

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

August 23, 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- Absent  
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  
Toni Ellis, Planner  
Nick Vaskov, Deputy City Attorney II  
Jennifer Doody, PW, Development & Flood Control  
Clete Kus, PW, Transportation Planner  
Janice Carr, Fire Department  
Jo Preston, Police Department  
Jo Ann Lawrence, Recording Secretary  
Amy Farmer, Office Assistant

**VERIFICATION:** Amy Farmer, Office Assistant

**PLEDGE OF ALLEGIANCE:** Commissioner Harry Shull

**MINUTES**

• **APPROVAL OF THE MINUTES FOR THE SPECIAL STUDY SESSION MEETING OF JULY 11, 2006.**

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: Commissioner Cato

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF JULY 26, 2006.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**CONSENT AGENDA**

A. **PW-153-06 (27114) ALLEN RANCH HOUSE: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY KB HOME NEVADA, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$292,099.64.**

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**B. PW-154-06 (27115) ANN & LAWRENCE WEST, UNIT 2: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY SAFECO INSURANCE COMPANY OF AMERICA TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$512,959.54.**

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**C. PW-155-06 (27116) COLLINS DEVELOPMENT ARCH STORM DRAIN: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY CIVIC CENTER, LLC AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$142,395.00.**

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**D. PW-156-06 (27130) GLENBROOK APARTMENTS: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INTERNATIONAL FIDELITY INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$215,375.77.**

ACTION: APPROVED

MOTION: Commissioner Aston

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

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

**NEW BUSINESS**

1. **UN-93-06 (26811) CRAIG PROMENADE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY VAN TRUONG, ON BEHALF OF CRAIG RETAIL PARTNERS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A MASSAGE ESTABLISHMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CRAIG ROAD AND REVERE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-03-302-001.**

The application was presented by Toni Ellis, Planner who stated Staff was recommending approval of UN-93-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.
2. That UN-93-06 is site-specific and non-transferrable.

**Van Truong, 2925 Golamont Avenue, North Las Vegas, NV** stated she concurred with Staff recommendation.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown closed the Public Hearing.

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

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Shull**

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

**NAYS: None**

**ABSTAIN: None**

2. **UN-90-06 (26797) THE BATTERY SOURCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE BATTERY SOURCE, ON BEHALF OF HARSCH INVESTMENT PROPERTIES CRAIG, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A RETAIL COMMERCIAL USE (BATTERY STORE). THE PROPERTY IS LOCATED AT 2625 EAST CRAIG ROAD, SUITE E. THE ASSESSOR'S PARCEL NUMBER IS 139-01-301-002.**

The application was presented by Toni Ellis, Planner who stated Staff was recommending approval of UN-90-06 with the deletion of Condition No. 3 and the addition of Condition No. 6 to read: "Retail areas shall not exceed 60 square feet." The original recommended conditions are as follows:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. A minimum 318 parking spaces shall be provided unless a reduction in parking is supported by a parking study, reviewed and approved by the City of North Las Vegas Traffic Engineer.
4. That all loading and unloading of merchandise take place at the rear of the building. Retail purchases may be carried out the front door.
5. That outdoor displays shall be prohibited.

**Jackie Pascalide, 2625 East Craig Road, Suite E, North Las Vegas, NV** stated she had planned to use 60 square feet of the retail area for retail and the rest would be warehouse. They had customers who purchased through their warehouse but wanted to view what was supplied. They supplied batteries that were specific and did not have more than one or two customers at any one time, so the parking was more than adequate for their customer base. Ms. Pascalide stated she concurred with Staff recommendation.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown closed the Public Hearing.

Commissioner Jo Cato asked if, in the Staff Report, denial was being recommended due to the parking issue. Robert Eastman, Principal Planner responded the recommendation was changed for approval.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 3, AND CONDITION NO. 6 ADDED TO READ:

6. THE RETAIL AREA SHALL NOT EXCEED 60 SQUARE FEET.

**MOTION:** Commissioner Shull

**SECOND:** Commissioner Leavitt

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

**NAYS:** None

**ABSTAIN:** None

3. **VAC-17-06 (26815) VACATION OF NELLIS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JAMES B. ALDERMAN, ON BEHALF OF BMC REALTY, INC., ET AL, PROPERTY OWNER, TO VACATE A 30-FOOT-WIDE PORTION OF NELLIS BOULEVARD COMMENCING AT RANGE ROAD AND EXTENDING SOUTH TO THE ALIGNMENT OF AZURE AVENUE (APPROXIMATELY 780 LINEAL FEET). THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-101-008, 123-28-201-001 AND 123-28-201-002.**

The application was presented by Toni Ellis, Planner who stated Staff was recommending approval of VAC-17-06 subject to the following condition:

1. A parcel map is required to be filed to consolidate all parcels owned by B M C Realty, Inc. etal.

**Stephanie Allen 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 she concurred with Staff recommendation, adding that it was not on the Master Plan of Streets and Highways.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown closed the Public Hearing.

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

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

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

4. **VN-08-04 (26813) RETAIL CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TIM C. AYALA, ON BEHALF OF G&M DEVELOPMENT, INC. PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED VARIANCE IN A C-2 GENERAL COMMERCIAL DISTRICT TO REVIEW CONDITION #4 REGARDING THE DEMOLITION OF BUILDING A AND CONDITION #14 REGARDING THE BUILDING SETBACK. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LAS VEGAS BOULEVARD AND CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-14-801-005.**

It was requested by the applicant to continue VN-08-04 to September 13, 2006.

