

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

April 26, 2006

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

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

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

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

STAFF PRESENT: Marc Jordan, Planning Manager
Mary Aldava, Sr. Planner
Vicki Adams, Planner
Nick Vaskov, Deputy City Attorney II
Jennifer Doody, Development & Flood Control
Madeleine Jabbour, Public Works
Janice Carr, Fire Department
Jose Rodriguez, Police Department
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Angelo Carvalho

WELCOME: Chairman Jay Aston

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF MARCH 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-84-06 (25573) CENTENNIAL BRUCE SOUTH 40, UNIT 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 \$305,625.76.**

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

B. **PW-85-06 (25574) CENTENNIAL BRUCE SOUTH 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 \$251,279.33.**

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

C. PW-86-06 (25587) CENTENNIAL BRUCE SOUTH 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 \$235,934.77.

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

D. PW-87-06 (25589) ALLEN SUBSTATION: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY FIDELITY AND DEPOSIT COMPANY OF MARYLAND TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$107,000.

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

E. PW-88-06 (25592) RETAIL SHOPS @ CRAIG & SIMMONS: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY CONTRACTORS BONDING & INSURANCE COMPANY TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$74,033.40.

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

- F. **PW-89-06 (25595) CAMINO ELDORADO STA. 134+41 TO 146+78.51: 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 \$197,639.01.**

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

- G. **PW-90-06 (25600) ELDORADO ANN RD. STA. 5+00 TO 15+87.47: 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 \$107,300.60.**

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

- H. **PW-91-06 (25603) ELDORADO REVERE STA. 28+18.97 TO 36+36.67: 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 \$64,929.68.**

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

- I. **PW-92-06 (25606) ELDORADO REVERE STA. 36+36.37 TO 44+32.83: 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 \$42,113.24.**

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

- J. PW-93-06 (25614) NORTH MEADOWS, UNIT II: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY FRONTIER INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$91,845.50.**

Commissioner Harry Shull stated he would be abstaining as it was an improvement bond on a subdivision he had developed.

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

- K. PW-94-06 (25618) RUNVEE HOBART EAST, CHANNEL CAPPING: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY RICHMOND AMERICAN HOMES OF NEVADA, INC. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$945,000.00.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 8 was heard next.

NEW BUSINESS

1. **AMP-17-06 (25196) VALLEY/LA MADRE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES ON BEHALF OF ALLAY INVESTMENTS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF VLDR VERY LOW DENSITY RESIDENTIAL TO LDR LOW DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF VALLEY DRIVE AND LA MADRE WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-31-701-014, 124-31-701-015, 124-31-701-018 AND 124-31-701-019.**

Item Nos. 1 and 2 were presented together.

The application was presented by Vicki Adams, Planner who stated the applicant desired to change the Comprehensive Plan from Very Low Density to low Density Residential for property at the southeast corner of Rosada Way and Valley Drive. The applicant also applied for a property reclassification from Ranch Estates to Single-Family Residential. The area lies within one of the two remaining viable ranch preservation areas within the City; therefore, Staff cannot recommend approval of the applications. Additionally, Staff was concerned that approval of this application would set a precedent for future low density residential, which could lead to the elimination of any underdeveloped ranch preservation areas; therefore, Staff is recommending denial of AMP-17-06.

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 there were two existing elementary schools to the east of the site and there are two 20 acre pieces of property owned by the School District. They were proposing an R-1 zone change for 45 single-family detached homes with a density of 4.4 dwelling units per acre. There is an entranceway off of Valley Drive and they were proposing another entrance off of LaMadre. When Stephanie Allen, from her office, conducted a neighborhood meeting, there were some concerns raised by the neighbors in the area about having an entrance or exit off of LaMadre, which had been reviewed by the developer, who indicated they could eliminate that, and it could be turned into an emergency vehicle access gate to satisfy Fire Department concerns and then the only access would be from Valley Drive to keep the traffic off of LaMadre Way. Ms. Lazovich explained the request was justified because Valley was an 80 foot right-of-way and on two sides, they were bordered by either existing school property or 40 acres of property that was owned by the School District. She stated they had correspondence from the School District indicating they had no intention of selling the property, but did not currently have plans on how it would be used. Ms. Lazovich felt there had been a precedent set for R-1 to come across east of Valley Drive.

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

Harold Adler, 4029 Lark Canyon Court, North Las Vegas, NV 89031 stated he was in favor of the rezoning because he was concerned if it were denied, if the applicant bought the property on the corner of Valley Drive and Lone Mountain Road, they could build a shopping center because the County would override any decision the Planning Commission made. Also, it would be an economic hardship on the owners under the existing zoning and he felt there was a possibility of a lawsuit against the City.

Steve Sidhu, 425 South 6th Street, Las Vegas, NV 89101 stated he owned property in the area and thanked Staff for their recommendation as it was consistent with the area as it was a rural preservation neighborhood with a maximum density of two houses per acre. The boundary line is at Valley Drive to the east and property to the west of Valley Drive should remain R-E. The property north of Washburn Road referred to by Ms. Lazovich was not in the same area as the current application. Most homeowners in the area purchased their property with the understanding it would remain a rural preservation area.

Harry Sidhu, 3934 West LaMadre Way, North Las Vegas, NV 89031 stated he was opposed to the zone change and agreed with Steve Sidhu's comments.

Chairman Aston closed the Public Hearing.

Ms. Lazovich stated while the R-1 property was north of Washburn Road, it was an almost identical scenario in the sense that it was directly across the street on the east side of Valley from ranch estates property. On the other two sides, is School District property, so they did not have the ability, without buffering or encroaching into any other ranch estates property on two other sides, so they sit in the same scenario that currently exists. There are only three homes that have been developed as half acre estates. She feels the precedent has been set for them to go on the east side of Valley Drive, as it has been done north of Washburn.

Commissioner Harry Shull asked for confirmation of the applicant name, as the agenda showed it as Richmond American Homes and Ms. Lazovich referred to Pulte Homes as the applicant. Ms. Lazovich stated the applicant was Pulte Homes.

Commissioner Dean Leavitt was concerned about the rural preservation area being rezoned to R-1, even though there were only three other lots that had been developed in the R-E format. They have recently seen an influx of R-E development in the immediate area and he was inclined to leave the area as it was.

Chairman Aston stated there was a rural preservation area that had lapsed south of Craig Road and a lot of R-E property was rezoned to R-1. There are many people in the area that had invested in property with the understanding the density would be preserved, so he felt the rural preservation area should be preserved.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: Commissioner Brown

ABSTAIN: None

2. **ZN-25-06 (25194) VALLEY/LA MADRE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES ON BEHALF OF ALLAY INVESTMENTS, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF VALLEY DRIVE AND LA MADRE WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-31-701-014, 124-31-701-015, 124-31-701-018 AND 124-31-701-019.**

Item Nos. 1 and 2 were presented together.

The application was presented by Vicki Adams, Planner who stated the applicant desired to change the Comprehensive Plan from Very Low Density to low Density Residential for property at the southeast corner of Rosada Way and Valley Drive. The applicant also applied for a property reclassification from Ranch Estates to Single-Family Residential. The area lies within one of the two remaining viable ranch preservation areas within the City; therefore, Staff cannot recommend approval of the applications. Additionally, Staff was concerned that approval of this application would set a precedent for future low density residential, which could lead to the elimination of any underdeveloped ranch preservation areas; therefore, Staff is recommending denial of ZN-25-06.

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 there were two existing elementary schools to the east of the site and there are two 20 acre pieces of property owned by the School District. They were proposing an R-1 zone change for 45 single-family detached homes with a density of 4.4 dwelling units per acre. There is an entranceway off of Valley Drive and they were proposing another entrance off of LaMadre. When Stephanie Allen, from her office, conducted a neighborhood meeting, there were some concerns raised by the neighbors in the area about having an entrance or exit off of LaMadre, which had been reviewed by the developer, who indicated they could eliminate that, and it could be turned into an emergency vehicle access gate to satisfy Fire Department concerns and then the only access would be from Valley Drive to keep the traffic off of LaMadre Way. Ms. Lazovich explained the request was justified because Valley was an 80 foot right-of-way and on two sides, they were bordered by either existing school property or 40 acres of property that was owned by the School District. She stated they had correspondence from the School District indicating they had no intention of selling the property, but did not currently have plans on how it would be used. Ms. Lazovich felt there had been a precedent set for R-1 to come across east of Valley Drive.

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

Harold Adler, 4029 Lark Canyon Court, North Las Vegas, NV 89031 stated he was in favor of the rezoning because he was concerned if it were denied, if the applicant bought the property on the corner of Valley Drive and Lone Mountain Road, they could build a shopping center because the County would override any decision the Planning Commission made. Also, it would be an economic hardship on the owners under the existing zoning and he felt there was a possibility of a lawsuit against the City.

Steve Sidhu, 425 South 6th Street, Las Vegas, NV 89101 stated he owned property in the area and thanked Staff for their recommendation as it was consistent with the area as it was a rural preservation neighborhood with a maximum density of two houses per acre. The boundary line is at Valley Drive to the east and property to the west of Valley Drive should remain R-E. The property north of Washburn Road referred to by Ms. Lazovich was not in the same area as the current application. Most homeowners in the area purchased their property with the understanding it would remain a rural preservation area.

Harry Sidhu, 3934 West LaMadre Way, North Las Vegas, NV 89031 stated he was opposed to the zone change and agreed with Steve Sidhu's comments.

Chairman Aston closed the Public Hearing.

Ms. Lazovich stated while the R-1 property was north of Washburn Road, it was an almost identical scenario in the sense that it was directly across the street on the east side of Valley from ranch estates property. On the other two sides, is School District property, so they did not have the ability, without buffering or encroaching into any other ranch estates property on two other sides, so they sit in the same scenario that currently exists. There are only three homes that have been developed as half acre estates. She feels the precedent has been set for them to go on the east side of Valley Drive, as it has been done north of Washburn.

Commissioner Harry Shull asked for confirmation of the applicant name, as the agenda showed it as Richmond American Homes and Ms. Lazovich referred to Pulte Homes as the applicant. Ms. Lazovich stated the applicant was Pulte Homes.

Commissioner Dean Leavitt was concerned about the rural preservation area being rezoned to R-1, even though there were only three other lots that had been developed in the R-E format. They have recently seen an influx of R-E development in the immediate area and he was inclined to leave the area as it was.

Chairman Aston stated there was a rural preservation area that lapsed south of Craig Road and a lot of R-E property was rezoned to R-1. There are many people in the area that had invested in property with the understanding the density would be preserved, so he felt the rural preservation area should be preserved.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

3. **T-1251 (25193) VALLEY/LA MADRE. AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES ON BEHALF OF ALLAY INVESTMENTS LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-E RANCH ESTATES DISTRICT (PROPOSED TO R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT) TO ALLOW 45 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF LA MADRE WAY AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-31-701014, 124-31-701-015, 124-31-701-018 AND 124-31-701-019.**

Comments carried forward from Item Nos. 1 and 2 as follows:

Item Nos. 1 and 2 were presented together.

