

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

February 28, 2007

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

BRIEFING: 5:37 P.M., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

CALL TO ORDER: 6:02 P.M., Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive

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

STAFF PRESENT: Jory Stewart, Planning & Zoning Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Mary Aldava, Senior Planner
Nick Vaskov, Deputy City Attorney II
Bethany Sanchez, Deputy City Attorney II
Randy Cagle, PW, Real Property Services Manager
Clete Kus, PW, Transportation Planner
Janice Carr, Fire Department
Jose Rodriguez, Police Department
Jo Ann Lawrence, Recording Secretary

WELCOME: Chairman Steve Brown

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Dean Leavitt

MINUTES

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF JANUARY 24, 2007.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 8 was heard next.

NEW BUSINESS

1. **ZN-71-07 - ZN-91-07 NLV COMMUNITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NOVEMBER 2005 LAND INVESTORS, LLC, AND DRHI, INC., PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN MPC MASTER PLANNED COMMUNITY DISTRICT TO MULTIPLE ZONING DISTRICTS AS FOLLOWS:**
 - A. **ZN-71-07 (28760) - (PARCEL 5.04) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (61.45 ± ACRES)**
 - B. **ZN-72-07 (28761) - (PARCEL 5.05) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (13.23 ± ACRES)**
 - C. **ZN-73-07 (28763) - (PARCEL 5.06) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (11.49 ± ACRES)**
 - D. **ZN-74-07 (28764) - (PARCEL 5.07) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (20.30 ± ACRES)**
 - E. **ZN-75-07 (28770) - (PARCEL 5.08) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (2.50 ± ACRES)**
 - F. **ZN-76-07 (28765) - (PARCEL 5.09) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (29.12 ± ACRES)**
 - G. **ZN-77-07 (28766) - (PARCEL 5.10) RZ10/MPC RESIDENTIAL ZONE UP TO 10 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (32.72 ± ACRES)**
 - H. **ZN-78-07 (28779) - (PARCEL 5.11) MUZ/MPC MIXED USE ZONE / MASTER PLANNED COMMUNITY DISTRICT (1.63 ± ACRES)**
 - I. **ZN-79-07 (28775) - (PARCEL 6.01) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (1.47 ± ACRES)**
 - J. **ZN-80-07 (28774) - (PARCEL 6.01A) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (0.82 ± ACRES)**

- K. ZN-81-07 (28773) - (PARCEL 6.02) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (2.09 ± ACRES)**
- L. ZN-82-07 (28772) - (PARCEL 6.03) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (7.13 ± ACRES)**
- M. ZN-83-07 (28767) - (PARCEL 6.04) RZ13/MPC RESIDENTIAL ZONE UP TO 13 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (23.54 ± ACRES)**
- N. ZN-84-07 (28771) - (PARCEL 6.05) PSP/MPC PUBLIC SEMI PUBLIC / MASTER PLANNED COMMUNITY DISTRICT (11.51 ± ACRES)**
- O. ZN-85-07 (28782) - (PARCEL 6.06) RZ25/MPC RESIDENTIAL ZONE UP TO 25 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (10.09 ± ACRES)**
- P. ZN-86-07 (28783) - (PARCEL 6.07) RZ25/MPC RESIDENTIAL ZONE UP TO 25 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (11.34 ± ACRES)**
- Q. ZN-87-07 (28781) - (PARCEL 6.08) RZ25/MPC RESIDENTIAL ZONE UP TO 25 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (29.77 ± ACRES)**
- R. ZN-88-07 (28776) - (PARCEL 6.09) RZ25/MPC RESIDENTIAL ZONE UP TO 25 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (11.40 ± ACRES)**
- S. ZN-89-07 (28777) - (PARCEL 6.10) MUZ/MPC MIXED USE ZONE / MASTER PLANNED COMMUNITY DISTRICT (10.24± ACRES)**
- T. ZN-90-07 (28780) - (PARCEL 7.01) C-2/MPC GENERAL COMMERCIAL / MASTER PLANNED COMMUNITY DISTRICT (7.91± ACRES)**
- U. ZN-91-07 (28769) - (PARCEL 7.02) RZ25/MPC RESIDENTIAL ZONE UP TO 25 DWELLING UNITS PER ACRE / MASTER PLANNED COMMUNITY DISTRICT (18.80 ± ACRES)**

PARCELS 6.01 THRU 6.10 ARE GENERALLY LOCATED SOUTH OF THE 215 BELTWAY, WEST OF LAWRENCE STREET, AND EAST OF DONNA STREET; PARCELS 7.01 AND 7.02 ARE GENERALLY LOCATED SOUTH OF THE 215

BELTWAY AND EAST OF REVERE STREET; PARCELS 5.04 THRU 5.11 ARE GENERALLY LOCATED SOUTH OF THE 215 BELTWAY, EAST OF CLAYTON STREET, AND WEST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-15-000-003, 124-21-501-002, AND 124-23-501-003.

The application was presented by Marc Jordan, Planning Manager who stated this was a rezoning for the Master Plan Community Overlay District to several districts, specifically, the RZ-10, Residential Zone up to 10 dwelling units per acre; RZ-13, up to 13 dwelling units per acre; RZ-25, up to 25 dwelling units per acre; C-2, General Commercial; MUZ, Mixed Use Zone, and PSP Public Semi Public District. The area is comprised of approximately 318 acres in the easterly portion of the master planned Park Highlands Community and all properties are located south of the 215 Beltway. The request was consistent with the Development Agreement; therefore, Staff was recommending approval of ZN-71-07 through ZN-91-07.

