

# MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Jay Aston, Chairman  
Dean Leavitt  
Nelson Stone  
Harry Shull

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Jo Cato, Vice-Chairman  
Dilip Trivedi  
Steve Brown

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Planning Commission MINUTES are available on the internet at:  
[www.cityofnorthlasvegas.com](http://www.cityofnorthlasvegas.com)

## July 28, 2004

**CALL TO ORDER:**

Council Chambers, North Las Vegas City Hall  
2200 Civic Center Drive, at 7:15 p.m.

**ROLL CALL:**

Jay Aston - Present  
Harry Shull - Present  
Dean Leavitt - Present  
Nelson Stone - Present  
Jo Cato - Present  
Steve Brown - Present  
Dilip Trivedi - Present

**STAFF PRESENT:**

Jory Stewart, Planning and Zoning Director  
Marc Jordan, Planning Manager  
Mary Aldava, Planner  
Ned Thomas, Planner  
Lenny Badger, Public Works  
Clete Kus, Transportation Services  
Steven DiGiovanni, Fire Department  
James Lewis, Senior Deputy City Attorney  
Jo Ann Lawrence, Recording Secretary

**ANNOUNCEMENTS:**

Verification of compliance with NRS 241, Open Meeting Law.

Recording Secretary Lawrence verified that the Open Meeting Law requirements (NRS 241) had been met.

**PLEDGE OF ALLEGIANCE:**

Commissioner Steve Brown

Planning and Zoning Director Jory Stewart presented a plaque to outgoing Chairman Dean Leavitt and thanked him for all of his hard work and dedication in serving as Chairman of the Planning Commission in the past years.

## **Election of Planning Commission Officers**

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to ELECT Jay Aston as CHAIRMAN of the Planning Commission.

The motion carried by UNANIMOUS vote.

Commissioner Harry Shull MOVED and Commissioner Steve Brown SECONDED to ELECT Jo Cato as VICE-CHAIRMAN of the Planning Commission.

The motion carried by UNANIMOUS vote.

## **MINUTES**

Approval of the MINUTES for the Planning Commission meeting of July 14, 2004.

**The item was CONTINUED TO AUGUST 11, 2004.**

## **CONSENT AGENDA**

### **A) PW-125-04 (16396) AUTUMN CHASE UNIT 1**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Contractors Bonding & Insurance Company to release the Off-Site Improvement Bond in the amount of \$106,099.61.

Commissioner Nelson Stone MOVED and Commissioner Dean Leavitt SECONDED to APPROVE Consent Agenda Items A through B.

The motion carried by UNANIMOUS vote.

### **B) PW-126-04 (16397) A & P COMMERCIAL BUILDING PHASE II.**

Approve the Subdivision Off-Site Improvements Agreement by A & P Buildings, LLC, and accept the Subdivision Bond in the amount of \$24,454.65.

Commissioner Nelson Stone MOVED and Commissioner Dean Leavitt SECONDED to APPROVE Consent Agenda Items A through B.

The motion carried by UNANIMOUS vote.

**Item No. 8 was heard next.**

## **NEW BUSINESS**

### **1) AMP-54-04 (15997) PECOS TROPICAL RUNVEE PARCEL (PUBLIC HEARING)**

An application submitted by Runvee Hobart Ltd. NV, Inc., property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of MDR Medium Density Residential to Neighborhood Commercial. The property is located at the southeast corner of Pecos Road and Tropical Parkway. The Assessor's Parcel Number is 123-30-301-001.

#### **RECOMMENDATION:**

The Planning and Zoning Department Recommends that AMP-54-04 be approved and forwarded to City Council for final consideration.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff is recommending approval of this item. He stated the applicant submitted a market analysis for the site, which Staff does not object to and the site is adjacent to two 100' rights-of-way and is in compliance with the minimum acreage of 10 acres. When the residential portion of the development was originally submitted, the applicant showed two corners of the development as being held out for future commercial use.

George Garcia of G.C. Garcia, Inc. 1711 Whitney Mesa Drive, Suite #110, Henderson, NV 89014 appeared on behalf of the applicant and stated he concurred with Staff recommendations.

Chairman Jay Aston opened the Public Hearing. There were no participants.

Chairman Aston closed the Public Hearing.

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to APPROVE AMP-54-04 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**2) ZN-70-04 (15998) PECOS TROPICAL RUNVEE PARCEL (PUBLIC HEARING)**

An application submitted by Runvee Hobart Ltd. NV, Inc., property owner, for reclassification of property from an M-2 General Industrial District to a C-1 Neighborhood Commercial District. The property is located at the southeast corner of Pecos Road and Tropical Parkway. The Assessor's Parcel Number is 123-30-301-001

**RECOMMENDATION:**

The Planning and Zoning Department Recommends that ZN-70-04 be approved and forwarded to City Council for final consideration.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff is recommending approval of this item. He stated the applicant submitted a market analysis for the site, which Staff does not object to and the site is adjacent to two 100' rights-of-way and is in compliance with the minimum acreage of 10 acres. When the residential portion of the development was originally submitted, the applicant showed two corners of the development as being held out for future commercial use.

George Garcia of G.C. Garcia, Inc. 1711 Whitney Mesa Drive, Suite #110, Henderson, NV 89014 appeared on behalf of the applicant and stated he concurred with Staff recommendations.

Chairman Jay Aston opened the Public Hearing. There were no participants.

Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt MOVED and Vice-Chairman Jo Cato SECONDED to APPROVE ZN-70-04 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**3) AMP-55-04 (16000) LAMB TROPICAL RUNVEE PARCEL (PUBLIC HEARING)**

An application submitted by Runvee Hobart Ltd. NV, Inc., property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Industrial to Neighborhood Commercial. The property is located at the southwest corner of Lamb Boulevard and Tropical Parkway. The Assessor's Parcel Number is 123-30-301-001.

**RECOMMENDATION:**

The Planning & Zoning Department recommends that AMP-55-04 be forwarded to the City Council with a recommendation for approval.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of the item. He stated the item was located at the intersection of two 100' or larger rights-of-way and the applicant has submitted a market study. In the study, the applicant indicated a population estimate of approximately 3,000 by 2008. Staff, however, believes that population would actually be greater by 2008; therefore, are essentially concurring with the market study that would support the additional commercial. He stated Staff was recommending approval of AMP-55-04.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant and stated he concurred with Staff recommendations.

Chairman Jay Aston opened the Public Hearing. No participants came forward.

Chairman Aston closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE AMP-55-04 per Staff's's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**4) ZN-71-04 (15999) LAMB TROPICAL RUNVEE PARCEL ( PUBLIC HEARING)**

An application submitted by Runvee Hobart Ltd. NV, Inc., property owner, for reclassification of property from an M-2 General Industrial District to a C-1 Neighborhood Commercial District. The property is located at the southwest corner of Lamb Boulevard and Tropical Parkway. The Assessor's Parcel Number is 123-30-301-001.

**RECOMMENDATION:**

The Planning & Zoning Department recommends that ZN-71-04 be forwarded to the City Council with a recommendation for approval.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of the item. He stated the item was located at the intersection of two 100' or larger rights-of-way and the applicant has submitted a market study. In the study, the applicant indicated a population estimate of approximately 3,000 by 2008. Staff, however, believes that population would actually be greater by 2008; therefore, are essentially concurring with the market study that would support the additional commercial. He stated Staff was recommending approval of ZN-71-04.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant and stated he concurred with Staff recommendations.