The application was presented by Vicki Adams, Planner who stated the applicant desired to change the Comprehensive Plan from Very Low Density to low Density Residential for property at the southeast corner of Rosada Way and Valley Drive. The applicant also applied for a property reclassification from Ranch Estates to Single-Family Residential. The area lies within one of the two remaining viable ranch preservation areas within the City; therefore, Staff cannot recommend approval of the applications. Additionally, Staff was concerned that approval of this application would set a precedent for future low density residential, which could lead to the elimination of any underdeveloped ranch preservation areas; therefore, Staff is recommending denial of AMP-17-06.

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 there were two existing elementary schools to the east of the site and there are two 20 acre pieces of property owned by the School District. They were proposing an R-1 zone change for 45 single-family detached homes with a density of 4.4 dwelling units per acre. There is an entranceway off of Valley Drive and they were proposing another entrance off of LaMadre. When Stephanie Allen, from her office, conducted a neighborhood meeting, there were some concerns raised by the neighbors in the area about having an entrance or exit off of LaMadre, which had been reviewed by the developer, who indicated they could eliminate that, and it could be turned into an emergency vehicle access gate to satisfy Fire Department concerns and then the only access would be from Valley Drive to keep the traffic off of LaMadre Way. Ms. Lazovich explained the request was justified because Valley was an 80 foot right-of-way and on two sides, they were bordered by either existing school property or 40 acres of property that was owned by the School District. She stated they had correspondence from the School District indicating they had no intention of selling the property, but did not currently have plans on how it would be used. Ms. Lazovich felt there had been a precedent set for R-1 to come across east of Valley Drive.

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

Harold Adler, 4029 Lark Canyon Court, North Las Vegas, NV 89031 stated he was in favor of the rezoning because he was concerned if it were denied, if the applicant bought the property on the corner of Valley Drive and Lone Mountain Road, they could build a shopping center because the County would override any decision the Planning Commission made. Also, it would be an economic hardship on the owners under the existing zoning and he felt there was a possibility of a lawsuit against the City.

Steve Sidhu, 425 South 6th Street, Las Vegas, NV 89101 stated he owned property in the area and thanked Staff for their recommendation as it was consistent with the area as it was a rural preservation neighborhood with a maximum density of two houses per acre. The boundary line is at Valley Drive to the east and property to the west of Valley Drive should remain R-E. The property north of Washburn Road referred to by Ms. Lazovich was not in the same area as the current application. Most homeowners in the area purchased their property with the understanding it would remain a rural preservation area.

Harry Sidhu, 3934 West LaMadre Way, North Las Vegas, NV 89031 stated he was opposed to the zone change and agreed with Steve Sidhu's comments.

Chairman Aston closed the Public Hearing.

Ms. Lazovich stated while the R-1 property was north of Washburn Road, it was an almost identical scenario in the sense that it was directly across the street on the east side of Valley from ranch estates property. On the other two sides, is School District property, so they did not have the ability, without buffering or encroaching into any other ranch estates property on two other sides, so they sit in the same scenario that currently exists. There are only three homes that have been developed as half acre estates. She feels the precedent has been set for them to go on the east side of Valley Drive, as it has been done north of Washburn.

Commissioner Harry Shull asked for confirmation of the applicant name, as the agenda showed it as Richmond American Homes and Ms. Lazovich referred to Pulte Homes as the applicant. Ms. Lazovich stated the applicant was Pulte Homes.

Commissioner Dean Leavitt was concerned about the rural preservation area being rezoned to R-1, even though there were only three other lots that had been developed in the R-E format. They have recently seen an influx of R-E development in the immediate area and he was inclined to leave the area as it was.

Chairman Aston stated there was a rural preservation area that lapsed south of Craig Road and a lot of R-E property was rezoned to R-1. There are many people in the area that had invested in property with the understanding the density would be preserved, so he felt the rural preservation area should be preserved.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

4. **UN-36-06 (25189) WINGSTOP RESTAURANT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LANCE GRAULICH ON BEHALF OF CRAIG & SIMMONS RETAIL, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES (BEER AND WINE) IN CONJUNCTION WITH A RESTAURANT. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CRAIG ROAD AND APPROXIMATELY 300 FEET EAST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-05-713-003.**

The application was presented by Vicki Adams, Planner who stated this was an application for the on-sale of beer and wine in conjunction with a restaurant. Staff has no objection to the use at this location; however, a floor plan was not submitted with the application demonstrating that the criteria for Title 5 could be met. In order to qualify for a license to sell beer and wine, the applicant must show the establishment can seat a minimum of 45 people. Therefore, Staff is recommending a continuance of UN-36-06. Staff received one letter in opposition to the application, stating the City needs more real family restaurants rather than wing places. If approved, the following conditions are recommended:

1. That, unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.
2. The use permit is site specific and non-transferrable.

Lance Graulich, 7024 Villa Camponelli, Las Vegas, NV stating he had submitted a floor plan with his application but would submit another one. The seating capacity is 63. He stated they did a large amount of take out business, there is no smoking and they sell a very small amount of beer, approximately 3%.

Ms. Adams stated if it was the Planning Commission's desire for approval, they could add condition No. 3 to read: "That a floor plan demonstrating Title 5 requirements must be submitted to Staff prior to the issuance of a building permit."

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE ADDITION OF CONDITION NO. 3 TO READ:

3. THAT A FLOOR PLAN DEMONSTRATING TITLE 5

REQUIREMENTS MUST BE SUBMITTED TO STAFF PRIOR TO
THE ISSUANCE OF THE BUILDING PERMIT.

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

5. **VN-13-06 (25131) CENTENNIAL PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTENNIAL DEVELOPMENT 2, LLC ON BEHALF OF BOUQUET, INC., PROPERTY OWNER, FOR A VARIANCE IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A 21-FOOT SETBACK TO A RESIDENTIAL ZONE BOUNDARY, WHERE 30 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-22-401-012.**

The application was presented by Vicki Adams, Planner who stated Item Nos. 5 and 6 were related and Staff wanted the Commission to know the parking and building orientation on both applications were resolved, so they were just dealing with the foundation landscaping which would be included under Item No. 6.

Ms. Adams stated this was an application for a variance to allow a reduction in the building set-back from 30 feet to 21 feet along a residential property line. Staff is recommending denial of VN-13-06 as they do not believe the request meets the standards required to allow approval and there were no exceptional or extraordinary circumstances or conditions that apply to the property, and by reconfiguring the site slightly, the applicant could meet the building set-back requirements. If the Commission desires approval, the following conditions are recommended:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The building setback for the retail building adjacent to the northern property line may be 21 feet in width rather than the required 30 feet.
3. An intense landscape buffer shall be provided along the northern property line. The buffer shall include 24-inch box trees, a minimum of 15 feet on center, with shrubbery and groundcover providing a minimum of 80% coverage (not including the trees), within two (2) years of planting.

Mike Bradshaw, 3753 Howard Hughes Parkway #200, Las Vegas, NV 89109 appeared on behalf of the applicant stating the site was originally approved in August, 2005 and it was brought to the attention of the property owner at that time, that there was a drainage easement that ran along Centennial Parkway and curved onto the site about 27 feet. They cannot plant trees within five feet of that easement. There is a driveway that is a minimum of 32 feet, that is something the Traffic Department would like to see. The Planning Department has a minimum requirement and they would like to have the large driveway as they would have vehicles that would carry between 24 to 28 thousand gallons of fuel on the

property. He stated a condition could be added for an intense landscape buffer. He felt the neighbors to the north would have what was intended; there just wouldn't be nine additional feet of asphalt. The design has ten vehicles that are parked directly at the landscape line along the north. The previous site plan had about 30 vehicles that would park in that location, facing west there are nine and the previous site plan had close to 25, so they had reduced the impact to the neighbors.

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

Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt asked the applicant what kind of intense landscaping he was referring to. Mr. Bradshaw responded Staff had requested, as part of an approval, to plant 24" box trees a minimum of 15' on center and provide a minimum 80% coverage within two years. He stated they could have that coverage at the two year level at planting. He did not know how that would equate, if it would be double in size from the 24" box trees and plant 48", as he did not know how they were sold. Mr. Leavitt stated if they did that, they could delete most of the last sentence from Condition No. 3, so it would read: "An intense landscape buffer shall be provided along the northern property line. The buffer shall include 24-inch box trees, a minimum of 15 feet on center, with shrubbery and groundcover providing a minimum of 80% coverage. Mr. Bradshaw agreed that was okay. Commissioner Leavitt stated he did not have a problem with the wide driveways, as it was safer with fuel trucks coming in and out and agreed with the conditions recommended by Staff with the amendment to Condition No. 3 by deleting the wording "(within two years of planting)."

Marc Jordan, Planning Manager stated Staff would still recommend leaving that phrase in, as the intent was the intense landscaping, which Mr. Bradshaw had indicated he would do. Presently, the zoning ordinance required a 24" tree every 20 feet on center, so every 15 feet was more intense and they only required 60% ground coverage where 80% was being proposed. He was concerned about removing "not including the trees, (within two years of planting)" because the tree canopy itself could be considered ground coverage, so they wanted to eliminate that, so by removing that part, you could actually get less ground coverage in that time. Commissioner Leavitt stated he was only removing the phrase "(within two years of planting);" the applicant would provide 80% at the initial planting.

Chairman Jay Aston asked how the drainage easement would work with the site plan. Mr. Bradshaw stated one of the buildings would be moved to the north about five feet.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 3 AMENDED TO READ:**

3. AN INTENSE LANDSCAPE BUFFER SHALL BE PROVIDED ALONG THE NORTHERN PROPERTY LINE. THE BUFFER SHALL INCLUDE 24-INCH BOX TREES, A MINIMUM OF 15 FEET ON CENTER, WITH SHRUBBERY AND GROUND COVER PROVIDING A MINIMUM OF 80% COVERAGE (NOT INCLUDING THE TREES).

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-76-05 (25130) CENTENNIAL PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTENNIAL DEVELOPMENT 2, LLC ON BEHALF OF BOUQUET, INC., PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED USE PERMIT TO ALLOW THE RELOCATION OF A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-22-401-012.

