

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

September 13, 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:** 6:05 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  
Vicki Adams, Planner  
Nick Vaskov, Deputy City Attorney II  
Randy Cagle, PW, Real Property Services Manager  
Eric Hawkins, Public Works  
James Frater, Fire Department  
Jose Rodriguez, Police Department  
Jo Ann Lawrence, Recording Secretary  
Amy Farmer, Office Assistant

**VERIFICATION:** Amy Farmer, Office Assistant

**PLEDGE OF ALLEGIANCE:** Commissioner Jay Aston

**MINUTES**

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF AUGUST 9, 2006.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**CONSENT AGENDA**

**A. PW-157-06 (27319) RUNVEE HOBART EAST 3A-2, LAMB CHANNEL CROSSING: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY STANDARD PACIFIC OF LAS VEGAS, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$1,822,500.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**B. PW-158-06 (27320) GOLDFIELD III: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY WILLIAM LYON HOMES, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$376,078.33.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**C. PW-159-06 (27321) GOLDFIELD IV: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY WILLIAM LYON HOMES, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$271,252.98.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**D. PW-160-06 (27322) AMERICAN STONE: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY STONE MOUNTAIN MANAGEMENT, LLC AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$124,655.00.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**E. PW-161-06 (27323) DECATUR HORSE RETAIL DEV.: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY EAGLE EYE MANAGEMENT AND ACCEPT THE CASH-IN-LIEU OF BOND AGREEMENT - SEPARATE ACCOUNT IN THE AMOUNT OF \$308,645.84.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

- F. **PW-162-06 (27324) FIESTA DEL CENTRO: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$824,899.25.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

- G. **PW-163-06 (27325) NVE PARCEL 26, PHASE 2: 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 \$462,770.26.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

- H. **PW-164-06 (27326) COMMERCE/VERDE: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY FEDERAL INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$981,004.26.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

- I. **PW-165-06 (27327) WALMART EXPANSION: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY JPMORGAN CHASE BANK TO RELEASE THE IRREVOCABLE STANDBY LETTER OF CREDIT IN THE AMOUNT OF \$37,807.55.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

- J. **PW-166-06 (27347) PARCEL MAP FOR ANN ROAD & N. 5TH STREET (PM-26603): APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY ANN FIFTH INVESTORS, LLC AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$399,965.00.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**Item No. 2 was heard next.**

**NEW BUSINESS**

1. **VAC-18-06 (27037) ELDORADO R1-60 NO. 16 TM NO. 22 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PARDEE HOMES OF NEVADA, PROPERTY OWNER, TO VACATE A 3-FOOT-WIDE PORTION OF FORT WILLIAM AVENUE AT THE END OF THE CUL-DE-SAC. THE ASSESSOR'S PARCEL NUMBERS ARE 124-21-315-074, 124-21-315-036 AND 124-21-315-037.**

The application was presented by Marc Jordan, Planning Manager who stated the applicant was proposing to shift the property line for three of the dwelling units within the area to construct some homes and it was part of the Eldorado development. The street would still remain as a 48' wide right-of-way. Planning and Public Works had no objection and Staff was recommending approval of VAC-18-06 subject to the following condition:

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.

**Andrea Scott, G.C. Wallace, 1555 South Rainbow Boulevard, Las Vegas, NV 89146** appeared on behalf of the applicant stating 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;  
FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**Item No. 3 was heard next.**

2. **VAC-23-05 (27032) CRAIG ROAD CONDOMINIUMS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PUEBLOS PARTNERS INC., PROPERTY OWNER, FOR AN AMENDMENT TO CONDITION #2 OF THE PREVIOUSLY APPROVED VACATION REQUEST LOCATED WITHIN THE VANDENBERG DRIVE RIGHT-OF-WAY FROM CRAIG ROAD AND PROCEEDING SOUTH APPROXIMATELY 572 LINEAL FEET. THE ASSESSOR'S PARCEL NUMBERS ARE 140-06-601-006 AND 140-06-701-028.**

It was requested by the applicant to continue VAC-23-05 to September 27, 2006.

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

**Milton Marzka, 4469 Wendy Lane, Las Vegas, NV 89115** stated he was opposed to the vacation of Vandenberg Drive because when the Walnut Glen subdivision went in, the residents were assured there would be a second access, as they were concerned about the traffic on Walnut Road.

The Public Hearing was left open.

ACTION: CONTINUED TO SEPTEMBER 27, 2006

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

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

3. **UN-94-06 (26868) MLK AND CAREY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEW CINGULAR WIRELESS PCS, LLC, ON BEHALF OF CLARK COUNTY - (ADMINISTRATIVE), PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW AN 80-FOOT-HIGH WIRELESS TELECOMMUNICATIONS TOWER (MONOPALM) WITH A REQUEST FOR A SEPARATION OF 188 FEET FROM RESIDENTIAL ZONED PROPERTY WHERE 200 FEET IS REQUIRED. THE PROPERTY IS GENERALLY LOCATED SOUTH OF PONTIAC AVENUE AND APPROXIMATELY 350 FEET EAST OF MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-16-801-005.**

The application was presented by Marc Jordan, Planning Manager who stated the applicant was also requesting a set-back of 188 feet from the nearest residential property line. The applicant was proposing an 80 foot tall tower that would be a mono-palm design and would be located behind the existing Clark County complex in that area on the vacant property. Staff had no objection to the tower and the set-back request and was recommending approval of UN-94-06 subject to the following seven conditions (There were 15 conditions listed in the Staff Report, but Staff was recommending that Condition Nos. 8 through 15 be deleted):

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That this special use permit is site-specific and non-transferable.
3. That the tower shall be a stealth monopalm design.
4. That the tower shall not exceed 80' in height.
5. That two (2) additional palm trees, minimum 20 feet in height, be planted in close proximity to the monopalm to camouflage the tower.
6. The enclosure shall be constructed with a block wall, decorative in nature. Enclosure shall have solid metal gates that slide rather than swinging gates.
7. The tower shall have a minimum 188 foot separation from residentially zoned property

**Jason Frayer, Cingular Wireless, 3763 Howard Hughes Pkwy, Suite 200, Las Vegas, NV 89169** appeared on behalf of the applicant stating 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 NOS. 8 THROUGH 15

**MOTION:** Commissioner Shull

**SECOND:** Commissioner Leavitt

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

**NAYS:** None

**ABSTAIN:** None

4. **ZN-06-04 (27040) RUNVEE HOBART EAST 3B (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES NEVADA, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 239 DWELLING UNITS TO ALLOW A MAXIMUM BUILDING HEIGHT OF 35 FEET WHERE 28 FEET IS ALLOWED. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF WALNUT ROAD AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-30-810-001 THRU -239.**

The application was presented by Robert Eastman, Principal Planner who stated the applicant was requesting a home that would be approximately 32 feet with a top height just short of 34 feet. Staff had no objection to the proposed model and was recommending approval of ZN-06-04 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. The engineer shall seal and sign this map in accordance with Nevada Administrative Code (NAC) section 625.611.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. 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.
5. Right-of-way or public drainage easement dedication is required for the Regional Flood Control facility adjacent to the Union Pacific Railroad, as determined by an approved technical drainage study.
6. If the area over the future regional flood control open channel, adjacent to the Union Pacific Railroad right-of-way, is intended to be utilized for open space credit, the property owner will be responsible for funding all additional engineering design and construction costs required to convert the open channel to a closed facility. If the associated engineering and construction costs have not been finalized prior to approval of any final map associated with Parcel 3A and/or 3B, then the developer must enter into an agreement and post a performance bond, or other financial security deemed acceptable to the City, in an amount specified by the Public Works Director.