Chairman Jay Aston opened the Public Hearing. No participants came forward.

Chairman Aston closed the Public Hearing.

Commissioner Harry Shull MOVED and Vice-Chairman Jo Cato SECONDED to APPROVE ZN-71-04 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**5) AMP-56-04 (15977) NORTH RANCH ESTATES (PUBLIC HEARING)**

An application submitted by D. R. Horton, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Office to MDR Medium Density Residential. The property is located at the southeast corner of Commerce Street and Elkhorn Road. The Assessor's Parcel Numbers are 124-22-501-005, 124-22-501-006 and 124-22-501-007.

**RECOMMENDATIONS:**

The Planning and Zoning Department recommends that AMP-56-04 receive a favorable recommendation from the Planning Commission and be forwarded to the City Council for final consideration.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was supporting this item as the properties to the west are already designated as Medium Density Residential and are adjacent to CC-215 right-of-way and the property to the east is currently designated as Community Commercial and the property to the south is PSP, which could possibly be a future school site. A portion of the property is also designated Medium Density; therefore, the proposed requested would be consistent with what the applicant is asking for. On the rezoning the applicant is requesting a little over 4.5 units to the acre which would be consistent with Medium Density; however, it is more consistent with Medium-Low Density but rather than have a development with two different Comprehensive Plan designations, Staff believes it would be consistent with that, so Staff is recommending approval of this item.

Airalea Newman of D.R. Horton, 6825 Escondido Street, Suite 105, Las Vegas, NV 89119 appeared on behalf of the applicant and stated she concurred with Staff recommendations.

Chairman Jay Aston opened the Public Hearing. There were no participants.

Chairman Aston closed the Public Hearing.

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to APPROVE AMP-56-04 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**6) ZN-73-04 (15976) NORTH RANCH ESTATES (PUBLIC HEARING)**

An application submitted by D. R. Horton, property owner, for reclassification of property from an R-E Ranch Estates District to an R-1 Single-Family Residential District. The property is located at the northeast corner of Commerce Street and Dorrell Lane. The Assessor's Parcel Numbers are 124-22-501-005, 124-22-501-006, 124-22-501-007 and 124-22-501-008.

**RECOMMENDATIONS:**

The Planning and Zoning Department recommends that ZN-73-04 be approved forwarded to the City Council for final consideration.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was supporting this item as the properties to the west are already designated as Medium Density Residential and are adjacent to CC-215 right-of-way and the property to the east is currently designated as Community Commercial and the property to the south is PSP, which could possibly be a future school site. A portion of the property is also designated Medium Density; therefore, the proposed requested would be consistent with what the applicant is asking for. On the rezoning the applicant is requesting a little over 4.5 units to the acre which would be consistent with Medium Density; however, it is more consistent with Medium-Low Density but rather than have a development with two different Comprehensive Plan designations, Staff believes it would be consistent with that, so Staff is recommending approval of this item.

Airalea Newman with D.R. Horton, 6825 Escondido Street, Suite 105, Las Vegas, NV 89119 appeared on behalf of the applicant and stated she concurred with Staff recommendations.

Chairman Jay Aston opened the Public Hearing. There were no participants.

Chairman Aston closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-73-04 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**



**7) T-1118 (15975) NORTH RANCH ESTATES**

An application submitted by D. R. Horton, property owner, for approval of a tentative map in an R-1 Single-Family Residential District consisting of 189 single family dwellings. The property is located at the northeast corner of Dorrell Lane and Commerce Street. The Assessor's Parcel Numbers are 124-22-501-005, 124-22-501-006, 124-22-501-007 and 124-22-501-008.

**RECOMMENDATIONS:**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff had a number of concerns regarding the Tentative Map. The applicant was showing houses that front Commerce Street and Dorrell Lane, which are indicated as 80' rights-of-way on the Master Plan of Streets and Highways. The zoning ordinance does not allow houses to front 80' rights-of-ways, and therefore, in its presents states, the applicant would need to amend the Tentative Map to remove the homes fronting the rights-of-way. As a result of that, the applicant would also need to show the proper 15 foot perimeter landscaping which includes the sidewalk. The applicant shows Goldfield Street winding into the development but not connecting to Elkhorn Road on the north side. The Master Plan of Streets and Highways shows Goldfield Street as a 60' right-of-way connecting to Elkhorn Road. This Tentative Map shows it as a 48' right-of-way. Mr. Jordan stated the applicant submitted an Amendment to the Master Plan of Streets and Highways which is scheduled for the September 8, 2004 Planning Commission meeting and that needs to be considered prior to the Tentative Map. A traffic study also needs to be submitted that would support an Amendment to the Master Plan of Streets and Highways. He stated there were some concerns that some of the streets do not meet the curvilinear requirement, which is a 25' offset. There are also some concerns regarding the corner side lot landscaping. The Tentative Map shows five feet of landscaping adjacent to the corner lots but the requirement is 10 feet which may include the sidewalk. He stated Pubic Works also has some concerns regarding some of the stub streets. Staff is recommending the item be continued indefinitely to allow the applicant to either revise the Tentative Map or to allow the Master Plan of Streets and Highways and the vacation for Elkhorn Road to be acted on by the Commission.

Airalea Newman with D.R. Horton, 6825 Escondido Street, Suite 105, Las Vegas, NV 89119 appeared on behalf of the applicant stating they would like to continue the item to the August 11, 2004 Planning meeting to work with Staff regarding their concerns.

Mr. Jordan stated he recommended continuing the item to the September 8, 2004 Planning meeting to allow the Master Plan of Streets and Highways and the vacation to be considered by the Planning Commission. However, whatever the applicant requests, under State Law, would have to be considered by the Commission.

Ms. Newman stated she understood Mr. Jordan's concerns. They have submitted the necessary applications and are preparing and submitting a traffic study to Public Works to address their issue. She felt hearing the Tentative Map in two weeks would give enough time to submit necessary information for Staff to support the project.

Commissioner Nelson Stone stated he felt the item should be continued to be heard with the vacation and the amendment to the Master Plan.

Clay Vertres with Alpha Engineering, 50 South Jones, Suite 202, Las Vegas, NV 89107 stated Tentative Maps are sometimes approved conditional upon vacations being provided and taken care of down the line. He stated they would like to submit a letter pulling the item from the next two weeks if they are unable to work out the issues with the Traffic Engineer but if he feels he can support the application in two weeks, they would like to have the opportunity for the item to be heard at that time.

Commissioner Nelson Stone stated he couldn't support a map that has the lots fronting on 80' right-of-way

streets.

Vice-Chairman Jo Cato asked Staff if the Commission approved a two week continuance and prior to the two weeks, August 11, 2004 the applicant was unable to finalize everything that needed to be completed, and they requested another continuance, if the applicant would have to show just cause for the item to be continued again. Mr. Jordan stated that would only be the second continuance. On the third request for continuance the applicant would have to show just cause.

Commissioner Steve Brown stated he was in support of Commissioner Stone on this issue. He felt Staff should be given time to review the item.

