

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

July 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 P.M., Conference Room, North Las Vegas City Hall,  
2200 Civic Center Drive

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

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

**STAFF PRESENT:** Jory Stewart, Planning & Zoning Director  
Marc Jordan, Planning Manager  
Robert Eastman, Principal Planner  
Terence Capers, Planner  
Nick Vaskov, Deputy City Attorney II  
Jennifer Doody, PW, Development & Flood Control  
Clete Kus, PW, Transportation Planner  
James Frater, Fire Department  
Jo Ann Lawrence, Recording Secretary

**VERIFICATION:** Jo Ann Lawrence, Recording Secretary

**PLEDGE OF ALLEGIANCE:** Commissioner Dean Leavitt

**MINUTES**

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF JUNE 14, 2006.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: Commissioner Cato

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF JUNE 28, 2006.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**CONSENT AGENDA**

A. **PW-138-06 (26801) NVE PARCEL 24: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$1,206,087.36.**

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**B. PW-139-06 (26802) LAKE MEAD & SIMMONS COMM. CTR.: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY SIMMONS ASSOCIATES, LLC AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$242,656.85.**

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**C. PW-140-06 (26816) ANN LOSEE ROAD PERIMETER STREETS, PH 2: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY PARDEE HOMES OF NEVADA AND ACCEPT THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$1,419,186.76.**

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Item No. 4 was heard next.**

**NEW BUSINESS**

1. **UN-84-04 (26493) BEREAN CHURCH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE BEREAN CHRISTIAN FELLOWSHIP, INC., PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR AN APPROVED USE PERMIT IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A CHURCH. THE PROPERTY IS LOCATED AT 2784 NORTH MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-16-701-001.**

The application was presented by Marc Jordan, Planning Manager who stated this was a request for an extension of time for the existing use permit that would allow a church at 2784 North Martin Luther King Boulevard. According to the site plan, the applicant was proposing to construct an overall 26,943 square foot church, which would be developed in phases. The first phase would be approximately 8800 square feet, which was slightly larger than originally proposed, and Staff has no objection. The second phase would consist of a 12,500 square foot family life center, a 2300 square foot classroom and nursery and a 3300 square foot office building. At total build out, they would accommodate approximately 800 people on the site. According to the site plan, the church would be located at the front of the site and was in compliance with the Commercial Design Standards and was very similar to what was originally requested. Originally requested and approved, was a buffer of the landscaping requirement from 20 feet to 10 feet and to eliminate some of the parking lot landscaping between the rows of parking, which was supported by Staff and approved when originally requested. Staff has no objection to this extension and are recommending approval of UN-84-04 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Commercial Development Standards and Design Guidelines, except for the following:
  - a. That in lieu of the landscape island required between the parking rows of every other row of parking, the applicant provide landscape diamonds between every three (3) parking stalls.
  - b. That a ten (10) foot landscape buffer be provided with 24" box trees planted at a maximum spacing of 15 feet on center adjacent to the residential properties located along the north, south and east property lines.
3. That the pre-fabricated building within Phase 1 shall incorporate relief through the use of changes in color, materials, and the inclusion of beltlines or pop-outs.

4. That all the buildings within the development use similar colors to provide a more consistent design.
5. That all mechanical equipment shall be ground mounted and shall be screened from view with landscaping or walls which match the design of the primary buildings within the development.
6. That the perimeter landscaping adjacent to Martin Luther King Boulevard shall be similar to the approved landscaping scheme and materials for the street medians within Martin Luther King Boulevard.
7. The number of driveways and their locations are subject to the review and approval of the City Traffic Engineer and must meet the standards set forth in the NLV Municipal Code.
8. Driveways are to be constructed in accordance with CCAUSD #s 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
9. All Nevada Power Company easements and poles must be shown and shall be fully located within the landscape area. If any poles need to be relocated, it will be at the expense of the developer.
10. The property owner is required to grant a roadway easement for commercial driveway(s).
11. The property owner is required to sign a restrictive covenant for utilities.
12. Approval of a drainage study is required prior to submittal of the civil improvement plans.
13. 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.

**Michael Lowery, Pastor of the Berean Christian Fellowship Church, 2784 North Martin Luther King Boulevard** and **Walter Turner, 2784 North Martin Luther King Boulevard** appeared stating they concurred with Staff recommendation.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Shull

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

**NAYS:** None

**ABSTAIN:** None

**2. UN-76-06 (26535) HOUSE OF DELIVERANCE CHURCH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HOUSE OF DELIVERANCE CHURCH, ON BEHALF OF MARIA DELLIPONTI, PROPERTY OWNER, FOR A USE PERMIT IN AN R-E RANCH ESTATE DISTRICT TO ALLOW A CHURCH. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF WILLIS STREET AND VERDE WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-31-801-013.**

The application was presented by Terence Capers, Planner who stated the church would be approximately 8,529 square feet with a seating capacity of 500 people. Accompanying this item was Item No. 3, UN-77-06 for approval of a day care center in conjunction with the church. According to the letter of intent, two church services would be conducted on Sundays from 11:00 a.m. to 2:00 p.m. and from 7:00 p.m. to 10:00 p.m. And also on Tuesday and Thursday from 7:00 p.m. to 10:00 p.m. According to the site plan, a 20 foot landscape buffer is provided along Willis Street and Verde Way and a 10 foot landscape buffer was provided adjacent to existing residential property to the north and east. After further review of the application, there are a few modifications needed to ensure the site conforms to Title 17. One of the standards was that a 20 foot landscape buffer be inserted between the different uses which are the single family homes and the proposed church. The parking lot landscaping was also lacking. There should be landscape islands at the end of each parking row and within each parking row for every fifteen parking spaces contained within the row. The required landscape islands have not been provided along the south side of the church building. Furthermore, the Public Works Department, in the attached memorandum, was recommending continuance because the site plan does not show the rights-of-way width and proper dimensioned property lines. Although the Planning Staff has no objection to the use at this location, Staff recommends that the applicant redesign the site and incorporate the required elements into the design of the development.

**Betty Smith, Pastor, 5141 Tonga Street, North Las Vegas, NV 89031** appeared stating she had the designers of the church present, who could answer any questions concerning the site plan.

**Renee Galavese, Project Manager for E & M Enterprises** stated he laid out the site plan according to the standards given to him by North Las Vegas. He provided parking islands on the site plan as required by code. He also had the 20 foot landscape buffer on Verde Way and Willis Street and the property lines were also shown, so he was not sure what additional information was being requested.

Mr. Capers stated if you look at the site plan, where the handicapped parking was located, the code requires at the end of every parking row, that there be a landscape island. On the south side, there is no landscape island provided at that location and with the five parking

spaces and the 12 that are there, that is 17 spaces and for every 15 spaces, there should be a landscape island the same as was shown on the east side. Also, the CMU wall cannot be smooth face; the Design Standards require that it be split face and the code also requires that the buffer between the proposed church and the existing residential should be 20 feet and the applicant only provided 10 feet.

