

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

March 22, 2006

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

BRIEFING: 5:35 pm., Conference Room, North Las Vegas City Hall,
2200 Civic Center Drive

CALL TO ORDER: 6:04 pm., Council Chambers, North Las Vegas City Hall,
2200 Civic Center Drive

ROLL CALL: Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Harry Shull

WELCOME: Chairman Jay Aston

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING
OF FEBRUARY 22, 2006.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

CONSENT AGENDA

- A. PW-45-06 (24994) CAMINO AL NORTE TOWNHOMES: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CAMINO AL NORTE PROPERTIES, LLC AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$733,541.80.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- B. PW-46-06 (24995) NVE CLUB ALIANTE, UNIT 1 PHASE 1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$1,016,908.48.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- C. PW-47-06 (24996) DESERT MOON: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY RICHMOND AMERICAN HOMES OF NEVADA, INC. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$918,605.94.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

D. PW-48-06 (24997) TROPICAL & LAWRENCE, UNIT 1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$1,020,555.58.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

E. PW-49-06 (24998) TROPICAL & LAWRENCE, UNIT 2: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$671,388.45.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

F. PW-50-06 (24999) ROSE LAKE 20: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$935,607.75.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

G. PW-51-06 (25000) COVE AT RIVERWALK RANCH: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY D.R. HORTON, INC. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$1,188,732.96.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

H. PW-52-06 (25001) ANN & COMMERCE (SWC): APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY TOUSA HOMES, INC. DBA ENGLE HOMES AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$966,466.15.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

I. PW-53-06 (25002) THE PARK AT NORTHPOINTE: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY GSG ALEXANDER, LLC AND ACCEPT THE CASH-IN-LIEU OF BOND - SEPARATE ACCOUNT IN THE AMOUNT OF \$169,944.79.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- J. PW-54-06 (25004) WAL-MART SUPERCENTER STORE 3728-00: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY WAL-MART REAL ESTATE BUSINESS TRUST AND ACCEPT THE IRREVOCABLE STANDBY LETTER OF CREDIT IN THE AMOUNT OF \$494,057.89.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- K. PW-55-06 (25005) CENTURY ONE: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY SAFECO INSURANCE COMPANY OF AMERICA TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$918,080.02.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- L. PW-56-06 (25007) ELDORADO NO. 14 R1-60 NO. 9: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY UNITED PACIFIC INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$296,499.89.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

M. PW-57-06 (25008) NVE ACTIVE ADULT, UNIT 6, PHASE 1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY GULF INSURANCE COMPANY TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$545,138.39.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

N. PW-58-06 (25009) NVE ACTIVE ADULT, UNIT 7A: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY GULF INSURANCE COMPANY TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$1,155,337.98.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

O. PW-59-06 (25010) CENTENNIAL BRUCE NORTH 40, UNIT 4: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY ARCH INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$289,194.68.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

P. PW-60-06 (25011) CENTENNIAL BRUCE NORTH 40, UNIT 3: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY ARCH INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$254,499.85.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Q. PW-61-06 (25012) CENTENNIAL BRUCE NORTH 40, UNIT 2, PHASE 1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY ARCH INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$159,502.70.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

R. PW-62-06 (25014) CENTENNIAL BRUCE NORTH 40, UNIT 2, PHASE 2: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY ARCH INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$301,670.27.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- S. PW-63-06 (25016) CENTENNIAL BRUCE EAST 40, UNIT 1, PHASE 1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN MOTORISTS INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$215,162.70.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- T. PW-64-06 (25018) CENTENNIAL BRUCE EAST 40, UNIT 1, PHASE 2: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN MOTORISTS INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$355,592.60.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- U. PW-65-06 (25019) CENTENNIAL BRUCE EAST 40, UNIT 1, PHASE 3: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN MOTORISTS INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$536,162.61.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

V. PW-66-06 (25020) CENTENNIAL BRUCE EAST 40, UNIT 2: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN MOTORISTS INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$269,142.34.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

W. PW-67-06 (25021) CENTENNIAL BRUCE EAST 40, UNIT 3: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY ARCH INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$339,521.38.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

X. PW-68-06 (25022) CENTENNIAL BRUCE EAST 40, UNIT 4: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY ARCH INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$281,528.01.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

- Y. **PW-69-06 (25023) HOMETOWN WEST, UNIT 1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY THE AMERICAN INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$86,379.74.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Item No. 20 was heard next.

NEW BUSINESS

- PW-70-06 (25044) TITLE 16 AMENDMENTS (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS, TO REPEAL AND REPLACE TITLE 16 (SUBDIVISIONS) TO AMEND REQUIREMENTS FOR DEVELOPMENTS WITHIN THE CITY OF NORTH LAS VEGAS; TO AMEND THE PROCESS FOR CIVIL IMPROVEMENT PLANS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Jan Schweitzer of the Public Works Department, Development Division stated a complete repeal was being done of Title 16 and renaming it from Subdivision to Development Code. She stated she had a letter from the Southern Nevada Home Builder's Association which showed they were in concurrence and had no objections. Some definitions had been added; the appeal process for Planning Commission and City Council to reflect, in part, what was in Title 17, they had clarified the tentative map process, included a mixed use section and performed other general housekeeping. Ms. Schweitzer read a change to 16.04.165 Standard drawings. The last sentence should have the following wording added to the end: *and other standard drawings of the city, as accepted by the city engineer.*"

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

Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt asked Ms. Schweitzer to explain why the change to Title 16 was taking place.

Ms. Schweitzer stated the process started in 1997 and was the collaborate effort of many divisions within Public Works and with the Planning and Zoning Department and with the City Attorney's Office. The title was made cleaner, more current and more user friendly for the developers and City Staff so that a lot of ambiguities that were in Title 16 or perceived to be in Title 16, are now clear issues for everyone.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

2. UN-25-06 (24697) CENTENNIAL MARKETPLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY AV NEVADA 2, LLC AND STATE LINE, LLC, PROPERTY OWNERS, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-26-501-004.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated there was a requirement that the convenience food restaurant elevations match the primary building for the facility. According to the elevation submitted to Staff, the elevations do not comply with the design of the center. The applicant has split face CMU block for a majority of the building and there was not four sided architectural features on all elevations. Staff believed this could be a minor change and was something that could be reviewed during the building permit process, so Staff was recommending approval with the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. UN-25-06 is site specific and non-transferable.
3. The convenience food restaurant (UN-25-06) shall comply with the conditions of approval for SPR-22-04.
4. The convenience food restaurant shall comply with the Commercial Development Standards and Design Guidelines including, but not limited to:
 - a. A pedestrian pathway shall be placed between the perimeter public sidewalk to the primary customer entrance.
 - b. A consistent level of design must be provided on all four (4) elevations of the building.
 - c. The building shall incorporate similar design, colors and materials of the main structure.

Jeff Randall of Great Basin Engineering, 2010 North Redwood Road, Salt Lake City, UT 84116 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

3. **VAC-02-06 (24571) LONE MOUNTAIN VILLAS I (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ORION ENGINEERING ON BEHALF OF STANDARD PACIFIC LAS VEGAS, INC., PROPERTY OWNER, TO VACATE A 30-FOOT-WIDE PUBLIC UTILITY EASEMENT GENERALLY LOCATED ON THE WESTERLY SIDE OF NORTH FIFTH STREET (APPROXIMATELY 585 FEET SOUTH OF LONE MOUNTAIN ROAD) AND EXTENDING WEST APPROXIMATELY 295 FEET. THE ASSESSOR'S PARCEL NUMBER IS 139-03-504-009.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of VAC-02-06.

Brent Wilson of Orion Engineering, 7391 Prairie Falcon Road #150, Las Vegas, NV 89128 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

4. **VAC-03-06 (24688) COLEMAN/GILMORE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTEX HOMES, PROPERTY OWNER, TO VACATE TWO (2) SLOPE EASEMENTS (5-FOOT-WIDE AND 10-FOOT-WIDE) ON THE NORTHERLY SIDE OF GILMORE AVENUE COMMENCING AT FUSELIER DRIVE AND EXTENDING WEST APPROXIMATELY 470 FEET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-08-501-007 AND 139-08-501-009.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of VAC-03-06.