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. All known geologic hazards shall be shown on the 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.
9. Approval of a traffic study update is required prior to submittal of the civil improvement plans.
10. Provide a minimum right-of-way width of 80 feet for 300 feet along Ann Road east of Pecos Road tapering at 35:1 to a right-of-way width of 60 feet.
11. Provide a minimum right-of-way width of 80 feet for 300 feet along Walnut Road south of Tropical Parkway tapering at 35:1 to a right-of-way width of 60 feet.
12. 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. Tropical Parkway
  - b. Lamb Boulevard
  - c. Ann Road (Carla Ann Road)
  - d. Walnut Road
  - e. Pecos Road
13. Right-of-way dedication and construction of a CAT bus turn-out is required on Pecos Road north of Ann Road, on Tropical Parkway east of Pecos Road and Tropical Parkway east of Walnut Road per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1, or as approved by the Director of Public Works.
14. Right-of-way dedication and construction of that additional right-of-way along the projects frontage is required for a flared intersection at Pecos Road and Tropical Parkway, and at Tropical Parkway and Lamb Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1, or as approved by the Director of Public Works.

15. "L" type curb and gutter per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 216 shall be used on all streets adjacent to school sites.
16. All residential driveway geometrics shall be in compliance with *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
17. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along the project's Ann Road, Pecos Road, Tropical Parkway, and Walnut Road frontages.
18. Gated accesses will not be permitted without the support of a queuing analysis which demonstrates adequate on-site storage and lane widths.
19. Access to Lamb Boulevard shall be denied.
20. All Nevada Power Company easements and poles must be shown and shall be located within the landscape area.
21. The property owner is required to grant roadway easements where public and private streets intersect.
22. A revocable encroachment permit for landscaping within the public right of way is required.
23. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
24. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
25. All SNWA easements that exist parallel to the UPRR must be shown.
26. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
27. Street names must be approved by the City of Las Vegas Central Fire Alarm Office and shown on the conformed tentative map prior to final signature.

28. An acceptable phasing plan shall be submitted to the Department of Public Works prior to submittal of the civil improvement plans.
29. Roundabout design shall conform to the Federal Highway Administration's *Roundabouts: An Informational Guide* design criteria and is subject to approval of the City Traffic Engineer.
30. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in *Clark County Area Uniform Standard Drawing No. 210*. The use of roll curb will require an additional one foot of right of way.
31. Approval of a master transportation study/plan with modeling of 20 year projections is required prior to submittal of the civil improvement plans.
32. The developer will be required to dedicate right of way in accordance with Clark County Area Uniform Standard Drawing numbers 201.1 and 245.1 to form flared intersections at Ann Road/Pecos Road, and Tropical Parkway/Pecos Road, and Walnut Road/Tropical Parkway or as approved by the Director of Public Works.
33. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along the project's Pecos Road, Ann/Walnut interconnect, and Tropical Parkway frontages.
34. Access locations are subject to review and approval of the City of North Las Vegas traffic engineer.
35. Dedication of additional right of way is required for flared intersections, CAT bus turnouts, and a future bridge over the UPRR right of way.
36. Dedication of right of way for the flood control facilities is required per the Las Vegas Valley Flood Control Master Plan and as required by an approved drainage study.
37. Interior streets in excess of five hundred (500) feet shall conform to the minimum curvilinear street requirements as outlined in *North Las Vegas Municipal Code 16.20.050*.
38. That the maximum number of dwelling units permitted within the development be 1,553.
39. Unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances.

40. The development shall comply with the single-family design standards and the Planned Unit Development requirements.
41. That the following setbacks apply:
  - a. Front: Fifteen (15) feet, provided all garages maintain a 20-foot front setback.
  - b. Interior side: Five (5) feet.
  - c. Corner side: Ten (10) feet.
  - d. Rear yard: Fifteen (15) feet.
42. That the perimeter walls be owned and maintained by the homeowners' association.
43. That corner side yard landscaping be maintained by the homeowner.
44. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
45. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any perimeter, end, or common area walls / fences within this development.
46. A final development plan, phased or in total, shall be required for Planning Commission review and approval. The final development plan shall provide details of the park areas showing landscaping, amenities, and pedestrian connections.
47. The final map shall comply with the approved final development plan.
48. 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.
49. Measures to achieve a noise level reduction, outdoor-to-indoor, of 25 decibels must be incorporated into the design and construction.
50. The following minimum amenities are required by the Parks and Recreation Department:
  - Circuitous lighted paths with exercise stations
  - A minimum of 20 24-inch box trees per acre
  - At least one large open space area for group / organized play
  - One large group shade area / gazebo (30' diameter), lighted
  - Picnic tables and barbecue grills

- Benches spaced along park pathways
- Public building
- 2 swimming pools
- 2 tennis courts
- Horseshoe courts
- Shuffleboard courts
- Putting green
- Lawn bowling area
- Game tables
- Pet park
- Details of amenities to be provided

51. The median height of structures in the Runvee Hobart 3B development shall not exceed thirty-two (32) feet with the actual height not exceeding thirty-five (35) feet.
52. Any model home that exceeds the height of twenty-eight (28) feet shall not be located on a perimeter or corner lot.
53. Model 3860 is only allowed in the area designated as Runvee Hobart 3B.
54. Model 3860 shall not exceed 20% (47 dwellings) of the designated lots allowed in the Runvee Hobart 3B area and shall not be placed on consecutive lots.

**Jamie Frederick, Triton Engineering, 6757 West Charleston Boulevard Suite B, Las Vegas, NV 89146** appeared on behalf of the applicant stating she concurred with Staff recommendation. Ms. Frederick asked that Item No. 13 be heard with the current item. Vice-Chairman Brown responded it would be heard following the current item.