Chairman Angelo Carvalho opened the Public Hearing. The following participants came forward:

- **Gerry McNulty, 4890 Willis Street, North Las Vegas, NV 89031** stated the homes in the area are all zoned R-E and have horses. He was opposed to a church going in the area as it was not conducive to the area and felt the R-E zoning should be maintained.
- **Paul DeWitt (Willis), 3917 Verde Way, North Las Vegas, NV 89031** stated he was opposed to the application, as it was not just a church but a day care center which was a business.
- **Toni Werk, 3390 West Lone Mountain Road, North Las Vegas, NV 89031** stated she was opposed to the application as it was not an appropriate place for a church. It was surrounded by horse properties with existing arenas and people who rope and she did not feel a church was a good idea because twice in the neighborhood churches had previously been approved and never completed. There was a church on Simmons Street above Craig Road that never fully developed and was now going to be a housing development and there was a church approved directly across the street from her home that also was never developed.

Chairman Carvalho closed the Public Hearing.

Pastor Smith stated she understood the neighbors' frustration but chose that property because there was a school across the street and was hoping the day care center would be used by some of the people living in the neighborhood.

Commissioner Harry Shull commented that churches, parks and schools were uses that were allowed in R-E areas, which has happened around the City. Noone was asking for a zone change, they were requesting to do something that was an allowed use in that area; but, it appeared there were some items that needed to be addressed and redone and Staff was recommending that the application be continued so the changes could be made.

Mr. Galavese stated that would not be a problem. The landscaping area on Verde Way and Willis Street was to create a berm because that was another option they had, so it would enclose all of the parking so it would not be seen. They also tried to blend the church into the environment of the residential area by the way the roofs were constructed.

Commissioner Jo Cato stated the applicant was not asking for a zone change, as the church and day care were permitted as a special use.

Commissioner Steve Brown asked Staff how the day care center was allowed in a ranch estates district within the code. Robert Eastman, Principal Planner explained child care and day care facilities were allowed with a special use permit if the child care center was used in conjunction with a church or a public or semi-public use.

Jory Stewart, Planning & Zoning Director added the day care center was a separate application, which was Item No. 3 on the Agenda.

Chairman Aston stated on a use permit, such as a tavern, Council, through the help of Staff, put together an ordinance which included separation requirements. He understood churches, parks and schools being allowed in ranch estates areas, but questioned how many should be allowed next to each other. He did not want to see a situation where there were several next to each other in a neighborhood, as it could ruin the neighborhood and felt it might be time to take a look at a distancing requirement. He asked how you would go about recommending a workshop or a some type of request from Staff, as requested by the Planning Commission, that some thought and consideration be given to how many schools would be within one block, how many churches would be allowed in one block, how many parks in one block, etc. He felt there should be some type of distancing requirement, so there was a flowing community for everyone.

Director Stewart stated the Planning & Zoning Department would be happy to take those thoughts forward to the City Manager, who could present them to City Council and, at their direction, a text amendment could be considered to address that type of issue.

Commissioner Dilip Trivedi stated he concurred with previous comments and asked the applicant if they would consider holding their application for four weeks and hold a neighborhood meeting to get the neighbors input on the project.

Pastor Smith stated she sympathized with the neighbors but wanted the application to go forward. She did not want to hold the application for four weeks. She stated she would make sure there would be nothing that would cause havoc in the neighborhood.

Commissioner Dean Leavitt stated he agreed with previous comments from Commissioners but felt they needed to go one step further. They need to be aware of their surroundings and include those who live in the neighborhood they want to participate in. If there are 500 parishioners, you would not object to having 1,000; but, the church would not grow and include the neighborhood unless they were included in the plans. He suggested that the

application be continued to allow the applicant to meet with the neighbors as suggested by Commissioner Trivedi. He felt, if the applicant had included the neighborhood in the planning process, they might have been more prepared and the Commissioners would have been more prepared to accept some of the conditions and he wanted to see Staff's concerns addressed.

Pastor Smith stated she did not have a problem making the requested changes to the plan.

Chairman Carvalho explained that was why the Commission was asking that they work with the neighborhood and requesting the application be continued.

Commissioner Cato asked if the applicant was in agreement with Staff for the continuance to work on Staff's concerns with the landscaping and parking. It was apparent the neighbors did not want a church in their neighborhood, but Commissioner Cato suggested they hold a neighborhood meeting.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Shull

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

Commissioner Carvalho reopened the Public Hearing, stating it would remain open until the item was heard.

3. **UN-77-06 (26536) HOUSE OF DELIVERANCE CHURCH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HOUSE OF DELIVERANCE CHURCH, ON BEHALF OF MARIA DELLIPONTI, PROPERTY OWNER, FOR A USE PERMIT IN AN R-E RANCH ESTATE DISTRICT TO ALLOW A CHILD CARE FACILITY IN CONJUNCTION WITH A CHURCH. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF WILLIS STREET AND VERDE WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-31-801-013.**

The following comments were carried forward from Item No. 2, UN-76-06:

*The application was presented by Terence Capers, Planner who stated the church would be approximately 8,529 square feet with a seating capacity of 500 people. Accompanying this item was Item No. 3, UN-77-06 for approval of a day care center in conjunction with the church. According to the letter of intent, two church services would be conducted on Sundays from 11:00 a.m. to 2:00 p.m. and from 7:00 p.m. to 10:00 p.m. And also on Tuesday and Thursday from 7:00 p.m. to 10:00 p.m. According to the site plan, a 20 foot landscape buffer is provided along Willis Street and Verde Way and a 10 foot landscape buffer was provided adjacent to existing residential property to the north and east. After further review of the application, there are a few modifications needed to ensure the site conforms to Title 17. One of the standards was that a 20 foot landscape buffer be inserted between the different uses which are the single family homes and the proposed church. The parking lot landscaping was also lacking. There should be landscape islands at the end of each parking row and within each parking row for every fifteen parking spaces contained within the row. The required landscape islands have not been provided along the south side of the church building. Furthermore, the Public Works Department, in the attached memorandum, was recommending continuance because the site plan does not show the rights-of-way width and proper dimensioned property lines. Although the Planning Staff has no objection to the use at this location, Staff recommends that the applicant redesign the site and incorporate the required elements into the design of the development.*

***Betty Smith, Pastor, 5141 Tonga Street, North Las Vegas, NV 89031*** appeared stating she had the designers of the church present, who could answer any questions concerning the site plan.

***Renee Galavese, Project Manager for E & M Enterprises*** stated he laid out the site plan according to the standards given to him by North Las Vegas. He provided parking islands on the site plan as required by code. He also had the 20 foot landscape buffer on Verde Way and Willis Street and the property lines were also shown, so he was not sure what additional information was being requested.