Brent Wilson of Orion Engineering, 7391 Prairie Falcon Road #150, Las Vegas, NV 89128 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

5. **AMP-09-06 (24637) VA HOSPITAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY VA SOUTHERN NEVADA HEALTHCARE SYSTEM ON BEHALF OF THE UNITED STATES OF AMERICA, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS, TO RELOCATE DEER SPRINGS WAY 660 FEET SOUTH OF ITS CURRENT ALIGNMENT BETWEEN PALMER STREET AND LINCOLN ROAD, TO REMOVE DORRELL LANE BETWEEN PECOS ROAD AND WALNUT ROAD, AND TO REMOVE SANDY LANE BETWEEN DORRELL LANE AND THE FUTURE RELOCATION OF DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBER IS 123-19-000-001.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of AMP-09-06.

Scott Plummer of G.C. Wallace, 1555 South Rainbow Boulevard, Las Vegas NV 89146 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

6. UN-22-06 (24661) CAMINO AL NORTE OFFICE PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CAPITOL BANCORP, LTD. ON BEHALF OF CAMINO AL NORTE VENTURES, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (BANK). THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CAMINO AL NORTE AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-33-701-004.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-22-06 with one amendment to Condition No. 1 to read: *That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.*" The recommended conditions are as follows:

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-22-06 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.

Commissioner Harry Shull stated he had been asked to serve on the Board of Directors for the proposed bank, so would be abstaining on this item.

Commissioner Harry Shull left Chambers at 6:20 p.m.

Chet Patel, 2610 West Horizon Ridge Parkway, Henderson, NV 89052 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 1 AMENDED TO READ:

1. THAT, UNLESS EXPRESSLY AUTHORIZED THROUGH A VARIANCE, WAIVER OR ANOTHER APPROVED METHOD, THIS DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Commissioner Shull

Commissioner Shull returned to Chambers at 6:22 p.m.

7. **VAC-04-06 (24695) INTERNATIONAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA, LLC ON BEHALF OF 5440 W. SAHARA, LLC, ZOMACK 1, LLC, AND D'NAL 3, LLC, PROPERTY OWNERS, TO VACATE PORTIONS OF ASIA ROAD, CHINA DRIVE, MEXICO DRIVE, INTERNATIONAL BOULEVARD, UNIVERSAL DRIVE, HAWAII DRIVE, INDIA AVENUE AND LIBERIA DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-501-005 THRU -006, 139-07-510-026 THRU -040, 139-07-510-043 THRU -044, 139-07-510-046 THRU -053, 139-07-510-054 THRU -060, 139-07-510-065, 139-07-601-010, 139-07-602-003, 139-07-603-001, 139-07-610-006 THRU -007, 139-07-610-009 THRU -011, 139-07-610-014 THRU -017, 139-07-610-034, 139-07-610-035 THRU -042, 139-07-610-044 THRU -052, 139-07-610-054 THRU -066, 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 on VAC-04-06 as the company he worked for was the applicant and turned the meeting over to Vice-Chairman Jo Cato.

Chairman Jay Aston left Chambers at 6:22 p.m.

The application was presented by Robert Eastman, Principal Planner who indicated Staff was recommending approval of VAC-04-06 subject to the following conditions:

1. The applicant shall provide a right-of-way width of sixty (60) feet for Buckthorn Drive, from Valley Drive to the intersection of Austin Bay. The applicant shall acquire a Revocable Encroachment Permit for the maintenance of the landscape required within the right-of-way.
2. The legal description shall be modified to include recorded public utility easements per International Village Plat Book 3, Page 62.
3. The vacation shall record concurrent with a Merger and Resubdivision Final Map. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.

Robert Flaxa of Ryland Homes, 8925 West Russell Road, Las Vegas, NV stated he concurred with Staff recommendation.

Vice-Chairman Jo Cato opened the Public Hearing. There was no public participation.

Vice-Chairman Cato closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Chairman Aston

Chairman Aston returned to Chambers at 6:24 p.m.

8. **AMP-10-06 (24701) QUANTAS & DENNIS WOLFE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LEVI PARKER ON BEHALF OF MJZ REALTY HOLDINGS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MDR MEDIUM DENSITY RESIDENTIAL TO HDR HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF QUANTAS STREET AND DENNIS WOLFE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-24-801-005.**

Item Nos. 8 and 9 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of AMP-10-06.

Commissioner Harry Shull stated he would be abstaining as he was involved with the property.

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

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

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Commissioner Shull

9. **ZN-16-06 (24700) QUANTAS & DENNIS WOLFE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LEVI PARKER ON BEHALF OF MJZ REALTY HOLDINGS, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN M-1 BUSINESS PARK INDUSTRIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF QUANTAS STREET AND DENNIS WOLFE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-24-801-005.**

Item Nos. 8 and 9 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-16-06.

Commissioner Harry Shull stated he would be abstaining as he was involved with the property.

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

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

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Commissioner Shull

Item No. 21 was heard next.

10. UN-17-03 (24696) FIRST SPANISH BAPTIST CHURCH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JUAN SCLAFANI ON BEHALF OF THE FIRST SPANISH BAPTIST CHURCH, PROPERTY OWNER, TO AMEND A PREVIOUSLY APPROVED USE PERMIT ALLOWING A CHURCH IN AN R-E RANCH ESTATES DISTRICT, SPECIFICALLY CONDITION #6B, WHICH REQUIRES 20 FEET OF LANDSCAPING NEXT TO WASHBURN ROAD AND ALLEN LANE. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ALLEN LANE AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-31-604-011.

The application was presented by Robert Eastman, Principle Planner on behalf of Staff who indicated Staff was recommending approval of UN-17-03 with Condition No. 6.b amended to read: *A minimum 20 feet of landscaping shall be provided next to the Washburn Road and Allen Lane rights-of-way, except that a minimum of 18 feet of landscaping may be provided between the parking area south of the play area and Washburn Road. Landscaped triangles shall be located for every three parking spaces adjacent to Washburn Road.* The original recommended condition is as follows:

6. That the development comply with the Commercial Development Standards, including but not limited to the following:
 - a. The building(s) shall be oriented toward and located at the minimum front setbacks of the Washburn Road and Allen Lane corner.
 - b. A minimum 20 feet of landscaping shall be provided next to the Washburn Road and Allen Lane rights-of-way, except that a minimum of 18 feet of landscaping may be provided between the parking area south of the play area and Washburn Road.
 - c. A minimum 20 feet of landscaping shall be provided adjacent to the northern and western property.
 - d. A minimum 6-foot wide landscape island shall be provided at each end of all parking rows and one additional island for every 15 parking spaces contained in a row.
 - e. Any area of a parking lot which abuts a public street shall be screened by a decorative wall or berm with a minimum height of three (3) feet above the finished grade at the rear of the landscape area.

Kevin Govae of SH Architecture, 7373 Peak Drive #250, Las Vegas, NV 89128 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Pablo Navarro, 4205 Park Court, Las Vegas, NV asked to be allowed to keep the 18 feet of landscaping as previously approved.

Rafael Mundo, 2905 Chilly Nights Avenue, North Las Vegas, NV 89031 Pastor of First Spanish Baptist Church thanked Staff and asked for the Commission's approval.

Daniel Trofholz, 1455 E. Rochelle Avenue #43, Las Vegas, NV 89119 asked for the Commission's approval.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH CONDITION NO. 6.B AMENDED TO READ:

6.B. A MINIMUM 20 FEET OF LANDSCAPING SHALL BE PROVIDED NEXT TO THE WASHBURN ROAD AND ALLEN LANE RIGHTS-OF-WAY, EXCEPT THAT A MINIMUM OF 18 FEET OF LANDSCAPING MAY BE PROVIDED BETWEEN THE PARKING AREA SOUTH OF THE PLAY AREA AND WASHBURN ROAD. LANDSCAPED TRIANGLES SHALL BE LOCATED FOR EVERY THREE PARKING SPACES ADJACENT TO WASHBURN ROAD.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

11. UN-21-06 (24635) 2259 MCCARRAN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SERGIO SANCHEZ, PROPERTY OWNER, FOR A USE PERMIT IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A SINGLE-FAMILY DWELLING. THE PROPERTY IS LOCATED AT 2259 MCCARRAN STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-24-110-120.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-21-06 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes, ordinances and the Single-Family Design Guidelines including but not limited to:
 - a. Mechanical equipment such as air conditioning units and satellite dishes shall be concealed from view of public streets and neighboring properties by dense landscaping, a wall equal to the height of the mechanical equipment being screened and of similar material and design to surrounding walls, or be located behind private yard walls. All exterior air conditioning units shall be ground mounted; and
 - b. That the body and trim finish and roof materials of the dwelling unit shall be beige, tans, and earth tones, warm pastels or neutral colors indigenous to the Las Vegas Valley and its surrounds, or from the southwest region; and
 - c. All sides of a dwelling shall have recessed windows, entrance doors, or pop-outs or other architectural detailing around windows, entrance doors, sliding glass doors and garage doors.
 - d. Concrete or clay tile, or other Class A Type roofing materials of a similar appearance to concrete or clay tile, shall be used on all sloped roofs. Any area of a roof which utilizes a flat roof design shall incorporate a parapet wall or cornice element on all sides of the area; and
2. A detached structure shall maintain a minimum of six feet separation from the main structure.