The application was presented by Vicki Adams, Planner who stated the application was to allow a convenience food restaurant with a drive-thru in a C-1 Neighborhood Commercial District. The only issue outstanding on the building was the foundation landscape along the front of the proposed restaurant; however, Staff believes that was a minor issue that could be resolved at the time of the building permit application. Therefore, Staff is recommending approval of UN-76-05 subject to the following conditions with Condition No. 2.a deleted:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The proposed site plan and all buildings shall comply with the Commercial Development Standards and Design Guidelines including, but not limited to:
 - a. The convenience food store must be oriented to the corner.
 - b. Foundation landscaping must be provided along any facade featuring a customer entrance.
 - c. All buildings on the site must match the convenience food restaurant in materials, design and colors.
 - d. The metal awnings must be replaced with a "Sunbrella" type material.
3. If VN-13-06 is not approved, the site must be redesigned to meet building setback requirements.
4. The civil improvement plans must show the drainage easement adjacent to Centennial Parkway.
5. No tree(s) shall be planted within five feet either side of the box culvert that is to be constructed within the drainage easement along the north side of Centennial Parkway.

6. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100.B:
 - A. Commerce Street
 - b. Centennial Parkway
7. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Commerce Street and Centennial Parkway per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
8. Approval of a drainage study is required prior to submittal of the civil improvement plans.
9. Right-of-way dedication and construction of a CAT bus turn-out is required on Centennial Parkway near Commerce Street. It is suggested that the applicant provide the bus stop placement within the exclusive right turn lane for the property per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.3. A minimum tangent of five (5) feet must be provided from the end of the back of curb radius to the start of the bus turn-out.
10. 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.
11. 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.
12. Approval of a traffic study, including a queuing analysis, is required prior to submittal of the civil improvement plans.
13. Adequate queuing must be provided for the proposed driveways. Conformance may require modifications to the site.
14. 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.
15. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway and Commerce Street.

16. 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.
17. The property owner is required to grant a roadway easement for commercial driveway(s).
18. The property owner is required to sign a restrictive covenant for utilities.
19. 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.
20. A revocable encroachment permit for landscaping within the public right of way is required.
21. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
22. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
23. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
24. If a median is required within the Centennial Parkway right-of-way at this location the applicant will be required to provide one half of the landscaping for that median.

Mike Bradshaw, 3753 Howard Hughes Parkway #200, Las Vegas, NV 89109 appeared on behalf of the applicant stating he felt this design was nicer than the one previously approved and did not have a problem with meeting the commercial design standards with the foundation landscaping. He questioned Condition No. 2, which would require the project to look like the Kentucky Fried Chicken building and asked if all buildings had to match that building. Ms. Adams stated the condition meant they wanted common elements to tie all buildings together so there was not one building that looked like it did not belong. Mr. Bradshaw stated he would be more than happy to comply with that.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
THE DELETION OF CONDITION NO. 2.A

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

7. **ZN-29-06 (25191) GOLDFIELD & LA MADRE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TANEY ENGINEERING ON BEHALF OF GEORGE L. AND MAVIS TAYLOR, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED WEST OF EAGLE WAY AND APPROXIMATELY 165 FEET NORTH OF LA MADRE WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-34-701-033.**

The application was presented by Vicki Adams, Planner who stated this was an application to reclassify 1.3 acres from Ranch Estates to Single-Family Residential east of Eagle Way approximately 165 feet north of LaMadre Way. The proposed rezoning is consistent with the surrounding land uses and with the Comprehensive Plan for the area; therefore, Staff has no objection and was recommending ZN-29-06 be approved.

Scott Swap of William Lyon Homes, 500 Pilot Road Suite G, Las Vegas, NV 89119 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; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 9 was heard next.

8. **VAC-06-06 (25181) RINKER SERVICE YARD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RINKER MATERIALS ON BEHALF OF LAS VEGAS PAVING CORPORATION, PROPERTY OWNER, TO VACATE A 30-FOOT-WIDE PORTION OF GOLDFIELD STREET COMMENCING AT DELHI AVENUE AND EXTENDING NORTH TO GOWAN ROAD (APPROXIMATELY 580 LINEAL FEET). THE ASSESSOR'S PARCEL NUMBER IS 139-10-701-002.**

The application was withdrawn by the applicant.

Item No. 13 was heard next.

9. **AMP-19-06 (25134) CELEBRATE VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CELEBRATE INVESTMENT, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF REGIONAL COMMERCIAL TO VHDR VERY HIGH DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED WEST OF MARTIN LUTHER KING BOULEVARD AND APPROXIMATELY 800 FEET SOUTH OF CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-04-416-001.**

Commissioner Harry Shull stated he would be abstaining on Item Nos. 9 through 12 as the application was made by the company he worked for.

Commissioner Shull left Chambers at 6:41 p.m.

Item Nos. 9 and 10 were presented together.

The application was presented by Marc Jordan, Planning Manager who stated Item No. 9 was an amendment to the Comprehensive Plan requesting a change from Regional Commercial to Very High Density Residential and item No. 10 was a rezoning request from C-2 to R-4. The property is located west of Martin Luther King Boulevard and approximately 800 feet south of Craig Road. Very High Density Residential is a new guideline, the new district that has been established, and the guidelines indicate that the density and scale of the development should be compatible with the adjacent nearby residential units. Most of the property to the south is developed with single-family homes. There is one PUD that has been developed with about 4500 square foot lots, so you are looking at a density, to the south that would range between 4.5 dwelling units per acre and 5.5 units per acre, not to exceed six units per acre. The proposed request would allow up to 50 units per acre. The guideline also requires that it be located at the intersection of two 120 foot arterials, or adjacent to 150 foot rights-of-way. The property is located next to Martin Luther King Boulevard, which is a 100 foot right-of-way and Scott Robinson Boulevard, which is a 60 foot right-of-way, so does not meet that requirement. Also, under the density requested, the Staff Report indicated it could allow up to 750 units; however, that is incorrect. The density would allow up to 1500 units on the property, which would not be consistent with the scale and density of the surrounding neighborhood. The property is also part of a larger commercial node at that intersection, that has been established in the Comprehensive Plan. Staff recommends that commercial node be maintained and Staff is recommending denial of AMP-19-06.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 and **George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant. Mr. Gronauer stated the property was approximately 36 acres, which was previously the location for a major commercial center with the anchor being a casino. Because of the big box stores that have been developed toward the front of Craig Road, which is further north, the back portions of the properties, on both sides of Scott Robinson Boulevard, between Martin Luther King and Clayton are vacant. They are vacant because, although they are master planned and zoned for regional commercial uses, when you have in excess of 60 to 70 acres of property that is off of Craig Road, it is not appetizing to do a large commercial development without trying to get access out to Craig Road. They had been working with the Von's Group to come in with a mixed use development and had been working with the developer to the north, which fell through. They had been told there was an appetite to try to get more residential densities on Craig Road so you had the ability to market to more commercial tenants in the area. They wanted to do some type of transitional zoning. Applications for the 30 acres on the northern portion of the property would be for a very high density R-4 zoning along with R-2 zoning on the southern portion of the property, which was a lower density that would transition to the south of Coralie with single-family homes. He felt some type of transitional zoning was important.

Mr. Garcia stated property and the surrounding area was regional commercial and if the site were to be developed, the intensity for regional commercial, in terms of traffic generation, impact on the neighborhood, would be very significant in terms of traffic and greater than what was proposed, and a very intense impact on any of the nearby residential. One of the purposes of the R-4 District was to create a diversity of housing that was economical in terms of the way it serves the community. What they were proposing was a perfect fit for what was there. They have a relationship that could support both the commercial in terms of a location that people could have in terms of job and services that would be in close proximity, walking distance and there is a need for attainable housing and at this point, that diversity suggested under the R-4 designation is what they would be able to provide. The concept was to provide a townhouse product that would face Coralie and there would be a rear loaded access for the garages on the north side. In the neighborhood meeting there were no objections to the project and the neighbors were happy the property was being developed.

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

Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89032 stated the school situation in that area was extremely poor and the kind of density being requested would not help the situation. She indicated she had talked to Dr. Griffith, the principal at Priest Elementary School and she was upset about the proposed project. She stated Coralie was

a small two lane street and the property was zoned commercial and they fought against Station Casinos to keep it commercial as it was needed in the neighborhood and she was opposed to the application.

Chairman Aston closed the Public Hearing.

Vice-Chairman Jo Cato stated she understood the situation with the school but that was a problem throughout the valley. She asked the applicant if this was a for sale product or if it was a rental product. Mr. Garcia responded they anticipate the townhome product to be a for sale product and the R-4 would be a blend of for sale and rental products.

Commissioner Dean Leavitt was concerned about the R-4 and suggested maybe going with R-3. Mr. Garcia responded that was brought up prior to the Planning Commission Meeting about whether or not it was a possibility. At this point they had not had a chance to discuss that option with their client and was not authorized to make that change and would respect the Commission's direction and go forward. Commissioner Leavitt stated he could support R-3 but was not in support of R-4 as it was too heavy for that area.

Commissioner Dilip Trivedi asked Staff if they had any comments from the School District. Mr. Jordan responded the item was routed to the School District but did not have any comments from them. Commissioner Trivedi stated he was in favor of affordable, attainable housing, so he would be in favor of R-4.

Commissioner Angelo Carvalho stated commercial was needed in the area but he could not see commercial going on the proposed site. He understood the impact on the schools, affordable housing was needed and he was in favor of R-4.

Commissioner Steve Brown agreed with Commissioner Leavitt on the R-3 zoning. The only way he would approve R-4 would be on a mixed use and asked if that had been considered. Mr. Gronauer responded that had been one of their first plans but it did not work. Commissioner Brown was thinking of something that fronted Martin Luther King, similar to what was across the street from that area.

Mr. Garcia stated they had looked at that but were concerned, after seeing the performance occurring in the shopping center to the north, given the additional commercial coming in on the other side of the street to the east, that a major commercial might be more at risk of failure and that would be more detrimental to the neighborhood. With what was proposed, all residential, they could support the commercial, existing and new.

Commissioner Brown stated it was a huge jump to go to R-4 but there was an advantage as it would provide the rooftops and the people for the Von's Shopping Center and the other businesses in the area. He preferred R-3 and a lower density but he could go either way.

Chairman Aston stated the plan was for regional commercial in that area, so more big box stores could be brought in and he thought along Martin Luther King, Scott Robinson, and Clayton, there were some things that could be done. The biggest concern he had with rezoning to residential was that they were landlocked to the north with that property not being developed and were minimizing one of the major centers. He agreed with some of the comments about bringing in more density to support the center; but, he had mixed feelings and thought a mixed use might be better and there was enough access for it. With the large portion of the property being high density with a small strip of R-2, the density was too high and he was not in support of the application.

Commissioner Trivedi asked the applicant if they had contacted the School District and received any comments from them. Mr. Garcia responded they had not had contact with the School District and since they did not provide a letter to Staff, and they typically find, in general, unless the project would conflict with the site location that had been identified, they were constantly adjusting the boundaries according the growth.

Commissioner Leavitt explained the School District was not in the practice of speculative building. They wait until the schools are needed before they build and they utilize portable classrooms.