*Mr. Capers stated if you look at the site plan, where the handicapped parking was located, the code requires at the end of every parking row, that there be a landscape island. On the south side, there is no landscape island provided at that location and with the five parking spaces and the 12 that are there, that is 17 spaces and for every 15 spaces, there should be a landscape island the same as was shown on the east side. Also, the CMU wall cannot be smooth face; the Design Standards require that it be split face and the code also requires that the buffer between the proposed church and the existing residential should be 20 feet and the applicant only provided 10 feet.*

*Chairman Angelo Carvalho opened the Public Hearing. The following participants came forward:*

- ***Gerry McNulty, 4890 Willis Street, North Las Vegas, NV 89031** stated the homes in the area are all zoned R-E and have horses. He was opposed to a church going in the area as it was not conducive to the area and felt the R-E zoning should be maintained.*
- ***Paul DeWitt (Willis), 3917 Verde Way, North Las Vegas, NV 89031** stated he was opposed to the application, as it was not just a church but a day care center which was a business.*
- ***Toni Werk, 3390 West Lone Mountain Road, North Las Vegas, NV 89031** stated she was opposed to the application as it was not an appropriate place for a church. It was surrounded by horse properties with existing arenas and people who rope and she did not feel a church was a good idea because twice in the neighborhood churches had previously been approved and never completed. There was a church on Simmons Street above Craig Road that never fully developed and was now going to be a housing development and there was a church approved directly across the street from her home that also was never developed.*

*Chairman Carvalho closed the Public Hearing.*

*Pastor Smith stated she understood the neighbors' frustration but chose that property because there was a school across the street and was hoping the day care center would be used by some of the people living in the neighborhood.*

*Commissioner Harry Shull commented that churches, parks and schools were uses that were allowed in R-E areas, which has happened around the City. Noone was asking for a zone change, they were requesting to do something that was an allowed use in that area; but, it appeared there were some items that needed to be addressed and redone and Staff was recommending that the application be continued so the changes could be made.*

*Mr. Galavese stated that would not be a problem. The landscaping area on Verde Way and Willis Street was to create a berm because that was another option they had, so it would enclose all of the parking so it would not been seen. They also tried to blend the church into the environment of the residential area by the way the roofs were constructed.*

*Commissioner Jo Cato stated the applicant was not asking for a zone change, as the church and day care were permitted as a special use.*

*Commissioner Steve Brown asked Staff how the day care center was allowed in a ranch estates district within the code. Robert Eastman, Principal Planner explained child care and day care facilities were allowed with a special use permit if the child care center was used in conjunction with a church or a public or semi-public use.*

*Jory Stewart, Planning & Zoning Director added the day care center was a separate application, which was Item No. 3 on the Agenda.*

*Chairman Aston stated on a use permit, such as a tavern, Council, through the help of Staff, put together an ordinance which included separation requirements. He understood churches, parks and schools being allowed in ranch estates areas, but questioned how many should be allowed next to each other. He did not want to see a situation where there were several next to each other in a neighborhood, as it could ruin the neighborhood and felt it might be time to take a look at a distancing requirement. He asked how you would go about recommending a workshop or a some type of request from Staff, as requested by the Planning Commission, that some thought and consideration be given to how many schools would be within one block, how many churches would be allowed in one block, how many parks in one block, etc. He felt there should be some type of distancing requirement, so there was a flowing community for everyone.*

*Director Stewart stated the Planning & Zoning Department would be happy to take those thoughts forward to the City Manager, who could present them to City Council and, at their direction, a text amendment could be considered to address that type of issue.*

*Commissioner Dilip Trivedi stated he concurred with previous comments and asked the applicant if they would consider holding their application for four weeks and hold a neighborhood meeting to get the neighbors input on the project.*

*Pastor Smith stated she sympathized with the neighbors but wanted the application to go forward. She did not want to hold the application for four weeks. She stated she would make sure there would be nothing that would cause havoc in the neighborhood.*

*Commissioner Dean Leavitt stated he agreed with previous comments from Commissioners but felt they needed to go one step further. They need to be aware of their surroundings and include those who live in the neighborhood they want to participate in. If there are 500*

*parishioners, you would not object to having 1,000; but, the church would not grow and include the neighborhood unless they were included in the plans. He suggested that the application be continued to allow the applicant to meet with the neighbors as suggested by Commissioner Trivedi. He felt, if the applicant had included the neighborhood in the planning process, they might have been more prepared and the Commissioners would have been more prepared to accept some of the conditions and he wanted to see Staff's concerns addressed.*

*Pastor Smith stated she did not have a problem making the requested changes to the plan.*

*Chairman Carvalho explained that was why the Commission was asking that they work with the neighborhood and requesting the application be continued.*

*Commissioner Cato asked if the applicant was in agreement with Staff for the continuance to work on Staff's concerns with the landscaping and parking. It was apparent the neighbors did not want a church in their neighborhood, but Commissioner Cato suggested they hold a neighborhood meeting.*

Commissioner Angelo Carvalho opened the Public Hearing and stated it would remain open until the item was heard.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Shull

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

Commissioner Aston suggested the applicant make an appointment with Staff to work out the final details and speak with the neighbors in attendance regarding holding a neighborhood meeting.

Marc Jordan, Planning Manager suggested the applicant come by the office to get labels for the same notification area that was used by the Department to send out the Public Hearing notices.

**Item No. 5 was heard next.**

4. **VAC-14-06 (26515) AZURE/LINN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MARK LEFKOWITZ, ON BEHALF OF LINN AZURE, LLC, I-15 EXPOSURE LLC, GRAVITY FIGHTERS, LLC, AND NORTH LYNN, LLC, PROPERTY OWNERS, TO VACATE THE SOUTHERLY PORTION OF AZURE AVENUE BETWEEN LINN LANE AND BONNIE LANE; TO VACATE LINN LANE COMMENCING 1,352 FEET NORTH OF TROPICAL PARKWAY AND PROCEEDING NORTH APPROXIMATELY 275 FEET; AND TO VACATE THE WESTERLY PORTION OF LINN LANE COMMENCING AT AZURE AVENUE AND PROCEEDING NORTH APPROXIMATELY 100 FEET. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-501-010, 123-28-601-003, 123-28-601-005 AND 123-28-601-006.**

It was requested by the applicant to continue VAC-14-06 to September 13, 2006.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO SEPTEMBER 13, 2006

MOTION: Commissioner Shull

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**Item No. 7 was heard next.**

5. **UN-73-06 (26491) DECATUR COURT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DECATUR COURT, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (BANK) WITH A DRIVE-THRU. THE PROPERTY IS GENERALLY LOCATED EAST OF DECATUR BOULEVARD AND APPROXIMATELY 335 FEET SOUTH OF ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-31-101-008.**

The application was presented by Marc Jordan, Planning Manager who stated the elevations and site plan generally conform to the Commercial Design Standards with the exception that on the elevations, the applicant would need to do some additional work on the back of the building to be consistent with the design of the front of the building. However, even though Staff has no objection to the use at this location, Staff was recommending that the application be continued as Public Works indicated that the throat depth for the commercial driveway needed to comply with the Clark County Area Uniform Standard Drawings, which would require revisions to the site plan.