Ms. Newman stated they had two meetings with Staff regarding the project and Staff is okay with the application but it is a matter of following all the correct procedures so all of the applications can be submitted. She stated she understood Staff wanting the necessary applications to be heard but they would like the opportunity to have the Tentative Map heard at the next meeting and are diligently working with Staff on the issues.

Commissioner Brown stated he understood that but Staff was requesting more than two weeks to review the application. Mr. Jordan stated that was correct.

Commissioner Dean Leavitt stated he had some serious concerns about the residents facing an 80' right-of-way and felt it was an injustice to potential clients and homeowners and would not be supporting the application.

Ms. Newman stated they would agree with Staff to have the item continued to the September 8, 2004 Planning Commission meeting.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE T-1118 to the September 8, 2004 Planing Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to September 8, 2004.**

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

**8) AMP-57-04 (15973) NORTH RANCH COURT (PUBLIC HEARING)**

An application submitted by D. R. Horton on behalf of GLK Holding I, LLC, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of MDR Medium Density Residential and Community Commercial to M-HDR Medium-High Density Residential. The property is located at the southeast corner of Goldfield Street and Dorrell Lane. The Assessor's Parcel Numbers are 124-22-601-002, 124-22-601-003, and 124-22-501-001.

**WITHDRAWN WITHOUT PREJUDICE BY THE APPLICANT.**

**Item No. 9 was heard next**

**9) ZN-74-04 (15974) NORTH RANCH COURT (PUBLIC HEARING)**

An application submitted by D. R. Horton on behalf of GLK Holding I, LLC, and the Stanley L. and Lois O. Levine Trust, property owners, for reclassification of property from an R-E Ranch Estates District and R-3 Multifamily Residential District to a PUD Planned Unit Development District consisting of 435 triplex units and 196 single-family dwellings. The property is located at the southeast corner of Goldfield Street and Dorrell Lane. The Assessor's Parcel Numbers are 124-22-501-003, 124-22-601-002, 124-22-601-003 and 124-22-601-004.

**WITHDRAWN WITHOUT PREJUDICE BY THE APPLICANT.**

**Item No. 10 heard next**

**10) T-1117 (15971) NORTH RANCH COURT**

An application submitted by DR Horton on behalf of GLK Holding I, LLC, property owner, for approval of a Tentative Map in an R-E Ranch Estates District and R-3 Multifamily Residential District (proposed PUD Planned Unit Development District) consisting of 341 multi family lots and 196 single-family lots. The property is located at the northeast corner of Goldfield Street and Deer Springs Way. The Assessor's Parcel Numbers are 124-22-601-002 and 124-22-601-003.

**WITHDRAWN WITHOUT PREJUDICE BY THE APPLICANT.**

**Item No. 15 was heard next**

**11) AMP-58-04 (15979) LA GRANGE COMMERCIAL (PUBLIC HEARING)**

An application submitted by Land Baron on behalf of LaGrange, LLC, and the Mike Chernine Separate PPTY Tr., property owners, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to Neighborhood Commercial. The property is located at the northwest corner of Commerce Street and Centennial Parkway. The Assessor's Parcel Number is 124-22-401-004.

**RECOMMENDATION:**

The application was presented by Ned Thomas, Planner on behalf of Staff who stated Staff recommended denial. The recommendation is based on the size and location of the subject site, both of which do not comply with the guidelines in the Comprehensive Plan for the creation of new neighborhood commercial areas. The parcel contains approximately three acres but the guidelines for creating new neighborhood areas state that such areas should be no smaller than 10 acres per street corner. Also, the guidelines state neighborhood commercial areas should not exceed more than 35 total acres in any one intersection. According to the Official Land Use Map, the following commercial areas are already located at the same intersection: 20 acres designated for Neighborhood Commercial development, 20 acres designated for Community Commercial development and 2.5 acres designated for Convenience Commercial development and are all located in and around the same intersection of Commerce Street and Tropical Parkway. The proposed request would add three additional acres to the existing 42.5 acres.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 stated Staff was correct in their analysis in terms of it being neighborhood commercial and stated the request should probably have been for Convenience Commercial. The reason for that was, as Staff has indicated, it was only a three acre site, not ten. There had already been two neighborhood commercial uses on the two southern corners, similar to the recently approved commercial on the northeast corner of Centennial Parkway and Commerce Street has gone to Convenience Commercial with unanimous approval by the Planning Commission and then Council subsequently approved them. He stated the property was at the intersection of two 100' streets and to the north at Revere Street and the beltway is going to be Major Commercial and would be a major power center condition. The amount of traffic that would flow down this street and along Centennial Parkway will not make Centennial Parkway the best place for residential at this intersection. On the northeast corner, convenience commercial provides a good buffer and transition of land use back into the residential; likewise, with three corners of commercial, the fourth corner being residential would not be an appropriate place for homes. Since they meet the three acre in size for convenience commercial at the intersection of two 100' streets, there is existing Commercial, planned for Convenience Commercial, which is one of the requirements. At this point there would be no plans for bars or taverns as the applicant was requesting the application be approved for convenience commercial.

Ned Thomas stated Staff could not support the application because, as the applicant had indicated, there is a standard for three acres of Convenience Commercial per intersection in the Comprehensive Plan. Recently, there was a 2.5 acre parcel that was already rezoned to Convenience Commercial adding another three acres would then bring a total of 5.5 acres which would exceed the standard for Convenience Commercial in one intersection.

Mr. Garcia stated the Master Plan is a guideline only, not mandatory. The commercial on the south side provides more than suggested by normal neighborhood convenience, he feels given the characteristics of this particular intersection, it is an appropriate land use and buffer, so it would be appropriate to slightly exceed the three acre suggested guidelines within the Master Plan.

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

- Jason Volle, 5428 Point Break, North Las Vegas, NV 89084 stated he was against this application. His back wall borders this property on the west side. When he purchased his home, the property was

zoned residential.

Commissioner Nelson Stone asked Mr. Volle where his property was situated. Mr. Garcia stated it was on the northwest corner. Mr. Volle showed where his lot was. Commissioner Stone asked the size of his lot. Mr. Volle stated it was about .4 acres.

Staff showed an aerial view of the property. Mr. Volle stated he must have misunderstood the map and had no further comments.

Commissioner Stone stated the property was about 1/4 of a mile from the existing tract of homes.

Commissioner Harry Shull MOVED and Commissioner Nelson Stone SECONDED to APPROVE AMP-58-04 FOR CONVENIENCE COMMERCIAL.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**12) ZN-75-04 (15980) LA GRANGE COMMERCIAL (PUBLIC HEARING)**

An application submitted by Land Baron on behalf of LaGrange, LLC, and the Mike Chernine Separate PPTY Tr., property owners, for reclassification of property from an R-E Ranch Estates District to a C-1 Neighborhood Commercial District. The property is located at the northwest corner of Commerce Street and Centennial Parkway. The Assessor's Parcel Number is 124-22-401-004.

**RECOMMENDATION:**

The Planning & Zoning Department recommends that ZN-75-04 be denied.

Comments from AMP-58-04 also apply to this item.