ACTION: APPROVED FOR HIGH DENSITY RESIDENTIAL; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Brown

SECOND: Commissioner Carvalho

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

NAYS: Chairman Aston

ABSTAIN: Commissioner Shull

10. **ZN-27-06 (25135) CELEBRATE VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CELEBRATE INVESTMENT, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-2 GENERAL COMMERCIAL DISTRICT TO AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED WEST OF MARTIN LUTHER KING BOULEVARD AND APPROXIMATELY 800 FEET SOUTH OF CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-04-416-001.**

Commissioner Harry Shull stated he would be abstaining on Item Nos. 9 through 12 as the application was made by the company he worked for.

Item Nos. 9 and 10 were presented together.

Marc Jordan, Planning Manager stated based on the previous motion for AMP-19-06, the compatible zoning for this application would be R-3.

The following comments were carried forward from Item No. 9:

The application was presented by Marc Jordan, Planning Manager who stated Item No. 9 was an amendment to the Comprehensive Plan requesting a change from Regional Commercial to Very High Density Residential and item No. 10 was a rezoning request from C-2 to R-4. The property is located west of Martin Luther King Boulevard and approximately 800 feet south of Craig Road. Very High Density Residential is a new guideline, the new district that has been established, and the guidelines indicate that the density and scale of the development should be compatible with the adjacent nearby residential units. Most of the property to the south is developed with single-family homes. There is one PUD that has been developed with about 4500 square foot lots, so you are looking at a density, to the south that would range between 4.5 dwelling units per acre and 5.5 units per acre, not to exceed six units per acre. The proposed request would allow up to 50 units per acre. The guideline also requires that it be located at the intersection of two 120 foot arterials, or adjacent to 150 foot rights-of-way. The property is located next to Martin Luther King Boulevard, which is a 100 foot right-of-way and Scott Robinson Boulevard, which is a 60 foot right-of-way, so does not meet that requirement. Also, under the density requested, the Staff Report indicated it could allow up to 750 units; however, that is incorrect. The density would allow up to 1500 units on the property, which would not be consistent with the scale and density of the surrounding neighborhood. The property is also part of a larger commercial node at that intersection, that has been established in the Comprehensive Plan. Staff recommends that commercial node be maintained and Staff is recommending denial of AMP-19-06.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 and George Garcia of G.C. Garcia,

Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant. Mr. Gronauer stated the property was approximately 36 acres, which was previously the location for a major commercial center with the anchor being a casino. Because of the big box stores that have been developed toward the front of Craig Road, which is further north, the back portions of the properties, on both sides of Scott Robinson Boulevard, between Martin Luther King and Clayton are vacant. They are vacant because, although they are master planned and zoned for regional commercial uses, when you have in excess of 60 to 70 acres of property that is off of Craig Road, it is not appetizing to do a large commercial development without trying to get access out to Craig Road. They had been working with the Von's Group to come in with a mixed use development and had been working with the developer to the north, which fell through. They had been told there was an appetite to try to get more residential densities on Craig Road so you had the ability to market to more commercial tenants in the area. They wanted to do some type of transitional zoning. Applications for the 30 acres on the northern portion of the property would be for a very high density R-4 zoning along with R-2 zoning on the southern portion of the property, which was a lower density that would transition to the south of Coralie with single-family homes. He felt some type of transitional zoning was important.

Mr. Garcia stated property and the surrounding area was regional commercial and if the site were to be developed, the intensity for regional commercial, in terms of traffic generation, impact on the neighborhood, would be very significant in terms of traffic and greater than what was proposed, and a very intense impact on any of the nearby residential. One of the purposes of the R-4 District was to create a diversity of housing that was economical in terms of the way it serves the community. What they were proposing was a perfect fit for what was there. They have a relationship that could support both the commercial in terms of a location that people could have in terms of job and services that would be in close proximity, walking distance and there is a need for attainable housing and at this point, that diversity suggested under the R-4 designation is what they would be able to provide. The concept was to provide a townhouse product that would face Coralie and there would be a rear loaded access for the garages on the north side. In the neighborhood meeting there were no objections to the project and the neighbors were happy the property was being developed.

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

Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89032 stated the school situation in that area was extremely poor and the kind of density being requested would not help the situation. She indicated she had talked to Dr. Griffith, the principal at Priest Elementary School and she was upset about the proposed project. She stated Coralie was a small two lane street and the property was zoned commercial and they fought against Station Casinos to keep it commercial as it was needed in the neighborhood and she was opposed to the application.

Chairman Aston closed the Public Hearing.

Vice-Chairman Jo Cato stated she understood the situation with the school but that was a problem throughout the valley. She asked the applicant if this was a for sale product or if it was a rental product. Mr. Garcia responded they anticipate the townhome product to be a for sale product and the R-4 would be a blend of for sale and rental products.

Commissioner Dean Leavitt was concerned about the R-4 and suggested maybe going with R-3. Mr. Garcia responded that was brought up prior to the Planning Commission Meeting about whether or not it was a possibility. At this point they had not had a chance to discuss that option with their client and was not authorized to make that change and would respect the Commission's direction and go forward. Commissioner Leavitt stated he could support R-3 but was not in support of R-4 as it was too heavy for that area.

Commissioner Dilip Trivedi asked Staff if they had any comments from the School District. Mr. Jordan responded the item was routed to the School District but did not have any comments from them. Commissioner Trivedi stated he was in favor of affordable, attainable housing, so he would be in favor of R-4.

Commissioner Angelo Carvalho stated commercial was needed in the area but he could not see commercial going on the proposed site. He understood the impact on the schools, affordable housing was needed and he was in favor of R-4.

Commissioner Steve Brown agreed with Commissioner Leavitt on the R-3 zoning. The only way he would approve R-4 would be on a mixed use and asked if that had been considered. Mr. Gronauer responded that had been one of their first plans but it did not work. Commissioner Brown was thinking of something that fronted Martin Luther King, similar to what was across the street from that area.

Mr. Garcia stated they had looked at that but were concerned, after seeing the performance occurring in the shopping center to the north, given the additional commercial coming in on the other side of the street to the east, that a major commercial might be more at risk of failure and that would be more detrimental to the neighborhood. With what was proposed, all residential, they could support the commercial, existing and new.

Commissioner Brown stated it was a huge jump to go to R-4 but there was an advantage as it would provide the rooftops and the people for the Von's Shopping Center and the other businesses in the area. He preferred R-3 and a lower density but he could go either way.

Chairman Aston stated the plan was for regional commercial in that area, so more big box stores could be brought in and he thought along Martin Luther King, Scott Robinson, and Clayton, there were some things that could be done. The biggest concern he had with

rezoning to residential was that they were landlocked to the north with that property not being developed and were minimizing one of the major centers. He agreed with some of the comments about bringing in more density to support the center; but, he had mixed feelings and thought a mixed use might be better and there was enough access for it. With the large portion of the property being high density with a small strip of R-2, the density was too high and he was not in support of the application.

Commissioner Trivedi asked the applicant if they had contacted the School District and received any comments from them. Mr. Garcia responded they had not had contact with the School District and since they did not provide a letter to Staff, and they typically find, in general, unless the project would conflict with the site location that had been identified, they were constantly adjusting the boundaries according the growth.

Commissioner Leavitt explained the School District was not in the practice of speculative building. They wait until the schools are needed before they build and they utilize portable classrooms.

ACTION: APPROVED FOR R-3 MULTI-FAMILY RESIDENTIAL; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Brown

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Commissioner Shull

11. **AMP-20-06 (25132) CELEBRATE VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CELEBRATE INVESTMENT, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF REGIONAL COMMERCIAL TO MDR MEDIUM DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF MARTIN LUTHER KING BOULEVARD AND CORALIE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-04-416-001.**

Commissioner Harry Shull stated he would be abstaining on Item Nos. 9 through 12 as the application was made by the company he worked for.

Item Nos. 11 and 12 were presented together.

The application was presented by Marc Jordan, Planning Manager who stated the application was for an amendment to the Comprehensive Plan from Regional Commercial to Medium Density Residential and also rezoning from C-2 to R-2. Based upon the guidelines within the comprehensive Plan, this proposal does not comply with the guidelines, specifically, that it needs to be at the intersection of two 100 foot streets. It is adjacent to Coralie, which is a 60 foot street, Scott Robinson, which is also a 60 foot street and Martin Luther King Boulevard, which is a 100 foot right-of-way. Based on the previous comments, Staff believes this is part of a larger commercial node and that node should remain, so Staff is recommending AMP-20-06 be denied.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 and George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant. Mr. Gronauer stated, based on the recommendations for AMP-19-06 and ZN-27-06, that it would be appropriate to have this application approved for Medium Density Residential and R-2 zoning. Mr. Gronauer asked that his and Mr. Garcia's comments from Item Nos. 9 and 10 be incorporated. Comments are as follows:

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 and George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant. Mr. Gronauer stated the property was approximately 36 acres, which was previously the location for a major commercial center with the anchor being a casino. Because of the big box stores that have been developed toward the front of Craig Road, which is further north, the back portions of the properties, on both sides of Scott Robinson Boulevard, between Martin Luther King and Clayton are vacant. They are vacant because, although they are master planned and zoned for regional commercial uses, when you have in excess of 60 to 70 acres of property that is off of Craig Road, it is not appetizing to do a large commercial development without trying to get access out to Craig Road. They had been working with the Von's Group to come in with a mixed use development and had been

working with the developer to the north, which fell through. They had been told there was an appetite to try to get more residential densities on Craig Road so you had the ability to market to more commercial tenants in the area. They wanted to do some type of transitional zoning. Applications for the 30 acres on the northern portion of the property would be for a very high density R-4 zoning along with R-2 zoning on the southern portion of the property, which was a lower density that would transition to the south of Coralie with single-family homes. He felt some type of transitional zoning was important.

Mr. Garcia stated property and the surrounding area was regional commercial and if the site were to be developed, the intensity for regional commercial, in terms of traffic generation, impact on the neighborhood, would be very significant in terms of traffic and greater than what was proposed, and a very intense impact on any of the nearby residential. One of the purposes of the R-4 District was to create a diversity of housing that was economical in terms of the way it serves the community. What they were proposing was a perfect fit for what was there. They have a relationship that could support both the commercial in terms of a location that people could have in terms of job and services that would be in close proximity, walking distance and there is a need for attainable housing and at this point, that diversity suggested under the R-4 designation is what they would be able to provide. The concept was to provide a townhouse product that would face Coralie and there would be a rear loaded access for the garages on the north side. In the neighborhood meeting there were no objections to the project and the neighbors were happy the property was being developed.