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 Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

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

5. **UN-95-06 (27064) SHADOW MOUNTAIN BUSINESS PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY COVER-ALL, INC, ON BEHALF OF MIRI LESHEM TRUST, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW TWO (2) TEMPORARY BUILDINGS. THE PROPERTY IS LOCATED AT 3955 NORTH PECOS ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-12-513-009.**

The application was presented by Marc Jordan, Planning Manager who stated the applicant currently had a building permit for tenant improvements within the building. He explained they were a flooring distribution and wholesaler and needed the temporary building to run their office until they could get the tenant improvements complete. The applicant meets the parking requirements and indicated they would only have the temporary buildings for six to eight months; therefore, Staff was recommending approval of UN-95-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That UN-95-06 is site specific and non-transferable.
3. That UN-95-06 shall comply with the conditions of approval for the original site plan.
4. Development of the site shall comply with the Industrial Development Standards and Design Guidelines, including but not limited to the foundation landscaping and sidewalk areas shall be provided.
5. Unless an extension is approved, the two temporary buildings shall not be allowed for more than one year, from the date of Planning Commission's approval. .
6. Provide a copy of evidence showing shared parking agreements between the subject property and the adjacent building to the north.

**Stuart LaMarr, General Manager of Cover-All Flooring, 3955 North Pecos, North Las Vegas, NV 89032** appeared on behalf of the applicant stating 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**

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

**6. UN-98-06 (27066) APPLIANCE SERVICE CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MICHAEL BAUTISTA, ON BEHALF OF 3853, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN APPLIANCE SALES AND SERVICE FACILITY IN A NON-COMMERCIAL BUILDING. THE PROPERTY IS LOCATED AT 3873 E. CRAIG ROAD, UNIT #7. THE ASSESSOR'S PARCEL NUMBER IS 140-06-210-032.**

The application was presented by Marc Jordan, Planning Manager who stated according to the plan that was submitted, the site required 169 parking spaces, where 108 have been provided. In addition, there is approximately 31,000 square feet of retail space, over 9600 square feet of office space and over 9600 square feet of vacant space within the complex. The area contains a lot of retail and service uses already and was over saturated, exceeding the intent of allowing some of the retail uses in an industrial area. Because of that and because it was lacking the required parking for the existing proposed uses, Staff was recommending denial of UN-98-06.

**Michael Bautista, 3873 East Craig Road #7, North Las Vegas, NV 89031** stated his business was predominantly internet sales for parts and most of the use would be for warehousing; but, failed to indicate that on the application.

Commissioner Dean Leavitt asked the applicant if the bulk of his business would be internet sales. The applicant responded it would be internet sales of parts and also service, where he would go to the home to service appliances.

Mr. Jordan stated, according to the applicant, the use would be wholesale and warehouse with internet sales. The application was for retail sales; so, if the applicant was actually operating that type of business, there was no need for the use permit. He recommended, if the applicant was willing, to continue the application for two weeks, so he could meet with Staff to determine how he was running the business, because he may be able to withdraw the application.

The applicant indicated he would be willing to continue the application for two weeks.

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

The Public Hearing was left open.

**ACTION:** CONTINUED TO SEPTEMBER 27, 2006

**MOTION:** Commissioner Shull

**SECOND:** Commissioner Leavitt

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

**NAYS:** None

**ABSTAIN:** None

7. **VN-21-06 (26954) COMMERCE VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY METROPOLITAN HOMES, ON BEHALF OF COMMERCE 81, LLC, PROPERTY OWNER, FOR A VARIANCE IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A FIVE-FOOT CORNER SIDE YARD SETBACK, WHERE A 10 FOOT SETBACK IS REQUIRED. THE PROPERTY IS LOCATED AT 124 ROSA ROSALES COURT. THE ASSESSOR'S PARCEL NUMBER IS 139-03-514-006.**

The application was presented by Marc Jordan, Planning Manager who stated the proposed house would be located at the end of a cul-de-sac and Staff believed there was no exceptional or extraordinary circumstances that would warrant approval of a variance on the lot and it would be self-imposed; therefore, Staff was recommending denial of VN-21-06. If the Commission desired to approve the variance, Staff was recommending the following conditions:

1. The subject property shall comply with all other regulations of R-1 single family district and single family design standards, except for the corner side yard setback of 10 feet and perimeter landscaping standard of 10 feet. The corner side yard setback and perimeter landscape standard shall be 5 feet from the property line to the structure.
2. A revocable encroachment permit for the landscaping in the right-of-way is required.

**Dirk DeYoung, Metropolitan Homes, 4525 South Sandhill Suite 101, Las Vegas, NV 89121** stated when the final map was approved in 2003, the footprint that was shown on the lot appeared to be okay. In January of this year, the City issued a building permit for the lot to construct the home. The applicant decided to change the plan and came to the City to make the change and that was when it was determined that the set-backs were not acceptable. He explained the lot was the last lot in the last phase of the project and was not visible to the general public. On the north side of the street, the project was approved with no sidewalk, so you would end up with approximately 8 1/2 feet of landscaping and he would agree to the condition by Public Works that the applicant would sign a revocable encroachment permit.

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

Vice-Chairman Brown closed the Public Hearing.

Commissioner Jay Aston asked the applicant if he had a plot plan with the proposed lot. Mr. DeYoung responded he did not have the conformed tentative map with him. Commissioner

Aston asked Mr. DeYoung what he was planning to do with the block wall around the cul-de-sac. Mr. DeYoung responded they would follow the curve 3 ½ foot back; the wall would follow the radius then come into the house about the rear 1/3. Chairman Aston asked, if the return of the wall was going to come in about 1/3 of the way back, if he had to keep the block wall following the radius, or if it could dive back to the rear property line and give a little more landscaping at the end of the cul-de-sac. Mr. DeYoung stated he could.

Mr. Jordan stated the landscaping requirement was not being waived. He explained by adjusting the block wall, anything on the outside of the wall, would be a common element. The lot was approximately 4509 square feet in size and the minimum lot size for the development was 4500 square feet. By having the wall brought in too much, you would be adjusting the size of the lot and would not want to make the lot too small. Mr. Jordan Stated on Condition No. 1, the first sentence should be deleted and the Condition would read: "The corner side yard setback and perimeter landscape standard shall be 5 feet from the property line to the structure."

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

1. THE CORNER SIDE YARD SETBACK AND PERIMETER  
LANDSCAPE STANDARD SHALL BE 5 FEET FROM THE  
PROPERTY LINE TO THE STRUCTURE.

**MOTION:** Commissioner Aston

**SECOND:** Commissioner Leavitt

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

**NAYS:** None

**ABSTAIN:** None

**Vice-Chairman Steve Brown recognized Judge Warren VanLandschoot and Councilwoman Stephanie Smith.**

8. **ZOA-14-06 (27079) CNLV (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS, TO AMEND TITLE 17 (ZONING ORDINANCE), TO AMEND SECTION 17.24.050(I)2 TO ALLOW POOL EQUIPMENT TO ENCROACH INTO THE REQUIRED TEN-FOOT DWELLING SEPARATION PROVIDED THAT SOUND-PROOF EQUIPMENT HOUSING AND PUMPS THAT HAVE BEEN DESIGNED FOR NOISE REDUCTION ARE USED; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Mark Jordan, Planning Manager who stated Staff was recommending approval of ZOA-14-06.