Chairman Jay Aston opened the Public Hearing. The following participant was called:

- Jason Volle, 5428 Point Break, North Las Vegas, NV 89084 stated his comments from AMP-58-04 also applied to this item.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-75-04 TO C-1 NEIGHBORHOOD COMMERCIAL.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**



**AMP-60-04 (16010) CRAIG PALMS PLAZA (PUBLIC HEARING)**

An application submitted by Mesa Investment, LLC on behalf of Lied Foundation Trust, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Regional Commercial to MLDR Medium -Low Density Residential. The property is generally located west of Revere Street and approximately 378 feet south of Craig Road. The Assessor's Parcel Number is 139-04-701-002.

Commissioner Nelson Stone stated he was abstaining from the vote on this item as they are adjacent to the Home Depot project and he had a business interest in that property.

Commissioner Harry Shull stated he was abstaining form the vote on this item as he is in a contract to acquire part of the property.

**RECOMMENDATIONS:**

The Planning and Zoning Department recommends that AMP-60-04 be denied because of the reasons stated above, including because the proposal is not consistent with the guidelines for new Medium-Low Density Residential established in the Comprehensive Plan.

The application was presented by Ned Thomas, Planner on behalf of Staff who explained why Staff felt this item should be denied as stated in the Staff Report and also because the proposal was not consistent with the guidelines for new Medium-Low Density Residential established in the Comprehensive Plan.

Michael Bradshaw of Bradshaw and Associates, 3753 Howard Hughes Parkway, Suite 200, Las Vegas, NV 89109 appeared on behalf of the applicant and stated the Comprehensive Plan was outdated. It does not accurately reflect the area. He stated a regional commercial would be more appropriate in an area near an interstate. They are adding an additional buffer to the residents that live in the area. There will be about 400 foot of depth on the site. The access would be on Revere Street and hopefully, there would be a traffic light installed to help the flow of traffic on Craig Road.

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

- Bob Borgerson, 4751 Possum Berry Lane, North Las Vegas, NV 89081 spoke in favor of the project.
- Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89032 spoke in favor of the project.
- Gary Kols, 522 Heartland Point Avenue, North Las Vegas, NV 89032 spoke in favor of the project.

Chairman Aston closed the Public Hearing.

Vice-Chairman Jo Cato thanked the applicant for working with the neighbors on this project and stated she was supporting this application.

Commissioner Dean Leavitt also thanked the applicant for working with the neighbors on this project and was in support of this application.

Chairman Jay Aston asked Mr. Bradshaw if he could show the drawing for the strip of commercial property referenced in the Staff Report. Mr. Bradshaw showed the property on the overhead.

Commissioner Steve Brown asked why he was requesting Medium-Low Density instead of Low Density when he was asking for R-1 zoning. Mr. Bradshaw responded he originally submitted medium Density but there was concerns regarding a possible flip of the property if someone tries to get it zoned and then sells it for 4500 square foot lots or a higher density.

Commissioner Brown asked Staff if they agreed with that. Mr. Jordan responded it was Staff's recommendation that if the application was approved, that because of the R-1 Staff would recommend that it be approved with Low Density based upon their experience reviewing tentative maps for R-1, typically they saw a density of about 4.5 unit to the acre. Commissioner Brown asked if this application were denied, if that would keep the applicant from producing the future project as shown on the overhead. Mr. Jordan responded it would not, they could show development on half of the parcel if they wanted.

Commissioner Dean Leavitt MOVED and Vice-Chairman Jo Cato SECONDED to APPROVE AMP-60-04.

The motion carried by SUPER MAJORITY vote with Commissioner Nelson Stone and Commissioner Harry Shull abstaining.

**The item was APPROVED.**

Chairman Jay Aston recognized Councilman Robert Eliason and Marilyn Kirkpatrick former Planning Commissioner.

**14) ZN-77-04 (16011) CRAIG PALMS PLAZA (PUBLIC HEARING)**

An application submitted by Mesa Investment, LLC on behalf of Lied Foundation Trust, property owner, for reclassification of property from a C-2 General Commercial District to an R-1 Single-Family Residential District. The property is generally located west of Revere Street and approximately 378 feet south of Craig Road. The Assessor's Parcel Number is 139-04-701-002.

Commissioner Nelson Stone stated he was abstaining from the vote on this item as they are adjacent to the Home Depot project and he had a business interest in that property.

Commissioner Harry Shull stated he was abstaining from the vote on this item as he is in a contract to acquire part of the property.

**RECOMMENDATIONS:**

The Planning and Zoning Department recommends that ZN-77-04 be denied because of the reasons stated above, including because the proposal is not consistent with the goals and top priorities of the City Council.

Staff and applicant comments are the same as those for AMP-60-04 as follows:

The application was presented by Ned Thomas, Planner on behalf of Staff who explained why Staff felt this item should be denied as stated in the Staff Report and also because the proposal was not consistent with the guidelines for new Medium-Low Density Residential established in the Comprehensive Plan.

Michael Bradshaw of Bradshaw and Associates, 3753 Howard Hughes Parkway, Suite 200, Las Vegas, NV 89109 appeared on behalf of the applicant and stated the Comprehensive Plan was outdated. It does not accurately reflect the area. He stated a regional commercial would be more appropriate in an area near an interstate. They are adding an additional buffer to the residents that live in the area. There will be about 400 foot of depth on the site. The access would be on Revere Street and hopefully, there would be a light installed to help the flow of traffic on Craig Road.

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

- Bob Borgerson, 4751 Possum Berry Lane, North Las Vegas, NV 89081 spoke in favor of the project.
- Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89032 spoke in favor of the project.
- Gary Kols, 522 Heartland Point Avenue, North Las Vegas, NV 89032 spoke in favor of the project.

Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt MOVED and Vice-Chairman Jo Cato SECONDED to APPROVE ZN-77-04.

The motion carried by MAJORITY vote with Commissioner Nelson Stone and Commissioner Harry Shull abstaining.

**The item was APPROVED.**

**15) AMP-64-04 (16028) CRAIG & S. E. 5<sup>TH</sup> (PUBLIC HEARING)**

An application submitted by Robert Mendenhall and Susan Krygiell on behalf of the Mendenhall Legacy, LP, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Light Industrial to Neighborhood Commercial. The property is generally located at the southeast corner of North Fifth Street and Craig Road. The Assessor's Parcel Number is 139-02-401-003.

The applicant requested the item be continued to the August 25, 2004 Planning Commission meeting.

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

- Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89030 stated she didn't feel an item should be continued without notification to the public beforehand.
- Erin Kelly, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated the applicant had made no effort to contact the residents and felt she wasted her time attending the meeting and would save her comments for the August 25, 2004 meeting.
- David Guy, 4304 San Angelo Avenue, Las Vegas, NV 89102 stated he would hold his comments to the meeting of August 25, 2004.
- Linda Sanders, 2105 E. Alexander Road, North Las Vegas, NV 89030 stated she was not in favor of this item.
- Susan Stinson, S & S Transportation, Inc. 1011 E. Alexander Road, North Las Vegas, NV 89030 stated she would hold her comments for the August 25, 2004 meeting.
- Spencer Apple, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated he would hold his comments for the August 25, 2004 meeting.
- Vince Bush, 738 Asbury Park Street, Henderson, NV 89052 stated he would hold his comments for the August 25, 2004 meeting.
- Bob Borgerson, 4751 Possum Berry lane, North Las Vegas, NV 89081 stated he felt the neighbors should have been contacted before this item came before the Planning Commission.
- Paul Larsen, (no address noted) stated he would hold his comments for the August 25, 2004 meeting.
- Cliff Wilson, 4026 Hemphill Street, North Las Vegas, NV 89032 stated he would hold his comments for the August 25, 2004 meeting.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE AMP-64-04 TO AUGUST 25, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 25, 2004.**

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

**16) ZN-79-04 (16019) CRAIG & S. E. 5<sup>TH</sup> (PUBLIC HEARING)**

An application submitted by Robert Mendenhall and Susan Krygiell on behalf of the Mendenhall Legacy, LP, property owner, for reclassification of property from an M-2 General Industrial District to a C-1 Neighborhood Commercial District. The property is generally located at the southeast corner of North Fifth Street and Craig Road. The Assessor's Parcel Number is 139-02-401-003.