Chairman Jay Aston opened the Public Hearing. The following comments were carried forward from Item Nos. 9 and 10:

Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89032 *stated the school situation in that area was extremely poor and the kind of density being requested would not help the situation. She indicated she had talked to Dr. Griffith, the principal at Priest Elementary School and she was upset about the proposed project. She stated Coralie was a small two lane street and the property was zoned commercial and they fought against Station Casinos to keep it commercial as it was needed in the neighborhood and she was opposed to the application.*

Chairman Aston closed the Public Hearing.

Commissioner Steve Brown asked the applicant if they would be able to mitigate any traffic problems on Coralie when the project was developed. Mr. Gronauer responded when they came in for the site plan review or a tentative map, it could be incorporated. He, personally, did not know if they were going to incorporate the whole project together or if there would be two separate projects, but there was the possibility of incorporated the R-2

and R-3. There would probably be some sort of access in that area, but that would be dealt with on the tentative map or site plan review.

Mr. Garcia commented it would not be accessing directly to Coralie with driveways.

Commissioner Brown asked if the development would dump out onto Martin Luther King. Mr. Garcia responded it would either be Martin Luther King or Scott Robinson or through the R-4 to those same streets. One way or the other, they would end up on Martin Luther King or Scott Robinson.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Brown

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Commissioner Shull

12. **ZN-28-06 (25133) CELEBRATE VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CELEBRATE INVESTMENT, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-2 GENERAL COMMERCIAL DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF MARTIN LUTHER KING BOULEVARD AND CORALIE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-04-416-001.**

Commissioner Harry Shull stated he would be abstaining on Item Nos. 9 through 12 as the application was made by the company he worked for.

Item Nos. 11 and 12 were presented together.

The application was presented by Marc Jordan, Planning Manager who stated the application was for an amendment to the Comprehensive Plan from Regional Commercial to Medium Density Residential and also rezoning from C-2 to R-2. Based upon the guidelines within the comprehensive Plan, this proposal does not comply with the guidelines, specifically, that it needs to be at the intersection of two 100 foot streets. It is adjacent to Coralie, which is a 60 foot street, Scott Robinson, which is also a 60 foot street and Martin Luther King Boulevard, which is a 100 foot right-of-way. Based on the previous comments, Staff believes this is part of a larger commercial node and that node should remain, so Staff is recommending AMP-20-06 be denied.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 and George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant. Mr. Gronauer stated, based on the recommendations for AMP-19-06 and ZN-27-06, that it would be appropriate to have this application approved for Medium Density Residential and R-2 zoning. Mr. Gronauer asked that his and Mr. Garcia's comments from Item Nos. 9 and 10 be incorporated. Comments are as follows:

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 and George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant. *Mr. Gronauer stated the property was approximately 36 acres, which was previously the location for a major commercial center with the anchor being a casino. Because of the big box stores that have been developed toward the front of Craig Road, which is further north, the back portions of the properties, on both sides of Scott Robinson Boulevard, between Martin Luther King and Clayton are vacant. They are vacant because, although they are master planned and zoned for regional commercial uses, when you have in excess of 60 to 70 acres of property that is off of Craig Road, it is not appetizing to do*

a large commercial development without trying to get access out to Craig Road. They had been working with the Von's Group to come in with a mixed use development and had been working with the developer to the north, which fell through. They had been told there was an appetite to try to get more residential densities on Craig Road so you had the ability to market to more commercial tenants in the area. They wanted to do some type of transitional zoning. Applications for the 30 acres on the northern portion of the property would be for a very high density R-4 zoning along with R-2 zoning on the southern portion of the property, which was a lower density that would transition to the south of Coralie with single-family homes. He felt some type of transitional zoning was important.

Mr. Garcia stated property and the surrounding area was regional commercial and if the site were to be developed, the intensity for regional commercial, in terms of traffic generation, impact on the neighborhood, would be very significant in terms of traffic and greater than what was proposed, and a very intense impact on any of the nearby residential. One of the purposes of the R-4 District was to create a diversity of housing that was economical in terms of the way it serves the community. What they were proposing was a perfect fit for what was there. They have a relationship that could support both the commercial in terms of a location that people could have in terms of job and services that would be in close proximity, walking distance and there is a need for attainable housing and at this point, that diversity suggested under the R-4 designation is what they would be able to provide. The concept was to provide a townhouse product that would face Coralie and there would be a rear loaded access for the garages on the north side. In the neighborhood meeting there were no objections to the project and the neighbors were happy the property was being developed.

Chairman Jay Aston opened the Public Hearing. The following comments were carried forward from Item Nos. 9 and 10:

Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89032 *stated the school situation in that area was extremely poor and the kind of density being requested would not help the situation. She indicated she had talked to Dr. Griffith, the principal at Priest Elementary School and she was upset about the proposed project. She stated Coralie was a small two lane street and the property was zoned commercial and they fought against Station Casinos to keep it commercial as it was needed in the neighborhood and she was opposed to the application.*

Chairman Aston closed the Public Hearing.

Commissioner Steve Brown asked the applicant if they would be able to mitigate any traffic problems on Coralie when the project was developed. Mr. Gronauer responded when they came in for the site plan review or a tentative map, it could be incorporated. He, personally, did not know if they were going to incorporate the whole project together or if

there would be two separate projects, but there was the possibility of incorporated the R-2 and R-3. There would probably be some sort of access in that area, but that would be dealt with on the tentative map or site plan review.

Mr. Garcia commented it would not be accessing directly to Coralie with driveways.

Commissioner Brown asked if the development would dump out onto Martin Luther King. Mr. Garcia responded it would either be Martin Luther King or Scott Robinson or through the R-4 to those same streets. One way or the other, they would end up on Martin Luther King or Scott Robinson.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Brown

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Commissioner Shull

Vice-Chairman Jo Cato left Chambers at 7:12 p.m.

Commissioner Harry Shull returned to Chambers at 7:12 p.m.

Vice-Chairman Cato returned to Chambers at 7:15 p.m.

Item No. 14 was heard next.

13. **UN-34-06 (25164) BARDON RECYCLE CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY FREHNER CONSTRUCTION COMPANY, INC. (DBA BARDON MATERIALS), PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A RECYCLING CENTER WITH OUTSIDE ACTIVITIES OR STORAGE. THE PROPERTY IS LOCATED AT 124 WEST BROOKS AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-15-501-011, 139-15-501-013 AND 139-15-501-020.**

It was requested by the applicant to continue UN-34-06 to the May 10, 2006 Planning Commission meeting.

ACTION: CONTINUED TO MAY 10, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 20 was heard next.

14. UN-35-06 (25184) CORONADO STONE PLANT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CORONADO STONE PRODUCTS ON BEHALF OF MELTON AND KATHERINE BACON FAMILY TRUST, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A CONCRETE BATCH PLANT. THE PROPERTY IS LOCATED AT 3930 EAST LONE MOUNTAIN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-31-801-007.

The application was presented by Marc Jordan, Planning Manager who stated the application was for a use permit that would allow for a batch plant on property located at 3930 East Lone Mountain Road. According to the site plan, the applicant will be adding a new building that was approximately 22,000 square feet that would be in addition to the existing manufacturing of their product that is currently going on. Staff visited the site and there was some existing landscaping on the site that needed to be upgraded. Some of the plant materials have died out and are not in good condition; so, as a condition of approval, Staff was recommending that the landscaping be upgraded. Also, in regards to the building, the building was fairly long with no architectural features related to the building, which were required by the Industrial Design Standards; so, Staff would like to see the building elevations changed to reflect something that was more consistent with the Industrial Design Guidelines. Staff received one letter of concern regarding the way the business was being conducted and the amount of dust that is produced; however, he did not recall the letter stating they were in opposition or in support of the application. Staff was recommending approval of UN-35-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances,
2. That UN-35-06 is site-specific and non-transferable.
3. Development of the site shall comply with the Industrial Development Standards and Design Guidelines, including but no limited to the following;
 - a. the length and height of walls must be relieved through the use of changes in color, materials and/or relief such as the inclusion of belt lines, pilasters, pop outs etc.
 - b. The building exterior elevations should incorporate stone, stucco, colored or exposed aggregate or textured finish concrete, or decorative block and brick
4. Approval of a traffic study is required prior to submittal of the civil improvement plans.

5. 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.
6. The property owner is required to sign a restrictive covenant for utilities.
7. Approval of a drainage study is required prior to submittal of the civil improvement plans.

Dee Stocking of Coronado Stone, 11191 Calabash, Fontana, CA 92337 stated they do not manufacture outside of the building; all manufacturing is done inside the building. They are not a batch plant in the delivery of ready mix. They have a batch plant that makes concrete that goes into molds. They manufacture the stone that is seen on the outside of houses and commercial buildings. He was concerned the building was 240 feet long and 100 feet wide and they had intended to do stone work on the front and a little on each side; but, Staff was requiring some type of work all the way around the building. He pointed out that on one side of the building was a storage yard, which was a material storage yard for brick and the other side was undeveloped and asked for some relief on the sides and end of the building where there was no visibility. The other concern was the driveways. This was an existing facility and the driveways and off-sites were already there. One of the driveways was 30 feet and the other was narrow. In order to widen that, the main power transformers would have to be moved, so they would like to get a waiver on that. They do not do ingress and egress from the same driveway; it is a u-shaped travel.

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

Robert Grossman, 12700 Biscayne Boulevard, Miami, FL stated he owned an 11 acre parcel in the vicinity. He explained his complex was very nice and had quality M-2 tenants. He stated they had problems with Allstar, the previous tenant on the subject site, as their operation was very dirty. He was opposed to this application as he was afraid it would be the same situation they had when Allstar was at that location.

Chairman Aston closed the Public Hearing.

Mr. Stocking stated the production of the plant was for the valley. They are not a ready mix operation. He agreed with Mr. Grossman that the subject site was a mess previously, but they are not a ready mix operation, do not deliver concrete; their process is all done inside the building. The air pollution and air quality are in the operation checking them on a regular basis. This is his seventh plant and he has never had any dust problems or complaints to his knowledge.

Chairman Aston asked Staff the length of the use permit. Mr. Jordan responded they had two years to fulfill the conditions; however, once the conditions were fulfilled it was indefinite.

Commissioner Dean Leavitt asked if in this type of business, there were any type of EPA or Health Department certifications or clearances, and inspections they should or need to go through. Mr. Stocking responded they had an air pollution control permit that goes with the silos and dust collection for the cement. There was one on the existing silos and they have been transferred to them. They are inspected every six months by the utilities group and checked to make sure there is no cement dust in the air.

Commissioner Dilip Trivedi asked the applicant where the loading and unloading of the materials took place. Mr. Stocking stated at the back of the building, the pumice was brought in and put in at the end of the belt and was stored in top of the silo. The other cement was pumped in through a 3" hose and was delivered on the side of the building approximately 100 feet from the fence. The cement tanks were a sealed vessel that was pressurized and the cement acted like liquid when it was pressurized.