Vice-Chairman Steve Brown opened the Public Hearing. The following participant came forward:

- **Don Robinson, 7150 Beverly Glen, Las Vegas, NV 89110** stated there was a prescriptive easement for the parking and driveway and wanted the City to be aware of that. He was willing to participate in the parking arrangement to give an easement, stating he had a 30 foot lot with a 24 foot building on it and if he lost the parking, he had nowhere to go.

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

ACTION: CONTINUED TO SEPTEMBER 13, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

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

5. **UN-91-06 (26795) CRAIG COMMERCE CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RONALD ALIPAZAGA, ON BEHALF OF HARSCH INVESTMENT PROPERTIES CRAIG, 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 2707 EAST CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-301-002.**

The application was presented by Robert Eastman, Principal Planner who stated Staff was recommending approval of UN-91-06 as the proposed use was similar to other uses that would be allowed by right. It was recommended that condition No. 3 be deleted, Condition No. 5 be amended to read: "That outdoor displays or storage of vehicles shall be prohibited," and adding condition No. 6 to read: "That the retail area shall not exceed 500 square feet." The original recommended conditions are as follows:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. A minimum 318 parking spaces shall be provided unless a reduction in parking is supported by a parking study, reviewed and approved by the City of North Las Vegas Traffic Engineer.
4. That all loading and unloading of merchandise take place at the rear of the building. Retail purchases may be carried out the front door.
5. That outdoor displays shall be prohibited.

**Ronald Alipazaga of MC Audio, 2707 E. Craig Road, Suite C, North Las Vegas, NV** stated he concurred with Staff recommendation.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 3, CONDITION NO. 5 AMENDED AND CONDITION NO. 6 ADDED TO READ:**

5. OUTDOOR DISPLAYS OR STORAGE OF VEHICLES SHALL BE PROHIBITED.
6. RETAIL AREA SHALL NOT EXCEED 500 FEET.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

6. **ZOA-13-06 (26754) SUNWEST SIMMONS MARKETPLACE (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY PAW'S PLACE, LLC, TO AMEND TITLE 17 (ZONING ORDINANCE), TO ADD A DEFINITION TO SECTION 17.12.020 FOR "PET BOARDING FACILITY"; TO ADD "PET BOARDING FACILITY" AS A PERMITTED USE IN THE FOLLOWING ZONING DISTRICTS: C-1 NEIGHBORHOOD COMMERCIAL DISTRICT [SECTION 17.20.100(B)], C-2 GENERAL COMMERCIAL DISTRICT [SECTION 17.20.110(B)], C-3 GENERAL SERVICE COMMERCIAL DISTRICT [SECTION 17.20.120(B)]; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Robert Eastman, Principal Planner who stated Staff was recommending approval of ZOA-13-06. He explained this was similar to what was already permitted in commercial districts to allow animal hospitals or pet shops and with an animal hospital, boarding was allowed as an accessory use; therefore, Staff felt the addition of allowing boarding in the commercial districts to be similar. The applicant had originally also requested boarding in the M-2 and M-3 areas; however, those are currently allowed in the ordinance.

**Ben Kleckner, 3580 Cantura Crest Court, North Las Vegas, NV 89031** stated he concurred with Staff recommendation.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**7. SPR-32-06 (26799) SECO ADOBE FOURPLEXES. AN APPLICATION SUBMITTED BY JOHN SEDITA, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT TO ALLOW A 5-FOOT LANDSCAPE BUFFER WHERE 20 FEET IS REQUIRED AND A REDUCTION IN THE REQUIRED OPEN SPACE AREA. THE PROPERTY IS LOCATED AT 2309 SECO ADOBE CIRCLE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-714-007.**

The application was presented by Marc Jordan, Planning Manager who stated Item Nos. 7, 8 9, and 10 were related and would brief them together, but they would require individual votes from the Commission.

Mr. Jordan stated the applicant was proposing, on each lot, to build a four plex, which was in the Seco Adobe Circle area just north of Cheyenne Avenue and east of Civic Center Drive. The property was zoned R-4, High Density Residential. The applicant was proposing a four plex, two stories high for each building. As part of the request the applicant was asking for two waivers, one to waive the 20 foot landscape buffering on the east and west property lines and the second waiver would be to waive the 400 square feet of open space per unit, which was required by the Multi-family Design Standards. In relationship to the waivers, Staff had no objection to either waiver, as the Design Guidelines were primarily written for new large developments and not the smaller lots. The minimum open space under R-4 was 200 square feet and the applicant was exceeding that. They were proposing over 1400 square feet of open space that would include some overages on the balconies and patios for three of the lots and a little over 1300 square feet of open space the fourth lot. Mr. Jordan added Staff would like to see some additional architectural features added to the buildings, but felt that could be done administratively at the time of the building permit request. The applicant was proposing carports and needed to have at least four for each building. The handicapped parking spaces needed to be moved closer to the building and the pedestrian access in the parking lot distinguished with pavers or something that was different than asphalt. Staff was recommending approval of SPR-32-06 and that it be forwarded to the Redevelopment Agency for final approval with the following recommended 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 meet the Multi-Family Development Standards with the following exceptions:
  - a. The twenty (20) foot buffer yards will not be required on the east and west property lines.

- b. The open space and perimeter landscaping areas for this project shall be provided as shown on the submitted landscaping plan.
  - c. The carports shall match, in design and materials, the primary building on the site.
  - d. Pedestrian access routes shall be distinguished from driving surfaces through the use of special pavers, bricks or patterned concrete to enhance pedestrian safety and the attractiveness of the walkway.
3. The exterior design of the building, as shown on the submitted elevations, shall be enhanced, subject to review and approval by the Planning and Zoning Department.
4. The handicap parking stall shall be located next to the building.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Driveways may be required to be constructed in accordance with the *Clark County Area Uniform Standard Drawing Number 226*.
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Civic Center Drive.
9. The property owner is required to sign a restrictive covenant for utilities.
10. A minimum of two means of Fire Department access is required into this development. In accordance with Section 103.1.2 of the Fire Code, an Alternate Material and Method shall be provided as approved by the Fire Department.
11. Amenities to be provided for this development shall be subject to review and approval by the Parks Department, and shall meet minimum requirements as set by the Parks Department.