Sergio Sanchez, 2259 McCarran Street, North Las Vegas, NV 89030 stated he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

12. **ZN-17-06 (24703) DAYCARE FACILITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BEVERLY ELMORE AND DONIELL ELMORE MURRAY ON BEHALF OF GORDON AND SHERRY THIESEN, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT 1518 WEST ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-04-410-014.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending ZN-17-06 be approved.

Sharon Frei, 2920 North Green Valley Parkway, Henderson, NV 89014 appeared on behalf of the applicant stating she concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

13. UN-26-06 (24702) DAYCARE FACILITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BEVERLY ELMORE AND DONIELL ELMORE MURRAY ON BEHALF OF GORDON AND SHERRY THIESEN, PROPERTY OWNERS, FOR A USE PERMIT IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT) TO ALLOW A CHILD CARE CENTER. THE PROPERTY IS LOCATED AT 1518 WEST ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-04-410-014.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-26-06 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes, ordinances and the Commercial Development Standards and Design Guidelines including, but not limited to:
 - a. Building shall be finished in earth tone or neutral colors indigenous to the Las Vegas Valley and its surrounds.
 - b. Rooftop and ground level mechanical and electrical service equipment shall be screened from public view with materials architecturally compatible with the finishes and character of the principle structure within the development.
 - c. The proposed return walls to the east and west of the existing building shall be decorative.
 - d. The landscape buffer to the west of the property from the front property line to the rear of the existing building (approximately 90 feet) shall be reduced to eight (8) feet.
 - e. The landscape buffers to the north and east of the property (designated children's play area) shall be twenty (20) feet. No play structures should be located in this buffer.
 - f. The landscape buffer within the parking area located on the east side of the property (approximately 90 feet from the front property line) shall be reduced to eight (8) feet. To increase the landscape density, two parking diamonds, each including a 24" box tree (minimum 1 ½" caliper measured at 4 ½" above the top of the rootball) at the time of installation, shall be added.

- h. A perimeter block wall, minimum height of six (6) feet, decorative in nature, shall be provided.
2. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
3. Approval of a traffic study is required prior to submittal of the civil improvement plans.
4. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Alexander Road.
5. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. Alexander Road
6. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
7. The property owner is required to grant a roadway easement for commercial driveway(s).
8. The property owner is required to 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.
9. A revocable encroachment permit for landscaping within the public right of way is required.
10. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code* and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
11. The property owner is required to sign a restrictive covenant for utilities.
12. Landscaping plans and the permit for the trash enclosure shall receive final approval prior to issuance of the Certificate of Occupancy.

Sharon Frei, 2920 North Green Valley Parkway, Henderson, NV 89014 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.

Commissioner Harry Shull asked Staff if the project was new construction or if the applicant was using an existing building. Mr. Eastman responded he understood the existing building would be used but the applicant had indicated the overall plan was to remove the building and build a new facility, possibly with the addition of additional property adjacent to the facility. Commissioner Shull asked if curb and gutter and street lighting would be installed. Mr. Eastman responded it would required.

Commissioner Angelo Carvalho asked the distance from the daycare facility to the mini-mart located across the street. Mr. Eastman responded Alexander Road was an 80 foot right-of-way at that location and with the parking lot it was approximately 150 feet.

Chairman Aston also pointed out, the child care facility was coming after the mini-mart, not before, so they knew what was around them.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

14. UN-23-06 (24663) NORTH 5TH MARKETPLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREG BECKER ON BEHALF OF ANN FIFTH INVESTORS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW AN AUTOMOBILE WASHING FACILITY (DRIVE-THRU). THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-34-502-001.

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending approval of UN-23-06 subject to the following conditions:

1. This development shall comply with all conditions of Ordinance Number 1706 (ZN-44-02).
2. This development shall comply with all conditions of FDP-27-05.
3. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
4. The applicant shall establish shared access with the parcel to the west.
5. That UN-23-06 shall expire March 22, 2008.
6. Two parking spaces shall be provided specifically dedicated to the carwash use and those parking spaces shall be the two parking spaces nearest to the trash enclosure facing the west side of the convenience store. The trash enclosure shall be designed so as to allow for customer access.
7. No vacuums shall be permitted within 150 feet of the southern property line and shall be screened from adjacent rights-of-way by a 100% opaque wall that is designed to match the design of the building. No more than one vacuum is permitted, but said vacuum may serve both parking stalls required for the carwash.
8. At least one free-standing trash receptacle shall be provided adjacent to the two required parking stalls. Said trash receptacle shall not interfere with pedestrian access routes, shall not be in-lieu of any required landscaping, shall be designed to compliment or match the building and shall be secured to the ground.
9. Any additional structures (e.g., shade canopies, etc.) shall be designed to match the building with stucco columns, stone veneer wainscots and a sloped tile roof.

10. With the exception of the entrance and exit, the carwash shall be completely enclosed by 100% opaque walls. Exterior lights may be allowed, provided said lights are screened by a soffit, are not flashing and do not direct light away from the building.
11. The construction of the carwash may be in conjunction with the convenience store, but a building permit or certificate of occupancy shall not be issued prior to those for the convenience store.

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

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

15. **UN-24-06 (24662) SHADOW MT. BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY FROSTFIRE PARTNERSHIP ON BEHALF OF SHADOW MOUNTAIN INVESTORS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE REPAIR FACILITY (HIGH PERFORMANCE RACING ENGINES). THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ALEXANDER ROAD AND PECOS ROAD, WITHIN BUILDING #3. THE ASSESSOR'S PARCEL NUMBER IS 139-12-513-001.**

The application was presented by Bob Hoyes, Planner on behalf of staff who indicated Staff was recommending approval of UN-24-06 subject to the following conditions:

1. That the use permit is site-specific and non-transferrable.
2. That no outside storage of vehicles or parts is permitted.
3. That, unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances.

Scott Sabraw, 2756 North Green Valley Parkway, Henderson, NV 89014 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

- **Michael & Korin Carvor, 3561 Trout Lake Avenue, Las Vegas, NV 89115** were opposed to the use as it would bring more noise to the area. There were jets flying over and they could hear the freeway noise. The neighborhood was older, so there were no block walls to keep the noise level down.

Chairman Aston closed the Public Hearing.

Mr. Sabraw stated the use was not a full auto shop, it was an individual who was building his race cars. Given the nature of the race cars and the fact they do not have cooling systems on them, the engines cannot be run for a long period of time. There would not be cars coming and going for general repairs.

Commissioner Dean Leavitt confirmed that any vehicles being stored would be inside the building. Mr. Sabraw responded that was correct.

Commissioner Leavitt appreciated the neighbors' concerns but it was unfortunate that when development came, there were no measures designed to provide them with the type of buffering they would like; but, as the City moved forward, some of those issues were reviewed.

Commissioner Angelo Carvalho asked if the business would be open odd hours of the night or if repairs would be done during the day, as race cars were very loud. Mr. Sabraw responded it was his understanding the applicant would have dampening and other mitigating systems to abate the noise and did not know the hours of operation, but didn't think he would have a problem with not running the engines at night.

Commissioner Dilip Trivedi suggested the hours of operation be limited to the hours of 9 a.m. to 6 p.m. Mr. Sabraw asked if a time limit could be put on the running of the engines only, not when the work was being performed.

Mr. Hoyes stated the property was within the Nellis air environs of 65 to 70 decibel range. The City has a noise ordinance for a maximum 65 decibels at property line and if there was any violation of that, they could file a complaint of disturbing the peace and violation of the noise ordinance.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

16. **ZOA-07-06 (24581) CNLV - AUTO TITLE LOAN, DEFERRED DEPOSIT LOAN & SHORT-TERM LOAN (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS, TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 17.12.020 TO ADD DEFINITIONS OF THE FOLLOWING TERMS: DEFERRED DEPOSIT LOAN AND SHORT-TERM LOAN; TO AMEND SECTIONS 17.20.100, 17.20.110, 17.20.120, 17.20.130, 17.20.140, 17.20.210(E), 17.20.210(F) AND 17.20.210(H.1) TO ADD AUTO TITLE LOAN, DEFERRED DEPOSIT LOAN AND SHORT-TERM LOAN AS A SPECIAL USE IN THE C-1, C-2, C-3, M-1, M-2, R-A/CR, R-A/OFF AND R-A/FA ZONES; TO ADD SECTION 17.24.050(B)(6) APPLICATION FOR DEFERRED DEPOSIT LOAN, SHORT-TERM LOAN, OR AUTO TITLE LOAN; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of ZOA-07-06.