Commissioner Steve Brown asked Staff if they had an issue with the applicant leaving the driveway with the transformer as it was. Janice Carr of the Fire Department stated a minimum of 24' was required for each driveway. Commissioner Brown asked the applicant the width of the driveway. Mr. Stocking responded it was 19 feet. Commissioner Brown asked the applicant if he could widen it five feet. Mr. Stocking stated he could if he could get that close to the transformer. Commissioner Brown stated he was okay with Condition No. 5 being amended to allow a 24' driveway and asked Staff if a condition should be added limiting all work to be done inside. Mr. Jordan responded conditions could be added, but the application indicated the work was being done inside.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 5 AMENDED AND CONDITION NO. 8 ADDED TO READ:

5. COMMERCIAL DRIVEWAYS ARE TO BE CONSTRUCTED IN ACCORDANCE WITH *CLARK COUNTY AREA UNIFORM STANDARD DRAWING* NUMBERS 222A AND 225, WITH MINIMUM WIDTHS OF 24' AS MEASURED FROM LIP OF GUTTER TO LIP OF GUTTER.
8. THAT ALL MANUFACTURING ACTIVITY OCCUR INSIDE THE PLANT.

MOTION: Commissioner Brown

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

15. **AMP-18-06 (25137) ALEXANDER & MLK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GHASSAN SHAMOUN ON BEHALF OF ZUHAIR ZORA AND GHASSAN SHAMOUN, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF OFFICE TO NEIGHBORHOOD COMMERCIAL. THE PROPERTY IS LOCATED AT 4009 NORTH MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-04-410-011.**

Item Nos. 15 and 16 were presented together.

The application was presented by Marc Jordan, Planning Manager stating AMP-18-06 was an application for an amendment to the Comprehensive Plan, changing the designation of Office to Neighborhood Commercial and ZN-26-06 was a rezoning request changing the zoning from R-1 Single-Family Residential District to a C-1 Neighborhood Commercial District. The property is located at the northwest corner of Alexander Road and Martin Luther King Boulevard. Originally Staff had concerns regarding the property ownership of record; however, those issues have been clarified, so is no longer a concern. One of the guidelines for this application was that Neighborhood Commercial should be located at the intersection of two 100 foot arterial streets. Alexander Road was an 80 foot arterial and Martin Luther King was a 100 foot arterial. Another guideline states that Neighborhood Commercial areas should not be smaller than 10 acres in size. The property in question was less than one acre in size, .73 acres; so, Staff was concerned the property could develop by itself as commercial without necessitating the need for variances and waivers to the Design Guidelines. Recently, there was an application on property to the west, in which the applicant requested an office development that was approved and forwarded to City Council and were also approved for a day care center at the same time, that would be consistent with the office zoning district. Staff believes that an office zoning district was the best land use for the area and was consistent with the trend that has taken place in the area. Since it was not in compliance with the guidelines, Staff was recommending denial of AMP-18-06 and ZN-26-06.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating to the south there is a small commercial site with a convenience store and a small center; on the southeast corner there was commercial and on the northeast there would be another strip of commercial. When looking at the current land uses on the three corners, they felt the commercial use fit in. At the signalized intersection, the northwest corner was in need of completion of the streets and with the project moving forward, that would be done. He also indicated at the neighborhood meeting, there were no objections to the project.

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

Chairman Aston closed the Public Hearing.

Commissioner Dilip Trivedi disclosed he was working on a project for property across the street from the proposed site but it would not affect his judgement.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL
CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

16. **ZN-26-06 (25138) ALEXANDER & MLK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GHASSAN SHAMOON ON BEHALF OF ZUHAIR ZORA AND GHASSAN SHAMOON, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT 4009 NORTH MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-04-410-011.**

Item Nos. 15 and 16 were presented together.

The application was presented by Marc Jordan, Planning Manager stating AMP-18-06 was an application for an amendment to the Comprehensive Plan, changing the designation of Office to Neighborhood Commercial and ZN-26-06 was a rezoning request changing the zoning from R-1 Single-Family Residential District to a C-1 Neighborhood Commercial District. The property is located at the northwest corner of Alexander Road and Martin Luther King Boulevard. Originally Staff had concerns regarding the property ownership of record; however, those issues have been clarified, so is no longer a concern. One of the guidelines for this application was that Neighborhood Commercial should be located at the intersection of two 100 foot arterial streets. Alexander Road was an 80 foot arterial and Martin Luther King was a 100 foot arterial. Another guideline states that Neighborhood Commercial areas should not be smaller than 10 acres in size. The property in question was less than one acre in size, .73 acres; so, Staff was concerned the property could develop by itself as commercial without necessitating the need for variances and waivers to the Design Guidelines. Recently, there was an application on property to the west, in which the applicant requested an office development that was approved and forwarded to City Council and were also approved for a day care center at the same time, that would be consistent with the office zoning district. Staff believes that an office zoning district was the best land use for the area and was consistent with the trend that has taken place in the area. Since it was not in compliance with the guidelines, Staff was recommending denial of AMP-18-06 and ZN-26-06.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating to the south there was a small commercial site with a convenience store and a small center; on the southeast corner there was commercial and on the northeast there would be another strip of commercial. When looking at the current land uses on the three corners, they felt the commercial use fit in. At the signalized intersection, the northwest corner was in need of completion of the streets and with the project moving forward, that would be done. He also indicated at the neighborhood meeting, there were no objections to the project.

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

Chairman Aston closed the Public Hearing.

Commissioner Dilip Trivedi disclosed he was working on a project for property across the street from the proposed site but it would not affect his judgement.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL
CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

17. UN-31-06 (25199) COMMERCE COMMONS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY COMMERCE COMMONS, LLC ON BEHALF OF IKE LAWRENCE AND DANA M. EPSTEIN, 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 SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-502-007 AND 124-27-502-008.

The application was presented by Marc Jordan, Planning Manager who stated the application was for a special use permit that would allow a convenience food restaurant that would include a drive-thru service window. The property was located at the southeast corner of Centennial Parkway and Commerce Street and was zoned C-1. There currently was an approved site plan review for a commercial center on the property. The applicant was proposing a coffee shop as part of the use for the area. Staff has no objections to the use and is recommending approval with two amendments: Condition No. 2 would read: "All perimeter landscaping adjacent to Phase I shall be built with the first phase of the project" and Condition No. 3 would be deleted. The recommended conditions are as follows:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; comply with the conditions of approval for SPR-64-05 and the Commercial Development Standards and Design Guidelines (where there is a conflict with the conditions stated herein, the more restrictive shall apply) including but not limited to:
 - a. The special use permit is site-specific and non-transferable;
 - b. Metal canopies are replaced with sunbrella canopies;
 - c. Any future expansions of the use shall be approved by the Planning Commission;
 - d. Foundation landscaping, or an acceptable alternative, is required along all building fronts that directly access into a parking area or drive aisle, which would be the majority of the in-line stores and pad sites;
 - e. All free-standing signs across the street from residentially-zoned properties are limited to monument signs not greater than eight feet in height.
 - f. Access to each roof shall be from within the building. Exterior roof ladders are not permitted. Exterior downspouts are not permitted either.
 - g. Elevations of the sides and rears of the buildings are required to match those of the front of the building.
2. Perimeter landscaping shall be provided in Phase I of this development.

3. The applicant shall submit a traffic study update for review and approval.
4. The applicant shall comply with the previously approved conditions of SPR-64-05.

Mike Shohet, of Territory Inc., 7448 West Sahara, Suite 101, Las Vegas, NV 89119 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. 3 DELETED AND CONDITION NO. 2 AMENDED TO
READ:

2. ALL PERIMETER LANDSCAPING ADJACENT TO PHASE I SHALL
BE BUILT WITH THE FIRST PHASE OF THE PROJECT.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

18. UN-33-06 (25165) VEGAS MILD TO WILD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICHARD D. GOODALL ON BEHALF OF CRAIG ROAD BUSINESS CENTER, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS LOCATED AT 4550 DONOVAN WAY, SUITE 114. THE ASSESSOR'S PARCEL NUMBER IS 139-01-611-009.

The application was presented by Marc Jordan, Planning Manager who stated the application was for a use permit that would allow an auto service facility at 4550 Donovan Way, Suite 114. The property was zoned M-2, General industrial. The applicant was proposing to install 3M protective film on automobiles. Staff has no objection and was recommending approval of UN-33-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That UN-33-06 is site-specific and non-transferable.
3. All work shall be performed within a building.
4. No outside over-night parking of vehicles awaiting repairs shall be permitted, unless screened in accordance with the requirements in the Zoning Ordinance.
5. A minimum two parking stalls per bay, plus one per employee, shall be identified for the subject automobile service use.
6. The subject special use permit is limited to the functions referred to in Title 17 as the definition of "automobile service facility."

Richard Goodall, 4550 Donovan Way, North Las Vegas, NV 89081 stated he concurred with Staff recommendation but asked about the identification of the parking stalls and how that should be accomplished. Mr. Jordan responded the intent was not to actually have the parking spots marked, but it should be shown that there would be enough parking.

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

Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt asked the applicant if he was willing to comply with Condition No. 4. Mr. Goodall responded he typically worked on an appointment basis.

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

19. **UN-07-06 (25162) DORRELL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MOUNTAIN UNION TELECOM, LLC ON BEHALF OF LAACO, LTD., PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED USE PERMIT FOR A TELECOMMUNICATIONS TOWER IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A RESIDENTIAL SETBACK OF 190 FEET, WHERE 200 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DORRELL LANE AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-101-014 AND 124-22-101-015.**

The application was presented by Marc Jordan, Planning Manager who stated the application was for an amendment to an existing use permit that would allow 190 foot setback from a residential property line where 200 feet was required for the approved cellular tower. The property was located at the northwest corner of Dorrell Lane and Commerce Street. Staff has no objections to the application and is recommending approval of UN-07-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That this special use permit is site-specific and non-transferable.
3. That the tower must be monopine in design and not exceed 100 feet in height.
4. That the tower, equipment enclosure and all support equipment be within one parcel.
5. The enclosure shall be constructed with decorative CMU blocks and designed to match the decorative wall surrounding the mini-storage facility.
6. The opening to the enclosure shall be relocated to face east and shall incorporate sliding gates rather than swinging gates.
7. A minimum six feet (6.00') of landscaping shall be provided along the south side of the enclosure. Landscape and irrigation plans shall be submitted in conjunction with the building permit application packet.
8. A minimum one standard parking space shall be provided for the wireless communications facility. The parking space may be one of the required parking spaces for the mini-storage facility and may be shared.