Commissioner Ned Thomas stated he would be abstaining as the company he worked for had a business arrangement with both applicants.

Commissioner Thomas left Chambers at 6:10 p.m.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating the request was a continuation of rezoning the properties pursuant to the Development Agreement.

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

- **Adolph Zavetz, 1608 Danielle Rebecca Avenue, North Las Vegas, NV 89086** stated he was opposed to the applications as the proposed densities were too high.
- **Ken Angell, 1408 Danielle Rebecca, North Las Vegas, NV 89086** stated he represented the Traditions Community, who was opposed to the higher densities.

Chairman Brown closed the Public Hearing.

Mr. Gronauer explained the Deer Springs area was the light rail transit corridor, which was designed according to City standards. There would be bus rapid transit going down the middle of Deer Springs Way which was an 80 foot right-of-way but would be pedestrian friendly with traffic being only one lane in each direction. The Deer Springs alignment would be connected to the North Fifth Street area. The uses on the north side of Deer Springs Way was designed for a mixed use development and some other product with

Astoria Homes. The area was designed for a higher density because the Binion mall site would be under construction in approximately three years. As part of the development for the master planned community, the area was planned to be very intense as far as density and intensity for commercial and residential and for light rail transit those types of densities were necessary.

Chairman Brown clarified that the applications were in compliance with the agreement that was already made with the City Council and was in compliance with the master plan that was in place.

Mr. Gronauer stated that was correct and offered to take names and numbers of the residents who were concerned about the applications so he could explain the development that would be taking place within the next few years.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: Commissioner Thomas

Commissioner Thomas returned to Chambers at 6:19 p.m.

2. AMP-03-07 (28788) MOUNTAIN EDGE PARKWAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS FOR AN AMENDMENT TO THE MASTER PLAN FOR STREETS AND HIGHWAYS TO ADD THE MOUNTAIN EDGE PARKWAY BETWEEN DECATUR BOULEVARD AND THE INTERSTATE 15 RIGHT-OF-WAY.

The application was presented by Marc Jordan, Planning Manager who stated the request was to amend the Master Plan of Streets and Highways by adding Mountain Edge Parkway between Decatur Boulevard and the I-15 right-of-way at the northerly edge of the City just south of Moccasin Drive. The request was in collaboration with the Regional Transportation Commission of Southern Nevada, Nevada Department of Transportation, Clark County and the City of Las Vegas and a corridor Study was done for the area. The request to have the Master Plan of Streets and Highways amended was important so that the environmental assessment could be done and considered by the Bureau of Land Management. The City of Las Vegas and Clark County have already amended their Plans to reflect the right-of-way alignment. Staff was recommending approval of AMP-03-07.

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

Chairman Brown closed the Public Hearing.

Commissioner Jay Aston stated he had heard there was going to be a 315 sometime in the distant future and asked Staff if they had heard anything about it. Cleve Kus of Public Works responded he had not heard any reference to there being a 315 roadway in the valley. Commissioner Aston was concerned if there was a 315 planned, where it would intersect with I-15.

Planning & Zoning Director Jory Stewart stated Staff would investigate it and report back at the next meeting.

Commissioner Aston asked if Staff recommended the Commission go forward with the current application.

Mr. Kus added part of the confusion was related to the labeling of the proposed Roadway as being I-315. To his knowledge, in the past four years, no route number had been associated with the roadway. The roadway continued to the west through the City of Las Vegas, ultimately tying into the current Beltway in the proximity of where it made the bend in the northwest part of the City of Las Vegas. The City of Las Vegas had been an active participant in the study efforts and there was a possibility they may be talking about the same roadway that had been referred to as 315.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

3. **UN-13-07 (28746) BULK TRANSIT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CARTER & BURGESS INC. ON BEHALF OF GARY K. CROSS, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A RAIL TO TRUCK TRANSFER STATION USING HAZARDOUS MATERIALS (SULFURIC ACID, SODIUM HYDROXIDE, HYDROCHLORIC ACID, HYDROFLUOROSILIC ACID, ALUMINUM SULFATE, AND FERRIC CHLORIDE). THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND LAMONT STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-801-005 AND 123-29-801-008.**

The application was presented by Marc Jordan, Planning Manager who stated the proposed use would be located in an area that was zoned M-2. The request was identical to the request that was approved two years ago; but, since that use permit expired, the applicant was requesting the same use permit. There were several types of hazardous materials, such as sulfuric acid, aluminum sulfate, ferric chloride, hydrochloric acid, sodium hydroxide and hydrofluorosilic acid, that would be located on the site. The chemicals would be brought to the site on rail cars and would be unloaded onto trucks that would hold approximately 5,000 gallons for distribution. He explained there were two rail spurs that served the area. The Fire Department indicated where the hazardous materials were being unloaded, could not be within 20 feet of a public right-of-way; therefore, it would limit the off-loading on the southerly spur of the site, which was more than 20 feet from El Campo Grande Avenue. The applicant was also proposing to develop two buildings in the future that would be prefabricated metal approximately 2,000 and 2100 square feet, which could be administratively reviewed but would need to comply with the Industrial Design Standards. As part of the request, they were requesting several waivers. One of them was for the full off-site improvements along El Campo Grande Avenue and Lamont Street, which would include the curb, gutter, sidewalk, fire hydrants and street lights and they were also requesting a waiver for 20 feet of landscaping along El Campo Grande Avenue and Lamont Street. There was a third waiver to defer a 10 foot decorative block wall along all property lines. When the application was originally approved, the requested waivers were granted with the exception that they would landscape along Lamont Street and the other waivers were deferred for a period of three years. Staff was recommending approval of UN-13-07; with the following amendments: Condition No. 11 in the first sentence, the date should be January 4, 2006 instead of April 4, 2007, in the third sentence the date should be amended to the first meeting in January 2009 and in the last sentence, where it reads, "in that case, the City Council would have no need to review this application in April of 2010" it should be amended to January 2009. On Condition No. 20, the last sentence would read: "Distribution lines proposed or to be adjusted, shall be placed underground." The original recommended conditions are as follows:

1. Unless expressly authorized through a variance, waiver or another method, this development shall comply with all applicable codes and ordinances.

2. The development of this site shall be in compliance with the Industrial Development Standards and Design Guidelines, including but not limited to the following:
 - a. All metal buildings shall have sand-textured paint on the outside walls and shall have a minimum two colors coordinated such to break-up any wall greater than 50 linear feet in length. All buildings shall be painted using the same design theme.
 - b. No landscaping along El Campo Grande Avenue shall be required and no landscaping at the end of the spurs adjacent to Lamont Street.
3. That all future on-site repairs to, or servicing of, vehicles take place entirely within a building. All on-site repairs to, or servicing of, vehicles shall be limited to fleet vehicles under the name of the operation licensed through the City of North Las Vegas Business License Division.
4. That subsequent expansions, modifications or additions to the use, type or percentage-by-weight of hazardous materials shall be subject to Planning Commission and City Council review and approval.
5. Transfer area and loaded rail cars shall be a minimum of 20 feet from buildings, property lines, streets, alleys or means of egress to a public way. An un-pierced two hour fire resistive wall extending not less than 30 inches above and to the sides of the storage and transfer area is allowed in lieu of such distance.
6. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
7. Chemicals limited to:

Sulfuric Acid	93%	CAS #: 7664-93-9
Aluminum Sulfate	48.5%	CAS #: 10043-01-3
Ferric Chloride	37-45%	CAS #: 7705-08-0
Hydrochloric Acid	17-37%	CAS #: 7647-01-0
Sodium Hydroxide	49-51%	CAS #: 1310-73-2
Hydrofluorosilicic Acid	20-27%	CAS #: 16961-83-4
8. Transfer operations and storage/use of hazardous materials shall comply with the Fire Code.
9. Fire hydrant off-site improvements, in accordance with the Fire Code, along project side of El Campo Grande and Lamont Street are required.

10. Aerial windsock (15 mph), as approved by the Fire Department, is required.
11. Off-Site Improvements (including any perimeter walls) on Lamont Street and El Campo Grande Avenue shall be deferred for three years, effective April 4, 2007, subject to a bond or other surety deemed acceptable by the City, being posted with North Las Vegas for full off-site improvements. The bond amount shall be based upon the required civil improvement plans as approved by the Department of Public Works. UN-13-07 shall be reviewed by the City Council at the first meeting of April 2010 only to determine if full off-site improvements on Lamont Street and El Campo Grande Avenue are necessary at that time; however, the Director of Public Works shall have the authority to require the installation of the off-site improvements at any time, if he/she deems it necessary. In that case, the City Council would have no need to review this application in April of 2010.
12. The property owner is required to grant a roadway easement for commercial driveway(s).
13. The property owner is required to sign restrictive covenant for utilities.
14. The property owner is required to grant a PUE for any water meter, backflow devices or hydrants outside of the right of way.
15. Approval of a traffic study is required prior to submittal of the civil improvement plans.
16. Approval of a drainage study is required prior to submittal of the civil improvement plans.
17. The applicant shall post the subject bond with the City and the applicant shall acquire the necessary approvals for the associated civil improvement plans within one year or this application shall become null and void.
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. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
20. 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.

21. 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.
22. All off-site improvements must be completed prior to final inspection of the first building.

Travis Johnston, 6655 Bermuda Road, Las Vegas, NV appeared on behalf of the applicant asking that Condition No. 22 be deleted. He thought that condition had been changed with Condition No. 5, which was the same as Condition No. 11. Other than the requested deletion, he concurred with Staff recommendation.

Randy Cagle of Public Works stated Condition No. 22 could be deleted.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 22 DELETED AND CONDITION NOS. 11 AND 20 AMENDED TO READ:

11. OFF-SITE IMPROVEMENTS (INCLUDING ANY PERIMETER WALLS) ON LAMONT STREET AND EL CAMPO GRANDE AVENUE SHALL BE DEFERRED FOR THREE YEARS, EFFECTIVE JANUARY 4, 2006, SUBJECT TO A BOND OR OTHER SURETY DEEMED ACCEPTABLE BY THE CITY, BEING POSTED WITH NORTH LAS VEGAS FOR FULL OFF-SITE IMPROVEMENTS. THE BOND AMOUNT SHALL BE BASED UPON THE REQUIRED CIVIL IMPROVEMENT PLANS AS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS. UN-13-07 SHALL BE REVIEWED BY THE CITY COUNCIL AT THE FIRST MEETING OF JANUARY 2009 ONLY TO DETERMINE IF FULL OFF-SITE IMPROVEMENTS ON LAMONT STREET AND EL CAMPO GRANDE AVENUE ARE NECESSARY AT THAT TIME; HOWEVER, THE DIRECTOR OF PUBLIC WORKS SHALL HAVE THE AUTHORITY TO REQUIRE THE INSTALLATION OF THE OFF-SITE IMPROVEMENTS AT ANY TIME, IF HE/SHE DEEMS IT NECESSARY. IN THAT CASE, THE CITY COUNCIL WOULD HAVE NO NEED TO REVIEW THIS APPLICATION IN JANUARY 2009.