**Mark Conway, 6875 West Charleston Boulevard, Las Vegas, NV 89117** appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;  
FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL  
CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

8. **SPR-33-06 (26803) SECO ADOBE FOURPLEXES. AN APPLICATION SUBMITTED BY JOHN SEDITA, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT TO ALLOW A 5-FOOT LANDSCAPE BUFFER WHERE 20 FEET IS REQUIRED AND A REDUCTION IN THE REQUIRED OPEN SPACE AREA. THE PROPERTY IS LOCATED AT 2305 SECO ADOBE CIRCLE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-714-008.**

The application was presented by Marc Jordan, Planning Manager who stated Item Nos. 7, 8 9, and 10 were related and would brief them together, but they would require individual votes from the Commission.

Mr. Jordan stated the applicant was proposing, on each lot, to build a four plex, which was in the Seco Adobe Circle area just north of Cheyenne Avenue and east of Civic Center Drive. The property was zoned R-4, High Density Residential. The applicant was proposing a four plex, two stories high for each building. As part of the request the applicant was asking for two waivers, one to waive the 20 foot landscape buffering on the east and west property lines and the second waiver would be to waive the 400 square feet of open space per unit, which was required by the Multi-family Design Standards. In relationship to the waivers, Staff had no objection to either waiver, as the Design Guidelines were primarily written for new large developments and not the smaller lots. The minimum open space under R-4 was 200 square feet and the applicant was exceeding that. They were proposing over 1400 square feet of open space that would include some overages on the balconies and patios for three of the lots and a little over 1300 square feet of open space the fourth lot. Mr. Jordan added Staff would like to see some additional architectural features added to the buildings, but felt that could be done administratively at the time of the building permit request. The applicant was proposing carports and needed to have at least four for each building. The handicapped parking spaces needed to be moved closer to the building and the pedestrian access in the parking lot distinguished with pavers or something that was different than asphalt. Staff was recommending approval of SPR-33-06 and that it be forwarded to the Redevelopment Agency for final approval with the following recommended 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 meet the Multi-Family Development Standards with the following exceptions:
  - a. The twenty (20) foot buffer yards will not be required on the east and west property lines.

- b. The open space for this project may be calculated under the R-4, High-Density Residential zoning district standards (200 square feet per unit) and shall be provided as shown on the submitted landscaping plan.
  - c. The carports shall match, in design and materials, the primary building on the site.
  - d. Pedestrian access routes shall be distinguished from driving surfaces through the use of special pavers, bricks or patterned concrete to enhance pedestrian safety and the attractiveness of the walkway.
3. The exterior design of the building, as shown on the submitted elevations, shall be enhanced, subject to review and approval by the Planning and Zoning Department.
4. The handicap parking stall shall be located next to the building.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Driveways may be required to be constructed in accordance with the *Clark County Area Uniform Standard Drawing Number 226*.
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Civic Center Drive.
9. The property owner is required to sign a restrictive covenant for utilities.
10. A minimum of two means of Fire Department access is required into this development. In accordance with Section 103.1.2 of the Fire Code, an Alternate Material and Method shall be provided as approved by the Fire Department.
11. Amenities to be provided for this development shall be subject to review and approval by the Parks Department, and shall meet minimum requirements as set by the Parks Department.

**Mark Conway, 6875 West Charleston Boulevard, Las Vegas, NV 89117** appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;  
FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL  
CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**9. SPR-34-06 (26804) SECO ADOBE FOURPLEXES. AN APPLICATION SUBMITTED BY JOHN SEDITA, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT TO ALLOW A 5-FOOT LANDSCAPE BUFFER WHERE 20 FEET IS REQUIRED AND A REDUCTION IN THE REQUIRED OPEN SPACE AREA. THE PROPERTY IS LOCATED AT 2313 SECO ADOBE CIRCLE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-714-006.**

The application was presented by Marc Jordan, Planning Manager who stated Item Nos. 7, 8 9, and 10 were related and would brief them together, but they would require individual votes from the Commission.

Mr. Jordan stated the applicant was proposing, on each lot, to build a four plex, which was in the Seco Adobe Circle area just north of Cheyenne Avenue and east of Civic Center Drive. The property was zoned R-4, High Density Residential. The applicant was proposing a four plex, two stories high for each building. As part of the request the applicant was asking for two waivers, one to waive the 20 foot landscape buffering on the east and west property lines and the second waiver would be to waive the 400 square feet of open space per unit, which was required by the Multi-family Design Standards. In relationship to the waivers, Staff had no objection to either waiver, as the Design Guidelines were primarily written for new large developments and not the smaller lots. The minimum open space under R-4 was 200 square feet and the applicant was exceeding that. They were proposing over 1400 square feet of open space that would include some overages on the balconies and patios for three of the lots and a little over 1300 square feet of open space the fourth lot. Mr. Jordan added Staff would like to see some additional architectural features added to the buildings, but felt that could be done administratively at the time of the building permit request. The applicant was proposing carports and needed to have at least four for each building. The handicapped parking spaces needed to be moved closer to the building and the pedestrian access in the parking lot distinguished with pavers or something that was different than asphalt. Staff was recommending approval of SPR-34-06 and that it be forwarded to the Redevelopment Agency for final approval with the following recommended 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 meet the Multi-Family Development Standards with the following exceptions:
  - a. The twenty (20) foot buffer yards will not be required along the east and west property lines.

