noted on the tentative map title page shall be deleted prior to filing the final map.
9. Measures to achieve a noise level reduction, outdoor to indoor, of 25 decibels must be incorporated into the design and construction.
10. Written verification must be submitted to the Clark County Health District from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the map or plan has been approved with regard to water pollution and sewage disposal in accordance with the Nevada Water Pollution Control Law.
11. A letter from the appropriate sewer agency must be submitted to the Clark County Health District stating that service from the existing system of community sewerage will be extended to the subdivision and the community facility for treatment will not be caused to exceed its capacity and the discharge permit requirements by this added service or that the facility will be expanded to provide for the added service.
12. A letter must be submitted to the Clark County Health District from the appropriate water utility stating that it will supply water to meet the standards of the Water Supply Regulations Part I, and that the capacity is available to meet the demands upon the system.
13. Improvement plans must be submitted to the Clark County Health District for review and approval before the final map can be signed. Include "Finished Floor" elevations and "Sanitary Sewer Manhole" rim elevations on all utility plans to expedite review of the required sewer "Back Water Valves" on improvement plans.
14. Five (5) copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review and approval to the Department of Public Works and the Department of Planning and Development prior to submittal of the final map and civil improvement plans.
15. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. La Madre Way
 - b. Bruce Street
 - c. Harold Street

16. 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*.
17. 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.
18. Approval of a drainage study is required prior to submittal of the civil improvement plans.
19. Clark County 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 preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics and thickness of the pavement sections will be determined by the Department of Public Works.
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 Bruce Street.
24. The property owner is required to grant roadway easements where public and private streets intersect.
25. All common elements shall be labeled and are to be maintained by the Home Owners Association.

26. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
27. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
28. 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.
29. A revocable encroachment permit for landscaping within the public right of way is required.
30. 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.
31. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
32. Proposed residential driveway slopes shall not exceed a slope of twelve percent (12%).
33. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
34. Provide a means of Fire department access from Harold Street onto Fantastic Court.

Stephanie Allen of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant asking for approval of the tentative map. She stated she worked with the School District two weeks ago and held the application for two weeks to revise the plans and also to work with them as a good neighbor. The applicant had been informed by the School District that they were negotiating a site in the area but had not been informed they were specifically asking to purchase this site but would work with them in the future if they decided they were interested in purchasing; however, she did not see a reason to hold the tentative map at this point. Ms. Allen stated she concurred with Staff's recommended conditions.

Randy Cagle of Public Works stated the Commission might want to consider revising Condition No. 15 to remove the dedication for LaMadre Way. Ms. Allen agreed to the deletion of Condition No. 15.a.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 15.a DELETED.

MOTION: Commissioner Harry Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

43. **AMP-53-05 (22790) CARTIER LOT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PAUL TALANIAN ON BEHALF OF THE PAUL AND BEVERLY TRUST AND THE ROBIN M. TULLENERS TRUST, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CARTIER AVENUE AND APPROXIMATELY 425 FEET EAST OF BRUCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-14-810-008. (CONTINUED OCTOBER 26, 2005)**

Item Nos. 43 and 44 were presented together.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff stating the applicant was proposing to change their land use category and zoning to allow them to develop a four-plex on the lot. The reason for the proposal was that a four-plex would not comply with the R-2 requirements for lot size; however, the applicant feels the R-3 District, which allowed 1700 square feet per dwelling unit would be acceptable. The lot would not be able to support the proposed four-plex due to parking concerns as well as open space requirements in the multi-family design standards. Therefore, Staff questions whether the lot could be developed as the applicant was proposing. As far as the AMP was concerned, the guidelines in the Comprehensive Plan addressing location and proximity of the lot to other high density development and appropriate transportation connections have not been met and is not in compliance with the guidelines set in the Comprehensive Plan; therefore Staff was recommending denial of AMP-53-05.

The applicant was not present.