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

Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt asked Staff if a condition could be added to have Title 17 reviewed after the next legislative session due to the fact that this change was based on what happened at the last legislative session and he felt it was imperative, as a City, that the laws be kept current with the State. If improvements or modifications were made, the City should review them and follow suit. Deputy City Attorney Nick Vaskov responded the changes made in the last legislative session had to do with the way payday loan businesses conduct their business and what kind of interest rate they were allowed to use. It was related to proximity requirements, and he was not sure one was related to the other. He felt it could always be considered and if it was the Commission's desire to make a recommendation to City Council that it be looked at after the next legislative session, it could be done verbally but might not need to be a formal condition. Commissioner Leavitt asked when an application came before the Commission and it stated it was a financial institution, if that precluded payday loans and those types of businesses still under the umbrella of financial institution. Deputy City Attorney Vaskov responded it separated out what was called deferred deposit service, which basically includes a payday loan, separate from banks. It had been discussed by the Commission to be able to treat the two uses differently.

Commissioner Dilip Trivedi asked Deputy City Attorney Vaskov if the definition of a bank was in item No. 1. Deputy City Attorney Vaskov responded the distinction being made was that a bank was still a financial institution but a deferred deposit or payday loan institution was no longer a financial institution.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

17. FDP-07-05 (24660) STARWOOD II. AN APPLICATION SUBMITTED BY TOUSA HOMES, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED FINAL DEVELOPMENT PLAN FOR A PUD PLANNED UNIT DEVELOPMENT DISTRICT. THE PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF CARTIER AVENUE AND CONCORD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-16-712-001 THRU 139-16-712-097.

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending approval of the request to amend Condition No. 3 of FDP-07-06 as follows:

3. The following park amenities shall be provided within the open space:
 - a. Circuitous lighted paths
 - b. A minimum of 20 24-inch box trees per acre
 - c. At least 2 differing age appropriate play structures for children (ref: ASTM Playground Equipment for Public Use, Sec. 6.2-6.3) with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
 - d. At least one large grassy open space area for group/organized play
 - e. One large group shade area / gazebo (30' diameter), lighted
 - f. Five (5) covered picnic sites to include tables, barbecue grills and trash cans.
 - g. Benches spaced along park pathways.
 - h. A putting green, consisting of artificial turf, and two (2) benches.
 - i. Details of amenities to be provided

The applicant was not present.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

18. **SPR-09-06 (24673) PALMILLA TRASH ENCLOSURES. AN APPLICATION SUBMITTED BY DANNY HAN ON BEHALF OF HAGAI RAPARPORT, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT TO ALLOW EIGHT (8) TRASH ENCLOSURES TO BE LOCATED WITHIN THE PARKWAY PERIMETER. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF NUEVO LEON STREET AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-311-001 THRU 124-30-311-111, AND 124-30-312-001 THRU 124-30-312-192.**

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending approval of SPR-09-06 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. Approval of SPR-09-06 does not include site plan approval of the development.
3. The development shall comply with the Multi-Family Design Standards, including, but not limited to the following:
 - a. The trash enclosures shall maintain a minimum 5 foot setback to property line.
 - b. A 20 foot landscape buffer must be maintained to abutting residential property with the exception that a five (5) foot landscape buffer is allowed for the proposed trash enclosures with a three (3) foot landscape bed provided adjacent to the exterior elevations and the pedestrian access that is exposed to right-of-way.
 - c. Trash enclosures shall be maintained within a 300 foot distance of each dwelling unit.

Denny Han, 235 West Brooks Avenue, North Las Vegas, NV 89030 appeared on behalf of the applicant stating the property was already under construction and was 90 per cent complete and they had disposal needs to be addressed, so they were proposing eight trash enclosures to service the disposal needs of the residents and agree with all other conditions. They would have difficulty accomplishing the 300 foot requirement for each

trash enclosure to a dwelling unit as there were units in the center portion of the development that would be approximately 350 feet away from the perimeter parkway. It was physically impossible to put trash enclosures on the center road due to the width between the road, the building entrances and building walls. He asked to be allowed to put the eight enclosures within the perimeter parkway area.

Chairman Jay Aston asked Staff if the enclosures needed to be 300 feet away from the dwelling unit or just maintained if they were within 300 feet. Robert Eastman, Principal Planner responded the Design Standards indicated that on each dwelling unit there needed to be a trash enclosure no greater than 300 feet. Chairman Aston asked if that meant it had to be within 300 feet and to be maintained. Mr. Eastman stated the applicant was requesting the trash enclosures as proposed along the exterior boundary and he could not place them in the middle and could not meet that criteria. Chairman Aston asked Staff how they felt about the applicant's request. Mr. Eastman stated Staff recommended the trash enclosures be placed as required by the Design Standards. It became a quality of life issue, as some residents may have much farther to walk than others and could encourage some people not to properly dispose of their trash. Currently, the townhome development on trash day was not a very clean development, since their garbage was currently in individual cans and was not well taken care of. Staff felt if the residents had to travel farther than the 300 feet minimum, that it may be prevalent.

Ron Gillette, the applicant's general counsel stated Staff's interpretation of 300 foot was 300 foot as you walked along a walk path. They meet the 300 foot radius requirement from each building to the proposed placement for the trash enclosures; but, if the requirement was to meet the 300 foot within a walking pathway, then they did not and requested that it be extended another 25 feet so they could meet Staff's interpretation of the 300 foot requirement. Chairman Aston asked if the proposed locations for the trash enclosures had been presented to the homeowners association. Mr. Gillette responded they had. Chairman Aston asked if the homeowner's association was in support of the request. Mr. Gillette responded the association was in support.

Vice-Chairman Jo Cato asked how problems with trash enclosures could be avoided in the future. Mr. Eastman responded in this particular development, the project that was built was not what was originally proposed. Trash enclosures were proposed on the original plan; however, during the permitting process, problems with the building plans were discovered, which required the building to be completely redesigned and the trash enclosure was dropped off at that time and it was inadvertently missed in the review process. Under normal circumstances, trash enclosures would be a separate small building. In general, the trash enclosure would be reviewed during the building permit

process, and at that time should be able to make sure that the trash enclosure was located on the site plan as approved.

Commissioner Steve Brown asked if the white boxes shown on the plan, were the trash enclosures. Mr. Han stated that was correct, but there were only eight instead of what was shown on the plan. What was shown on the plan were possible locations, if Staff had an issue with the 300 foot radius to try to get the enclosures closer to each individual unit in the center portion of the development.

Commissioner Dilip Trivedi asked if enclosures could be put along the center drive. Mr. Han responded that was the original intention but it was physically impossible.

Commissioner Leavitt asked the applicant to indicate which trash enclosure locations they planned to use. Mr. Han responded they had submitted the proposed locations, which were at the ends of the walkways but would be strategically located around the existing utilities.

Mr. Eastman stated the code had been reviewed and the language in the Code stated that a 300 foot distance from each dwelling unit; it did not mention travel distance; therefore, the separation requirement was just for 300 feet straight. So, even if it goes through a building, then it goes through a building, so it would be Staff's interpretation, based upon the site plan, that the buildings are in compliance with this requirement; therefore, it could remain in place, so they are in compliance and no modification to the condition was necessary.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Brown

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

19. **T-1246 (24573) COMMERCIAL LOFT CONDOS. AN APPLICATION SUBMITTED BY ALPHA ENGINEERING ON BEHALF OF RONALD REISS TRUST, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 44 UNITS OF OFFICES, WAREHOUSES AND RESIDENTIAL WITHIN ONE UNIT. THE PROPERTY IS LOCATED ON THE SOUTHEAST CORNER OF CLAYTON STREET AND COLTON AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-08-803-006.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of T-1246 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 the development of this site be in compliance with all conditions of Ordinance Number 2237 (ZN-97-05), and FDP-02-06;
3. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Approval of a traffic study is required prior to submittal of the civil improvement plans.
6. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
7. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Clayton Street.
8. No parking allowed on Colton Street or Clayton Street; the developer shall install no parking signs.
9. The garages shall be used for vehicle parking only; all other uses are prohibited. Deed restrictions or Covenants, Conditions and Restrictions shall be required.