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 Aston, Leavitt, Shull, Cato, and Trivedi

NAYS: None

ABSTAIN: None

**9. SPR-36-06 (26946) BASSLER CONDOMINIUMS. AN APPLICATION SUBMITTED BY ANNA NGUGI, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW 2,242 SQUARE FEET OF OPEN SPACE WHERE 2,400 SQUARE FEET IS REQUIRED; AND TO ALLOW A 4 TO 16-FOOT LANDSCAPE BUFFER, WHERE 20 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 2228 BASSLER STREET. THE ASSESSOR'S PARCEL NUMBER IS 139.24-110-176.**

The application was presented by Vicki Adams, Planner who stated the waivers to open space and the building height were unnecessary and Staff was supporting the third waiver request to allow a reduction in the required 20 foot buffer yard along the south and east property lines. The Public Works Department was not supporting the request to waive the requirement to comply with standard detail 222.a. Staff was recommending approval of SPR-36-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development meet the Multi-Family Development Standards with the following exception:
  - a. The twenty (20) foot buffer yards will not be required on the east and south property lines.
3. The exterior design of the building, as shown on the submitted elevations, shall be enhanced and revised, subject to review and approval by the Planning and Zoning Department.
4. Approval of a drainage 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. All future plans submittal must include Public Street names and North Arrow designation on all sheets.

8. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards, counterclockwise from the main entrance.
9. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
10. 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.
11. 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, along the project frontage, shall be extended a minimum of ten (10) feet beyond the project boundary.
12. Proposed residential driveway slopes shall not exceed twelve percent (12%).
13. 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.
14. 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 forth herein:
  - a. Circuitous lighted paths;
  - b. A minimum of 20 trees per acre;
  - c. Picnic tables, barbecue grills, and trash cans;
  - d. Benches spaced along park pathways;
  - e. Dog stations;
  - f. ADA accessibility;
  - g. Details of amenities to be provided.
15. In order to meet domestic and fire demands, the developer may be required to tie the 6" water line in Bassler Street to the 8" water line in Crawford Street.
16. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

**Ken Ballard, 1950 E. Warm Springs Road, Las Vegas, NV** appeared on behalf of the applicant stating 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**

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Shull**

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

**NAYS: None**

**ABSTAIN: None**

10. **T-1275 (27047) CRAIG/COMMERCE RETAIL CENTER. AN APPLICATION SUBMITTED BY MILV II, LLC, PROPERTY OWNER, FOR APPROVAL OF A ONE (1) LOT COMMERCIAL TENTATIVE MAP IN A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF COMMERCE STREET AND CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-03-601-001.**

The application was presented by Vicki Adams, Planner who stated Staff was recommending approval of T-1275 subject to the following conditions:

**Patricia Ortiz, 3011 West Horizon Ridge Parkway, Henderson, NV 89052** appeared on behalf of the applicant stating she concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

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

11. **T-1276 (27063) MONTE VERDE. AN APPLICATION SUBMITTED BY CENTENNIAL LAMB, LLC., PROPERTY OWNER FOR A TENTATIVE MAP IN AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT CONSISTING OF 536 MULTI-FAMILY UNITS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND NOVAK STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-501-001, 123-29-101-008, 123-29-101-011, 123-29-101-011, 123-29-101-012, 123-290101-013.**

It was requested by the applicant to continue T-1276 to October 11, 2006.

ACTION: CONTINUED TO OCTOBER 11, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**Item No. 15 was heard next.**

**12. FDP-09-06 (27062) MONTEVERDI. AN APPLICATION SUBMITTED BY PULTE HOMES INC., ON BEHALF OF PN II, LLC, PROPERTY OWNER, FOR REVIEW OF A FINAL DEVELOPMENT PLAN IN A PUD. PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 144 MULTI-FAMILY UNITS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF DECATUR BOULEVARD AND RANCH HOUSE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-30-101-009.**

The application was presented by Vicki Adams, Planner who stated, since the Staff Report was issued, the applicant had provided an open space exhibit and a letter from Republic Services discussing refuse collection for the development. Those issues are outlined in the revised memo dated September 13, 2006. Staff is recommending approval of FDP-09-06 subject to the following conditions as listed in the revised memo:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. That the development of this site be in compliance with all conditions of Ordinance Number 2253 (ZN-04-06) and T-1284;
3. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
4. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
5. Provide a means of fire access from Drive Aisle 'B' onto private entrance driveway.
6. The submitted landscape plan shall be considered conceptual. Landscape and irrigation plans shall be submitted for review and approval through the Building and Safety Division prior to recordation of any final map for the subject development.
7. Building permits are required for all open space structures except as exempted by the North Las Vegas Municipal Code Section 15.72.140 (B) & (C).
8. The following minimum amenities shall be required as part of the usable open space:
  - a. Lighted, circuitous lighted paths with marked pedestrian crossings
  - b. A minimum of 20 24-inch box trees per acre
  - c. At least two (2) differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada

- d. At least one large open space area for group / organized play
- e. Eight (8) Picnic tables and (3) barbeque grills
- f. Benches spaced along park pathways
- g. Mile markers spaced along paths
- h. Plaza area shall include a swimming pool, a fitness center/cabana, shade structures, picnic tables, bbq grills, and trash receptacles
- i. Dog stations near grass areas and other convenient locations
- j. Details of amenities to be provided

**Jennifer Lazovich 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 and asked that on Condition No. 8.a the second "lighted" word be deleted so the condition would read: "Lighted, circuitous paths with marked pedestrian crossings."

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 8.A AMENDED TO READ:

8.A. LIGHTED CIRCUITOUS PATHS WITH MARKED PEDESTRIAN  
CROSSINGS

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

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

**13. FDP-01-06 (27060) RUNVEE HOBART EAST 3B. AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, PROPERTY OWNER, FOR A REVIEW OF CONDITIONS TO A PREVIOUSLY APPROVED FINAL DEVELOPMENT PLAN. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF WALNUT ROAD AND CARLA ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-30-810-001 THRU 239.**

The application was presented by Robert Eastman, Principal Planner who stated Staff was recommending approval of FDP-01-06 subject to the following conditions, which include an amendment to Condition No. 3.e as listed in revised memo dated September 13, 2006:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the final development plan shall comply with all conditions of approval of ZN-06-04, T-1201, T-1080; the Planned Unit Development zoning requirements; and the single-family design standards.
3. As a minimum the following amenities shall be provided within the open space areas, subject to review and approval by the Parks and Recreation Department:
  - a. Circuitous lighted paths
  - b. A minimum of 20 24-inch box trees per acre
  - c. One site with 2 differing age appropriate IPEMA approved play structures for children (ref: ASTM Playground Equipment for Public Use, sec. 6.2-6.3) with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada.
  - d. At least one large grassy open space area for group / organized play, w/drinking fountain
  - e. Two 16' shade shelters and three (3) small shade shelters with adjacent lighting. (Note that these are in addition to the shade shelters for the playground units)
  - f. 7 Picnic tables and barbecue grills (including playground shelters)
  - g. Benches spaced along park pathways
  - h. Basketball court
  - i. Exercise stations along trail
  - j. Dog stations
  - k. Details of amenities to be provided
4. The developer will provide details to ensure stability of the open space and drainage facility along the east property line subject to review and approval by the Public Works, Parks and Recreation and Planning and Zoning Departments.