20. 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, PROPOSED OR TO BE ADJUSTED, SHALL BE PLACED UNDERGROUND.

MOTION: Commissioner Aston

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Mr. Jordan reminded the applicant that the application would be forwarded to City Council for final consideration.

4. **ZN-92-07 (28748) PANADERIA SALVADORENA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LUIS A. SANCHEZ, PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT 3400 WRIGHT AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-24-710-018.**

The application was presented by Mary Aldava, Senior Planner who stated the proposed use was in the downtown area of influence and the property currently had an existing residence on the site. The subject property was located outside the Redevelopment area, but all of the properties to the north of Lake Mead Boulevard were zoned for commercial uses and located within the Redevelopment area. The current use on the adjoining commercial property was a convenience store that served the residential neighborhood. Staff believed a commercial use on the subject property served the surrounding neighborhood and would potentially be the most viable use for the property; therefore, Staff was recommending approval of ZN-92-07.

Leslie (unintelligible), 6321 Giant Oak Street, North Las Vegas, NV 89084 appeared on behalf of the applicant stating the applicant concurred with Staff recommendation.

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

- **Matthew Britz, 3416 Emmons Avenue, North Las Vegas, NV 89030** stated the area of the proposed business was in a residential neighborhood and there were no businesses on that street and there was limited parking. He requested that the driveway be moved to the north side of the property.

Commissioner Jay Aston stated it appeared the driveway would be located on the north side of the property. Mr. Britz stated the building was currently facing south. Commissioner Aston pointed out that it would be changed and there was an eight foot wall on the south side.

Ms. Aldava stated the applicant was proposing an eight foot wall along Wright Avenue and Staff was requesting that a wrought iron fence be built instead. The entrance to the parking area would be included with the convenience store next to it and there would not be access from Wright Avenue.

Mr. Britz stated he did not have a problem with the plan.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL
CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

5. **VN-03-07 (28749) PANADERIA SALVADORENA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LUIS A. SANCHEZ, PROPERTY OWNER, FOR A VARIANCE IN AN R-1, SINGLE FAMILY RESIDENTIAL DISTRICT (PROPOSED PROPERTY RECLASSIFICATION, ZN-92-07, TO THE C-1, NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW AN EIGHT FOOT CORNER SIDE SETBACK ALONG PALMER STREET WHERE 20 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 3400 WRIGHT AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-24-710-018.**

The application was presented by Mary Aldava, Senior Planner who stated the applicant was requesting a variance from 20 feet to 8.5 feet on the corner side set-back for which Staff was recommending approval. Staff was recommending approval of VN-03-07 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. Application VN-03-07 shall be null and void if SPR-12-07 is denied.
3. The applicant shall comply with all the conditions of SPR-12-07 or VN-03-07 or shall be null and void.

Leslie (unintelligible), 6321 Giant Oak Street, North Las Vegas, NV 89084 appeared on behalf of the applicant stating the applicant concurred with Staff recommendation.

Chairman Steve Brown opened the Public Hearing. The following comments were carried forward from Item No. 4, ZN-92-07:

- **Matthew Britz, 3416 Emmons Avenue, North Las Vegas, NV 89030** stated the area of the proposed business was in a residential neighborhood and there were no businesses on that street and there was limited parking. He requested that the driveway be moved to the north side of the property.

Commissioner Jay Aston stated it appeared the driveway would be located on the north side of the property. Mr. Britz stated the building was currently facing south. Commissioner Aston pointed out that it would be changed and there was an eight foot wall on the south side.

Ms. Aldava stated the applicant was proposing an eight foot wall along Wright Avenue and Staff was requesting that a wrought iron fence be built instead. The entrance to the parking area would be included with the convenience store next to it and there would not be access from Wright Avenue.

Mr. Britz stated he did not have a problem with the plan.

Chairman Brown closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

6. SPR-12-07 (28750) PANADERIA SALVADORENA. AN APPLICATION SUBMITTED BY LUIS A. SANCHEZ, PROPERTY OWNER, FOR A SITE PLAN REVIEW TO ALLOW THE ELIMINATION OF FOUNDATION LANDSCAPING; REDUCING THE PERIMETER LANDSCAPING ALONG LAKE MEAD BOULEVARD FROM 20 FEET TO 9.5 FEET; AND REDUCING THE PERIMETER LANDSCAPING ALONG PALMER AVENUE FROM 20 FEET TO FOUR (4) FEET. THE PROPERTY IS LOCATED AT 3400 WRIGHT AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-24-710-018.