**Patrick Donaldson, 720 Susanna Way, Henderson, NV** appeared on behalf of the applicant stating the applicant was asking for approval. He stated he had been working with Staff continuously and had already changed the site plan to accommodate the throat depth and had addressed Staff concerns when they were brought to their attention and added he concurred with the conditions recommended by Staff and asked for approval.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

Commissioner Jay Aston asked Staff if the proposed conditions addressed the concerns stated in the Staff Report Analysis. Clete Kus of Public Works responded the conditions did include the requirements of the driveway access conforming to Clark County Standard Drawing 222.A; but, the concern was that it might result in a significant change to the site plan that would potentially create a situation where it may violate other established requirements. For example, potentially, the redesign might result in less parking; so, without having the opportunity to review the revised site plan, he was not able to say what other concerns may evolve.

Commissioner Harry Shull explained if the application was approved and the recommended conditions could not be met, the applicant would be in a worse position; so, it might be incumbent upon the applicant to take a continuance and sit down with Staff and get the details worked out. He suggested to the applicant that he take a continuance and work with Staff to get the details worked out.

Mr. Donaldson stated the traffic study had already been submitted, so he expected comments to the traffic study would indicate that they would need the throat depth anyway. The concerns of Staff were being addressed as they worked on the project and. There were issues that had not been mentioned by Staff, that they were trying to address also. The throat depth issue, rather than causing a decrease in parking, caused a decrease in the size of the building and the owner was willing to do that. The owner was willing to address all comments. There was a drainage study submitted and before they could address those comments, they have to have a working site plan. He understood the site was too small for a site plan review because they had asked about that and were told it would be reviewed when the special use permit was heard. Now that they have a site plan review, they know what the concerns are and would like to address them.

Mr. Jordan stated in Item No. 6, the applicant requested a waiver from the landscaping along the southerly property line that would allow parking to encroach anywhere from 4'10" to 2'10" for some parking and that they were proposing, in lieu of that, a reduction in the landscaping width to provide some half diamonds for every four parking spaces in a row. In that particular Staff Report, it was indicated that if there was a desire to grant that waiver, which Staff has no objection to, that you would need to go with the amended Condition No. 2 that was listed in the Staff Report, rather than the regular Condition No. 2. If there was a desire to grant the use permit for the bank at this time, you would need to also replace Condition No. 2 if there was a desire to grant the waiver.

Commissioner Aston stated typically when Public Works was recommending a continuance, it was because there were concerns for things to be worked out, so he recommended a two week continuance to allow the applicant to work with Staff.

Mr. Donaldson asked if the special use permit were passed and it did not have any conditions, if it would mean they would not have to abide by the Development Standards. It was his understanding that any development had to abide by the Development Standards. The Conditions listed had nothing to do with the special use permit, but had to do with the site itself.

Jory Stewart, Planning & Zoning Director explained the use permit in this case was the site plan review; so, that was why he was seeing the conditions applied in this manner and Staff would be happy to go over the details of those requirements when he meets with them.

ACTION: CONTINUED TO AUGUST 9, 2006

MOTION: Commissioner Aston

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

Chairman Angelo Carvalho reopened the Public Hearing and stated it would remain open.

6. **UN-74-06 (26492) DECATUR COURT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DECATUR COURT, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS GENERALLY LOCATED EAST OF DECATUR BOULEVARD AND APPROXIMATELY 335 FEET SOUTH OF ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-31-101-008.**

The application was presented by Marc Jordan, Planning Manager who stated Staff was recommending continuance for the same reasons as stated in Item No. 5. Comments are carried forward as follows:

*The application was presented by Marc Jordan, Planning Manager who stated the elevations and site plan generally conform to the Commercial Design Standards with the exception that on the elevations, the applicant would need to do some additional work on the back of the building to be consistent with the design of the front of the building. However, even though Staff has no objection to the use at this location, Staff was recommending that the application be continued as Public Works indicated that the throat depth for the commercial driveway needed to comply with the Clark County Area Uniform Standard Drawings, which would require revisions to the site plan.*

***Patrick Donaldson, 720 Susanna Way, Henderson, NV*** appeared on behalf of the applicant stating the applicant was asking for approval. He stated he had been working with Staff continuously and had already changed the site plan to accommodate the throat depth and had addressed Staff concerns when they were brought to their attention and added he concurred with the conditions recommended by Staff and asked for approval.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

Commissioner Jay Aston asked Staff if the proposed conditions addressed the concerns stated in the Staff Report Analysis. Cleto Kus of Public Works responded the conditions did include the requirements of the driveway access conforming to Clark County Standard Drawing 222.A; but, the concern was that it might result in a significant change to the site plan that would potentially create a situation where it may violate other established requirements. For example, potentially, the redesign might result in less parking; so, without having the opportunity to review the revised site plan, he was not able to say what other concerns may evolve.

Commissioner Harry Shull explained if the application was approved and the recommended conditions could not be met, the applicant would be in a worse position; so, it might be

*incumbent upon the applicant to take a continuance and sit down with Staff and get the details worked out. He suggested to the applicant that he take a continuance and work with Staff to get the details worked out.*

*Mr. Donaldson stated the traffic study had already been submitted, so he expected comments to the traffic study would indicate that they would need the throat depth anyway. The concerns of Staff were being addressed as they worked on the project and. There were issues that had not been mentioned by Staff, that they were trying to address also. The throat depth issue, rather than causing a decrease in parking, caused a decrease in the size of the building and the owner was willing to do that. The owner was willing to address all comments. There was a drainage study submitted and before they could address those comments, they have to have a working site plan. He understood the site was too small for a site plan review because they had asked about that and were told it would be reviewed when the special use permit was heard. Now that they have a site plan review, they know what the concerns are and would like to address them.*

*Mr. Jordan stated in Item No. 6, the applicant requested a waiver from the landscaping along the southerly property line that would allow parking to encroach anywhere from 4'10" to 2'10" for some parking and that they were proposing, in lieu of that, a reduction in the landscaping width to provide some half diamonds for every four parking spaces in a row. In that particular Staff Report, it was indicated that if there was a desire to grant that waiver, which Staff has no objection to, that you would need to go with the amended Condition No. 2 that was listed in the Staff Report, rather than the regular Condition No. 2. If there was a desire to grant the use permit for the bank at this time, you would need to also replace Condition No. 2 if there was a desire to grant the waiver.*

*Commissioner Aston stated typically when Public Works was recommending a continuance, it was because there were concerns for things to be worked out, so he recommended a two week continuance to allow the applicant to work with Staff.*

*Mr. Donaldson asked if the special use permit were passed and it did not have any conditions, if it would mean they would not have to abide by the Development Standards. It was his understanding that any development had to abide by the Development Standards. The Conditions listed had nothing to do with the special use permit, but had to do with the site itself.*

*Jory Stewart, Planning & Zoning Director explained the use permit in this case was the site plan review; so, that was why he was seeing the conditions applied in this manner and Staff would be happy to go over the details of those requirements when he meets with them.*

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho stated the Public hearing would remain open.