**RECOMMENDATIONS:**

The Planning and Zoning Department recommends that ZN-79-04 receive a favorable recommendation from the Planning Commission for the C-1, Neighborhood Commercial District and be forwarded to the City Council for final consideration.

The applicant requested the item be continued to the August 25, 2004 Planning Commission meeting.

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

- Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89030 stated she didn't feel an item should be continued without notification to the public beforehand.
- Erin Kelly, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated the applicant had made no effort to contact the residents and felt she wasted her time attending the meeting and would save her comments for the August 25, 2004 meeting.
- David Guy, 4304 San Angelo Avenue, Las Vegas, NV 89102 stated he would hold his comments to the meeting of August 25, 2004.
- Linda Sanders, 2105 E. Alexander Road, North Las Vegas, NV 89030 stated she was not in favor of this item.
- Susan Stinson, S & S Transportation, Inc. 1011 E. Alexander Road, North Las Vegas, NV 89030 stated she would hold her comments for the August 25, 2004 meeting.
- Spencer Apple, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated he would hold his comments for the August 25, 2004 meeting.
- Vince Bush, 738 Asbury Park Street, Henderson, NV 89052 stated he would hold his comments for the August 25, 2004 meeting.
- Bob Borgerson, 4751 Possum Berry lane, North Las Vegas, NV 89081 stated he felt the neighbors should have been contacted before this item came before the Planning Commission.
- Paul Larsen, (no address noted) stated he would hold his comments for the August 25, 2004 meeting.
- Cliff Wilson, 4026 Hemphill Street, North Las Vegas, NV 89032 stated he would hold his comments for the August 25, 2004 meeting.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE ZN-79-04 TO AUGUST 25, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 25, 2004.**

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

**17) AMP-62-04 (16030) CRAIG & S. E. 5<sup>TH</sup> (PUBLIC HEARING)**

An application submitted by Robert Mendenhall and Susan Krygiell on behalf of Mendenhall Legacy, LP, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Industrial and Light Industrial to MLDR Medium-Low Density Residential. The property is generally located east of North Fifth Street and approximately 650 feet south of Craig Road. The Assessor's Parcel Number is 139-02-401-003.

The applicant requested the item be continued to the August 25, 2004 Planning Commission meeting.

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

- Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89030 stated she didn't feel an item should be continued without notification to the public beforehand.
- Erin Kelly, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated the applicant had made no effort to contact the residents and felt she wasted her time attending the meeting and would save her comments for the August 25, 2004 meeting.
- David Guy, 4304 San Angelo Avenue, Las Vegas, NV 89102 stated he would hold his comments to the meeting of August 25, 2004.
- Linda Sanders, 2105 E. Alexander Road, North Las Vegas, NV 89030 stated she was not in favor of this item.
- Susan Stinson, S & S Transportation, Inc. 1011 E. Alexander Road, North Las Vegas, NV 89030 stated she would hold her comments for the August 25, 2004 meeting.
- Spencer Apple, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated he would hold his comments for the August 25, 2004 meeting.
- Vince Bush, 738 Asbury Park Street, Henderson, NV 89052 stated he would hold his comments for the August 25, 2004 meeting.
- Bob Borgerson, 4751 Possum Berry lane, North Las Vegas, NV 89081 stated he felt the neighbors should have been contacted before this item came before the Planning Commission.
- Paul Larsen, (no address noted) stated he would hold his comments for the August 25, 2004 meeting.
- Cliff Wilson, 4026 Hemphill Street, North Las Vegas, NV 89032 stated he would hold his comments for the August 25, 2004 meeting.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE AMP-62-04 TO AUGUST 25, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 25, 2004.**

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

**18) ZN-81-04 (16025) CRAIG & S. E. 5<sup>TH</sup> (PUBLIC HEARING)**

An application submitted by Robert Mendenhall and Susan Krygiell on behalf of Mendenhall Legacy, LP, property owner, for reclassification of property from an M-2 General Industrial District to a PUD Planned Unit Development District consisting of 466 single-family dwellings. The property is generally located east of North Fifth Street and approximately 650 feet south of Craig Road. The Assessor's Parcel Number is 139-02-401-003.

The applicant requested the item be continued to the August 25, 2004 Planning Commission meeting.

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

- Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89030 stated she didn't feel an item should be continued without notification to the public beforehand.
- Erin Kelly, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated the applicant had made no effort to contact the residents and felt she wasted her time attending the meeting and would save her comments for the August 25, 2004 meeting.
- David Guy, 4304 San Angelo Avenue, Las Vegas, NV 89102 stated he would hold his comments to the meeting of August 25, 2004.
- Linda Sanders, 2105 E. Alexander Road, North Las Vegas, NV 89030 stated she was not in favor of this item.
- Susan Stinson, S & S Transportation, Inc. 1011 E. Alexander Road, North Las Vegas, NV 89030 stated she would hold her comments for the August 25, 2004 meeting.
- Spencer Apple, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated he would hold his comments for the August 25, 2004 meeting.
- Vince Bush, 738 Asbury Park Street, Henderson, NV 89052 stated he would hold his comments for the August 25, 2004 meeting.
- Bob Borgerson, 4751 Possum Berry lane, North Las Vegas, NV 89081 stated he felt the neighbors should have been contacted before this item came before the Planning Commission.
- Paul Larsen, (no address noted) stated he would hold his comments for the August 25, 2004 meeting.
- Cliff Wilson, 4026 Hemphill Street, North Las Vegas, NV 89032 stated he would hold his comments for the August 25, 2004 meeting.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE ZN-81-04 TO AUGUST 25, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 25, 2004.**

**Item No. 19 was heard next.**



**19) T-1123 ( 16008) CRAIG & S. E. 5<sup>TH</sup>**

An application submitted by Robert Mendenhall and Susan Krygiell on behalf of the Mendenhall Legacy, LP, property owner, for approval of a tentative map in an M-2 General Industrial District (proposed PUD Planned Unit Development District) consisting of 466 single-family dwellings. The property is generally located at the northeast corner of North Fifth Street and Alexander Road. The Assessor's Parcel Number is 139-02-401-003.