5. Permits are required for all structures except as exempted by the CNLV Municipal Code, Building Administrative Code Section 15.72.140 B. & C.
6. Construction of the Developed Open Space is to be started no later than the issuance of the 80th building permit, and completed upon the issuance of the 160th building permit.
7. That three-story models shall not be allowed, unless the requested amendment to ZN-06-04 is approved.

**Jamie Frederick, Triton Engineering, 6757 West Charleston Boulevard Suite B, Las Vegas, NV 89146** appeared on behalf of the applicant stating she concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

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

**14. SPR-14-04 (27078) G&M RETAIL CENTER. AN APPLICATION SUBMITTED BY TIM C. AYALA, ON BEHALF OF G&M DEVELOPMENT, INC., PROPERTY OWNER, FOR AN AMENDMENT TO A SITE PLAN REVIEW FOR REDUCED LANDSCAPING REQUIREMENTS FOR A RETAIL CENTER IN A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LAS VEGAS BLVD AND CAREY AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-14-801-005.**

The application was presented by Robert Eastman, Principal Planner who stated the applicant was requesting a 3 ½ foot landscaping strip along Las Vegas Boulevard, where 15 feet was previously approved, and a 10 foot landscape strip along Carey Avenue, where 15 feet was previously approved. In general, with the site plan, Staff had concerns regarding the parking requirements. A number of parking spaces are provided; however, the site was not in compliance with the Design Standards and a number of spaces would be eliminated in order for the site to be in compliance with the Design Standards; therefore, may not be in compliance with the parking requirements. If the 3 ½ foot requirement for landscaping were to occur, when Las Vegas Boulevard was developed to its full width by the State, there would be a drive isle and parking spaces 3 ½ feet from the right-of-way. Staff was opposed to amending the condition for the 3 ½ feet and were also opposed to the reduction of landscaping along Carey Avenue as it was felt the applicant could amend their design, which currently contained the landscaping, the sidewalk adjacent to the curb and another sidewalk adjacent to the building, to reduce the number of sidewalks, which would provide enough space for additional landscaping. Staff was recommending denial of SPR-14-04; however, should the Commission determine approval was warranted, the following conditions were recommended:

1. That, unless expressly authorized through the variance, waiver or another method, this development shall comply with all applicable codes and ordinances.
2. That all conditions of UN-51-02 be satisfied prior to the issuance of any construction permits.
3. That, if VN-08-04 is approved, this development shall comply with all applicable conditions thereof.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Nevada Department of Transportation (NDOT) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.

6. 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.
7. A copy of the NDOT encroachment permit for landscaping in the right of way along Las Vegas Boulevard North must be provided.
8. 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.
9. Include the vacated area of Carroll Street within the property boundary.
10. The building area encroaching into the public right of way shall be removed prior to approval of the civil plan improvement plans.
11. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
12. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
13. Approval of a traffic study is required prior to submittal of the civil improvement plans.
14. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Las Vegas Boulevard North.
15. Along the North Las Vegas Boulevard frontage of the property and the first 240 feet from Las Vegas Boulevard along Carey Avenue, the installation of Phoenix *Dactylifera* (Date Palms) or Phoenix *Canariensis* (Canary Island Date Palms) with a minimum height of 10 - 12 brown-trunk-feet. The Palm trees shall be spaced a maximum of every 30 foot on center along the site.
16. That, if VN-08-04 is approved, a more dense (more closely spaced and/or more mature) landscaping treatment along the Las Vegas Boulevard, Carroll Street and Carey Avenue perimeters of the property be installed, subject to review and approval by Redevelopment staff.
17. That detailed site and floor plans be provided that clearly indicate lot lines and dimensions, parking stall dimensions and number thereof, building setbacks, building square footages, signage, drive aisle dimensions and landscape areas.

18. That the development of this site shall not warrant a reduction in the minimum number of required parking stalls. If necessary, the proposed new buildings shall be reduced in size to accommodate the minimum number of parking stalls for the site.
19. That up to 3'-6" of landscaping be provided along the Las Vegas Boulevard right-of-way between Building "1" and the Las Vegas Boulevard right-of-way. As shown on the site plan, there may be no landscaping in certain areas.
20. That, in-lieu of a three-foot landscape berm, a three-foot-tall decorative block wall shall be provided at the rear of the perimeter landscape areas where required.
21. That parking lot and foundation landscaping be provided for all interior portions of the proposed new development, as indicated on the revised site plan. All other required parking lot and foundation landscaping shall be considered waived.
22. That, unless specified herein, all landscaping and signage be brought into compliance with current ordinance requirements.
23. The expiration date of the site plan review shall be September 13, 2007.
24. A minimum nine feet (9.00') of landscaping shall be provided between Building "2" and the Carey Avenue right-of-way. If necessary, the applicant shall provide a six-foot sidewalk adjacent to the building and not provide a sidewalk within the right-of-way. In this case, an encroachment permit would be required for the applicant to provide landscaping within the right-of-way and the property owner would be required to provide a public access easement for the sidewalk.
25. A minimum nine feet (9.00') of landscaping shall be provided between Building "3" and the Carey Avenue and Carroll Street rights-of-way. If necessary, the applicant shall provide a six-foot sidewalk adjacent to the building and not provide a sidewalk within the right-of-way. In this case, an encroachment permit would be required for the applicant to provide landscaping within the right-of-way and the property owner would be required to provide a public access easement for the sidewalk.

**Tim Ayala, 4600 Sunset Road, Las Vegas, NV** appeared on behalf of the applicant explaining the project was approved last year and when trying to comply with the conditions of approval, they had submitted civil plans to Public Works and they converted the whole site into one as required. After that was done and the plans were submitted, it was pointed out the variance and the site plan was not clear in the minutes, so they had to reapply. On Las Vegas Boulevard, They have 10 foot setbacks plus the landscaping and they were asking for a three foot reduction, as the space was needed for parking and explained they were trying to keep the existing building. They had worked with Public Works and Nevada Department of Transportation (NDOT) to try to keep the building, but since they combined

the buildings into one parcel, they did not comply. Staff wants the building demolished but what was originally approved was to demolish part of the building to comply with the setbacks of the right-of-way on Carey Avenue. The applicant agreed to that and in the site plan reduced the square footage of the building. The building was now 3,200 square feet and another building was reduced from 10,000 square feet to 8,000 square feet.