ACTION: DENIED

MOTION: Commissioner Shull

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

44. **ZN-80-05 (22800) CARTIER LOT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PAUL TALANIAN ON BEHALF OF THE PAUL AND BEVERLY TRUST AND THE ROBIN M. TULLENERS TRUST, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CARTIER AVENUE AND APPROXIMATELY 425 FEET EAST OF BRUCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-14-810-008. (CONTINUED OCTOBER 26, 2005)**

Item Nos. 43 and 44 were presented together.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff stating the applicant was proposing to change their land use category and zoning to allow them to develop a four-plex on the lot. The reason for the proposal was that a four-plex would not comply with the R-2 requirements for lot size; however, the applicant feels the R-3 District, which does allow 1700 square feet per dwelling unit would be acceptable. The lot would not be able to support the proposed four-plex due to parking concerns as well as open space requirements in the multi-family design standards. Therefore, Staff questions whether the lot could be developed as the applicant was proposing. As far as the AMP was concerned, the guidelines in the Comprehensive Plan addressing location and proximity of the lot to other high density development and appropriate transportation connections have not been met and is not in compliance with the guidelines set in the Comprehensive Plan; therefore Staff was recommending denial of ZN-80-05.

The applicant was not present.

ACTION: DENIED

MOTION: Commissioner Shull

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

- 45. T-1213 (22807) GOLDFIELD I. AN APPLICATION SUBMITTED BY WILLIAM LYON HOMES ON BEHALF OF GOLDFIELD 20 LLC AND GOLD PYLE LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 61 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LAMADRE WAY AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-701-011, 124-34-701-015, 124-34-701-020, 124-34-701-021, 124-34-701-026, 124-34-701-025, 124-34-701-026, 124-34-701-029, 124-34-701-032, AND 124-34-701-038. (CONTINUED OCTOBER 26, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of T-1213 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The number of lots for this development shall not exceed 61.
3. The development of this site shall be in compliance with the Single-Family Development Standards and Design Guidelines.
4. All perimeter walls shall be owned and maintained by the Homeowners' Association and shall be constructed entirely within the common elements.
5. All common elements shall be labeled and are to be maintained by the Home Owners Association.
6. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.
7. Approval of a drainage study is required prior to submittal of the civil improvement plans.

8. 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.
9. Proposed side lot easement(s) must conform to *City of North Las Vegas Municipal Code 17.24.210.D.4.a*.
10. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the actual thickness of the pavement sections, for public and private streets, will be determined by the Department of Public Works.
11. Approval of a traffic study is required prior to submittal of the civil improvement plans.
12. 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*.
13. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. Goldfield Street
 - b. La Madre Way
 - c. Eagle Way
 - d. Rosada Way (should this street not be vacated)
14. All common elements shall be labeled and are to be maintained by the Home Owners Association.
15. Appropriate subdivision and/or parcel mapping is required to create parcels of differing land uses (APN: 124-34-701-015). All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
16. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
17. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
18. 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.

19. A revocable encroachment permit for landscaping within the public right of way is required.
20. 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.
21. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
22. Proposed residential driveway slopes shall not exceed a slope of twelve percent (12%).
23. 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.
24. 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.
26. The following information must be included in any sale, lease or transfer of property within the subject development:

This property is located in a 65-70 decibel noise Air Installation Compatible Use Zone (AICUZ) as defined by Nellis Air Ford Base in 2004. The United States Air Force discourages residential development in 65-70 decibel AICUZ areas (or the United States Air Force strongly discourages residential development in 70-75 AICUZ areas).

27. A minimum of two (2) means of Fire Department access are required for groups of 25 or more residential dwelling units.

Robert Cunningham of Taney Engineering, 4445 South Jones Boulevard, Las Vegas, NV appeared on behalf of the applicant stating he concurred with Staff recommendation, asking for clarification on two conditions. He asked that Condition No. 12 be deleted as they no longer have homes fronting 60 foot streets. Randy Cagle of Public Works suggested the wording, "or otherwise required by the Director of Public Works" be added at the end of the condition.

Mr. Cunningham also asked that Condition No. 19 be amended to add, "or as otherwise required by the Director of Public Works" at the end of the condition. Mr. Cagle stated the condition should be left as is, as the condition was a standard requirement. If there was landscaping within the public right-of-way, they must do an encroachment permit.