- b. The open space for this project may be calculated under the R-4, High-Density Residential zoning district standards (200 square feet per unit) and shall be provided as shown on the submitted landscaping plan.
  - c. The carports shall match, in design and materials, the primary building on the site.
  - d. Pedestrian access routes shall be distinguished from driving surfaces through the use of special pavers, bricks or patterned concrete to enhance pedestrian safety and the attractiveness of the walkway.
3. The exterior design of the building, as shown on the submitted elevations, shall be enhanced, subject to review and approval by the Planning and Zoning Department.
4. The handicap parking stall shall be located next to the building.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Driveways may be required to be constructed in accordance with the *Clark County Area Uniform Standard Drawing Number 226*.
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Civic Center Drive.
9. The property owner is required to sign a restrictive covenant for utilities.
10. A minimum of two means of Fire Department access is required into this development. In accordance with Section 103.1.2 of the Fire Code, an Alternate Material and Method shall be provided as approved by the Fire Department.
11. Amenities to be provided for this development shall be subject to review and approval by the Parks Department, and shall meet minimum requirements as set by the Parks Department.

**Mark Conway, 6875 West Charleston Boulevard, Las Vegas, NV 89117** appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;  
FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL  
CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**10. SPR-35-06 (26805) SECO ADOBE FOURPLEXES. AN APPLICATION SUBMITTED BY JOHN SEDITA, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT TO ALLOW A 5-FOOT LANDSCAPE BUFFER WHERE 20 FEET IS REQUIRED AND A REDUCTION IN THE REQUIRED OPEN SPACE AREA. THE PROPERTY IS LOCATED AT 2301 SECO ADOBE CIRCLE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-714-009.**

The application was presented by Marc Jordan, Planning Manager who stated Item Nos. 7, 8 9, and 10 were related and would brief them together, but they would require individual votes from the Commission.

Mr. Jordan stated the applicant was proposing, on each lot, to build a four plex, which was in the Seco Adobe Circle area just north of Cheyenne Avenue and east of Civic Center Drive. The property was zoned R-4, High Density Residential. The applicant was proposing a four plex, two stories high for each building. As part of the request the applicant was asking for two waivers, one to waive the 20 foot landscape buffering on the east and west property lines and the second waiver would be to waive the 400 square feet of open space per unit, which was required by the Multi-family Design Standards. In relationship to the waivers, Staff had no objection to either waiver, as the Design Guidelines were primarily written for new large developments and not the smaller lots. The minimum open space under R-4 was 200 square feet and the applicant was exceeding that. They were proposing over 1400 square feet of open space that would include some overages on the balconies and patios for three of the lots and a little over 1300 square feet of open space the fourth lot. Mr. Jordan added Staff would like to see some additional architectural features added to the buildings, but felt that could be done administratively at the time of the building permit request. The applicant was proposing carports and needed to have at least four for each building. The handicapped parking spaces needed to be moved closer to the building and the pedestrian access in the parking lot distinguished with pavers or something that was different than asphalt. Staff was recommending approval of SPR-35-06 and that it be forwarded to the Redevelopment Agency for final approval with the following recommended 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 meet the Multi-Family Development Standards with the following exceptions:
  - a. The twenty (20) foot buffer yards will not be required along the eastern property line.

- b. The open space for this project may be calculated under the R-4, High-Density Residential zoning district standards (200 square feet per unit) and must be provided as shown on the submitted landscaping plan.
  - c. The carports shall match, in design and materials, the primary building on the site.
  - d. Pedestrian access routes shall be distinguished from driving surfaces through the use of special pavers, bricks or patterned concrete to enhance pedestrian safety and the attractiveness of the walkway.
3. The exterior design of the building, as shown on the submitted elevations, shall be enhanced, subject to review and approval by the Planning and Zoning Department.
4. The handicap parking stall shall be located next to the building.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Driveways may be required to be constructed in accordance with the *Clark County Area Uniform Standard Drawing Number 226*.
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Civic Center Drive.
9. The property owner is required to sign a restrictive covenant for utilities.
10. A minimum of two means of Fire Department access is required into this development. In accordance with Section 103.1.2 of the Fire Code, an Alternate Material and Method shall be provided as approved by the Fire Department.
11. Amenities to be provided for this development shall be subject to review and approval by the Parks Department, and shall meet minimum requirements as set by the Parks Department.

**Mark Conway, 6875 West Charleston Boulevard, Las Vegas, NV 89117** appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;  
FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL  
CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**Item No. 20 was heard next.**

**OLD BUSINESS**

11. **AMP-31-06 (25862) LONE MOUNTAIN & SIMMONS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PHILIP J. COHEN, ON BEHALF OF THE COHEN 1969 TRUST, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF LONE MOUNTAIN ROAD AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-32-402-004. (CONTINUED JUNE 14 AND JULY 12, 2006)**

It was requested by the applicant to withdraw AMP-31-06.

ACTION: WITHDRAWN

12. **ZN-40-06 (25863) LONE MOUNTAIN & SIMMONS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PHILIP J. COHEN, ON BEHALF OF THE COHEN 1969 TRUST, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF LONE MOUNTAIN ROAD AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-32-402-004. (CONTINUED JUNE 14 AND JULY 12, 2006)**

It was requested by the applicant to withdraw ZN-40-06.

ACTION: WITHDRAWN

13. **AMP-21-06 (25356) NORTH 5<sup>TH</sup> & DEER SPRINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACACIA PROPERTIES, LLC AND NGA #2, LLC ET AL, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL AND MDR MEDIUM DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF DEER SPRINGS WAY AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-101-001, 124-23-201-001 AND 124-23-201-002. (CONTINUED JUNE 14 AND JULY 12, 2006)**

It was requested by the applicant to continue AMP-21-06 to October 11, 2006.