9. The tower shall be set back a minimum 200 feet from the northern property line, unless or until such time that the adjacent parcel's zoning is changed from a residential district to a non-residential district.
10. The applicant shall provide paved access to the site within public right-of-way per *Clark County Area Uniform Standard Drawings for Public Works' Construction - Off-Site Improvements*, Drawing Number 209, or as otherwise required by the Director of Public Works. Additionally, an on-site service access drive from a public roadway must be provided that satisfies the Clark County Department of Air Quality and Environmental Management rules and regulations.
11. The exterior wall located adjacent to the 100-foot communication tower shall have a minimum 1 hour fire resistance rating. This shall be located along the entire length of the wall facing the tower. If the wall is composed of combustible materials on the exterior side, then the maximum tolerable level incident radiant heat energy shall not be greater than 8.9 kW/m², per table 1406.2.1.2 of the 2000 IBC.
12. That a minimum 190 feet be provided between the base of the pole and the northern property line (APN 124-22-101-013).

Debbie Adamczewski, Mountain Union Telecom LLC, 6038 Topaz Street #2, Las Vegas, NV 89120 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

Item No. 21 was heard next.

20. **ZN-30-06 (25136) THE VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MILBANK REAL ESTATE SERVICES, INC. ON BEHALF OF SUPREME PROPERTY INVESTMENT COMPANY ET AL, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-2 GENERAL COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 803 CONDOMINIUM UNITS AND 53,200 SQUARE FEET OF RETAIL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CRAIG ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-03-201-004, 139-03-201-005 AND 139-03-201-006.**

It was requested by the applicant to continue ZN-30-06 to May 10, 2006 Planning Commission Meeting.

ACTION: CONTINUED TO MAY 10, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 28 was heard next

21. **ZOA-08-06 (25141) CENTENNIAL POINTE (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY KUMMER KAEMPFER BONNER RENSHAW & FERRARIO, TO AMEND TITLE 17 (ZONING ORDINANCE), SECTION 17.24.140(H) TO ALLOW UP TO A TWENTY PERCENT (20%) REDUCTION IN PARKING FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENTS LOCATED WITHIN A HALF MILE OF ANY EXISTING OR PROPOSED BUS RAPID TRANSIT (BRT) OR LIGHT RAIL TRANSIT (LRT) STOP, WITH AN INCREASE IN OPEN SPACE OF 100 SQUARE FEET FOR EACH REDUCED PARKING SPACE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Mary Aldava, Sr. Planner who stated the application was to amend the zoning ordinance to allow up to 20 percent reduction in parking for multi-family residential developments located within one half mile of any existing or proposed bus rapid transit or light rail transit stops with an increase in open space of 100 square feet for each reduced parking space. Staff feels the proposed amendment is premature, as the proposed language will allow a reduction of parking for any multi-family residential development within one half mile of existing or proposed rapid transit. The problem was, the reduction near proposed but not built or operating rapid transit. The proposed ordinance would place a burden on the parking facilities until the rapid transit was built and the corresponding reduction in the number of vehicles is demonstrated. The City's Transportation Planner has written a memo expressing concern about the proposed amendment and indicated that without a viable transit system in operation, the proposed parking reduction could pose a significant parking problem for the proposed development and existing streets within the neighborhood. Additionally, the proposed transit may not be developed as currently proposed and could create a permanent parking problem on site. Therefore, Staff is recommending ZOA-08-06 be continued indefinitely to allow the applicant to work with Staff to create an amendment that was supported by the land use plan and to allow the proposed ordinance amendment to be reviewed by the Transportation and Parking Advisory Committee.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating clients they represent and others who own property on North 5th Street, have bought into the vision of some type of transit oriented design project on North 5th. Recently, the Regional Transportation Commission (RTC) approved funding for a bus rapid transit (BRT), which was also located within transit oriented designed projects. Property owners in that area also have bought into the vision of some type of transit oriented designed projects on North 5th. They were requesting the text amendment because there were people who had property that they had already detrimentally relied on trying to build a different product in that area. They would be representing other developers in the near future with either mixed

use developments, higher density developments, and live/work designs and they were based on the concept of what was planned for North 5th Street. They were trying to be proactive and have worked with Staff on the 20 percent reduction in parking with a trade off to provide additional open space. He felt if you were going to believe in a dream on North 5th, it must be 100 percent. The amendment would allow the applicant to move forward with a high density development that was approved just off of the North 5th corridor. There will be set-back issues, open space issues and parking issues and the proposed ordinance gives a fix of working to a solution.

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

Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt stated the City and developers were being encouraged to come to conformity and move forward to bring to pass the Visioning 2025 vision and to enhance and develop the opportunity for mass rapid transit development and he felt the City received verification and validation last week at the City Council Meeting when they approved the North 5th Street Concept Plan and he understood Staff was overwhelmed and working hard and had been working diligently to develop ordinances for mixed use and rapid transit and this was a good start. He was in support of the application.

Commissioner Steve Brown asked Mr. Gronauer how other jurisdictions handled parking. Mr. Gronauer responded Clark County and the City of Las Vegas had less stringent parking requirements; in Henderson, there were some areas that were less stringent but one or two areas required more parking. Commissioner Brown asked if the way the ordinance was written, "that a maximum of 20% may be allowed" if the Commission still had the decision making ability or if the applicant could use it at any time.

Nick Vaskov, Deputy City Attorney responded it sounded like there was some discretion written into the ordinance amendment. He pointed out there were two versions of the ordinance amendment, the one proposed by the applicant and one written by Staff, which says they are not supportive of the amendment but might be more palatable to Staff if it was the Commission's desire to go forward. Mr. Gronauer referred to the requirement in Staff's proposal, which talks about requiring a traffic study, so he was not sure if the applicant was supportive of Staff's version.

Mr. Gronauer clarified the difference between the applicant's proposal and Staff's was the last sentence, "subject to submittal and approval of a parking study."

Chairman Jay Aston stated there was also a discrepancy on the distance to a rapid transit facility. In the applicant's version it states "within ½ mile of a planned or existing bus rapid transit" and Staff Report states, "within ½ mile of an existing bus rapid transit." Mr.

Gronauer stated they would not be in agreement with Staff's wording as they need it to say "planned." Chairman Aston stated there was no existing rapid transit, so they would need to leave the word "planned" in and the power Staff had was in the parking study.

Commissioner Brown was concerned about piece meal changes versus a global change. Mr. Gronauer agreed but the problem was there were developers ready to build on property and the issues needed to be addressed.

Commissioner Angelo Carvalho stated high density was necessary for the rapid transit and was in support of the application.

Commissioner Jo Cato asked Staff if the application was only for the North 5th Corridor or if was city wide. Marc Jordan, Planning Manager responded it would apply to the North 5th Corridor because it was in ½ mile of an existing or planned transit station; but, technically, would apply city wide. Mr. Vaskov, Deputy City Attorney stated currently, the only planned rapid transit was on North 5th Street, but if another was proposed or planned, it would also apply to that.

Chairman Aston asked at what point the rapid transit became a planned rapid transit system. He felt it would be when the Planning Commission and City Council approved the North 5th Street Corridor Study but he did not know if that was the corridor or if it was getting into the actual rapid transit and it should be clarified. Mr. Gronauer stated the intent was that the RTC had already signed off on the funding or the study so his understanding was the City of getting BRT that was planned to go up and down North 5th Street. Since the Transit Supportive Concept Plan was approved, it showed the BRT was planned.

Nick Vaskov, Deputy City Attorney stated the word "plan" does introduce some ambiguity into the situation. As a general rule, when there is latent ambiguity in one of the codes, we have some reasonable discretion to interpret the code within reason and that interpretation is subject to a presumption of validity unless it is unreasonable.

Mr. Jordan advised the Commission that Staff was recommending continuance to allow the ordinance and all issues to be worked out.

Commissioner Dilip Trivedi agreed with Staff and did not understand the urgency in proceeding with approval of the application. He did realize higher density and less parking was appropriate for the North 5th Street area but was concerned with higher densities and reduced parking the impervious coverage would be increased and it would increase the burden on the drainage.

Commissioner Brown agreed the application should be moved forward to City Council for them to make their decision.

ACTION: APPROVED PER THE APPLICANT'S REQUEST, ADDING THE LANGUAGE, "SUBJECT TO SUBMITTAL AND APPROVAL OF A PARKING STUDY;" FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Brown

SECOND: Commissioner Carvalho

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

NAYS: Commissioner Shull

ABSTAIN: None

22. FDP-04-06 (25161) RUNVEE HOBART 3B. AN APPLICATION SUBMITTED BY STANDARD PACIFIC HOMES ON BEHALF OF STANDARD PACIFIC LAS VEGAS INC., PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 526 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF TROPICAL PARKWAY AND WALNUT ROAD. THE ASSESSOR'S PARCEL NUMBERS 123-30-701-003 AND 123-30-701-004.

The application was submitted by Mary Aldava, Sr. Planner who stated the application was for a Final Development Plan at the southeast corner of Tropical parkway and Ann Road. The development consists of a 526 single-family lot development with an overall density of 5.87 dwelling units per acre. The proposed lots would be a minimum of 5,000 square feet and would provide approximately 8.7 acres of open space, where 8.6 is the minimum required. Staff is recommending approval of FDP-04-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the final development plan shall comply with all conditions of approval of ZN-06-04, T-1202, T-1080; the Planned Unit Development zoning requirements; and the single-family design standards.
3. The following amenities shall be provided within the open space areas:
 - a. Circuitous lighted paths
 - b. A minimum of 20 24-inch box trees per acres
 - c. At least one large grassy open space area for group / organized play, with drinking fountain
 - d. Three 16-foot-wide shade shelters with adjacent lighting
 - e. Three (3) picnic tables and three (3) barbecue grills
 - f. Benches spaced along park pathways
 - g. Dog stations
 - h. Details of amenities to be provided
4. Permits are required for all structures except as exempted by the CNLV Municipal Code, Building Administrative Code Section 15.72.140.B & C.
5. Construction of the Developed Open Space is to be started no later than the issuance of the 120th building permit, and completed upon the issuance of 240th building permit.

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

ACTION: APPROVED SUBJECT TO STAFF 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

23. **SPR-19-06 (25153) LOSEE & LONE MTN MINI STORAGE. AN APPLICATION SUBMITTED BY MENDENHALL FAMILY TRUST, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW 123,340 SQUARE FEET OF MINI-STORAGE. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LOSEE ROAD AND LONE MOUNTAIN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-01-101-019, 139-01-101-020 AND 139-01-101-021.**

The application was presented by Mary Aldava, Sr. Planner who stated the application was for a Site Plan Review to allow a 123,340 square foot mini-storage facility in an M-2 General Industrial District. The development consists of two, two-story structures within the center of the development and three buildings that are one story, located around the perimeter of the development. A two-story office/apartment is also proposed and 15 RV spaces will be provided. The overall site design is in general conformance with the zoning ordinance and with the Industrial Design Standards; therefore, Staff is recommending approval of SPR-19-06 subject to the following conditions:

1. That the development of this site shall be in compliance with the Industrial Development Standards unless expressly authorized through a variance, waiver of another method, development shall comply with all applicable codes and ordinances:
 - a. SPR-19-06 is site specific and non-transferable;
 - b. Parking and storage of recreational vehicles shall not occupy any drive aisles or required parking spaces for customers;
 - c. That all perimeter walls or elevations being substituted for perimeter walls be decorative in nature;
 - d. That buildings shall be finished in earth tone or neutral colors indigenous to the Las Vegas Valley and its surrounds;
 - e. That an additional trash enclosure is provided within the development;
 - f. That architectural embellishments are provided on all elevations of the manager's office/apartment;
 - g. That the external stairway to the manager's apartment is enclosed and the entrance is covered;
 - h. That the designated parking stalls for the manager are covered;
 - i. That landscape islands are provided within the parking area;
2. Right-of-way dedication for a flared intersection, including a right turn lane, is required at Losee Road and Lone Mountain Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1. Conformance may require modifications to the site.