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. Clayton Street
 - b. Colton Street
11. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
12. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
13. The property owner is required to grant a roadway easement for commercial driveway(s).
14. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
15. A revocable encroachment permit for landscaping within the public right of way is required.
16. All recorded easements must be shown on the site plan; easements not currently shown may require modifications to the site plan.
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. The property owner is required to sign a restrictive covenant for utilities.
19. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
20. All off-site improvements must be completed prior to final inspection of the first building.
21. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

22. The following minimum amenities shall be required as part of the usable open space:
- 2 tread climber machines
 - 3 treadmills
 - 2 elliptical machines
 - 3 exercise bicycles
 - 2 water fountains
 - full length mirrors on lower floor wall
 - vending machine sized play
 - racked weights
 - 3 adjustable racked weights
 - Bow Flex Ultimate 2 home Gym
 - full length mirrors on upper floor wall
 - water fountain
 - Dog Stations at any grassy areas that could be accessible to dogs.
 - Benches and picnic sites to be added to the buffer area on the west side of the property.
23. Building permits are required for all open space structures except as exempted by the North Las Vegas Municipal Code Section 15.72.140 (B) & (C).

Scott Sabraw, 2756 North Green Valley Parkway, Henderson, NV 89014 appeared on behalf of the applicant stating he concurred with Staff recommendation.

Vice-Chairman Jo Cato left Chambers at 7:15 p.m.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDING CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Vice Chairman Cato returned to Chambers at 7:17 p.m.

Item No. 26 was heard next.

20. **SPR-10-06 (24698) DECATUR & TROPICAL. AN APPLICATION SUBMITTED BY WORLDMARK INC. ON BEHALF OF DECATUR TROPIC LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO WAIVE THE STANDARD OF TWO OF THE BUILDING ORIENTATIONS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF RICE AVENUE AND DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-204-001, 124-30-204-002 AND A PORTION OF 124-30-204-005.**

It was requested by the applicant to continue SPR-10-06 to April 12, 2006.

ACTION: CONTINUED TO APRIL 12, 2006

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Item No. 25 was heard next.

OLD BUSINESS

21. **AMP-07-06 (24298) ROME & QUANTAS 1 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CELEBRATE HOMES ON BEHALF OF CELEBRATE PROPERTIES, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MDR MEDIUM DENSITY RESIDENTIAL TO HDR HIGH DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED EAST OF QUANTAS STREET AND APPROXIMATELY 275 FEET SOUTH OF ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-24-801-004. (CONTINUED FEBRUARY 22, 2006)**

Item Nos. 21 and 22 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of AMP-07-06.

Commissioner Harry Shull stated he would be abstaining as he was involved with the property.

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

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

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Commissioner Shull

- 22. ZN-13-06 (24299) ROME & QUANTAS 1 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CELEBRATE HOMES ON BEHALF OF CELEBRATE PROPERTIES, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN M-1 BUSINESS PARK INDUSTRIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED EAST OF QUANTAS STREET AND APPROXIMATELY 275 FEET SOUTH OF ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-24-801-004. (CONTINUED FEBRUARY 22, 2006)**

Item Nos. 21 and 22 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-13-06.

Commissioner Harry Shull stated he would be abstaining as he was involved with the property.

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

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

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Commissioner Shull

23. **AMP-08-06 (24472) ROME & QUANTAS 2 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LEVI PARKER ON BEHALF OF RICHARD VINCENT TELFER AND JUDITH MARIE TELFER OLDFATHER, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MDR MEDIUM DENSITY RESIDENTIAL TO HDR HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF QUANTAS STREET AND ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-24-801-003. (CONTINUED MARCH 8, 2006)**

Item Nos. 23 and 24 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of AMP-08-06.

Commissioner Harry Shull stated he would be abstaining as he was involved with the property.

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

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

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Commissioner Shull

24. **ZN-14-06 (24471) ROME & QUANTAS 2 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LEVI PARKER ON BEHALF OF RICHARD VINCENT TELFER AND JUDITH MARIE TELFER OLDFATHER, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN M-1 BUSINESS PARK INDUSTRIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF QUANTAS STREET AND ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-24-801-003. (CONTINUED MARCH 8, 2005)**

Item Nos. 23 and 24 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-14-06.

Commissioner Harry Shull stated he would be abstaining as he was involved with the property.

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

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

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Commissioner Shull

Item No. 10 was heard next

25. **ZN-96-05 (23566) PICERNE @ CENTENNIAL & NORTH 5TH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT CORPORATION ON BEHALF OF THE PT CORPORATION AND NORTH 5TH CENTENNIAL, 1 LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 278 MULTI-FAMILY UNITS AND 10,000 SQUARE FEET OF COMMERCIAL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-503-001, 124-27-503-007, 124-27-503-008 AND 124-27-503-009. (CONTINUED DECEMBER 28, 2005, JANUARY 25 AND FEBRUARY 22, 2006)**

It was requested by the applicant to continue ZN-96-05 to May 10, 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 MAY 10, 2006

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

26. **ZN-15-06 (24483) 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-2 TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001. (CONTINUED MARCH 8, 2006)**

The application was presented by Robert Eastman, Principle Planner on behalf of Staff who indicated Staff was recommending approval of ZN-15-06.

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

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

27. T-1245 (24481) CENTENNIAL CROSSING III. 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 TO R-2 TWO-FAMILY CONSISTING OF 23 DUPLEXES AND A SINGLE FAMILY DWELLING. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001. (CONTINUED MARCH 8, 2006)

The application was presented by Robert Eastman, Principle Planner on behalf of Staff who indicated Staff was recommending approval of T-1245 subject to the following conditions as listed in revised memo dated March 22, 2006:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Single-Family Design Guidelines.
3. This development is for **duplex units only**, the combination of two (2) individual lots must total a minimum of 6,000 square feet and a total width not less than 60 feet.
4. This tentative map shall be null and void if ZN-15-06 is not approved by the City Council.
5. That the developer disclose to the prospective home buyers that the two-family buildings shall be required to maintain consistent exterior paint color and roofing materials between individual dwelling units and that provisions and enforcement of such shall be provided within the CC&R's.
6. All required landscaping areas and open space areas shall be labeled as common elements and be maintained by the homeowners association.
7. Perimeter walls shall be owned and maintained by the homeowners association.
8. That the developer disclose to prospective home buyers that perimeter landscape areas are reserved exclusively for landscaping.
9. 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.

10. Approval of a drainage study is required prior to submittal of the civil improvement plans.
11. 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.
12. 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.
13. 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*.
14. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
15. Approval of a traffic study is required prior to submittal of the civil improvement plans.
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. Regena Avenue
 - b. Goldfield Street
17. The property owner is required to grant roadway easements where public and private streets intersect.
18. All common elements shall be labeled and are to be maintained by the Home Owners Association.
19. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
20. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.

21. 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.
22. A revocable encroachment permit for landscaping within the public right of way is required.
23. Should WAV-01-06 be denied, all residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
24. No driveway shall be located within six (6) feet of a curb return, light pole, fire hydrant or other utility features. Compliance may require modifications to the site resulting in fewer lots.
25. Proposed residential driveway slopes shall not exceed twelve percent (12%).
26. 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.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant asking for clarification on the Traffic Study.

Clete Kus of Public Works stated Condition No. 15 was the standard condition. Based upon the limited number of units, he was agreeable to modification to Condition No. 15 to read: *"That approval of a traffic mitigation analysis is required prior to submittal of civil improvements plan."* That was essentially a less rigorous exercise for the developer.

Mr. Garcia stated he concurred with that amendment.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO 15 AMENDED TO READ:

15. "THAT APPROVAL OF A TRAFFIC MITIGATION ANALYSIS IS
REQUIRED PRIOR TO SUBMITTAL OF CIVIL IMPROVEMENTS
PLAN."