The applicant requested the item be continued to the August 25, 2004 Planning Commission meeting. The following participants were called for comment:

- Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89030 stated she didn't feel an item should be continued without notification to the public beforehand.
- Erin Kelly, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated the applicant had made no effort to contact the residents and felt she wasted her time attending the meeting and would save her comments for the August 25, 2004 meeting.
- David Guy, 4304 San Angelo Avenue, Las Vegas, NV 89102 stated he would hold his comments to the meeting of August 25, 2004.
- Linda Sanders, 2105 E. Alexander Road, North Las Vegas, NV 89030 stated she was not in favor of this item.
- Susan Stinson, S & S Transportation, Inc. 1011 E. Alexander Road, North Las Vegas, NV 89030 stated she would hold her comments for the August 25, 2004 meeting.
- Spencer Apple, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated he would hold his comments for the August 25, 2004 meeting.
- Vince Bush, 738 Asbury Park Street, Henderson, NV 89052 stated he would hold his comments for the August 25, 2004 meeting.
- Bob Borgerson, 4751 Possum Berry lane, North Las Vegas, NV 89081 stated he felt the neighbors should have been contacted before this item came before the Planning Commission.
- Paul Larsen, (no address noted) stated he would hold his comments for the August 25, 2004 meeting.
- Cliff Wilson, 4026 Hemphill Street, North Las Vegas, NV 89032 stated he would hold his comments for the August 25, 2004 meeting.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE T-1123 TO AUGUST 25, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 25, 2004.**

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

**20) AMP-61-04 (16031) CRAIG & S. E. 5<sup>TH</sup> (PUBLIC HEARING)**

An application submitted by Robert Mendenhall and Susan Krygiell on behalf of Mendenhall Legacy, LP, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Industrial to HDR High Density Residential. The property is generally located west of Arcata Way and approximately 212 feet north of Alexander Road. The Assessor's Parcel Number is 139-02-401-003.

The applicant requested the item be continued to the August 25, 2004 Planning Commission meeting.

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

- Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89030 stated she didn't feel an item should be continued without notification to the public beforehand.
- Erin Kelly, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated the applicant had made no effort to contact the residents and felt she wasted her time attending the meeting and would save her comments for the August 25, 2004 meeting.
- David Guy, 4304 San Angelo Avenue, Las Vegas, NV 89102 stated he would hold his comments to the meeting of August 25, 2004.
- Linda Sanders, 2105 E. Alexander Road, North Las Vegas, NV 89030 stated she was not in favor of this item.
- Susan Stinson, S & S Transportation, Inc. 1011 E. Alexander Road, North Las Vegas, NV 89030 stated she would hold her comments for the August 25, 2004 meeting.
- Spencer Apple, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated he would hold his comments for the August 25, 2004 meeting.
- Vince Bush, 738 Asbury Park Street, Henderson, NV 89052 stated he would hold his comments for the August 25, 2004 meeting.
- Bob Borgerson, 4751 Possum Berry lane, North Las Vegas, NV 89081 stated he felt the neighbors should have been contacted before this item came before the Planning Commission.
- Paul Larsen, (no address noted) stated he would hold his comments for the August 25, 2004 meeting.
- Cliff Wilson, 4026 Hemphill Street, North Las Vegas, NV 89032 stated he would hold his comments for the August 25, 2004 meeting.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE AMP-61-04 TO AUGUST 25, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 25, 2004.**

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

**21) AMP-65-04 (16027) CRAIG & S. E. 5<sup>TH</sup> (PUBLIC HEARING)**

An application submitted by Robert Mendenhall and Susan Krygiell on behalf of the Mendenhall Legacy, LP, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Industrial to Light Industrial. The property is generally located at the northwest corner of Arcata Way and Alexander Road. The Assessor's Parcel Number is 139-02-401-003.

The applicant requested the item be continued to the August 25, 2004 Planning Commission meeting.

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

- Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89030 stated she didn't feel an item should be continued without notification to the public beforehand.
- Erin Kelly, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated the applicant had made no effort to contact the residents and felt she wasted her time attending the meeting and would save her comments for the August 25, 2004 meeting.
- David Guy, 4304 San Angelo Avenue, Las Vegas, NV 89102 stated he would hold his comments to the meeting of August 25, 2004.
- Linda Sanders, 2105 E. Alexander Road, North Las Vegas, NV 89030 stated she was not in favor of this item.
- Susan Stinson, S & S Transportation, Inc. 1011 E. Alexander Road, North Las Vegas, NV 89030 stated she would hold her comments for the August 25, 2004 meeting.
- Spencer Apple, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated he would hold his comments for the August 25, 2004 meeting.
- Vince Bush, 738 Asbury Park Street, Henderson, NV 89052 stated he would hold his comments for the August 25, 2004 meeting.
- Bob Borgerson, 4751 Possum Berry lane, North Las Vegas, NV 89081 stated he felt the neighbors should have been contacted before this item came before the Planning Commission.
- Paul Larsen, (no address noted) stated he would hold his comments for the August 25, 2004 meeting.
- Cliff Wilson, 4026 Hemphill Street, North Las Vegas, NV 89032 stated he would hold his comments for the August 25, 2004 meeting.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE AMP-65-04 TO AUGUST 25, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 25, 2004.**

**Item No. 22 was heard next.**

**22) ZN-78-04 (16018) CRAIG & S. E. 5<sup>TH</sup> (PUBLIC HEARING)**

An application submitted by Robert Mendenhall and Susan Krygiell on behalf of the Mendenhall Legacy, LP, property owner, for reclassification of property from an M-2 General Industrial District to an M-1 Business Park Industrial District. The property is generally located at the northwest corner of Arcata Way and Alexander Road. The Assessor's Parcel Number is 139-02-401-003.

The applicant requested the item be continued to the August 25, 2004 Planning Commission meeting.

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

- Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89030 stated she didn't feel an item should be continued without notification to the public beforehand.
- Erin Kelly, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated the applicant had made no effort to contact the residents and felt she wasted her time attending the meeting and would save her comments for the August 25, 2004 meeting.
- David Guy, 4304 San Angelo Avenue, Las Vegas, NV 89102 stated he would hold his comments to the meeting of August 25, 2004.
- Linda Sanders, 2105 E. Alexander Road, North Las Vegas, NV 89030 stated she was not in favor of this item.
- Susan Stinson, S & S Transportation, Inc. 1011 E. Alexander Road, North Las Vegas, NV 89030 stated she would hold her comments for the August 25, 2004 meeting.
- Spencer Apple, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated he would hold his comments for the August 25, 2004 meeting.
- Vince Bush, 738 Asbury Park Street, Henderson, NV 89052 stated he would hold his comments for the August 25, 2004 meeting.
- Bob Borgerson, 4751 Possum Berry lane, North Las Vegas, NV 89081 stated he felt the neighbors should have been contacted before this item came before the Planning Commission.
- Paul Larsen, (no address noted) stated he would hold his comments for the August 25, 2004 meeting.
- Cliff Wilson, 4026 Hemphill Street, North Las Vegas, NV 89032 stated he would hold his comments for the August 25, 2004 meeting.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE ZN-78-04 TO AUGUST 25, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 25, 2004.**

**Item No. 23 was heard next.**

**23) AMP-63-04 (16029) CRAIG & S. E. 5<sup>TH</sup> (PUBLIC HEARING)**

An application submitted by Robert Mendenhall and Susan Krygiell on behalf of the Mendenhall Legacy, LP, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Industrial and Light Industrial to MHDR Medium-High Density Residential. The property is generally located at the northeast corner of North Fifth Street and Alexander Road. The Assessor's Parcel Number is 139-02-401-003.