Commissioner Jay Aston stated the shape of the site was very unusual with two existing buildings and it appeared the reduction in the landscape was necessary to make it possible to increase the amount of parking and felt the application should be approved with the conditions listed in the Staff Report.

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

**MOTION:** Commissioner Aston

**SECOND:** Commissioner Leavitt

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

**NAYS:** None

**ABSTAIN:** None

Mr. Ayala confirmed that the Commission was approving the ten feet along Las Vegas Boulevard.

Commissioner Aston explained Condition No. 19 stated that up to 3 ½ feet of landscaping be provided. The application was approved subject to the conditions listed in the Staff Report dated September 13, 2006.

**Item No. 16 was heard next.**

**OLD BUSINESS**

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

It was requested by the applicant to continue VAC-14-06 to October 11, 2006.

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

The Public Hearing was left open.

ACTION: CONTINUED TO OCTOBER 11, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**Item No. 17 was heard next.**

**16. VN-08-04 (26813) G&M 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. (CONTINUED AUGUST 23, 2006)**

The application was presented by Robert Eastman, Principal Planner who stated, based on the action taken on Item No. 14, SPR-14-04, if it was the Commission's desire to approve VN-08-04, some amendments to the conditions would need to be made. The applicant was requesting to delete Condition Nos. 4 and 14. He explained Condition No. 4 required the building to be demolished and Condition No. 14 required the building to be modified to meet the ten foot setback. Staff recommended if the item were approved, Condition No. 4 should be deleted, but Condition No. 14 should remain, as in the previous site plan, a ten foot landscape strip was allowed along Carey Avenue; therefore, Condition No. 14 was still appropriate. The original recommended conditions are as follows:

1. That, unless expressly authorized through the variance, waiver or another method, this development shall comply with all applicable codes and ordinances; and
2. That all conditions of UN-51-02 be satisfied prior to the issuance of any construction permits; and
3. That, if SPR-14-04 is approved, this development shall comply with all applicable conditions thereof; and
4. The applicant shall complete the demolition of Building "1", as depicted on the site plan dated May 11, 2005, prior to the issuance of a certificate of occupancy for either Building "2" or Building "3", whichever is first. The applicant may continue the use of Building "1", provided said use is lawful and in compliance with all applicable codes and ordinances, until such time that a demolition permit is issued for the structure.
5. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
6. The property owner is required to grant a roadway easement for commercial driveway(s) prior to civil improvement plan approval.

7. Accurately depict the property lines; the sidewalk and property line are several feet apart along Las Vegas Boulevard North. Landscaping requirements must be met within private lands.
8. A copy of the Nevada Department of Transportation encroachment permit for landscaping in the right-of-way along Las Vegas Boulevard North must be provided.
9. Dedication of the following right-of-way is required:
  - a. 15' radius at Carroll Street and Carey Avenue
10. A vacation is required for the unimproved portion of Carroll Street and plans are required to be labeled with area to be vacated.
11. The property owner is required to sign a restrictive covenant for utilities prior to civil improvement plan approval.
12. Any proposed driveway access to Carroll Street shall conform with Clark County Area Uniform Standard Drawing numbers 222A and 225. The actual driveway location is subject to review and approval of the City Traffic Engineer.
13. Provide document information on the plans for the Nevada Power Company easement and show the pole locations.
14. That the southernmost existing building (Building "1") be modified to be in compliance with a minimum 10-foot (10.00') setback from the Carey Avenue right-of-way prior to submittal of the civil improvement plans.
15. Along the North Las Vegas Boulevard frontage of the property and the first 240 feet from Las Vegas Boulevard along Carey Avenue, the installation of Phoenix Dactylifera (Date Palms) or Phoenix Canariensis (Canary Island Date Palms) with a minimum height of 10 - 12 brown-trunk-feet. The Palm trees shall be spaced a maximum of every 30 foot on center along the site; and
16. That a more dense (more closely spaced and/or more mature) landscaping treatment along the Las Vegas Boulevard, Carroll Street and Carey Avenue perimeters of the property be installed, subject to review and approval by Redevelopment staff; and
17. That detailed site and floor plans be provided that clearly indicate lot lines and dimensions, parking stall dimensions and number thereof, building setbacks, building square footages, signage, drive aisle dimensions and landscape areas; and

18. That the development of this site shall not warrant a reduction in the minimum number of required parking stalls. If necessary, the proposed new buildings shall be reduced in size to accommodate the minimum number of parking stalls for the site; and
19. That all new construction recognize a minimum setback of ten feet (10.00') from the Carroll Street and Carey Avenue rights-of-way; and
20. That, unless specified herein, all landscaping and signage be brought into compliance with current ordinance requirements.
21. A minimum nine feet (9.00') of landscaping shall be provided between Building "2" and the Carey Avenue right-of-way. If necessary, the applicant shall provide a six-foot sidewalk adjacent to the building and not provide a sidewalk within the right-of-way. In this case, an encroachment permit would be required for the applicant to provide landscaping within the right-of-way and provide a public access easement for the sidewalk.
22. A minimum nine feet (9.00') of landscaping shall be provided between Building "3" and the Carey Avenue and Carroll Street rights-of-way. If necessary, the applicant shall provide a six-foot sidewalk adjacent to the building and not provide a sidewalk within the right-of-way. In this case, an encroachment permit would be required for the applicant to provide landscaping within the right-of-way and provide a public access easement for the sidewalk.

**Tim Ayala, 4600 Sunset Road, Las Vegas, NV** appeared on behalf of the applicant and clarified Condition No. 14 would be to demolish the ten feet of the building that was encroaching into the right-of-way and not the whole building. It was indicated that was correct. Mr. Ayala 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.

Commissioner Dean Leavitt asked Staff if the site was in the Redevelopment area. Mr. Eastman responded it was and the application would be forwarded to the Redevelopment Agency for final consideration.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 4; FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL CONSIDERATION**

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

**Item No. 18 was heard next.**

17. **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 A CONVENIENCE STORE WITH GAS, A MAJOR DRUG STORE, AND SECOND STORY OFFICE SPACE, TOTALING 78,200 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, JULY 12 AND AUGUST 23, 2006)**

It was requested by the applicant to continue SPR-24-06 to September 27, 2006.

Vice-Chairman Steve Brown asked the applicant to come forward to show just cause for the continuance.

**George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant stating on the use permit that was originally approved for the project, the convenience store was moved, so there was a completely revised site plan and explained they were meeting with Staff and were working out some issues with the driveways and also needed to meet with Traffic to work on those issues.