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

28. WAV-01-06 (24482) CENTENNIAL CROSSING III. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF REGENA HOMES LLC, PROPERTY OWNER, FOR APPROVAL OF A WAIVER FROM TITLE 16 IN AN R-E RANCH ESTATES DISTRICT (PROPOSED TO R-2 TWO-FAMILY RESIDENTIAL DISTRICT) TO ALLOW A 4-FOOT SEPARATION BETWEEN THE DRIVEWAYS WHERE 14 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND REGENA AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001. (CONTINUED MARCH 8, 2006)

The application was presented by Robert Eastman, Principle Planner on behalf of Staff who indicated Public Works was recommending denial of WAV-01-06. If the Commission desires approval, the following conditions are recommended:

1. The party wall on the property line between the two buildings shall be constructed in accordance with 2000 IBC, Section 705.
2. The four (4) foot landscape buffer between each two residential units shall contain the following:
 - a. A minimum of one small variety tree, with a minimum 24" box at planting.
 - b. A minimum of eight (8) shrubs, with a minimum five (5) gallon planting size.
3. All driveways shall be constructed with Pave Stone pavers or a similar product for driveways, as approved by staff.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating this item was previously approved by this body and City Council with specific conditions regarding additional landscaping and block pavers.

Chairman Aston asked Mr. Garcia if he was referring to the space between the driveways. Mr. Garcia responded that was correct.

Chairman Aston stated the Commission had approved a similar item in the past and was in support of the applicant's request.

Mr. Eastman stated if it was the Commission's desire for approval, Condition No. 2.b should be amended to read: *"A minimum of one small variety tree with a minimum 24" box at planting with a 4' X 4' root barrier."*

Mr. Garcia agreed to the amended condition.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 2.B AMENDED TO READ:

2.B. A MINIMUM OF ONE SMALL VARIETY TREE, WITH A MINIMUM
24" BOX AT PLANTING WITH A 4' x 4' ROOT BARRIER.

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

29. **T-1242 (24461) RANCHO MIRAGE UNIT 3. AN APPLICATION SUBMITTED BY CORNERSTONE PRINCIPLES INC., PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 49 UNITS OF SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED NORTH OF ANN ROAD AND APPROXIMATELY 1130 FEET WEST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-401-011, 124-27-401-012, 124-27-401-013, 124-27-410-051, 124-27-410-052, 124-27-410-054, 124-27-410-055, 124-27-410-056, 124-27-410-058, 124-27-410-087 AND 124-27-410-088. (CONTINUED MARCH 8, 2006)**

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending an indefinite continuance to allow the applicant time to revise the tentative map and provide a plan that was concurrent with all applicable codes and ordinances.

Mark Daniel with L.R. Nelson, 6765 West Russell Road, Las Vegas, NV 89118 appeared on behalf of the applicant stating he had reviewed the site and was able to put in a 25' drainage and fire access to get out onto Ann Road and were able to meet that requirement. There are, however, other requirements they have concerns about. As far as the landscaping required along Ann Road, given the circumstances that they have existing conditions, there was approximately 248 feet from the existing block walls to the back of the sidewalk on Ann Road. To maintain the 45 X 100 foot lots required, they need to be able to waive the landscaping along Ann Road. They had met with some of the Commissioners and believed they could put in some 5 X 5 landscaping pods along Ann Road so they can have trees along there. The other condition was for the landscaping along the corner of the lots, which they agree to. The problem was along Ann Road where there was limited space. If they were to put in a 15' landscape buffer along Ann Road, they would be minimizing the lots and would not be able to use those for the 4500 square foot. They had plans ready to submit, that showed the changes and asked to discuss them.

Chairman Aston asked which condition addressed the corner lot. Mr. Daniel responded it was Condition Nos. 19, 11, 13, 20, and 28. Chairman Aston stated his first concern was the condition regarding the corner lot and that was Condition No. 19. Chairman Aston asked if the landscaping on the corner lot was for the homeowners association to maintain or each lot to maintain their own landscaping. Mr. Daniel stated because they were abutting existing older conditions of Rancho Mirage, they suggested being allowed to landscape the corner lots but have the requirement to maintain the landscaping be up to the homeowner rather than a homeowners association. They would like the condition amended to read: *"That the corner side yard landscaping, including the landscaping adjacent to the south end of Copper Sun Court, be maintained by the homeowner."* Chairman Aston stated the other issue was the Fire Department access and asked Staff if they had an opportunity to look at the revised plan. Mr. Daniel responded the plan had

not yet been submitted. Chairman Aston stated it was difficult for the Commission to approve something Staff had not had the chance to review and asked the width of the fire access. Mr. Daniel responded it was 25 feet wide. Chairman Aston asked if that was what the Fire Department was looking for. James Frater of the Fire Department responded they were looking for a minimum of 24 feet and would need to verify the turning radius from Ann Road through that emergency access and onto Shimmering Sands but would need time to review the plans. Chairman Aston stated the application would probably need to be continued to give Staff time to review the tentative map. The other outstanding question would be the landscape along Ann Road.

Commissioner Shull stated he drove the project and it was kind of an in-fill situation and he like their idea of the tree wells as it might afford the opportunity to make a transition from the sidewalk to the wall.

Marc Jordan, Planning Manager stated this was part of an existing PUD which predates the adoption of the single-family design guidelines which required the 20 feet of landscaping or the 15 feet of perimeter landscaping; however, there was a condition of approval as part of this PUD, Condition No. 26, that required six feet of landscaping between the sidewalk and the perimeter wall. So, that part of the original PUD cannot be amended with this application. Chairman Aston asked if the PUD conditions addressed the lot sizes.

Commissioner Steve Brown commented on the tree well. He had a personal experience with a homeowners association where there was a disagreement on who owned the property the tree was growing on so there should be a provision made to show who owns the tree and the tree well and who was responsible for taking care of it.

Chairman Aston was confused about the wording in Condition No. 26 of the PUD, along with the meandering sidewalk, within a 15 foot area from back of curb and if the sidewalk was five feet and there was six foot of landscaping, that would be 11 feet so there was an issue with that also.

Mr. Jordan stated Staff was recommending the item be continued. Chairman Aston responded that was the direction they were going but wanted to clarify where they were going with the landscape along Ann Road. Mr. Jordan stated those were things that would be reviewed; but, it looked like there was a perimeter landscape requirement. If the applicant wanted to deviate from that, they would need to amend the PUD. Chairman Aston asked if the applicant were asked to go with the six foot landscape buffer, the only choice he had was to take it out of the lot depth because the street could not be moved. So they were going from 100 feet to 94 feet. He asked the applicant the size of the footprints for the houses. Mr. Daniel responded he had footprints that were contiguous with the neighborhood they were abutting, which were 35 and 40 foot wide and approximately

60 foot deep. Chairman Aston asked if the front setback was 20 foot. Mr. Daniel agreed they were. Chairman Aston stated that would be 80 foot, which would leave a 14 foot rear yard setback. He asked if the lot size could be reduced or there was a condition in the PUD with a minimum lot size. Mr. Daniel stated if it was done, the lots along Ann Road would be approximately 4100 square feet.

Mr. Jordan stated those were the things Staff would need to review, as the information was not readily available. Most likely the PUD was for 4500 square foot lots because that was the size of the lots in the 1998 time frame, but he was not sure.

Commissioner Angelo Carvalho stated he agreed with Commissioner Shull on the landscaping on the outside buffer.

Mr. Hoyes stated Staff was cognizant this was the last piece of the Rancho Mirage Development and had considered and would look at the transition from what was just recently approved at the corner at Sierra Montana, Unit 2 at the northwest corner of Commerce and Ann. They had to comply with the single-family design guidelines as they are today but this was part of the Rancho Mirage Planned Unit Development; so, if there was a transition that could be provided that did not abruptly mitigate the impact, they were sensitive to those issues and if the applicant could get six full size copies and one 8 ½ X 11 copy to the Planning & Zoning Department Thursday morning, they would be routed for review and based on all of the comments that come back, a recommendation would be provided. This was the first dialogue Staff had with the applicant.

Mr. Daniel asked, since Condition No. 26 of the PUD was stating six or fifteen feet of landscaping had to be put in, why it had not been done previously along Ann Road and asked if there was an existing waiver for the existing portion of the development.

Chairman Aston asked the applicant if he was in agreement with the continuance.

Mr. Jordan stated he could not guarantee they would come back with a positive recommendation as it would depend on what other steps the applicant might take but it would be reviewed by the April 12, 2006 meeting.