The applicant requested the item be continued to the August 25, 2004 Planning Commission meeting.

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

- Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89030 stated she didn't feel an item should be continued without notification to the public beforehand.
- Erin Kelly, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated the applicant had made no effort to contact the residents and felt she wasted her time attending the meeting and would save her comments for the August 25, 2004 meeting.
- David Guy, 4304 San Angelo Avenue, Las Vegas, NV 89102 stated he would hold his comments to the meeting of August 25, 2004.
- Linda Sanders, 2105 E. Alexander Road, North Las Vegas, NV 89030 stated she was not in favor of this item.
- Susan Stinson, S & S Transportation, Inc. 1011 E. Alexander Road, North Las Vegas, NV 89030 stated she would hold her comments for the August 25, 2004 meeting.
- Spencer Apple, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated he would hold his comments for the August 25, 2004 meeting.
- Vince Bush, 738 Asbury Park Street, Henderson, NV 89052 stated he would hold his comments for the August 25, 2004 meeting.
- Bob Borgerson, 4751 Possum Berry lane, North Las Vegas, NV 89081 stated he felt the neighbors should have been contacted before this item came before the Planning Commission.
- Paul Larsen, (no address noted) stated he would hold his comments for the August 25, 2004 meeting.
- Cliff Wilson, 4026 Hemphill Street, North Las Vegas, NV 89032 stated he would hold his comments for the August 25, 2004 meeting.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE AMP-63-04 TO AUGUST 25, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 25, 2004.**

**Item No. 24 was heard next.**

**24) ZN-80-04 (16020) CRAIG & S. E. 5<sup>TH</sup> (PUBLIC HEARING)**

An application submitted by Robert Mendenhall and Susan Krygiell on behalf of the Mendenhall Legacy, LP, property owner, for reclassification of property from an M-2 General Industrial District to an R-3 Multifamily Residential District. The property is generally located at the northeast corner of North Fifth Street and Alexander Road. The Assessor's Parcel Number is 139-02-401-003.

The applicant requested the item be continued to the August 25, 2004 Planning Commission meeting.

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

- Deborah Lewis, 4010 Hemphill Street, North Las Vegas, NV 89030 stated she didn't feel an item should be continued without notification to the public beforehand.
- Erin Kelly, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated the applicant had made no effort to contact the residents and felt she wasted her time attending the meeting and would save her comments for the August 25, 2004 meeting.
- David Guy, 4304 San Angelo Avenue, Las Vegas, NV 89102 stated he would hold his comments to the meeting of August 25, 2004.
- Linda Sanders, 2105 E. Alexander Road, North Las Vegas, NV 89030 stated she was not in favor of this item.
- Susan Stinson, S & S Transportation, Inc. 1011 E. Alexander Road, North Las Vegas, NV 89030 stated she would hold her comments for the August 25, 2004 meeting.
- Spencer Apple, 1011 E. Alexander Road, North Las Vegas, NV 89030 stated he would hold his comments for the August 25, 2004 meeting.
- Vince Bush, 738 Asbury Park Street, Henderson, NV 89052 stated he would hold his comments for the August 25, 2004 meeting.
- Bob Borgerson, 4751 Possum Berry lane, North Las Vegas, NV 89081 stated he felt the neighbors should have been contacted before this item came before the Planning Commission.
- Paul Larsen, (no address noted) stated he would hold his comments for the August 25, 2004 meeting.
- Cliff Wilson, 4026 Hemphill Street, North Las Vegas, NV 89032 stated he would hold his comments for the August 25, 2004 meeting.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE ZN-80-04 TO AUGUST 25, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 25, 2004.**

**Item No. 30 was heard next.**

**25) ZN-05-04 (16032) RUNVEE HOBART (PUBLIC HEARING)**

An application submitted by Centex Homes on behalf of Runvee Hobart LTD NV, property owner, for an amendment to a previously approved PUD Planned Unit Development District consisting of small-lot single-family dwelling units. The property is located at the southeast corner of Pecos Road and Ann Road. The Assessor's Parcel Number is 123-31-101-001.

**RECOMMENDATION:**

The application was presented by Marc Jordan on behalf of Staff who stated the applicant submitted a revised Preliminary Development plan to be considered by the Planning Commission for the September 8, 2004 meeting; therefore, Staff has no recommendation as the plans were routed to other departments for review. In accordance with what the applicant has applied for and submitted yesterday, Staff is recommending this item be continued to the September 8, 2004 meeting.

Howard Harris of Centex Homes, 3606 North Rancho Drive, Las Vegas, NV 89130 who appeared on behalf of the applicant stated his comments were for Agenda Item Nos. 25, 47, 48, 49 and 52. He stated they had been working with the Clark County School District to find a site for an elementary school. The School District preferred not to be in an active adult area, so the site was moved to Carla Ann and Walnut but the School District had some concerns about that area also. At meetings with the School District, Carol Bailey recommended the school site be put on the northeast corner of Carla Ann Road and Walnut Road. They felt that gave children walking access to the school so they met with Jory Stewart, Planning and Zoning Director before submitting the applications to move the school site. There are two PUD's one for the north side approximately 302 acres. From that PUD they are removing the school from the southeast corner of Carla Ann and Walnut road and to the PUD in the 83 acres they are adding the school site. The tentative maps, 3A and 3B; everything east of Walnut Road will stay the same. Tentative maps, 4A and 4B and 1D were resubmitted as well as the parent map to make the corrections for the school site and for Staff's recommendation that they were short open space, they have reallocated the open space for the entire project that balances out on both sides of Walnut Road east and west and is approximately two acres more than required by Staff. The densities have been lowered in 4A and 4B by adding the parks to the west side and would like to move for a two week continuance to August 11, 2004 so they can meet with Staff. The drainage study is ongoing and the traffic study has been approved.

Chairman Jay Aston opened the Public Hearing. There were no participants.

Vice-Chairman Jo Cato asked the applicant if he was asking for a continuance of Agenda Item Nos. 25, 47, 48, 49 and 52. Mr. Harris responded that was correct.

Chairman Aston asked if Staff was recommending a continuance to September 8, 2004 and the applicant was asking for a continuance to August 11, 2004. He asked Staff if it was possible to get everything handled in a two week period of time. Mr. Jordan responded it was not possible. He stated when a PUD is submitted, when they are publicly noticed, they were noticed with a school site and the southerly section was noticed with a specific number single-family lots. In this case the applicant has filed for his amended PUD's and has been scheduled. With the amended PUD's the surrounding property owners with 750 feet must be notified and this must be done 10 days in advance of the meeting. Also, since they are rezoning applications, they have the legal requirement to order a sign and have it posted on the property. The sign companies require a five day lead time.

Chairman Aston asked the applicant if he would be agreeable to a continuance to the September 8, 2004 meeting as Staff is recommending. Mr. Harris stated because of the size of the project and the loan they are carrying on the project, they would like a two week continuance. Mr. Shull responded, due to the legal requirements they would not be able to give a two week continuance.