ACTION: CONTINUED TO SEPTEMBER 27, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

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

**18. 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 AND AUGUST 23, 2006)**

the application was presented by Vicki Adams, Planner who stated, since the application was continued from the July 26 and August 23, 2006 Planning Commission meetings, the applicant had submitted a revised site plan which met the requirements of Title 17; therefore, Staff was recommending approval of UN-76-06 subject to the following conditions:

1. That the special use permit is site specific and non-transferable;
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances
3. That any expansions to the proposed use shall be subject to Planning Commission review and approval.
4. That the development comply with the Commercial Development Standards, including but not limited to the following:
  - a. A minimum 20 feet of landscaping which includes a minimum 3'-0" berm shall be provided along Verde Way and Willis Street.
  - b. A minimum 20 feet of landscaping shall be provided adjacent to the eastern and northern property.
  - c. Any area of a parking lot which abuts a public street shall be screened by a decorative wall or berm with a minimum height of three (3) feet above the finished grade at the rear of the landscape area.
5. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
  - a. Willis Street
  - b. Verde Way
  - c. associated spandrels
6. The property owner is required to grant a roadway easement for commercial driveway(s).

7. All off-site improvements must be completed prior to final inspection of the first building.
8. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
9. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
10. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 28 feet as measured from lip of gutter to lip of gutter.
11. 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.
12. 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.
13. Approval of a drainage study is required prior to submittal of the civil improvement plans.

**Betty Smith, Pastor of House of Deliverance Church, 3345 West Craig Road, North Las Vegas, NV** appeared on behalf of the applicant stating the requested changes were made and a meeting with the residents was held. She explained there was an error on the meeting notice, but there were several residents who attended the meeting.

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

- **Marc Johnson, 3909 West Verde Way, North Las Vegas, NV 89031** pointed out there were 45 day care centers within a five mile radius of his property and there were ten within three miles. He called five day care centers who all had available space. There were also 131 places of worship within five miles of his property, 14 within three miles. He was opposed.

- **Mellissa Hill, 3814 West Verde Way, North Las Vegas, NV 89031** read a letter in opposition to the application, written by **Lance Ujifusa, 3810 West Verde Way, North Las Vegas, NV 89031** as he was unable to stay for the meeting.
- **Frank Napoli, 7475 West Sahara, Suite 100, Las Vegas, NV 89117** stated he had nothing new to add except that he was in favor of the application.
- **Warren VanLandschoot, 3806 West Verde Way, North Las Vegas, NV 89031** stated he was opposed to the application.
- **Shakema Chettenham, 5370 East Craig Road, Las Vegas, NV 89115** stated the news media misrepresented the church and asked for the Commission's approval.
- **Shannon Dickerson, 2216 Costa Palma Avenue, North Las Vegas, NV 89031** asked for the Commission's approval, stating the church was in her neighborhood and was convenient for her and her family.
- **Dolores Dykes, 2444 Sandy Lane, Las Vegas, NV 89115** stated she was in favor of the church and asked the Commission for approval.
- **Juanita Jolley, 2001 Ullom Drive, Las Vegas, NV 89108** stated she was in favor of the church and asked for approval.
- **Gerry McNulty, 4890 Willis Street, North Las Vegas, NV 89031** stated he got a map from the Planning & Zoning Department which showed the proposed site was in a Ranch Estates Preservation area.
- **Gerald Johnson, 3260 Fountain Falls Way, North Las Vegas, NV 89032** stated he was in favor of the church.
- **Marcetta Frazier, 6420 Point Break Street, North Las Vegas, NV 89084** stated she was in favor of the church.
- **Pastor Smith, 3345 West Craig Road #A, North Las Vegas, NV** stated she would be the last person speaking on behalf of the church and explained the purpose of the church.
- **Jeanette Johnson, 3260 Fountain Falls Way, Las Vegas, NV 89032** declined to comment.

- **Maria Delliponti, 4330 Critic Court, North Las Vegas, NV 89031** stated **Frank Napoli, Prudential Americana Group Realtors, 7475 West Sahara Suite 100, Las Vegas, NV 89117** would speak on her behalf. Mr. Napoli explained what had taken place on the sale of the property.
- **William Chastain, 7806 Dream Chaser Court, Las Vegas, NV 89117** stated he represented the buyer of the property, House of Deliverance Church. The property had been listed since October, 2005 and the church made an offer in May, 2006 and the sale was contingent upon the church being allowed to be built at that location.
- **Kevin Million, 3911 West LaMadre Way, North Las Vegas, NV 89031** stated he was opposed to the application as he felt a church would lower property value and increase traffic.
- **Lynn VanLandschoot, 3806 West Verde Way, North Las Vegas, NV 89031** stated she was opposed to a church at the proposed location as it was not desirable or necessary.
- **Melissa Hill, 3814 West Verde Way, North Las Vegas, NV 89031** stated she was opposed to a church in the neighborhood as it was not compatible.
- **Marilyn Kirkpatrick, 4747 Showdown, North Las Vegas, NV 89031** stated she was opposed to a church at the proposed location and did not feel the application met the criteria for a special use permit.

Commissioner Jay Aston stated the Commission made no judgements regarding religion, they were there to determine land use and even though the Planning Staff had gotten through much of the technical issues on the application, one of the things mentioned and asked for, was the applicant to get with the neighbors. The reason for that, was because of the facts that were read into the record during the public hearing. The Planning Commission, may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following facts exist: That the proposed use at the particular location is necessary or desirable, it is the desirability of the neighborhood. He felt that in the immediate neighborhood, at this location, it was not necessary nor was it desirable. He was not saying "no" to a church, but he did not feel the use was appropriate in the proposed neighborhood but felt the use would be appropriate on another piece of property.

Commissioner Dean Leavitt agreed with Commissioner Aston's comments and suggested the House of Deliverance look for a more appropriate location.

Commissioner Dilip Trivedi agreed with Commissioners Aston and Leavitt's comments and was not in support of the application.

Commissioner Jo Cato stated she supported churches, but did not feel the proposed site was an appropriate location and felt a different location should be found.

Commissioner Harry Shull stated he concurred with comments made by previous Commissioners. The location was not appropriate and reminded everyone this was the third time the Church had applied for a use permit. The first time it was approved to go behind the Denny's on Craig Road and the second time it was approved at their current location.

Commissioner Brown closed the Public Hearing and asked Pastor Smith if she had anything to add.

Pastor Smith stated she felt discriminated against and there were some statements made she did not care for.

Vice-Chairman Steve Brown stated after listening to comments made, he felt the mission of the church was an outstanding mission and they were doing a good job. He wanted it understood that even though he did not agree to the church going at the proposed location, he did agree with it being in North Las Vegas, but a more suitable location was necessary.

ACTION: DENIED

MOTION: Commissioner Shull

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

19. **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 AND AUGUST 23, 2006)**

Vice-Chairman Steve Brown stated the comments from Item No. 18, UN-76-06 would be carried forward as follows:

***Betty Smith, Pastor of House of Deliverance Church, 3345 West Craig Road, North Las Vegas, NV*** appeared on behalf of the applicant stating the requested changes were made and a meeting with the residents was held. She explained there was an error on the meeting notice, but there were several residents who attended the meeting.