The application was presented by Mary Aldava, Senior Planner who stated, based on the surrounding residential uses on Palmer Street, the City Traffic Engineer waived the requirement for additional right-of-way along Palmer; however, Staff was requesting that the 4 ½ feet along Palmer also be landscaped. The proposed plan indicated a 10 foot landscape barrier and a new eight foot high CMU wall on the frontage of Wright Avenue and Staff was requesting a wrought iron fence be installed along Wright Avenue. Staff was supporting the waiver from the foundation landscaping and was requesting that the building be stucco. Staff was recommending approval of SPR-12-07 with Condition No. 2 amended to read: "Submit a copy of the revised site plan to the Planning & Zoning Department. The development shall comply with the Commercial Design Guidelines and Development Standards, including but not limited to the following:" and Condition No. 2.c added to read: "The building shall consist of a stucco exterior." The original conditions recommended by Staff are as follows:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. Submit a copy of the revised site plan to the Planning & Zoning Department. The development shall comply with the Industrial Design Guidelines and Development Standards, including but not limited to the following:
 - a. Provide a detailed landscape plan for review and approval. The proposed landscaping shall include 60% of ground cover with 24" box small variety trees every 15 feet on center.
 - b. Show perimeter landscaping along the unused right-of-way on Palmer Street.
3. A wrought iron view fence shall be used instead of the proposed eight (8) CMU wall along the rear yard.
4. The proposed free standing and wall signs are not a part of this application. The applicant shall obtain a sign permit for the proposed signs.

5. Any mechanical equipment proposed on the roof shall be properly screened.
6. Provide wheel bumpers for the proposed parking to ensure clear access to the building.
7. The applicant shall submit a detail color scheme consistent with the colors to the Las Vegas Valley and its surroundings at the time of building permit application.
8. Approval of a traffic study is required prior to submittal of the civil improvement plans.
9. A shared parking agreement with the parcel to the east is required and must be recorded.
10. "No Parking" signs are required to be installed on Palmer Street.
11. No driveway allowed on Lake Mead Boulevard.
12. The property owner is required to sign a restrictive covenant for utilities.
13. A shared access agreement or ingress/egress easement with APN 139-24-701-002 is required.
14. 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.
15. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
16. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
17. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
18. All off-site improvements must be completed prior to final inspection of the first building.
19. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

20. Plans will need to be submitted depicting where existing water and sanitary sewer connections are, along with lateral sizes.

Leslie (unintelligible), 6321 Giant Oak Street, North Las Vegas, NV 89084 appeared on behalf of the applicant stating the applicant concurred with Staff recommendation.

Commissioner Jay Aston asked if the existing signage visible from Lake Mead Boulevard would be moved. Leslie responded it would be moved. Commissioner Aston asked if the current tenant was agreeable to moving the sign. Leslie responded they were.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 2 AMENDED AND CONDITION NO. 2.C ADDED TO READ:

2. SUBMIT A COPY OF THE REVISED SITE PLAN TO THE PLANNING & ZONING DEPARTMENT. THE DEVELOPMENT SHALL COMPLY WITH THE COMMERCIAL DESIGN GUIDELINES AND DEVELOPMENT STANDARDS, INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

2.C BUILDING SHALL CONSIST OF STUCCO EXTERIOR.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

OLD BUSINESS

7. **UN-11-07 (28627) TUTOR TIME CHILD CARE CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY AMERICAN CHILD CARE PROPERTIES LLC ON BEHALF OF BING FEE CHAO AND CHEUNG A&D 1993 LIVING TRUST, PROPERTY OWNER, FOR A USE PERMIT IN A C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT, TO ALLOW A CHILD CARE CENTER. THE PROPERTY IS LOCATED ON THE NORTH SIDE OF ANN ROAD AND APPROXIMATELY 620 FEET EAST OF ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 124-29-401-007. (CONTINUED FEBRUARY 14, 2007)**

The application was presented by Robert Eastman, Principal Planner who stated the applicant was proposing to build a 22,000 square foot day care center in the C-P Professional Office District. The applicant was proposing a landscape and play area along the north side of their development along the drainage channel. The building was an L-shaped building that would be, for the most part, along the west and southern side of the property. Additionally, parking was proposed along Ann Road. Staff felt the use was appropriate for the neighborhood and did not create as large of an impact as other commercial uses; therefore, was recommending approval subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This use permit is site specific and non transferrable.
3. Submit a revised copy of landscape plan showing
 - a) A minimum ground coverage of 60%, achieved within two years.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. 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.
6. 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.

7. 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.
8. The property owner is required to grant a roadway easement for commercial driveway(s).
9. The property owner shall sign a restrictive covenant for utilities.
10. If the property is divided in the future, the applicant must submit a commercial subdivision map.
11. 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 access adjacent to the right-of-way.
12. A revocable encroachment permit for landscaping within the public right of way is required.
13. All off-site improvements must be completed prior to final inspection of the first building.
14. Show all recorded easements on the site plan.
15. Approval of a traffic study is required prior to submittal of the civil improvement plans.
16. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road.
17. The public street geometrics, width of over-pave and minimum acceptable thickness of the pavement sections will be determined by the Department of Public Works.
18. 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.
19. 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.

20. Fire access lanes shall be located in accordance with the Fire Code requirements.
21. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

John Vornsand, 2564 Wigwam Parkway, Las Vegas, NV appeared on behalf of the applicant stating he had met with the neighbors to the west. At the meeting two major concerns were expressed, the noise from the play area and traffic that would be generated by the facility. As far as the noise, the facility was proposed to be open from 6:00 a.m. to 6:30 p.m. Monday through Friday. He stated, with the exception of the infants and toddlers, the children from 3 - 12 years old would be in the play area to the east of the building, which would help buffer the noise from the neighborhood to the west, there were also shade verandas which would help buffer the noise, and a 15 foot landscape buffer along the west property line. Mr. Vornsand explained that the play was structured and the children would not be out playing all day. The property was zoned C-P and he felt an office complex would have higher traffic impact. The neighbors asked that the landscape area be gated, which the applicant was willing to do and also the owner of the third lot in from Ann Road was allergic to pine trees and the applicant agreed to work with Staff in creating some other type of tree planting around her home. He felt the facility would be an asset to the community and stated he concurred with Staff recommendation and asked the Commission for approval.