ACTION: CONTINUED TO AUGUST 9, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

**Item No. 9 was heard next.**

7. **FDP-08-06 (26523) LAKE MEAD & SIMMONS OFFICE. AN APPLICATION SUBMITTED BY JOHN DAVID BURKE, ARCHITECT, ON BEHALF OF LAKE MEAD NUMBER ONE, LLC, AND BLUE LAGOON LAS VEGAS, LLC, PROPERTY OWNERS, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 31,270 SQ. FT. OF OFFICE, 94,898 SQ. FT. OF WAREHOUSE/STORAGE, AND 23,560 SQ. FT. OF RETAIL. THE PROPERTY IS GENERALLY LOCATED SOUTH OF LAKE MEAD BOULEVARD AND APPROXIMATELY 638 FEET WEST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-20-202-010 AND 139-20-202-011.**

It was requested by the applicant to continue FDP-08-06 to August 9, 2006.

ACTION: CONTINUED TO AUGUST 9, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

8. **T-1273 (26524) LAKE MEAD & SIMMONS OFFICE. AN APPLICATION SUBMITTED BY NEVADA BUILDING & DEVELOPMENT COMPANY, ON BEHALF OF LAKE MEAD NUMBER ONE, LLC, AND BLUE LAGOON LAS VEGAS, LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW ONE (1) COMMERCIAL/INDUSTRIAL LOT. THE PROPERTY IS GENERALLY LOCATED SOUTH OF LAKE MEAD BOULEVARD AND APPROXIMATELY 638 FEET WEST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-20-202-010 AND 139-20-202-011.**

It was requested by the applicant to continue T-1273 to August 9, 2006.

ACTION: CONTINUED TO AUGUST 9, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Item No. 11 was heard next.**

9. **T-1218 (26494) LA MADRE/BRUCE. AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED TENTATIVE MAP TO DELETE CONDITION #34. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LA MADRE WAY AND BRUCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-801-001, 124-35-801-002, 124-35-801-003, AND 124-35-801-004.**

The application was presented by Robert Eastman, Principal Planner who stated originally Condition No. 34 was for certain fire access to be required with this development; however, the access was no longer needed, so, both Planning Staff and the Fire Department were recommending that Condition No. 34 be deleted and were recommending approval of T-1218.

**Jamie Frederick, 6757 West Charleston Boulevard, Las Vegas, NV** appeared on behalf of the applicant stating she concurred with Staff Recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**10. T-1272 (26510) ROME PARK CONDOS. AN APPLICATION SUBMITTED BY DECATUR 215 STORAGE, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW 34 CONDOMINIUM UNITS. THE PROPERTY IS GENERALLY LOCATED SOUTH OF ROME BOULEVARD AND APPROXIMATELY 620 FEET WEST OF VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-19-401-002.**

The application was presented by Robert Eastman, Principal Planner who stated the site was just short of two acres and the overall density was 17.8 units per acre. In general, the tentative map was in compliance with the zoning ordinance and with the Design Standards. Previously, the Fire Department had recommended continuance; however, Staff has received a revised memo and they are now in support of the application with a modification to the conditions. If the Commission desires approval, Condition No. 23 should be amended to read: "*Fire access lanes shall be located in accordance with Fire Code requirements or in accordance with Section 103.1.2 of the Fire Code allowing an alternate material and method as approved by the Fire Department.*" Staff is recommending approval of T-1272. The original recommended conditions are as follows:

1. Unless expressly authorized through a variance, waiver or another method, this development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Multiple Family Development Standards.
3. All Landscaping areas and open space areas shall be labeled as common elements and be maintained by the homeowners association.
4. Approval of a traffic study is required prior to submittal of the civil improvement plans.
5. 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.
6. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.

7. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
  - a. 30' on Rome Boulevard
  - b. 30' on San Mateo Drive
  - c. Associated spandrels
8. A parcel map must be filed to create the proposed parcels of different zoning districts and land uses and record prior to the final map.
9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
11. A revocable encroachment permit for landscaping within the public right of way is required.
12. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards; counterclockwise from the main entrance.
13. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvements 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.
14. Any preliminary street sections(s) shown on the plans shall be used for planning purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
15. 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.

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. Approval of a drainage study is required prior to submittal of the civil improvement plans.
18. A cross access agreement is required to insure access through the adjacent lot.
19. Improvement plans shall be submitted to the Clark County Health District for review and approval prior to the recordation of the final map which must contain the P.E. stamp, signature and date (wet stamp not required). Include "Finish Floor" elevations and "Sanitary Sewer Manhole" rim elevations on all utility plans to expedite review of the required sewer "Back Water Valves" on the improvement plans.
20. A letter shall be submitted to the Clark County Health District for review and approval prior to the recordation of the final map stating that service from the existing system of community sewerage will be extended to the subdivision and the community facility for treatment will not be caused to exceed its capacity and the discharge permit requirements by this added service or that the facility will be expanded to provide for the added service.
21. A letter shall be submitted to the Clark County Health District for review and approval prior to the recordation of the final map stating the availability of water for domestic and fire protection purposes, that the system has the necessary facilities to treat water to meet the standards of the Water Supply Regulations Part I, and that the capacity is available to meet the demands upon the system.
22. Written verification from the Division of Environmental Protection of the State Department of Conservation and Natural Resources shall be submitted to the Clark County Health District for review and approval prior to the recordation of the final map that the final map or plan has been approved with regard to water pollution and sewerage disposal in accordance with the Nevada Water Pollution Control Law.
23. Fire access lanes shall be located in accordance with Fire Code requirements.
24. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

**Brandon Potts, 7625 South Dean Martin Drive, Las Vegas, NV** appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 23 AMENDED TO READ:

23. FIRE ACCESS LANES SHALL BE LOCATED IN ACCORDANCE WITH FIRE CODE REQUIREMENTS OR IN ACCORDANCE WITH SECTION 103.1.2 OF THE FIRE CODE ALLOWING AN ALTERNATE MATERIAL AND METHOD AS APPROVED BY THE FIRE DEPARTMENT.

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Item No. 12 was heard next.**

**OLD BUSINESS**

11. **T-1266 (26115) GOWAN & COMMERCE AN APPLICATION SUBMITTED BY CELEBRATE PROPERTIES, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO ALLOW 121 TOWNHOUSE UNITS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF GOWAN ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-10-201-009. (CONTINUED JUNE 28, 2006)**

It was requested by the applicant to continue T-1266 to August 23, 2006.