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

- ***Marc Johnson, 3909 West Verde Way, North Las Vegas, NV 89031*** pointed out there were 45 day care centers within a five mile radius of his property and there were ten within three miles. He called five day care centers who all had available space. There were also 131 places of worship within five miles of his property, 14 within three miles. He was opposed.
- ***Mellissa Hill, 3814 West Verde Way, North Las Vegas, NV 89031*** read a letter in opposition to the application, written by ***Lance Ujifusa, 3810 West Verde Way, North Las Vegas, NV 89031*** as he was unable to stay for the meeting.
- ***Frank Napoli, 7475 West Sahara, Suite 100, Las Vegas, NV 89117*** stated he had nothing new to add except that he was in favor of the application.
- ***Warren VanLandschoot, 3806 West Verde Way, North Las Vegas, NV 89031*** stated he was opposed to the application.
- ***Shakema Chettenham, 5370 East Craig Road, Las Vegas, NV 89115*** stated the news media misrepresented the church and asked for the Commission's approval.

- **Shannon Dickerson, 2216 Costa Palma Avenue, North Las Vegas, NV 89031** asked for the Commission's approval, stating the church was in her neighborhood and was convenient for her and her family.
- **Dolores Dykes, 2444 Sandy Lane, Las Vegas, NV 89115** stated she was in favor of the church and asked the Commission for approval.
- **Juanita Jolley, 2001 Ullom Drive, Las Vegas, NV 89108** stated she was in favor of the church and asked for approval.
- **Gerry McNulty, 4890 Willis Street, North Las Vegas, NV 89031** stated he got a map from the Planning & Zoning Department which showed the proposed site was in a Ranch Estates Preservation area.
- **Gerald Johnson, 3260 Fountain Falls Way, North Las Vegas, NV 89032** stated he was in favor of the church.
- **Marcetta Frazier, 6420 Point Break Street, North Las Vegas, NV 89084** stated she was in favor of the church.
- **Pastor Smith, 3345 West Craig Road #A, North Las Vegas, NV** stated she would be the last person speaking on behalf of the church and explained the purpose of the church.
- **Jeanette Johnson, 3260 Fountain Falls Way, Las Vegas, NV 89032** declined to comment.
- **Maria Delliponti, 4330 Critic Court, North Las Vegas, NV 89031** stated **Frank Napoli, Prudential Americana Group Realtors, 7475 West Sahara Suite 100, Las Vegas, NV 89117** would speak on her behalf. Mr. Napoli explained what had taken place on the sale of the property.
- **William Chastain, 7806 Dream Chaser Court, Las Vegas, NV 89117** stated he represented the buyer of the property, House of Deliverance Church. The property had been listed since October, 2005 and the church made an offer in May, 2006 and the sale was contingent upon the church being allowed to be built at that location.
- **Kevin Million, 3911 West LaMadre Way, North Las Vegas, NV 89031** stated he was opposed to the application as he felt a church would lower property value and increase traffic.

- **Lynn VanLandschoot, 3806 West Verde Way, North Las Vegas, NV 89031** stated she was opposed to a church at the proposed location as it was not desirable or necessary.
- **Melissa Hill, 3814 West Verde Way, North Las Vegas, NV 89031** stated she was opposed to a church in the neighborhood as it was not compatible.
- **Marilyn Kirkpatrick, 4747 Showdown, North Las Vegas, NV 89031** stated she was opposed to a church at the proposed location and did not feel the application met the criteria for a special use permit.

Commissioner Jay Aston stated the Commission made no judgements regarding religion, they were there to determine land use and even though the Planning Staff had gotten through much of the technical issues on the application, one of the things mentioned and asked for, was the applicant to get with the neighbors. The reason for that, was because of the facts that were read into the record during the public hearing. The Planning Commission, may, by motion, grant a special use permit if the Planning Commission finds, from the evidence presented, that all of the following facts exist: That the proposed use at the particular location is necessary or desirable, it is the desirability of the neighborhood. He felt that in the immediate neighborhood, at this location, it was not necessary nor was it desirable. He was not saying "no" to a church, but he did not feel the use was appropriate in the proposed neighborhood but felt the use would be appropriate on another piece of property.

Commissioner Dean Leavitt agreed with Commissioner Aston's comments and suggested the House of Deliverance look for a more appropriate location.

Commissioner Dilip Trivedi agreed with Commissioners Aston and Leavitt's comments and was not in support of the application.

Commissioner Jo Cato stated she supported churches, but did not feel the proposed site was an appropriate location and felt a different location should be found.

Commissioner Harry Shull stated he concurred with comments made by previous Commissioners. The location was not appropriate and reminded everyone this was the third time the Church had applied for a use permit. The first time it was approved to go behind the Denny's on Craig Road and the second time it was approved at their current location.

Commissioner Brown closed the Public Hearing and asked Pastor Smith if she had anything to add.

Pastor Smith stated she felt discriminated against and there were some statements made she did not care for.

*Vice-Chairman Steve Brown stated after listening to comments made, he felt the mission of the church was an outstanding mission and they were doing a good job. He wanted it understood that even though he did not agree to the church going at the proposed location, he did agree with it being in North Las Vegas, but a more suitable location was necessary.*

ACTION: DENIED

MOTION: Commissioner Shull

SECOND: Commissioner Aston

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

NAYS: None

ABSTAIN: None

**Public Forum was heard next.**

20. **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 AND 23, 2006)**

It was requested by the applicant to continue AMP-39-06 to September 27, 2006.

Vice-Chairman Steve Brown asked the applicant to come forward to show just cause.

**George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** and **Jennifer Lazovich 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. Mr. Garcia explained Staff and Planning Commission raised some concerns and they were continuing to work on them in terms of the pending PUD design as well as some of the issues related to the Master Plan amendment itself.

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

The Public Hearing was left open.

ACTION: CONTINUED TO SEPTEMBER 27, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

21. **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 AN R-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 AND 23, 2006)**

It was requested by the applicant to continue VN-19-06 to October 11, 2005.

Vice-Chairman Steve Brown asked the applicant to come forward and show just cause for the continuance.

**Jennifer Lazovich 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 City Council approved a text amendment for a waiver provision, so they were utilizing that waiver provision and put a waiver request into the system and were allowing it to catch up to this application.

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

The Public Hearing was left open.

ACTION: CONTINUED TO OCTOBER 11, 2006

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

22. **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, AUGUST 9 AND 23, 2006)**

It was requested by the applicant to continue SPR-18-06 to October 11, 2005.

ACTION: CONTINUED TO OCTOBER 11, 2006

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

23. **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, AUGUST 9 AND 23, 2006)**

It was requested by the applicant to continue T-1253 to October 11, 2005.

ACTION: CONTINUED TO OCTOBER 11, 2006

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

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

**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 8:11 p.m.

APPROVED: October 11, 2006

/s/ Angelo Carvalho  
Angelo Carvalho, Chairman

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