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

- **Donna Eardly 5634 Via Victoria Street, North Las Vegas, NV 89031** stated she was opposed to the development as traffic along Ann Road was too heavy and the proposed project would add to the problem.
- **David Hargreaves, 5634 Via Victoria Street, North Las Vegas, NV 89031** stated the traffic in the area was already too heavy and the day care center would make it worse. The noise from the day care center would also cause problems for those in the neighborhood who sleep during the day.
- **Diana Cheung, 5424 Supai Drive, Las Vegas, NV 89103** stated the City needed another child care center and asked the Commission for approval.

Chairman Brown closed the Public Hearing.

Mr. Vornsand explained the property was already zoned C-P and whatever business went on the property, would generate traffic and he felt this type of facility would spread the traffic out better than an office complex. The applicant was making every effort to minimize the noise by placing the play areas on the east side of the building away from the residential uses.

Commissioner Jay Aston felt the applicant had made every effort to minimize the concerns of the neighbors as far as the noise and there would be traffic in the morning and at night when people were picking up their children, but he did not know what other uses would be acceptable and the day center was an approved use for the property; therefore, he was in support of Staff's recommendation.

Chairman Brown added that his experience with day care centers was that the traffic was concentrated in the morning and the evenings and an office complex would bring more traffic that was spread throughout the day and was in support of Staff's recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 12 was heard next.

8. **ZN-70-07 (28618) INDIGO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ANN ALLEN COMMONS LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED WEST OF WILLIS STREET AND APPROXIMATELY 380 FEET NORTH OF ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-30-802-022. (CONTINUED FEBRUARY 14, 2007)**

It was requested by the applicant to continue ZN-70-07 to March 28, 2007.

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

- **Drew Murphy, 5843 Watercolor Street, North Las Vegas, NV 89031** declined comment.
- **Craig McCallum, 5714 Montezuma Creek, North Las Vegas, NV 89031** declined comment.
- **David Hargreaves, 5634 Via Victoria Street, North Las Vegas, NV 89031** stated he was opposed to higher density. The increase of density along with the fact that a shopping center was already approved, was causing traffic congestion.
- **Charles Slinkard, 3724 Discovery Creek, North Las Vegas, NV 89031** declined comment.
- **Donna Eardley, 5634 Via Victoria Street, North Las Vegas, NV 89031** declined comment.

Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO MARCH 28, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 9 was heard next.

9. **UN-44-06 (25818) ALEXANDER & MLK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GHASSAN SHAMOUN, ON BEHALF OF ZUHAIR ZORA AND GHASSAN SHAMOUN, PROPERTY OWNERS, FOR A USE PERMIT IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED C-1 NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT 4009 NORTH MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-04-410-011. (CONTINUED JUNE 14, AND NOVEMBER 8, 2006)**

It was requested by the applicant to continue UN-44-06 to April 25, 2007.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating an application regarding this item was currently pending City Council action, waiting for the completion of the assemblage and the traffic issues being addressed and he wanted to be sure that issue was resolved before the current application was heard, which should be done by the date of the requested continuance of the current application.

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

Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO APRIL 25, 2007

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 10 was heard next.

10. **ZN-49-02 (28601) ANN & VALLEY COMMERCIAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DESERT VISTA DEVELOPMENT ON BEHALF OF VALLEY COURT LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD, PLANNED UNIT DEVELOPMENT, TO ALLOW A PHARMACY AND AN 18,000-SQUARE-FOOT RETAIL BUILDING ON APPROXIMATELY 3.88 ACRES. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-401-021. (CONTINUED JANUARY 24, 2007)**

ACTION: WITHDRAWN

Item No. 11 was heard next.

11. **FDP-03-07 (28475) ANN & VALLEY COMMERCIAL. AN APPLICATION SUBMITTED BY DESERT VISTA DEVELOPMENT ON BEHALF OF VALLEY COURT LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF A COMMERCIAL RETAIL CENTER. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-401 021. (CONTINUED JANUARY 24, 2007)**

ACTION: WITHDRAWN

Item No. 1 was heard next.

12. AMP-02-07 (28471) REGENA TOWNHOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF REGENA HOMES LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MIXED-USE COMMERCIAL TO MULTI-FAMILY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001. (CONTINUED JANUARY 24 AND FEBRUARY 14, 2007)