Mr. Cunningham also stated by moving the lots so they do not front on 60 foot rights-of-ways, they had to scrunch the lots in some of the cul-de-sac areas and it would be their preference to request 18 foot set-backs on some of the cul-de-sac lots as they had been compromised.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH CONDITION NO. 12 AMENDED TO READ:

12. 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*, OR AS OTHERWISE REQUIRED BY THE DIRECTOR OF PUBLIC WORKS.

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Commissioner Jay Aston recognized Assemblywoman Marilyn Kirkpatrick.

46. T-1214 (22808) GOLDFIELD II. AN APPLICATION SUBMITTED BY WILLIAM LYON HOMES ON BEHALF OF GOLDFIELD 20 LLC AND CTR LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 32 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF EAGLE WAY AND VERDE WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-804-002, 124-34-804-003, 124-34-804-005 AND 124-34-804-006. (CONTINUED OCTOBER 26, 2005)

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of T-1214 subject to the following conditions, which includes a condition requiring the applicant to provide a pathway onto North 5th Street to meet with the transit corridor the City was developing:

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 number of lots for this development shall not exceed 30.
3. The development of this site shall be in compliance with the Single-Family Development Standards and Design Guidelines.
4. All perimeter walls shall be owned and maintained by the Homeowners' Association and shall be constructed entirely within the common elements.
5. All common elements shall be labeled and are to be maintained by the Home Owners Association.
6. The North 5th Street section and geometrics are subject to review and approval of the Director of Public Works or his designee.
7. Vehicular access to North 5th Street is prohibited. The applicant shall utilize Verde Way and/or Lone Mountain Road to access the development.
8. All development along North 5th Street shall provide a twenty foot landscape and pedestrian access easement/common element adjacent to the right-of-way.
9. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along North 5th Street and Lone Mountain Road.

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:
 - a. North 5th Street
 - b. Lone Mountain Road
 - c. Verde Way
11. The applicant shall apply for a vacation of Eagle Way.
12. 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*.
13. All common elements shall be labeled and are to be maintained by the Home Owners Association.
14. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
15. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
16. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
17. 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.
18. 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.
19. Approval of a drainage study is required prior to submittal of the civil improvement plans.
20. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.

21. Approval of a traffic study is required prior to submittal of the civil improvement plans.
22. The following information must be included in any sale, lease or transfer of property within the subject development:

This property is located in a 65-70 decibel noise Air Installation Compatible Use Zone (AICUZ) as defined by Nellis Air Ford Base in 2004. The United States Air Force discourages residential development in 65-70 decibel AICUZ areas (or the United States Air Force strongly discourages residential development in 70-75 AICUZ areas).

23. A minimum of two (2) means of Fire Department access are required for groups of 25 or more residential dwelling units.

Robert Cunningham of Taney Engineering, 4445 South Jones Boulevard, Las Vegas, NV appeared on behalf of the applicant stating the site was redesigned so it was a series of three cul-de-sacs with ten lots on each cul-de-sac. He felt since the community was small, there was no need for access to the North 5th corridor and did not see that in the listed conditions. Mr. Cunningham also asked that Condition No. 12 be revised to add the wording, "or as otherwise required by the Director of Public Works" to the end of the condition.

Chairman Jay Aston asked Staff if they had comments regarding the pedestrian access to the North 5th corridor. Marc Jordan, Planning Manager responded, since the condition was not listed, it was a suggestion.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 12 AMENDED TO READ:

12. 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*, OR AS OTHERWISE REQUIRED BY THE DIRECTOR OF PUBLIC WORKS.

MOTION: Commissioner Shull

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

47. **T-1219 (22841) WASHBURN/BRUCE. AN APPLICATION SUBMITTED BY TIOGA GRAND LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 39 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF WASBURN ROAD AND BRUCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-701-002, 124-35-701-003, 124-35-701-004, 124-35-701-005 AND 124-35-701-006. (CONTINUED OCTOBER 26, 2005)**

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending T-1219 be continued as the School District had submitted a letter requesting the tentative map be held as the area schools were severely overpopulated and new school site was being sought in that section. If the Commission desires approval, the following conditions are recommended:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The development comply with the Single-Family Design Guidelines including that the sidewalks along Washburn Road and Bruce Street be meandering and a sidewalk be located on at least one side of every local street.
3. All required landscaping areas and open space areas shall be labeled as common elements and be maintained by the homeowners association.
4. Perimeter walls shall be owned and maintained by the homeowner's association.
5. The developer shall disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
6. The prospective homeowners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm. The notice shall also state the R.C. Farms, in part, is protected by state statutes as an agricultural use.
7. The property line between Lot 33 and Common Lot "C" shall be relocated to approximately 85 feet east of the western property line for Lot 33.