Vice-Chairman Brown asked the applicant to come forward as this was the third request for continuance.

**Stephanie Allen 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 the request was to allow the applicant to continue to work with Staff on the conditions of approval.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

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

ACTION: CONTINUED TO OCTOBER 11, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

14. **AMP-22-06 (25360) NORTH 5<sup>TH</sup> & DEER SPRINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACACIA PROPERTIES, LLC AND NGA #2, LLC ET AL, PROPERTY OWNERS, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS, TO REMOVE DORRELL LANE BETWEEN NORTH FIFTH STREET AND DONNA STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-101-001, 124-23-201-001 AND 124-23-201-002. (CONTINUED JUNE 14 AND JULY 12, 2006)**

It was requested by the applicant to continue AMP-22-06 to October 11, 2006.

Vice-Chairman Brown asked the applicant to come forward as this was the third request for continuance.

**Stephanie Allen 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 the request was to allow the applicant to continue to work with Staff on the conditions of approval.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

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

ACTION: CONTINUED TO OCTOBER 11, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

15. **ZN-33-06 (25357) NORTH 5<sup>TH</sup> & DEER SPRINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACACIA PROPERTIES, LLC AND NGA #2, LLC ET AL, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT, A C-2 GENERAL COMMERCIAL DISTRICT, AND AN O-L OPEN LAND DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 339,818 SQUARE FEET OF COMMERCIAL RETAIL AND 1,204 UNITS OF MULTI-FAMILY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF DEER SPRINGS WAY AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-101-001, 124-23-201-001 AND 124-23-201-002. (CONTINUED JUNE 14 AND JULY 12, 2006)**

It was requested by the applicant to continue ZN-33-06 to October 11, 2006.

Vice-Chairman Brown asked the applicant to come forward as this was the third request for continuance.

**Stephanie Allen 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 the request was to allow the applicant to continue to work with Staff on the conditions of approval.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

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

ACTION: CONTINUED TO OCTOBER 11, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

16. **SPR-24-06 (25657) CENTENNIAL & PECOS. AN APPLICATION SUBMITTED BY JADE ENTERPRISES ON BEHALF OF SUNRISE ADVISORS, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THREE (3) RETAIL BUILDINGS, TOTALING 78,508 SQUARE FEET. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF PECOS ROAD AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-24-801-008. (CONTINUED MAY 24, JUNE 14 AND JULY 12, 2006)**

It was requested by the applicant to continue SPR-24-06 to September 13, 2006.

**Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant stating he was working with Staff on the site plan.

ACTION: CONTINUED TO SEPTEMBER 13, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

17. **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. (CONTINUED JULY 26, 2006)**

It was requested by the applicant to continue UN-76-06 to September 13, 2006.

**Pastor Betty Smith, Pastor of House of Deliverance Church, 3345 West Craig Road, Suite A, North Las Vegas, NV 89031**, applicant, stated the contractor wanted his plans corrected prior to the meeting, so they could meet with the residents and were asking for a continuance. She stated the meeting notices had been mailed and they were holding a neighborhood meeting on Saturday, August 26, 2006, but did not know her application was being heard at the August 23, 2006 Planning Commission meeting, but thought it would be heard on August 30, 2006.

Vice-Chairman Brown asked Ms. Smith if she would be ready for her application to be heard on September 13, 2006. Ms. Smith responded they had all corrections made and would hold the meeting.

**Ernest Patton, Contractor, 6501 West El Campo Grande, Las Vegas, NV 89130** stated they were ready and would hold the meeting with the residents on Saturday and would be ready on September 13, 2006.

Vice-Chairman Steve Brown opened the Public Hearing. The following participants came forward:

- **Dolores Dykes, 2444 Sandy Lane, Las Vegas, NV 89115** spoke in favor of the church, stating the church was following all guidelines and rules for the use.

Commissioner Dilip Trivedi asked if the participants would let the Commission know if they lived in the neighborhood where the church was proposed to be built.

- **Kevin Million, 3911 W. La Madre Way, North Las Vegas, NV 89031** stated he had not been contacted regarding the neighborhood meeting and was opposed to a church in the neighborhood.
- **Maria Delliponti, 4330 Critic, North Las Vegas, NV 89031**, owner of the property, stated she felt the use was appropriate.

- **Toni Werk, 3390 West Lone Mountain Road, North Las Vegas, NV 89031** stated she was opposed to the application.
- **Lance Ujufusa, 3810 West Verde Way, North Las Vegas, NV 89031** stated he was opposed to the application.
- **William Chastain, 7806 Dream Chases, Las Vegas, NV 89117** stated he knew the item was being continued and would address the item when it was heard.
- **Gerry McNulty, 4890 Willis Street, North Las Vegas, NV 89031** stated he was opposed to the application being continued as the applicant had not done what was directed by the Commission.
- **Ernest Patton, 6501 West El Campo Grande, North Las Vegas, NV 89031** stated letters for the neighborhood meeting had been sent out, but he was under the impression the application would be heard August 30, 2006. He was trying to come up with a happy medium and suggested Willis Road be vacated and made a private street, so the rural environment could be maintained and there would be less traffic.
- **Marc Johnson, 3909 West Verde Way, North Las Vegas, NV 89031** stated he was opposed to the application.

Vice-Chairman Brown stated the Public Hearing would be left open.

ACTION: CONTINUED TO SEPTEMBER 13, 2006

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

18. **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. (CONTINUED JULY 26, 2006)**

It was requested by the applicant to continue UN-77-06 to September 13, 2006.