The application was presented by Robert Eastman, Principal Planner who stated the area of the proposed amendment was currently master planned as Mixed Use Commercial from Goldfield Street to North 5th Street and Mixed Use east of North 5th Street. The idea of Mixed Use Commercial was to allow a mix of uses, predominantly commercial in nature, but, also with complementary and connected uses, which could include residential, commercial offices, or other commercial activity. From a land use standpoint, residential was not necessarily inappropriate at this location. Ideally, in Mixed Use Commercial, there would be more commercial located along North 5th Street, with supporting and connected, mix of residential uses, as you moved toward Goldfield Street with the density decreasing as you moved toward the lower density residential developments on the other side of Goldfield and south of Azure Avenue. The North 5th Transit Corridor Plan and the Comprehensive Plan support higher densities to support the additional traffic and corridor that the Regional Transportation Commission (RTC) was developing along North 5th Street. Since the amendment to the Master Plan was not needed for any residential use, Staff did not feel the amendment was necessary; therefore, was recommending that AMP-02-07 be denied.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating the property was located south of Centennial Parkway and on the west side of the North 5th Corridor and was in a Mixed Use Commercial area. He pointed out, along Azure Avenue on the west side of North 5th Street up to Commerce and Centennial Parkway there was an area already planned for Mixed Use Commercial; but, the problem was that most of the parcels in that area had already been zoned and planned for different uses, which made it difficult to develop the property. The subject property was zoned R-2, which allowed up to 10 dwelling units per acre, to the south was an existing church, another parcel was approved for 12 units per acre for a townhome/condominium development, another property was a Southwest Gas facility, another property was approximately 1.1 acres and was located in the Mixed Use area. When the City was developing the Comprehensive Plan, they tried to be sure that mixed use was not going to be parcel specific. He stated there was some commercial in the area on Centennial Parkway and

Goldfield Avenue and on the other side there was also commercial uses. He stated a mixed use component on the site would not work and indicated residential use was the only use that was practical. He was asking for a zone change from Mixed Use Commercial, which was allowed by Code and only do a residential development and make it pedestrian friendly. The problem was that the site was in a mixed use area, which encouraged high density residential; but, it also encouraged commercial uses and they wanted to tie the project in with the other commercial uses in the area. Mr. Gronauer stated the application was continued a couple of times so they could prepare a site plan to present to the Commission. Although the transit station was located on North 5th Street and Regena Avenue, they were within a quarter mile of the transit station. They were trying to get as much density as possible; but, the problem was, if you complied with Code, you would not get much density, due to the requirements for set-backs, open space, etc. The overall density being proposed was 15.7 dwelling units per acre for a for-sale townhome concept which would be rear loaded. The applicant was asking for a waiver to allow 15 feet of landscaping where 20 feet was required. He explained they provided 20 feet of landscaping; however, there was a five foot sidewalk which was part of the 20 feet. If the waiver was approved, they agreed to double the amount of trees on the south property line. On the east property line, they were requesting five feet of landscaping, where the four parking spaces were along the property line, where 20 feet was required, because between the buildings, they were providing 10 feet of landscaping, with five feet of it being sidewalk. If the application was approved with the waivers, they would double the number of trees in the landscape area.

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

Chairman Brown closed the Public Hearing.

Commissioner Ned Thomas pointed out the request was for an amendment to the Master Plan, which had just been adopted and he was opposed to amending it so soon. He explained since the site was in the transit corridor, the density could be higher, possibly up to 50 dwelling units per acre. He stated the area was not suited for the type of commercial you would normally see on this type of site; however, with mixed use you were trying to create a walkable, more interesting environment and an environment where people did not have to drive everywhere and did not feel the proposed development was appropriate in an area where a mixed use environment was wanted and putting the proposed project next to Villa Soreno, would not create a mixed use or walkable environment. All of the land use in the area were described, but the higher density to the north was another justification for having mixed use. You did not need the type of commercial seen elsewhere, but why not provide a mixed environment where there were smaller types of commercial development that would support the people who would be living in the area. Those types of commercial development would survive with the higher density developments. He stated the developments to the west and south in the Sierra Ranch Development were single family

developments and Villa Soreno was closer to the transit corridor and the proposed project was not and he was not sure it would be compatible with the developments to the west and south. Commissioner Thomas explained he was not against higher density, but higher density development needed to have a different type of commercial development than what was usually seen. He felt that was what the transit corridor was striving for and what the Transit Supportive Concept Plan was trying to adopt and the Visioning 2025 goals stated; and did not see where the proposed development was compatible with any one of those documents.

Commissioner Jay Aston stated he was concerned that when there were already applications that had been approved and you come up with the 5th Street Corridor Plan, you had to determine where the line was drawn and he felt that was what they were dealing with. It was a large issue as to what had already been approved in the surrounding neighborhoods and asked if construction had started on the townhomes to the east. Mr. Gronauer responded he heard building permits had been submitted, but was not sure. Commissioner Aston stated if townhomes had already been approved on the property to the east, and the development on the property to the north had been approved, they were land locking the current applicant to go in a different direction. He was concerned that the property was an island that would be mixed use and did not feel that was what was envisioned. He would be supportive of Staff's recommendation if they could have the previously approved applications revoked and changed to mixed use developments, but did not know if that was possible. He realized there was a Master Plan, but the property with this application did not fit into the Plan and was not in favor of the applicant bearing the burden of the whole block.

Commissioner Thomas agreed with Commissioner Aston that the property with the application was bearing the burden, which was not fair.

Commissioner Aston asked what was approved on the R-4 property to the north. Mr. Gronauer responded it would be approximately 23 to 24 dwelling units per acre. Commissioner Aston asked Mr. Gronauer if he knew how far along they were in the process. Mr. Gronauer responded the developer was Picerne and the plans should have already been submitted, but Picerne Development was behind schedule.