3. Right-of-way dedication and construction of a CAT bus turn-out is required on Lone Mountain Road near Losee Road. It is suggested that the applicant provide the bus stop placement within the exclusive right turn lane for the property per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.3.
4. Adjacent to any eighty (80) foot right-of-way, a common lot and/or landscape and pedestrian access easement, with a minimum width of five (5) feet, shall be provided behind the required bus turn-out.
5. Approval of a traffic study is required prior to submittal of the civil improvement plans.
6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Losee Road and Lone Mountain Road.
7. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
8. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. The property owner is required to sign a restrictive covenant for utilities.
11. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
12. Approval of a drainage study is required prior to submittal of the civil improvement plans.
13. 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.

14. The limits of the Federal Emergency Management Agency Special Flood Hazard Area Zone A must be shown on all site plans, civil improvement plans, etc. submitted to the City.
 - a. The City of North Las Vegas does not permit the construction of any buildings within a Federal Emergency Management Agency (FEMA) designated Special Flood Hazard Area (SFHA). Under this policy, the applicant must meet the following requirements prior to issuance of permits and certificates of occupancy:
 - b. Grading and off-site construction permits may be issued once a copy of the Conditional Letter of Map Review (CLOMR) application has been submitted to FEMA for processing.
 - c. Building permits may be issued once a CLOMR has been obtained from FEMA.
 - d. Certificates of Occupancy can be issued once a Letter of Map Revision (LOMR) has been obtained from FEMA.
15. 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.
16. 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.
17. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
18. All off-site improvements must be completed prior to final inspection of the first building.
19. Fire access lanes shall be designed in accordance with Fire Code requirements.
20. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Tony Celeste of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant referring to Condition No. 3 and asked that the second sentence be removed. He was

concerned, with the current wording of the condition, the bus turnout would be placed in an area that would be detrimental and cause an undue burden to the property and also could cause some traffic safety concerns because of the location being too close to the corner.

Jennifer Doody of Public Works stated they would agree to removing the second sentence of Condition No. 3.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 3 AMENDED TO READ:

3. RIGHT-OF-WAY DEDICATION AND CONSTRUCTION OF A CAT
BUS TURN-OUT IS REQUIRED ON LONE MOUNTAIN ROAD NEAR
LOSEE ROAD.

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

24. **T-1252 (25157) ALEXANDER COLEMAN. AN APPLICATION SUBMITTED BY CENTEX HOMES ON BEHALF OF ASCENCION ANE ELISE GUITIERREZ , PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW 11 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF COLEMAN STREET AND ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-08-502-002.**

The application was presented by Mary Aldava, Sr. Planner who stated the application was for a Tentative Map for 11 single-family dwellings. The residential lots would range in size from 6,089 square feet to 7,798 square feet with a density of approximately 5.5 dwelling units per acre. Staff is recommending approval of T-1252 subject to the following conditions with the deletion of Condition No. 5:

1. Unless expressly authorized through a variance, waiver or another approved method; the development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Single-Family Development Design Standards.
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 and Coleman Street.
5. The center line of Daydream Bend Street must align with the un-named street across Alexander Road.
6. 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.
7. A revocable encroachment permit for landscaping within the public right of way is required.
8. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
9. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.

10. 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.
11. All common elements shall be labeled and are to be maintained by the Home Owners Association.
12. 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.
13. Approval of a drainage study is required prior to submittal of the civil improvement plans.
14. 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*.
15. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.

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

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 5

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

25. **FDP-05-06 (25174) CHEYENNE VALLEY GATEWAY PHASE II. AN APPLICATION SUBMITTED BY ARCHITECT GERALD GARAPICH AIA, LLC ON BEHALF OF CHEY 33 II, LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF TEN (10) ONE AND ONE (1) TWO STORY OFFICE BUILDINGS TOTALING APPROXIMATELY 93,850 SQUARE FEET, PLUS ONE SINGLE-STORY RETAIL BUILDING CONTAINING APPROXIMATELY 13,569 SQUARE FEET. THE PROPERTY IS LOCATED APPROXIMATELY 700 FEET WEST OF DECATUR BOULEVARD AND SOUTH OF CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-07-417-002.**

The application was presented by Mary Aldava, Sr. Planner who stated the application was for a Final Development Plan to develop the second phase in an office commercial business park. The second phase is approximately 10.5 acres and is part of an overall 34 acre development. The site plan indicates they are proposing 10 single story and one two story office building, plus one single story retail building with a drive-thru service window. The building elevations are consistent with the Commercial Design Standards and with the first phase of the development; however, it should be noted that if a convenience food restaurant is proposed with the drive-thru window, a special use permit will be required. Staff is recommending approval of FDP-05-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development of this site be in compliance with all applicable conditions of FDP-09-04, Ordinance No. 1842 (ZN-27-00) and Ordinance No. 2116 (ZN-12-05).
3. This application shall be considered the second phase of the overall 34±-acre development.
4. The carports, if provided, shall match the buildings in design, colors and materials.
5. A minimum 550 square feet of pedestrian plaza area shall be provided as part of this phase of development.
6. This approval is only for the 10.49±-acre parcel identified on the site plan and for up to 94,000 square feet of office space and 13,600 square feet of retail space. The remainder of the PUD is required to have separate final development plan(s) reviewed and approved by the Planning Commission prior to submittal of the civil improvement plans.

7. The building elevations shall be substantially consistent with those approved with FDP-09-04 and those submitted herein.
8. That no approval, or implied approval, is granted for any future special use permits through this application.
9. A building permit for "Retail Building, Pad 'E'" shall not be requested, issued, or applied for, until such time that the drive-through service window and lane are removed, or until such time that a special use permit has been approved by the Planning Commission.
10. That bicycle parking facilities (i.e., a bike rack that serves at least two bicycles) be provided throughout the site based on one facility for every 30,000 square feet of office and retail space, or portion thereof. Said bicycle parking facilities shall not be in-lieu of required landscaping and shall not interfere with pedestrian access routes.
11. That the development of this site comply with all applicable requirements, as stated in the attached memorandum from the Clark County Department of Aviation.
12. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
13. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.

Richard Gallegos, 3005 West Horizon Ridge appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

26. **SPR-18-06 (25139) CENTENNIAL POINTE. AN APPLICATION SUBMITTED BY THE STRATTON GROUP ON BEHALF OF CENTENNIAL GROUP. LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT TO ALLOW 201 MULTI-FAMILY UNITS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-701-002, 124-22-701-003, 124-22-701-004, 124-22-701-005 AND 124-22-701-008.**

Tony Celeste of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant requesting to continue SPR-18-06 to the May 10, 2006 Planning Commission Meeting.

ACTION: CONTINUED TO MAY 10, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

27. **T-1253 (25140) CENTENNIAL POINTE. AN APPLICATION SUBMITTED BY THE STRATTON GROUP ON BEHALF OF CENTENNIAL GROUP, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT TO ALLOW 201 CONDOMINIUMS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-701-002, 124-22-701-003, 124-22-701-004, 124-22-701-005 AND 124-22-701-008.**

Tony Celeste of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant requesting to continue T-1253 to the May 10, 2006 Planning Commission Meeting.

ACTION: CONTINUED TO MAY 10, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

28. **SPR-20-06 (25163) AMERICAN STONE BUILDING. AN APPLICATION SUBMITTED BY AMERICAN STONE SALES, INC. ON BEHALF OF STONE MOUNTAIN MANAGEMENT, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A 350 SQUARE FOOT ON-PREMISE SIGN. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CIVIC CENTER DRIVE AND BRANSON AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-12-201-012.**

It was requested by the applicant to continue SPR-20-06 to the May 10, 2006 Planning Commission Meeting.

ACTION: CONTINUED TO MAY 10, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 29 was heard next.

OLD BUSINESS

29. **SPR-16-06 (24932) CENTENNIAL & NOVAK. AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP ON BEHALF OF ILLIA FAMILY LIVING TRUST, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW 176 CONDOMINIUM UNITS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND NOVAK STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-101-011, 123-29-101-012 AND 123-29-101-013. (CONTINUED APRIL 12, 2006)**

It was requested by the applicant to continue SPR-16-06 to the May 24, 2006 Planning Commission Meeting.

ACTION: CONTINUED TO MAY 24, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 30 was heard next.

30. UN-30-06 (24953) CRAIG & DECATUR CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ZNA FOODS ON BEHALF OF MOHAMMAD RAZZAQUE, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS GENERALLY LOCATED NORTH OF CRAIG ROAD AND APPROXIMATELY 500 FEET EAST OF DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-06-215-024. (CONTINUED APRIL 12, 2006)

It was requested by the applicant to continue UN-30-06 to the May 10, 2006 Planning Commission Meeting.

Chairman Jay Aston opened the Public Hearing and stated it would remain open.

ACTION: CONTINUED TO MAY 10, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

31. **SPR-15-06 (24955) CENTENNIAL & UPRR. AN APPLICATION SUBMITTED BY OMEGA DEVELOPMENT ON BEHALF OF CENTENNIAL LAMB LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT TO ALLOW 360 CONDOMINIUM UNITS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND UPRR. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-101-008 AND 123-29-501-001. (CONTINUED APRIL 12, 2006)**

It was requested by the applicant to continue SPR-15-06 to the May 24, 2006 Planning Commission Meeting.

ACTION: CONTINUED TO MAY 24, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 1 was heard next.

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Planning Manager Marc Jordan asked the Commission if they would be interested in a presentation by the School District explaining how they site schools and determine where they should be located.

Chairman Jay Aston responded that could be done during a briefing. Mr. Jordan indicated that could be arranged, maybe by changing the briefing time to 5:00 p.m. to accommodate the presentation.

CHAIRMAN'S BUSINESS

There was no report given.

ADJOURNMENT

The meeting adjourned at 8:29 p.m.

APPROVED: May 24, 2006

/s/ Jay Aston
Jay Aston, Chairman

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