The following comments were carried forward from Item No. 17:

**Pastor Betty Smith, Pastor of House of Deliverance Church, 3345 West Craig Road, Suite A, North Las Vegas, NV 89031**, applicant, stated the contractor wanted his plans corrected prior to the meeting, so they could meet with the residents and were asking for a continuance. She stated the meeting notices had been mailed and they were holding a neighborhood meeting on Saturday, August 26, 2006, but did not know her application was being heard at the August 23, 2006 Planning Commission meeting, but thought it would be heard on August 30, 2006.

Vice-Chairman Brown asked Ms. Smith if she would be ready for her application to be heard on September 13, 2006. Ms. Smith responded they had all corrections made and would hold the meeting.

**Ernest Patton, Contractor, 6501 West El Campo Grande, Las Vegas, NV 89130** stated they were ready and would hold the meeting with the residents on Saturday and would be ready on September 13, 2006.

Vice-Chairman Steve Brown opened the Public Hearing. The following participants came forward:

- **Dolores Dykes, 2444 Sandy Lane, Las Vegas, NV 89115** spoke in favor of the church, stating the church was following all guidelines and rules for the use.

Commissioner Dilip Trivedi asked if the participants would let the Commission know if they lived in the neighborhood where the church was proposed to be built.

- **Kevin Million, 3911 W. La Madre Way, North Las Vegas, NV 89031** stated he had not been contacted regarding the neighborhood meeting and was opposed to a church in the neighborhood.

- **Maria Delliponti, 4330 Critic, North Las Vegas, NV 89031**, owner of the property, stated she felt the use was appropriate.
- **Toni Werk, 3390 West Lone Mountain Road, North Las Vegas, NV 89031** stated she was opposed to the application.
- **Lance Ujufusa, 3810 West Verde Way, North Las Vegas, NV 89031** stated he was opposed to the application.
- **William Chastain, 7806 Dream Chases, Las Vegas, NV 89117** stated he knew the item was being continued and would address the item when it was heard.
- **Gerry McNulty, 4890 Willis Street, North Las Vegas, NV 89031** stated he was opposed to the application being continued as the applicant had not done what was directed by the Commission.
- **Ernest Patton, 6501 West El Campo Grande, North Las Vegas, NV 89031** stated letters for the neighborhood meeting had been sent out, but he was under the impression the application would be heard August 30, 2006. He was trying to come up with a happy medium and suggested Willis Road be vacated and made a private street, so the rural environment could be maintained and there would be less traffic.
- **Marc Johnson, 3909 West Verde Way, North Las Vegas, NV 89031** stated he was opposed to the application.

Vice-Chairman Brown stated the Public Hearing would be left open.

ACTION: CONTINUED TO SEPTEMBER 13, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

19. **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 AND JULY 26, 2006)**

It was requested by the applicant to continue T-1266 to September 27, 2006.

Commissioner Harry Shull stated his company submitted the application and would be abstaining.

ACTION: CONTINUED TO SEPTEMBER 27, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: Commissioner Shull

**Item No. 21 was heard next.**

**20. UN-87-06 (26686) SPRINT NEXTEL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SPRINT NEXTEL, ON BEHALF OF I-15 INTERCHANGE, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A WIRELESS COMMUNICATION FACILITY (80-FOOT-HIGH MONOPOLE), WITH A RESIDENTIAL SETBACK OF 15 FEET, WHERE 200 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF MT. HOOD STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBER IS 123-22-701-001. (CONTINUED AUGUST 9, 2006)**

The application was presented by Toni Ellis, Planner who stated the applicant was requesting a waiver of the required 200 foot set-back to reduce it to 15 feet and Staff was recommending approval of UN-87-06 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 applicant shall provide a tower with a stealth design (i.e. pine tree or palm tree).
4. That the tower shall not exceed 80' in height.
5. The enclosure shall be constructed with a block wall, decorative in nature. Enclosure shall have solid metal gates that slide rather than swinging gates.
6. A minimum one standard parking space shall be provided for the wireless communications facility.
7. The tower shall have a minimum 15 feet from the northern and western property lines.
8. The applicant shall provide paved access to the site and base of pole.
9. Construction of a 32' paved access road to the nearest street is required.
10. Dedication of right of way for Centennial Parkway is required per the *Master Plan of Streets and Highways*.

**Tracy Cline, 750 E. Warm Springs Road, Las Vegas, NV 89119** appeared on behalf of the applicant stating Nextel had two facilities, one at Apex and one at I-215, but the distance was nearly seven miles and they were having problems carrying the calls along I-15. Also, at that location, was the emerging industrial use around the Speedway

Boulevard interchange and there was an auto auction coming to the area who had been calling because there was no service available in the area. There was a site at Hollywood Boulevard and the water tanks at the Speedway, but when the Speedway was running, the two sites could not handle the load, so the proposed site would also help in that area. Mr. Cline suggested an 80' pine tree was not the best option, as it was an emerging industrial area and a monopole had less mass. He stated regarding Condition Nos. 8 and 9, the road did not go anywhere, and there would be a lot of pavement and improvements for a vehicle to use the road once a month and the road would be taken out when the property was developed. On Condition No. 10, the dedication of right-of-way, he thought there had already been a dedication of right-of-way for the property, so he did not object to the condition. Mr. Cline stated he sent site plans and elevations to the people who spoke during the Public Hearing at the August 9, 2006 Planning Commission Meeting and had not heard from either of them.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown closed the Public Hearing.

Commissioner Dean Leavitt appreciated Nextel looking out for the future and providing service. He stated when he drove westbound on Cheyenne Avenue he lost his signal and asked that something be done in that area. Mr. Cline stated he had some experience with that corridor with the airport, when he did some work for Cingular and they finally gave up because they could not do anything. Commissioner Leavitt stated it was the area between Martin Luther King Boulevard and Rancho Road. Mr. Cline stated he would look into the matter.