ACTION: CONTINUED TO AUGUST 23, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**Item No. 13 was heard next.**

12. AMP-33-06 (26041) NLV COMMUNITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NOVEMBER 2005 LAND INVESTORS, LLC, AND DRHI, INC., PROPERTY OWNERS, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS, TO MAKE THE FOLLOWING REVISIONS TO THE 2074-ACRE EASTERN PORTION OF THE NORTH LAS VEGAS MASTER PLANNED COMMUNITY:

EAST / WEST STREETS

25. WHISPERING SANDS DRIVE - DELETE FROM SCOTT ROBINSON BOULEVARD TO LOSEE ROAD. ADD FROM CLAYTON STREET TO REVERE STREET ON REVISED ALIGNMENT (60' ROW).
26. SEVERANCE LANE - DELETE FROM CLAYTON STREET TO COMMERCE STREET. ADD FROM COLETTE STREET TO LOSEE ROAD ON NEW ALIGNMENT (80' ROW).
27. DORRELL LANE - REALIGN FROM CLAYTON STREET TO REVERE STREET. DELETE FROM DONNA STREET TO LOSEE ROAD. ADD FROM DONNA STREET TO CONNECT TO DEER SPRINGS WAY ON REVISED ALIGNMENT (80' ROW).
28. FARM ROAD - DELETE FROM CLAYTON STREET TO SCOTT ROBINSON BOULEVARD.
29. ELKHORN ROAD / FARM ROAD - DELETE FROM REVERE STREET TO COMMERCE STREET. ADD FROM REVERE STREET TO LOSEE ROAD ON REVISED ALIGNMENT (100' ROW). REALIGN FROM CLAYTON STREET TO REVERE STREET.
30. RIVANNA DRIVE NORTH - ADD FROM NORTH 5<sup>TH</sup> STREET TO ELKHORN ROAD (60' ROW).
31. RIVANNA DRIVE SOUTH - ADD SOUTH LOOP ROAD FROM ELKHORN ROAD TO ELKHORN ROAD (60' ROW).

NORTH / SOUTH STREETS

1. CLAYTON STREET / HIGHLAND DRIVE – REMOVE FROM CLARK COUNTY 215 BELTWAY TO GRAND TETON DRIVE.
2. CLAYTON STREET - ADD ON NEW ALIGNMENT FROM CLARK COUNTY 215 BELTWAY TO GRAND TETON DRIVE (80' ROW).

3. SCOTT ROBINSON BOULEVARD - REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE.
4. CONCORD STREET - REMOVE FROM DEER SPRINGS WAY TO DORRELL LANE. REMOVE FROM SEVERANCE LANE TO GRAND TETON DRIVE.
5. GLIDING EAGLE - ADD FROM DEER SPRINGS WAY TO DORRELL LANE (60' ROW). ADD ON NEW ALIGNMENT FROM ELKHORN / FARM ROAD TO WHISPERING SANDS DRIVE (60' ROW).
6. REVERE STREET - REMOVE FROM DORRELL LANE TO GRAND TETON DRIVE. ADD FROM DORRELL LANE TO SOUTH OF CLARK COUNTY 215 BELTWAY (100' ROW). ADD FROM SOUTH OF CLARK COUNTY 215 BELTWAY TO ELKHORN / FARM ROAD (120' ROW). ADD ON REVISED ALIGNMENT FROM ELKHORN / FARM ROAD TO GRAND TETON DRIVE (100' ROW).
7. ENGLESTAD STREET - REMOVE FROM SEVERANCE LANE TO GRAND TETON DRIVE.
8. COMMERCE STREET - REMOVE FROM SOUTH OF CLARK COUNTY 215 BELTWAY TO GRAND TETON DRIVE.
9. GOLDFIELD STREET - REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE.
10. NORTH 5<sup>TH</sup> STREET - REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE. ADD FROM DORRELL LANE TO GRAND TETON DRIVE (150' ROW).
11. DONNA STREET - REMOVE FROM DEER SPRINGS WAY TO DORRELL LANE. REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE.
12. BRUCE STREET - REMOVE FROM DEER SPRINGS WAY TO DORRELL LANE. REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE. ADD FROM RIVANNA DRIVE NORTH TO GRAND TETON DRIVE ON REVISED ALIGNMENT (60' ROW).
13. LAWRENCE STREET - REMOVE FROM DEER SPRINGS WAY TO DORRELL LANE. REMOVE FROM WHISPERING SANDS DRIVE TO GRAND TETON DRIVE.

**14. COLETTE STREET - ADD FROM ELKHORN / FARM ROAD TO NORTH OF CLARK COUNTY 215 BELTWAY ON NEW ALIGNMENT (80' ROW).**

**THE ASSESSOR'S PARCEL NUMBERS ARE 124-14-000-001, 124-15-000-001, 124-16-101-001, 124-21-501-001 AND 124-23-501-001. (CONTINUED MAY 24 AND JUNE 28, 2006)**

The application was presented by Marc Jordan, Planning Manager who stated the application was for the eastern portion of the new master planned community by Olympia. They are proposing to amend the Master Plan, realigning and deleting several streets within that area. In the Staff Report, Staff indicated they were recommending continuance, originally, because they wanted to see a master traffic study submitted that would support it and it was his understanding they had submitted one; however, Staff was not in full support of the plan. The recommendation was for continuance of AMP-33-06; however, if it was the Commission's desire for approval, Staff had no objections, provided, in the Staff Report on Page 3 under North/South Streets, Item No. 8, which is Commerce Street, and the request was to remove from south of Clark County 215 Beltway to Grand Teton Drive, Staff would request that Item No. 8 be removed from the request and not be included in the approval.

**Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating they needed to move forward with the application as part of the contingency on the loan and they had been working with Staff with respect to the traffic study. As pointed out by Mr. Jordan, there was one issue that they believe will be resolved by the time the application was heard by City Council and that issue was the Commerce bridge alignment to potentially dedicate some land there or to build a bridge. Obviously, the City wants them to do that, but they do not feel it would be most appropriate because of the road alignments there. They asked that the application be allowed to move forward subject to Staff recommendations with the understanding that the issue would be resolved by the time the application was heard by City Council.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED WITH THE DELETION OF THE REQUEST FOR COMMERCE STREET - REMOVE FROM SOUTH OF CLARK COUNTY 215 BELTWAY TO GRANDE TETON DRIVE;" FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Aston

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

**Item No. 14 was heard next.**

13. **T-1260 (25704) NLV COMMUNITY. AN APPLICATION SUBMITTED BY NOVEMBER 2005 LAND INVESTORS, LLC, AND DRHI, INC., PROPERTY OWNERS, FOR APPROVAL OF A PARENT TENTATIVE MAP IN AN O-L OPEN LAND DISTRICT (PROPOSED MPC MASTER PLANNED COMMUNITY DISTRICT) TO ALLOW 113 SUBDIVISION LOTS FOR A FUTURE MASTER PLANNED COMMUNITY. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CLAYTON STREET AND GRAND TETON DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-14-000-001, 124-15-000-001, 124-16-101-001, 124-21-501-001 AND 124-23-501-001. (CONTINUED MAY 24 AND JUNE 28, 2006)**

**Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant requesting to continue T-1260 to August 9, 2006.

ACTION: CONTINUED TO AUGUST 9, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**Item No. 1 was heard next.**

14. **T-1271 (26365) FALCON RIDGE NORTH. AN APPLICATION SUBMITTED BY ENGLE HOMES, ON BEHALF OF GMAC MODEL HOME FINANCE, LLC., PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW 50 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-712-001 THRU -078. (CONTINUED JULY 12, 2006)**

Item Nos. 14 and 15 were presented together.