ACTION: CONTINUED TO APRIL 12, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

30. T-1227 (23157) CRAIG ROAD CONDOS. AN APPLICATION SUBMITTED BY ROBERT DAVIS HOMES ON BEHALF OF CRAIG ROAD LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2 GENERAL INDUSTRIAL DISTRICT (PROPOSED TO AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT) CONSISTING OF 152 UNITS OF CONDOMINIUMS. THE PROPERTY IS LOCATED APPROXIMATELY 700 FEET EAST OF WALNUT ROAD AND SOUTH OF CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 140-06-601-006 AND 140-06-701-028. (CONTINUED NOVEMBER 22, 2005, FEBRUARY 22 AND MARCH 8, 2006)

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending continuance to give the applicant time to comply with the landscape buffer along the southern property line adjacent to the single-family detached development to the south. 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. The development of this site shall comply with all conditions of SPR-28-05 and VAC-23-05.
3. Turning radii along the fire access lane(s) shall be designed in accordance with the Fire Code.
4. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
5. VAC-23-05 shall record concurrently with the final map.
6. The sixty (60) foot public utility easement and public drainage easement that is required as a result of VAC-23-05 must be shown.
7. Parking and other structures shall be removed from within the sixty (60) foot public utility easement and public drainage easement; landscaping only will be permitted within the easement(s). Additionally, deep-rooted trees will not be permitted within the subject easement(s).
8. The proposed landscape plan for the area within said easement(s) is subject to review and approval by the Department of Public Works.
9. The proposed cul-de-sac shall not be dedicated to the City and shall be privately maintained.

10. No portion of Macadamia Drive or Vandenberg Lane, south of Craig Road shall be dedicated to the City.
11. If required by the Clark County Public Works Department, the applicant shall construct a standard cul-de-sac, per *Clark County Area Uniform Standard Drawing No. 212*, entirely on the subject property, at the terminus of Madadamia Drive.
12. Clark County Public Works concurrence with the results of the traffic study is required prior to approval of the civil improvement plans.
13. NDOT concurrence with the results of the traffic study is required prior to approval of the civil improvement plans.
14. Prior to submittal of any final maps or construction-related documents, the applicant shall provide a conforming tentative map indicating compliance with all applicable codes and conditions. Open space areas, including private patios, shall be dimensioned with square feet provided and amenities identified. Fire access lanes shall be properly identified. All inside and outside parking spaces shall be dimensioned and identified. All pedestrian access, emergency access and utility easements shall be identified and properly dimensioned. Dimensions shall be provided from each dwelling's front door (walking distance) to the nearest trash enclosure and to each parking space intended for that unit. If it is determined that any of the requirements are not satisfied because of spatial constraints, it may be necessary to eliminate or reduce residential units.
15. The following amenities shall be provided as a minimum:
 1. Circuitous lighted paths
 2. A minimum of 20 24-inch box trees per acre
 3. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
 4. Swimming Pool with cabana and two picnic facilities
 5. Picnic tables and barbecue grills
 6. Benches spaced along park pathways
 7. At least one large open space area for group/organized play
 8. One large group shade area / gazebo (30' diameter), lighted
 9. Dog stations at grass areas
 10. Details of amenities to be provided
16. Permits are required for all structures except as exempted by the CNLV Municipal Code, Building Administrative Code Section 15.72.140 B & C.

17. The site design considered herein is not approved or implied to be approved and shall not be considered, in any form, to be an entitlement for any deviations of the conditions approved herein.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating in the original PUD application there was no meandering street that meanders like the one shown in the plan. There was a suggestion taken by the engineer to try to create a more curvilinear street scape and when doing that, there are areas of minimal landscaping against the wall. At this point, they can either do it as shown on the plan or put more intense landscaping in the areas that remain. It was a trade off. There were uniform strips of landscaping with no meandering street, which was shown on the original plan, or a more extreme curvilinear street system with areas of minimal landscaping that would require a waiver. He was looking for guidance on what was wanted.

Chairman Jay Aston stated he would rather see a straight landscape buffer.

Mr. Hoyes stated Condition No. 17 would need to be amended to read: "The site designed herein is approved subject to the size, quantity and location of the landscaping identified on the plan." Mr. Garcia agreed to the amendment.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 17 AMENDED TO READ:

17. THE SITE DESIGNED HEREIN IS APPROVED SUBJECT TO THE
SIZE, QUANTITY AND LOCATION OF THE LANDSCAPING
IDENTIFIED ON THE PLAN.

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

31. NORTH FIFTH STREET TRANSIT-SUPPORTIVE CONCEPT PLAN. (PUBLIC HEARING). PRESENTATION OF THE NORTH FIFTH STREET TRANSIT-SUPPORTIVE CONCEPT PLAN BY PB PLACEMAKING, CONSULTANTS TO THE CITY, FOR A RECOMMENDATION FROM THE PLANNING COMMISSION TO THE CITY COUNCIL. THE NORTH FIFTH STREET TRANSIT-SUPPORTIVE CONCEPT PLAN OUTLINES A LONG-TERM VISION FOR LAND USE PLANNING ALONG PORTIONS OF NORTH FIFTH STREET, DEER SPRINGS WAY, AND PECOS ROAD IN ANTICIPATION OF FUTURE PUBLIC INVESTMENT IN TRANSIT ALONG THIS CORRIDOR. THE STUDY AREA INCLUDES NORTH FIFTH STREET FROM OWENS AVENUE TO DEER SPRINGS WAY, DEER SPRINGS WAY BETWEEN NORTH FIFTH STREET AND PECOS ROAD, AND PECOS ROAD BETWEEN DEER SPRINGS WAY AND THE NORTHERN BELTWAY. (CONTINUED FEBRUARY 22 AND MARCH 8, 2006)

Ned Thomas, Urban Designer gave a brief introduction to the plan.

He indicated there had been at least 20 meetings held regarding the North 5th Street Transit-Supportive Concept Plan.

Mr. Thomas stated he had a letter of support from the North Las Vegas Chamber of Commerce, which was included in the back-up information. The Chamber helped facilitate meetings with the industrial land users between Cheyenne Avenue and Craig Road and had reached an agreement with them and needed to move forward with the framework outlined in the plan, which included the industrial land users as well as the other districts.

Chairman Jay Aston opened the Public Hearing.

Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas, NV 89081 stated he lived within 3/4 of a mile of the North 5th Street alignment and it would directly affect him and his property value. He reviewed the report and was looking forward to the City moving forward with the plan.

Robert Combs, 555 E. El Campo Grande, North Las Vegas, NV stated he attended the meeting at Mojave High School and was very interested in the plan due to the location of his property. He would like to be more involved with the process, but was skeptical of the code changes being referred to in the report. He did not have a clear understanding of the information in the plan.

Dirk Ravenholt, 2013 Alta Drive, Las Vegas, NV stated he was concerned regarding the notices sent to the citizens of North Las Vegas. Once the plan was approved, there would be less and less interpretation done on the basics of the plan. On the core centers, all photographs contained in the report, envision a transit system which runs down the middle and have two side streets that are within walking distance. There was an eight lane

freeway running down the middle and either side of the plan would not be adjacent properties in which you could walk from one side of the street to the other without considerable difficulty. He did not think the citizens understood the new formula change, where they were going for mass zone changes for several properties rather than individual zone changes for individual properties. The plan not only had a horizontal feature but there was also a vertical element. The core center of the project was 30 stories high and he did not feel the citizens knew when the zone changing was done, they were not just talking about changing what was put on each lot but they were adopting a multi-use which said the first six stories would be businesses and parking and the next 12 stories would be housing, which was what was reflected in the report. The center was at least six stories high and the core was more than six stories high (6, 12 and 30 stories). He felt the citizens needed to understand when the mass zone changes were approved, the property owners had just opened themselves up to having high rises in their back yard, which was an issue that needed to be flagged. Over the next 20 years, at each of the core centers, there was the potential of having 30 story buildings. Mr. Ravenholt stated the notice was lacking, as they did not talk about the potential height problem and the fact the City was going to start mass zone changing with a formula. He stated his client, Robert Combs, was concerned because he owned 170 to 180 acres of property and his single voice would be drowned out if it was zoned with another 25 land owners in the same area at the same time. He stated he did not mind the plan, it was inevitable and the City would enjoy a wonderful rebirth but it should be done where everyone was aware the rules were being changed.