Commissioner Jay Aston stated in an industrial area, the pine tree and palm tree stealth design were not as important as in other areas, but a precedence had been set. Commissioner Aston asked the applicant what kind of alternative he would use besides paving of the access road. Mr. Cline responded, because of the topography, he could not get down to the site to see what surfaces were there but there were currently dirt roads being used by others to maintain billboards. Commissioner Aston asked Staff if they would consider adding to the condition, "or an acceptable alternative as approved by Public Works," to the condition.

Clete Kus of Public Works responded it would be acceptable to amend the condition, which essentially would meet the approval of the Clark County Department of Air Quality Management.

Commissioner Aston asked the other Commissioners how they felt about the stealth design.

Commissioner Harry Shull stated he did not see a need for the stealth design in an industrial area.

Commissioner Leavitt agreed with Commissioner Shull.

Commissioner Dilip Trivedi also agreed with Commissioner Shull.

Commissioner Trivedi stated there was a spray that could be used to mitigate dust. Mr. Cline stated he was not familiar with the product. Commissioner Aston stated if that was used, it had to be sprayed with water periodically. The only acceptable alternative would probably be gravel or chipped asphalt or something that completely eradicated the dust.

Commissioner Leavitt asked if the condition should be amended to read: "at such time the property to the north was developed, that the applicant was required to participate in paving at that time.

Marc Jordan, Planning Manager explained, since the applicant was leasing the property, when the property was developed, the owner would have to do that anyway in conjunction with the development.

Robert Eastman, Principal Planner stated Condition Nos. 3 and 8 would be deleted and Condition No. 9 would be amended to read: "Construction of a 32' paved access road to the nearest street is required or suitable alternative subject to review and approval by the Department of Public Works and Clark County Department of Air Quality."

Mr. Cline concurred with the recommended changes to the conditions.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NOS. 3 AND 8 AND CONDITION NO. 9 WAS AMENDED TO READ:

9. CONSTRUCTION OF A THIRTY-TWO FOOT PAVED ACCESS ROAD OR A SUITABLE ALTERNATIVE SUBJECT TO REVIEW AND APPROVAL BY THE DEPARTMENT OF PUBLIC WORKS AND CLARK COUNTY DEPARTMENT OF AIR QUALITY.

MOTION: Commissioner Shull

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

**Item No. 25 was heard next.**

21. **AMP-39-06 (26703) NORTHGATE PHASE II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DIAMOND LAMB, LLC, ET AL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF INDUSTRIAL TO REGIONAL COMMERCIAL. THE PROPERTY IS GENERALLY LOCATED SOUTH OF TROPICAL PARKWAY AND APPROXIMATELY 300 FEET EAST OF MARION DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-701-002, 123-29-701-003, 123-29-701-004, 123-29-701-005 AND 123-29-601-023. (CONTINUED AUGUST 9, 2006)**

It was requested by the applicant to continue AMP-39-06 to September 13, 2006.

Vice-Chairman Steve Brown opened the Public Hearing. The following participant declined to comment at this time.

**Bill Curran, 300 South 4<sup>th</sup> Street #1201, Las Vegas, NV 89101**

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

ACTION: CONTINUED TO SEPTEMBER 13, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

22. **VN-19-06 (26130) CENTENNIAL POINTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE STRATTON GROUP, ON BEHALF OF CENTENNIAL POINTE, LLC, PROPERTY OWNER, FOR A VARIANCE IN ANR-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 15-FOOT BUILDING SETBACK, WHERE 20 FEET IS REQUIRED. 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. (CONTINUED JUNE 28 AND AUGUST 9, 2006)**

It was requested by the applicant to continue VN-19-06 to September 13, 2006.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

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

ACTION: CONTINUED TO SEPTEMBER 13, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

23. **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. (CONTINUED APRIL 26, MAY 10 AND 24, JUNE 14 AND AUGUST 9, 2006)**

It was requested by the applicant to continue SPR-18-06 to September 13, 2006.

ACTION: CONTINUED TO SEPTEMBER 13, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

24. **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. (CONTINUED APRIL 26, MAY 10 AND 24, JUNE 14 AND AUGUST 9, 2006)**

It was requested by the applicant to continue T-1253 to September 13, 2006.

ACTION: CONTINUED TO SEPTEMBER 13, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

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

25. **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. (CONTINUED JULY 26 AND AUGUST 9, 2006)**

The application was presented by Marc Jordan, Planning Manager who stated on August 9, 2006 when the application was presented, there was a memorandum in which Staff recommended the application be continued and the recommendation has not changed. The Final Development Plan needed to be in compliance with the Planned Unit Development (PUD) conditions and in this case, there were a couple of major issues that were not in compliance with the PUD that would require the applicant to revise the Final Development Plan. The proper landscaping adjacent to the building was not shown and property landscape buffer adjacent to a residential property that actually fronted Coran Lane to the south was not shown and there was a 20' landscape buffer required. In addition, the front of the building was a commercial component of the PUD and in the Commercial Design Guidelines, they were required to have a meandering sidewalk. The applicant needed to revise the plan to show compliance or amend the PUD to get a waiver for the items before the Final Development Plan was heard. Staff was recommending that FDP-08-06 be continued indefinitely.

**Jay Kim of Integrity Engineering, 2480 E. Tompkins Avenue #232, Las Vegas, NV 89121** stated he was representing the applicant for the Tentative Map, T-1273, and was not aware this item was being continued and did not have anything regarding the Final Development Plan.