The application was presented by Terence Capers, Planner who stated the applications were continued from the July 12, 2006 Planning Commission meeting. The tentative map was for a residential subdivision and has been revised to include a revision to the gate for the drainage and emergency easement which provides a temporary path to Lawrence Street via the adjacent southern property. The Clark County School District owns the southern property and has sent a letter stating they agree to the easement and also agree to the future modifications to the location of the emergency access. The Fire Department will have the final review and approval of any changes. The Public Works Department is recommending approval with conditions. Staff is recommending approval of T-1271 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Single-Family Development Standards and Design Guidelines including but not limited to the following:
  - a. Drainage and emergency access with pedestrian linkage shall be a minimum 30 foot wide common element or easement which includes six (6) feet of landscaping on the south side.
  - b. The six feet of landscaping shall include 60% of ground cover with 24" box tree every 15 feet on center.
3. All common elements shall be labeled and are to be maintained by the Home Owners Association.
4. 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.

5. Show 30' emergency access and drainage easement on the Amended Final Map.
6. Any preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
7. 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.
8. 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.
9. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 222*.
10. Proposed residential driveway slopes shall not exceed twelve percent (12%).
11. Maximum allowable length of mini cul-de-sac is 150'.
12. Approval of a drainage study update is required prior to submittal of the civil improvement plans.
13. 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.
14. Approval of a traffic study is required prior to submittal of the civil improvement plans.
15. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Washburn Road.

16. 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.
17. The sanitary sewer shall tie into the existing 12 inch sanitary sewer main located in Washburn Road.
18. An internally looped water system is not required in Granite Basin, unless necessary to provide minimum pressure requirements.

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

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

15. **VAC-13-06 (26366) FALCON RIDGE NORTH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ENGLE HOMES, ON BEHALF OF GMAC MODEL HOME FINANCE, LLC, PROPERTY OWNER, TO VACATE PORTIONS OF GALENA GORGE AVENUE, GRANITE BASIN STREET AND SLATE RIDGE COURT. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-712-001 THRU - 078. (CONTINUED JULY 12, 2006)**

Item Nos. 14 and 15 were presented together.

The following comments were carried forward from Item No. 14:

*The application was presented by Terence Capers, Planner who stated the applications were continued from the July 12, 2006 Planning Commission meeting. The tentative map was for a residential subdivision and has been revised to include a revision to the gate for the drainage and emergency easement which provides a temporary path to Lawrence Street via the adjacent southern property. The Clark County School District owns the southern property and has sent a letter stating they agree to the easement and also agree to the future modifications to the location of the emergency access. The Fire Department will have the final review and approval of any changes. The Public Works Department is recommending approval with conditions. Staff is recommending approval of VAC-13-06 subject to the following conditions:*

1. The vacation must record concurrently with the final map. Should the Order of Vacation not record within two years from the approval date, the vacation shall be deemed null and void.
2. Include 5' public utility easement adjacent to area being vacated.
3. No building, structures, fence or trees shall be placed upon or under said parcel of land to be vacated now or hereafter.
4. Southwest Gas Corporation shall not be liable for any damages to any of the improvements placed within said easement due to normal or necessary operation using reasonable care.

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

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;  
FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Brown

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

**NAYS:** None

**ABSTAIN:** None

16. AMP-36-06 (26061) DEL NORTE HOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF RIO PLAZA, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL, MDR MEDIUM DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL TO MDR MEDIUM DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 90 FEET EAST OF CAMINO AL NORTE AND SOUTH OF RANCHO DEL NORTE DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-330-001, 124-34-330-002, 124-34-330-003, 124-34-330-004, 124-34-330-005, 124-34-330-006, 124-34-330-007 AND 124-34-330-008. (CONTINUED JUNE 28 AND JULY 12, 2006)

Item Nos. 16 and 17 were presented together.

The application was presented by Terence Capers, Planner who stated AMP-36-06 was a request for approval of an amendment to the Comprehensive Plan Land Use Map to re-designate approximately 1.17 acres from low density residential and neighborhood commercial to medium density residential. ZN-46-06 was the application for the Planned Unit Development for the same site. These applications would allow the applicant to develop 11 single family homes on an irregular shaped lot within the neighborhood. With the PUD, the applicant has asked for additional waivers for reduction of set-backs. Since the items were continued from the June 28 and July 12, 2006 Planning Commission meeting, the applicant has met with the Public Works Department and Planning Staff and come up with a revised site plan with one driveway for two lots, so the original set-back reduction was no longer needed. The applicant has demonstrated that there are unique circumstances and conditions applicable to their property that necessitates the alternative design. Staff has no objection to the applications and is recommending approval of AMP-36-06 and ZN-46-06.

**Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stated he concurred with Staff recommendation.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

17. **ZN-46-06 (25551) DEL NORTE HOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF RIO PLAZA, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT, APPROVED FOR PROFESSIONAL OFFICES, TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF ELEVEN (11) SINGLE FAMILY DWELLINGS. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 90 FEET EAST OF CAMINO AL NORTE AND SOUTH OF RANCHO DEL NORTE DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-330-001, 124-34-330-002, 124-34-330-003, 124-34-330-004, 124-34-330-005, 124-34-330-006, 124-34-330-007 AND 124-34-330-008. (CONTINUED JUNE 28 AND JULY 12, 2006)**

Item Nos. 16 and 17 were presented together.

The application was presented by Terence Capers, Planner who stated AMP-36-06 was a request for approval of an amendment to the Comprehensive Plan Land Use Map to re-designate approximately 1.17 acres from low density residential and neighborhood commercial to medium density residential. ZN-46-06 was the application for the Planned Unit Development for the same site. These applications would allow the applicant to develop 11 single family homes on an irregular shaped lot within the neighborhood. With the PUD, the applicant has asked for additional waivers for reduction of set-backs. Since the items were continued from the June 28 and July 12, 2006 Planning Commission meeting, the applicant has met with the Public Works Department and Planning Staff and come up with a revised site plan with one driveway for two lots, so the original set-back reduction was no longer needed. The applicant has demonstrated that there are unique circumstances and conditions applicable to their property that necessitates the alternative design. Staff has no objection to the applications and is recommending approval of AMP-36-06 and ZN-46-06. Staff recommends that ZN-46-06 be subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. If applications AMP-36-06 is not approved, this application will become null and void.
3. That development shall comply with Single Family Development Standards, except;
  - a. Front setback shall be a minimum of 15 feet.
  - b. Rear setback shall be a minimum of 4 feet and 5 inches.
  - c. The driveway setback shall be a minimum of seven (7) feet from the side property line.
  - d. Rear yard wall may be located on the front and side property lines.

4. The site plan including the zero (0) driveway setback is approved as shown on the submitted plan.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans
6. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
7. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
8. A merger and resubdivision parcel map must be filed to create the proposed parcel.
9. All common elements shall be labeled and are to be maintained by the Home Owners Association.
10. 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.
11. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
12. Proposed residential driveway slopes shall not exceed twelve percent (12%).
13. Any preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
14. The developer shall install a raised median within Rancho Del Norte Drive, near the intersection of Camino Al Norte.