George Garcia, G.C. Garcia, Inc., 1711 Whitney Mesa, Henderson, NV stated the concept plan was a great opportunity. There would be great challenges and in this case, he had discussed some of them with Staff and would like to bring them to the Commission's attention. In discussions, this was not a master plan amendment at this point; it was not a zone change of any type, individual or global; this was a transit supportive study for the corridor and out of that would come plans and other documents, capital improvement plans, budget and many other things for improving the roads. The devil would be in the details and as you look at the document, if you look at some of the details, it was not ready for prime time. What appears to be the transit supportive plan, which has land uses identified in it; there was a supplemental memo dated March 22 regarding the item and it clarified that the land use concept was not a master plan but merely an illustrative concept or scenarios of how things could occur. There would be discussions of details on each of the districts. He asked that the record include Ned's memo clearly indicating this was not a land use or zoning document. He also indicated where the different characteristics of the districts were laid out, there were discrepancies between the densities and the number of units and how they interrelate. Twelve story buildings and 30 units to the acre do not match and there were other similar examples. Those issues could be clarified as things went forward. Mr. Garcia also pointed out there were a number of cross sections for the roadway and, as discussed, the importance of the districts, having a major transportation corridor, it was going to require integration of the multi-lane limited access arterial as proposed and a transit pedestrian corridor. Integration of the two was contradictory. He was optimistic it could all be done well but was skeptical. The cross sections were diverse.

Mr. Garcia stated the concept was great, it was ambitious, exciting and was glad to be a part of it and would be happy to participate on behalf of his clients but felt the study should be accepted and Staff directed to move forward accordingly.

Don Twardowski, 4534 Roper Court, North Las Vegas, NV 89081 was concerned about the noise level of the buses or trains and possible parking problems. He wanted some kind of parking stickers for residents in the area, which should be paid for from proceeds from the transit. He did not want to see any homes destroyed for the project and rezoning should be done on each parcel. The transit could be done now or it could be retrofitted at a later date.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, NV appeared on behalf of the Binion Family and Focus Property Group. She stated they had been actively working with the Public Works Department on the regional mall site and how the transit corridor or Deer Springs would work its way to the mall site and wanted to make sure nothing in the concept plan document precluded them from any type of creative design they might come up with on that particular site. The same was true with the mixed use project that would be brought forward in the future. It was approximately a 60 to 70 acre site, where they are going to accomplish some of the vision that was seen in the study with respect to mixed use and from that standpoint, it was something the Focus Property Group would support. From the standpoint of how the traffic would be circulated in and out of a project that size in order to have it be built. There are transportation issues that, based on the fact that there was a comment in the Summary indicating it did not set forth a particular locked down street design for North 5th Street or Deer Springs, it comes with a future plan that was in the works, so she wanted the flexibility for the projects for the Binion Family and the Focus Group to continue working with the Deer Springs and the North 5th Street Corridor on how they would get people in and out of those projects.

Chairman Jay Aston closed the Public Hearing.

Ned Thomas stated the concept plan set up the frame work for how the details would be addressed which would be done through the frame work of the five districts, which was one of the next steps of the process. There would be a detailed plan for each district based on the input from the residents in some areas and the developers in some areas, and the business people in some areas. The issues and constituencies would be addressed specific to those areas.

Mr. Thomas stated he met with Mr. Ravenholt on Monday. There was a misconception about the core plan and corrected one of Mr. Ravenholt's comments. The location on the corridor was key to how the nature and intensity of development occurred in the core. Mr. Ravenholt stated they were all 30 story buildings and that was not true. The location along the corridor determined how tall the buildings would be. In Chapter Three, the districts were grouped into five land use categories. For the purpose of planning and the public workshops, where the people who live in the areas came and participated in the workshops, they used the five categories. One of them was a low density category and it

was no more than two story buildings. The next issue was the distance from the station. It was obvious the core was close to the station, within 600 feet, which was where you want the most intense development, and did not mean 30 story buildings. It meant there was a greater mix of uses, higher quality pedestrian environment, and you had higher densities because the densities translate into ridership, which was one of the key factors. There was compatibility with adjacent neighborhoods. If a 30 story, 15 story or 10 story building was not compatible with the adjacent neighborhood, it would not be built. They were selling neighborhoods and a city that was a mosaic and no one size of building and no one size of development would fit all issues. There were more than 60,000 cards sent out for the Mayor's Town Hall Meeting and also for Councilman Robinson's Town Hall Meeting last year. The plan had been complete since that time. Staff was allowing time to meet with the industrial land users and some of the other residents. When the major presentation was made at the Mayor's Town Hall Meeting, and at the neighborhood meeting on March 21, 2006, they talked about all of the issues and if the height problem was not mentioned, it was because it was not there. Mr. Thomas stated they work in facts, they do not work in something that was not going to happen. He stated with the concept plan they were trying to direct, protect and connect. They were directing the larger development, to appropriate areas of the City. The connect part was a great potential. There were two or more areas of the City because North 5th Street would connect from the newer developing parts of the City to the mature areas of the City and there would be a connection that currently was not available. One of the residents brought up the fact that it would energize the mature areas of the City and believed it would give the catalyst that was needed in redeveloping the downtown area. With the transit in line and North 5th Street connecting to the City of Las Vegas, there would not only be connections with the VA Hospital, the Mall, the neighborhoods, the downtown, the uptown, but there would be connection to the rest of the valley, to Henderson, the major employment centers in downtown Las Vegas and to the resort corridor. The third concept was to protect, and that came back to the core issue. By directing development to appropriate areas, they were protecting the existing neighborhoods from inappropriate development and would not be a threat to the neighborhoods, the pig farmer or to the Binion mall.

Deputy City Attorney Nick Vaskov clarified the concept plan did not change the existing code, did not amend the current Master Plan and did not make any zone changes. Zone changes were parcel specific and there would never be a mass zone change.

Chairman Aston asked when they started amending the Master Plan if it would be incorporated in the current Master Plan. Mr. Thomas responded it would. Chairman Aston asked if the zoning would come before the Board for approval. Mr. Thomas responded it would. Chairman Aston asked if the new mixed use ordinance would come before the Board for approval. Mr. Thomas responded it would and in the next few months the mixed use ordinance would be coming before the Board and some of the new design guidelines would be incorporated into the new mixed use ordinance.

Commissioner Steve Brown stated he understood the concept plan did not change the Master Plan but it did establish a target and if you establish a target of the Moon and you aim to Mars, you're gonna hit Mars, and he wanted to make sure the plan was what the City really wanted. He was concerned that a major thoroughfare ran through the middle of a pedestrian zone and the City wanted it to be pedestrian friendly. Mass transit was wanted, but a limited access roadway was also wanted. It all sounded wonderful; but, he was concerned the concept could not be accomplished. Mr. Thomas responded the design plan was preliminary and then the roadway would be designed by the Public Works Department. They were making transit supportive neighborhoods, not transit dependent neighborhoods and they wanted them to be more pedestrian friendly. The pedestrian orientation was not necessarily all along the street, but, they were looking at where the stations would be located, as that was where most of the focus would be. Commissioner Brown wanted to be sure the concept was a definite possibility. Mr. Thomas stated he saw the target as the City's goals and the goals in the Visioning 2025 Strategic Plan and that was the direction they were headed. Commissioner Brown stated if the concept plan was looked at as a very broad target, he could consider it.

Deputy City Attorney Vaskov stated Staff had the same concerns as Commissioner Brown, whether the vision could be turned into reality, and felt that would be seen when recommendations were being made as to how the code and design guidelines would be changed. Concerns should be expressed at the time changes were being discussed.

Mr. Thomas added that one of the implementation strategies was to monitor the process to make sure the plan was going in the right direction.

Commissioner Dean Leavitt stated this was interesting, exciting and scary and it was the first physical thing the City has done that would prove the City did not waste money on all the Visioning 2025 aspects. This was a concept and people would need to have a lot of patience, trust and be willing to work, but it was a doable thing and those who got involved would make it better.

Commissioner Dilip Trivedi agreed with Deputy City Attorney Vaskov, Commissioner Leavitt and Mr. Garcia that this was just a concept and there would be a great opportunity for affordable housing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Marc Jordan, Planning Manager reminded the Commission there was a meeting with Clarion and Associates April 4, 2006 at 6:00 p.m. in the City Manager's Conference Room. There was also a Joint Meeting with the Planning Commission and City Council April 17, 2006 at 6:00 p.m. at the North Las Vegas Justice Facility.

CHAIRMAN'S BUSINESS

Commissioner Dean Leavitt stated there was a Web Cast April 4, 2006 at 11:30 a.m. at the North Las Vegas Justice Facility regarding Transit Oriented Development. There was also a Web Cast March 23, 2006 at 9:00 a.m. at the North Las Vegas Justice Facility in Classroom #1 regarding Safe Routes to School. Commissioner Leavitt also requested a CD of the new Title 16 after it was adopted by City Council.

ADJOURNMENT

The meeting adjourned at 8:43 p.m.

APPROVED: April 26, 2006

/s/ Jay Aston
Jay Aston, Chairman

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