The applicant's representative was not present for comment.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

26. **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. (CONTINUED JULY 26 AND AUGUST 9, 2006)**

The application was presented by Marc Jordan, Planning Manager who stated Staff was recommending approval of T-1273 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That the development of this site be in compliance with all conditions of ZN-05-01.
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 Lake Mead Boulevard.
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. 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. Coran Lane
7. The property owner is required to grant a roadway easement for commercial driveway(s).
8. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.

9. A revocable encroachment permit for landscaping within the public right of way is required.
10. The property owner is required to sign a restrictive covenant for utilities.
11. 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.
12. All off-site improvements must be completed prior to final inspection of the first building.
13. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
14. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
15. Commercial access to Coran Lane is prohibited.
16. 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.
17. Approval of a drainage study is required prior to submittal of the civil improvement plans.
18. 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.
19. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans

**Jay Kim of Integrity Engineering, 2480 E. Tompkins Avenue #232, Las Vegas, NV 89121** stated he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

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

- 27. 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, JUNE 28, JULY 26 AND AUGUST 9, 2006)**

The application was presented by Robert Eastman, Principal Planner who stated the application was for the eastern portion of the Olympia Development, just east of Aliante proceeding to Losee Road. It appears, based upon the memorandum that was handed out at the briefing, that Staff and the applicant had worked out the issues with the Tentative Map and Staff was recommending approval of T-1260 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. T-1260 shall conform with the May 3, 2006 November 2005 Parks and Trails Agreement between the City and November 2005 Land Investors, LLC/DHRI, Inc.
3. T-1260 shall conform with the May 3, 2006 Development Agreement between the City and November 2005 Land Investors, LLC/DHRI, Inc.
4. The trail cross-section shown with this tentative map shall be considered conceptual.
5. The street cross-sections and associated landscaping areas shown with this tentative map shall be considered conceptual. Street cross-sections and associated landscaping areas shall conform with the final approved Development Standards and Design Guidelines.
6. The Developer shall disclose to future property owners that this property is underneath or near some of Nellis Air Force Base approach and departure routes.
7. In accordance with Section 6A.02 of Ordinance 2267, Development Agreement between The City of North Las Vegas and November 2005 Land Investors, L.L.C./DRHI, Inc., adopted May 3, 2006; construction of the Clark County Regional Flood Control District "Grand Teton Channel East" from Decatur Boulevard to the Upper Las Vegas Wash Detention Basin.

8. The location and configuration of all regional and local flood control facilities are contingent upon the review and approval of technical drainage studies for the proposed improvements.
9. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Elkhorn/Farm Rd and Clayton St, Clayton St. and Grand Teton Dr, Grand Teton Dr and Revere St, Revere St and Elkhorn/Farm Rd, Elkhorn/Farm Rd and N5th St, Grand Teton Dr and N5th, Grand Teton Dr and Losee Rd, Elkhorn/Farm Rd and Losee Rd and at Dorrell and Revere St per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1, or as approved by the City Manager.
10. Right-of-way dedication and construction of a CAT bus turn-out as identified in the Master Transportation Study. In addition a bus turn-out on the north side of Grand Teton Dr west of Clayton St is required per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1 or 234.3.
11. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and *City of North Las Vegas Municipal Code* section 16.24.100.B:
  - a. Dorrell Ln
  - b. Elkhorn Rd
  - c. Farm Rd
  - d. Grand Teton Dr
12. Right-of-way dedication and construction of a CAT bus turn-out is required on Revere St near Elkhorn/Farm Rd per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1. The location is shown within the control of access for the beltway. If this location is not acceptable to Clark County additional right-of-way may be required. Conformance may require modification to this tentative map.
13. This application must comply with all master technical studies for the project.
14. Additional right-of-way must be dedicated for the construction of a right turn land on Colette Street at Farm Road.
15. For each park and trailhead the (i) parking requirements, (ii) Development Agreement Level of Service amenities, and (iii) maintenance responsibilities must be reviewed by the Parks and Recreation Department and approved by the City Manager prior to City approval of the final parent map.

**Stephanie Allen 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 she concurred with Staff recommendation. She clarified for the record, the deletion of Condition No. 7, which originally read: "Approval of a conceptual drainage study is required prior to submittal of the civil improvement plans;" they agree with the deletion of that condition; the deletion of Condition No. 13 which originally read: "Right of way for the Commerce Street alignment must be dedicated from Elkhorn Road alignment, southern boundary of the project to the southern boundary of the preserve area," and they agreed to the deletion of that condition; the deletion of Condition No. 15 which originally read: "The overpass for Clayton Street at the beltway must be constructed." and they agreed to the deletion of that condition; and the deletion of Condition No. 18 which originally read: "The acreage provided for the proposed fire station, parcel 2.11 shall be 2.4 net acres," and they agreed to the deletion of that condition. On the memorandum dated August 23, 2006, on the first page, the amendment to Condition No. 10, in parentheses, it reads: Condition No. 8 below, should read condition No. 9 below.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**PUBLIC FORUM**

There was no public participation.

**DIRECTOR'S BUSINESS**

Planning & Zoning Director Jory Stewart explained to the Planning Commission that the mixed use development being heard by the City Council on September 6, 2006 which was previously approved by the Planning Commission may be changed by the City Council and may not be remanded to the Commission. The City is considering purchasing part of the property for the Craig Ranch Park.

Nick Vaskov, Deputy City Attorney asked the Commission if they were interested in a refresher on ethics and Robert's Rules in the future.

**CHAIRMAN'S BUSINESS**

There was no report given.

**ADJOURNMENT**

The meeting adjourned at 7:34 p.m.

APPROVED: September 27, 2006

/s/ Angelo Carvalho  
Angelo Carvalho, Chairman

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