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

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;  
FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Aston

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

**NAYS:** None

**ABSTAIN:** None

18. **ZN-35-03 (26119) LOSEE PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF ANN LOSEE PAD, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD PLANNED UNIT DEVELOPMENT DISTRICT TO REMOVE A BAR / TAVERN AND ADD A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-802-009. (CONTINUED JUNE 28 AND JULY 12, 2006)**

Item Nos. 18 and 19 were presented together.

The application was presented by Robert Eastman, Principal Planner who stated this was a Planned Unit Development that originally contained a tavern. The applicant was requesting to amend the approved PUD to allow a convenience food store with gas pumps. In general, Staff was not opposed to the use; however, the PUD that was approved previously with the tavern showed curb cuts only on Losee Road and the applicant, with this application, is requesting a curb cut along Ann Road. Public Works has reviewed the site plan and has concerns with the proposed driveway on Ann Road and thinks it should be removed; therefore, as this is a major change and would create a redesign of the site, Staff was recommending continuance of ZN-35-03 and UN-62-06 to allow the applicant time to amend their site plan. If the Commission desires approval of ZN-35-03, 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. That site plan approval is for the conceptual design only. Specific site and building design will be reviewed with a final development plan, and shall be in conformance with all applicable requirements of the Municipal Code except as otherwise approved herein.
3. Development of the Commercial component shall comply with the following:
  - a. That the commercial uses within the proposed 7.0± acre neighborhood center shall only be those allowed in the C-1 Neighborhood Commercial District as principally permitted uses, or as special uses subject to Title 17 § 24.020.
  - b. That all commercial development shall conform to the C-1, Neighborhood Commercial requirements including but not limited to setbacks and building heights.

- c. That all commercial development shall be in compliance with the Commercial Design Standards.
4. Development of the residential component shall comply with the following:
    - a. That the maximum number of dwelling units shall not exceed 501, of which a minimum 99 must be single-family detached.
    - b. That a minimum 12.5 acres of open space shall be provided as shown on the preliminary development plan.
    - c. That at least 25% of the required open space be installed prior to the issuance of a building permit for the 125<sup>th</sup> residential unit; and that 50% be installed prior to the issuance of a building permit for the 250<sup>th</sup> residential unit; and that 100% be installed prior to the issuance of a building permit for the 375<sup>th</sup> residential unit.
    - d. The minimum lot size for a single family home shall be 4,500 square feet.
    - e. The single family detached developments shall comply with the R-1, Single Family Residential setbacks and the Single Family Design Standards.
    - f. That Development of the attached multifamily component (triplexes) shall comply with multifamily design standards with the following exceptions:
      - 1) That the minimum building separation shall be 15 feet.
      - 2) That the minimum building setback from any single-family residential property line shall be 20 feet.
5. That the proposed driveway on Ann Road shall be eliminated.
  6. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Losee Road and Ann Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
  7. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road and Losee Road.
  8. All off-site improvements must be completed prior to final inspection of the first building.
  9. That the minimum paseo width accessing open space or commercial shall be 15 feet with a five-foot sidewalk.
  10. That the sidewalks along Losee Road and Ann Road shall be separated from the back of curb by a minimum of five feet.

11. Approval of a traffic study with queuing analysis is required prior to submittal of the civil improvement plans.
12. Approval of a drainage study is required prior to the 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. A water network analysis must be submitted with the civil improvement plans.
15. Entrance streets must be revised to a minimum of sixty-foot (60.0') right-of-way width.
16. 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.
17. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
18. The following right-of-way dedication are required:
  - a. Fifty feet (50.00') for Losee Road;
  - b. Thirty feet (30.00') for Lawrence Street;
  - c. One hundred feet (100.00') for Ann Road;
  - d. Flared Intersection at Ann Road and Losee Road;
  - e. Upper Las Vegas Wash Channel, width to be determined..
19. A parcel map will need to be filed to create the parcels for the different land uses.

20. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
  - a. Losee Road
  - b. Ann Road
  - c. Hammer
21. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
22. The prospective homeowners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm.
23. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
24. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
25. Fire access lanes shall be designed in accordance with Fire Code requirements.

**Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating UN-62-06 was a use permit for the convenience store and asked to continue that application for two weeks to address some of Staff's concerns. He asked to move forward with ZN-35-03 stating Condition No. 4 states the proposed driveway on Ann Road shall be eliminated. He asked to amend that condition to state that a traffic study needs to be approved by the traffic engineer to allow the ingress and egress on Ann Road because they submitted a traffic study which they believe supports the driveway access coming out on Ann Road and more importantly, because they had been granted, on other commercial projects, for example on Centennial Parkway and Losee Road by the same developer, access on a driveway in a similar situation where code said you had to be within 250 feet from the intersection to a curb cut or driveway and in that instance it was about 160 or 180 feet separation that was approved by Traffic. He point that out because they have similar circumstances that had been approved in the past. He asked to keep it subject to Condition No. 4, because if the traffic study does not support it, it does not support Ann Road to have the curb cut, but if it does support it, then they would be able to have Ann Road as an access point. He felt they could move forward with the application because it was just the planned unit development as seen. The final development plan would be back before the Commission.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

Commissioner Jay Aston asked which condition Mr. Gronauer was referring to. Mr. Gronauer responded it was Condition No. 4 in the revised memo dated July 26, 2006.

Marc Jordan, Planning Manager stated Mr. Eastman was rewriting Condition No. 4.

The Commission moved to Item No. 19 while waiting for Mr. Eastman to rewrite Condition No. 4.

The Commission resumed discussion on Item No. 18.

Mr. Eastman read Condition No. 4 into the record as follows: "Ann Road access shall be determined by a traffic study to be submitted and approved by the City of North Las Vegas Traffic Engineer."

Mr. Gronauer agreed to the amendment to Condition No. 4.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 4 AMENDED TO READ:**

4. ANN ROAD ACCESS SHALL BE DETERMINED BY A TRAFFIC STUDY TO BE SUBMITTED AND APPROVED BY THE CITY OF NORTH LAS VEGAS TRAFFIC ENGINEER.

**FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION**

**MOTION:** Commissioner Shull

**SECOND:** Commissioner Brown

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

**NAYS:** None

**ABSTAIN:** None

19. **UN-62-06 (26122) LOSEE PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL, ON BEHALF OF ANN LOSEE PAD, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-802-009. (CONTINUED JUNE 28 AND JULY 12, 2006)**

It was requested by the applicant, as stated in Item No. 18, to continue UN-62-06 to August 9, 2006

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho stated the Public Hearing would remain open.

ACTION: CONTINUED TO AUGUST 9, 2006

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**The Commission returned to Item No. 18.**

**PUBLIC FORUM**

There was no public participation.

**DIRECTOR'S BUSINESS**

There was no report given.

**CHAIRMAN'S BUSINESS**

There was no report given.

**ADJOURNMENT**

The meeting adjourned at 7:25 p.m.

APPROVED: August 23, 2006

/s/ Steve Brown  
Angelo Carvalho, Chairman

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