8. The setback requirements noted on the tentative map title page shall be deleted prior to filing the final map.
9. The developer, or property owner, shall disclose that this property is located in a 65-70 decibel noise Air Installation Compatible Use Zone (AICUZ) as defined by Nellis Air Force Base in September 2004. The United States Air Force discourages residential development in 65-70 decibel AICUZ areas.
10. Measures to achieve a noise level reduction, outdoor to indoor, of 25 decibels must be incorporated into the design and construction.
11. Written verification must be submitted to the Clark County Health District from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the map or plan has been approved with regard to water pollution and sewage disposal in accordance with the Nevada Water Pollution Control Law.
12. A letter from the appropriate sewer agency must be submitted to the Clark County Health District stating that service from the existing system of community sewerage will be extended to the subdivision and the community facility for treatment will not be caused to exceed its capacity and the discharge permit requirements by this added service or that the facility will be expanded to provide for the added service.
13. A letter must be submitted to the Clark County Health District from the appropriate water utility stating that it will supply water to meet the standards of the Water Supply Regulations Part I, and that the capacity is available to meet the demands upon the system.
14. Improvement plans must be submitted to the Clark County Health District for review and approval before the final map can be signed. Include "Finished Floor" elevations and "Sanitary Sewer Manhole" rim elevations on all utility plans to expedite review of the required sewer "Back Water Valves" on improvement plans.
15. In order to alleviate sawtooth pavement conditions and improve traffic movements at the intersection of Bruce Street and Washburn Road, the developer shall install pavement adjacent to APN 124-35-701-001 to complete the intersection.

16. 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. Washburn Road
 - b. Bruce Street
 - c. Harold Street
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. 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.
19. Approval of a drainage study is required prior to submittal of the civil improvement plans.
20. Clark County concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
21. 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.
22. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics and thickness of the pavement sections will be determined by the Department of Public Works.
23. Approval of a traffic study is required prior to submittal of the civil improvement plans.
24. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Washburn Road and Bruce Street.
25. The property owner is required to grant roadway easements where public and private streets intersect.

26. All common elements shall be labeled and are to be maintained by the Home Owners Association.
27. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
28. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
29. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
30. A revocable encroachment permit for landscaping within the public right of way is required.
31. A construction phasing plan, depicting onsite development and supporting offsite improvements, as well as construction access routes, shall be provided by the developer. Approval by the Department of Public Works is required prior to the issuance of any permits.
32. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
33. Proposed residential driveway slopes shall not exceed a slope of twelve percent (12%).
34. 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.
35. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in *Clark County Area Uniform Standard Drawing* No. 210. The use of roll curb will require an additional one foot of right of way.
36. Sidewalk is required on a minimum of one side of all interior, private streets.
37. Sidewalks shall be mapped as part of the private street or located within a common element and not part of the lot.
38. VAC-06-05 shall record concurrently with the final map.

Stephanie Allen of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant asking for approval as the School District was in negotiations in the area for a school site and would continue to work with the School District in the future if, at a later date, they have interest in this site.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Planning and Development Director Jory Stewart let the Commission know the City Council approved the Planning Commission as the City's Capital Improvements Advisory Committee, which under Nevada Revised Statutes 278B, the City must have that Committee in order to facilitate any kind of impact fee program.

Marc Jordan, Planning Manager clarified to the Commission that the December 13, 2005 meeting with Clarion would be held in the City Manager's Conference Room at 6:00 p.m. and the January 10, 2006 meeting would be held in the North Las Vegas Library at 6:00 p.m.

CHAIRMAN'S BUSINESS

There was no report given.

ADJOURNMENT

The meeting adjourned at 9:35 p.m.

APPROVED: December 14, 2005

/s/ Jay Aston
Jay Aston, Chairman

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