Commissioner Aston asked Staff, when parcels were next to the transit corridors, if the exact transit location was set in stone. Jory Stewart, Planning & Zoning Director responded the transit stops were not set in concrete, it would be done on a factor of the partnership that could evolve in locating the stops. Staff was looking into some specific site designs from a group out of Minneapolis that had worked with the Regional Transportation Commission on transit corridors and park and ride facilities as well as transit centers, looking for opportunities for joint development to possibly do some kind of public private partnership along the corridor, most likely more toward the downtown area. In the

meantime, you face the difficulty of dealing with an area that would, in the future, transition from a more predominant automobile dependent type of development to development that may be more transit oriented. The area would still be an automobile dependent higher density development at 15.7 density units per acre and it appeared the parking requirements were met. This was a transit corridor; however, the transit did not yet exist. There was an expectation that it would exist but development must be built in the area that would be transit friendly in order for the transit to be successful. The development, such as the one proposed, was automobile dependent and it would have to have the parking to accommodate that. She explained, in the near future there would be a push to go to higher density residential in the transit corridor; but, with less parking than would normally be required with the density. She asked the Commission to keep in mind that parking could not be decreased while increasing the density without building the transit supportive design.

Commissioner Aston asked if a task force could be established to determine if a combined mixed use plan could be worked out; because, from a developer's standpoint, the City would have to be in a position to give the developer more than they currently had coming to them on a specific parcel. If the developer was getting ready to start their project, and the City was asking them to change their design, there had to be some give and take and he thought City Council should be approached on the issue. Director Stewart explained the next step in the North 5th Street Corridor Plan was the district plans for the transit areas, which were spelled out in the Plan; but there was not much detail as that would be developed with the partnership with the landowners.

Mr. Gronauer stated there were developers who had come in with plans for higher density to go along with the transit system.

Commissioner Aston stated if the densities were not increased in the transit area, the transit concept would not work.

Commissioner Thomas stated density along the transit corridor was good. He explained in the Concept Plan, there were four principles and along with the density, you have to create a center and that principle applied on the subject site and you talked about all the other higher density development going in the area and what they like to see with mixed use, even if it was not in the transit corridor, because this was in the middle, it was suitable for mixed use, which was one of the reasons it was designated that way, not just because it was on the transit corridor, but, if a specific type of mixed use went in there, it would support the other high density developments going in, or the high density development would support the commercial development that would be in the mixed use center, because it was in the middle, because the other principle was creating the center. Use the high density but then create a center, create a neighborhood center. What's in the neighborhood center, not just more houses, not just parking, but commercial development, offices, places where people can work, a Starbucks, a cleaners, a flower shop, where

people could walk to buy their loaf of bread and ice cream. He explained the idea behind mixed use was to cut down on traffic and create a neighborhood center. The subject parcel was dedicated for mixed use, which would work well at that location.

Commissioner Dilip Trivedi understood not putting in more commercial as there was a commercial center close by and asked if the applicant had considered putting professional offices on the first floor. Mr. Gronauer responded the applicant had looked at different uses for the property and determined Multi-Family Residential was the best use.

Commissioner Dean Leavitt was in support of the application and stated it was evident when the Comprehensive Plan was adopted that the applicant was looking to rezone the property and did not feel they should be held responsible for previous approvals on other parcels.

Commissioner Aston asked if it was possible to take the current application and create some type of a walkable environment with the intent that 15 years from now, there was a transit station, and maybe someone comes back at a later date to convert the first floor into commercial uses.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: Commissioner Thomas

ABSTAIN: None

13. **ZN-47-07 (28476) REGENA TOWNHOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF REGENA HOMES LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001. (CONTINUED JANUARY 24 AND FEBRUARY 14, 2007)**

The application was presented by Robert Eastman Principal Planner who stated based on the approval of AMP-02-07, the proposed R-3 was now supported by the Comprehensive Plan. It should be noted, however, that there was lower density residential across Goldfield Street and at Azure Avenue and also a church; therefore, it was Staff's opinion that the R-2 was more appropriate as it would provide a buffer from the R-4 and the Commercial toward the lower density residential.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant asking for approval of the application as submitted.

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

Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: Commissioner Thomas

ABSTAIN: None

14. **SPR-09-07 (28474) REGENA TOWNHOMES. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF REGENA HOMES LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW CONSISTING OF 18 FOUR-PLEX BUILDINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-001. (CONTINUED JANUARY 24 AND FEBRUARY 14, 2007)**

The application was presented by Robert Eastman, Principal Planner who stated the site plan was relatively straight forward and was a traditional multi-family development. The applicant previously mentioned their waiver requests along the southern and eastern property lines and were in compliance with the parking standards and open space requirements; however, the Comprehensive Plan encouraged more interconnectivity between this parcel and neighboring properties to allow more pedestrian access which this development does not have; therefore, Staff would prefer that the site plan be continued to allow additional design adding connections to neighboring properties to allow access to the church and commercial sites. Staff was not opposed to the density and the site plan was in compliance with the open space and parking requirements but were short on the buffering. The biggest concern was that the site was a typical multi-family development and Staff would prefer to see a better site design.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating they would like to continue the site plan review so they could work with Staff to add some connectivity with other uses in the area.

Director Stewart thanked Mr. Gronauer for agreeing to work with Staff on adding connectivity to their site plan and creating a more pedestrian friendly environment.

ACTION: CONTINUED TO MARCH 28, 2007

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

There was no report given.

CHAIRMAN'S BUSINESS

Commissioner Harry Shull asked if a date had been set for the Commissioners to tour the City. Director Jory Stewart stated she would check on the date and let the Commissioners know.

ADJOURNMENT

The meeting adjourned at 7:50 p.m.

APPROVED: March 28, 2007

/s/ Steve Brown
Steve Brown, Chairman

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