Sr. Deputy City Attorney Jim Lewis added if the item were continued for two weeks, they would get advice from him they would not be able to act on any of the applications, so the applicant needs to concur with regard to when the items would be continued. If the applicant does not concur, then the Commission would have to deny the tentative maps, otherwise they would be deemed approved pursuant to State Law.

Mr. Harris stated he concurred with Staff recommendation to continue the item to September 8, 2004 per the legal requirements.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE ZN-05-04 to September 8, 2004.

The motion carried by UNANIMOUS vote.

**The item was continued to September 8, 2004.**

**There was a break in proceedings at 9:05 p.m.**

**The meeting reconvened at 9:25 p.m.**

**Item No. 47 was heard next.**



**26) ZN-72-04 (15996) RS ALEXANDER II (PUBLIC HEARING)**

An application submitted by R & S Investment Group on behalf of R & S Alexander, LLC, property owner, for reclassification of property from an R-E Ranch Estates District to an R-1 Single-Family Residential District. The property is generally located at the southwest corner of Goldfield Street and Washburn Road. The Assessor's Parcel Numbers are 124-34-701-001, 124-34-701-002, 124-34-701-006, 124-34-701-008, 124-34-701-013, 124-34-701-017, 124-34-701-018, 124-34-701-019, 124-34-701-024 and 124-34-701-028.

**RECOMMENDATION:**

The application was presented by Ned Thomas, Planner on behalf of Staff who recommends that ZN-72-04 be approved and forwarded to City Council with a recommendation for permanent zoning to the R-1, Single-Family Residential District.

Kathryn Grider, of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89128 appeared on behalf of the applicant stating she concurred with Staff recommendations.

Chairman Jay Aston opened the Public Hearing. The following participant was called:

- Mariam DeVore Rigg, 25 Ruby Fountain Avenue, North Las Vegas, NV 89031 stated asked what the intention was with Washburn Street. She stated when the high school is letting out, it is difficult to get out of her development. She asked if the traffic would exit onto Washburn or Goldfield. Chairman Aston responded her concerns would be addressed on the next item, T-1116.

Chairman Aston closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-72-04 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**27) T-1116 (15991) RS ALEXANDER II**

An application submitted by R & S Investment Group on behalf of R & S Alexander, LLC, property owner, for approval of a tentative map in an R-E Ranch Estates District (proposed R-1 Single-Family Residential District) consisting of 67 single-family dwellings. The property is generally located at the southwest corner of Goldfield Street and Washburn Road. The Assessor's Parcel Numbers are 124-34-701-001, 124-34-701-002, 124-34-701-006, 124-34-701-008, 124-34-701-013, 124-34-701-017, 124-34-701-018, 124-34-701-019, 124-34-701-024 and 124-34-701-028.

**RECOMMENDATION:**

The application was presented by Ned Thomas, Planner on behalf of Staff who recommends that T-1116 be approved 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. This application shall be considered null and void if ZN-72-04 is not approved.
3. All development shall comply with the Single-Family Residential Design Standards, including, but not limited to, the following:
  - a. Corner side lot landscaping with a minimum width of 10 feet, which may include sidewalks, shall be provided for Lots 9, 13, 29, 32, 38, 59, 60, 63, and 65.
  - b. Sidewalks along Washburn Road shall be separated from the back of curb by a minimum of five feet and be meandering.
4. Perimeter walls shall be owned and maintained by the Homeowners' Association.
5. The engineer shall seal and sign this map in accordance with the Nevada Administrative Code (NCA) section 625.611.
6. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvement plans. Geologic hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.
7. All lots shall comply with the *City of North Las Vegas Municipal Code* Section 16.20.02.B which states: "The side lines of lots shall be approximately at right angles to the street upon which the lot faces, or approximately radial if the street is curved."
8. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* Section 16.24.100.B:
  - a. Washburn Road
  - b. Goldfield Street
  - c. Conway Street
9. The plans shall comply with *City of North Las Vegas Municipal Code* Section 17.24.210.E.9 which states: "Sidewalks are required along all streets. Sidewalks along arterial streets with a right-of-way eighty (80) feet or wider must be separated from the back of the street curb by a minimum of five feet, except in bus turn out areas. Meandering curvilinear sidewalks must be placed within the perimeter landscape area outside of the right-of-way." However, in areas where the sidewalk is placed next to the block wall, the width must be increased to six feet. Landscaping would then be required between

- the sidewalk and the back of street curb.
10. Approval of a drainage study is required prior to submittal of the civil improvement plans.
  11. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
  12. Approval of a traffic study is required prior to submittal of the civil improvement plans.
  13. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Washburn Road.
  14. All common elements shall be labeled and are to be maintained by the Home Owners Association.
  15. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
  16. A revocable encroachment permit for landscaping within the public right of way is required.
  17. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
  18. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
  19. All Nevada Power Company easements and poles must be shown. The poles shall be fully located within the landscape area and if the relocation of any poles is required it will be at the expense of the developer.
  20. Side lot landscaping shall be provided in accordance with the *City of North Las Vegas Municipal Code* Title 17.
  21. Sprinklers shall be installed for fire suppression in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.

Mr. Thomas responded to the comment made by Ms. Rigg about the access to the subdivision. The access to the subdivision would be provided by the completion of Conway Street to Washburn Road and there would be one new entrance on Goldfield Street.

Kathryn Grider, of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89128 appeared on behalf of the applicant stating she concurred with Staff recommendations except for Item Nos. 5, 6 and 7 are no longer valid since the site was redesigned and asked that those conditions be removed. Marc Jordan, Planning Manager stated those conditions were in the original memorandum. The memorandum submitted tonight has the revised conditions. Ms. Grider stated she agreed with Staff recommendations.

Ms. Grider stated the access to the development is from Washburn Road and there were be half street improvements along Washburn Road and that would improve Washburn Road. There is also an access on Goldfield Street.

Chairman Jay Aston asked Ms. Rigg if she had any questions or comments for this item. Ms. Rigg asked what type of homes would be in this development, single story or two story. Ms. Grider responded it would be a mixture of single and two story.

Commissioner Nelson Stone asked the Public Works Staff about the fault zone indicated on the tentative map. He asked how Staff if there were provisions to ensure the lots are mitigated and homes are not accidentally replotted and placed on the fault line. Lenny Badger of Public Works stated when the civil improvement plans

are submitted the developer will be required to show the footprints of any proposed structures on the site and verify that any structures are not closer than five foot of the mapped fault. Otherwise, residential homes cannot be constructed on the lot. Mr. Nelson also commented it was imperative that the engineer sign their seal.

Commissioner Harry Shull MOVED and Vice-Chairman Jo Cato SECONDED to APPROVE T-1116 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**28) VAC-22-04 ( 15883) TROPICAL/WALNUT ( PUBLIC HEARING)**

An application submitted by Ryland Homes, on behalf of Zomack 1, LLC, property owner, to vacate a 30 foot wide utility easement, commencing approximately 1,327 feet west of Lamb Boulevard between Tropical Parkway and Azure Avenue. The Assessor's Parcel Number is 123-30-601-001.

**RECOMMENDATION:**

The application was presented by Ned Thomas, Planner on behalf of Staff who stated Staff was recommending that VAC-22-04 be approved with the following conditions of approval:

1. The vacation shall record concurrently with the final map.
2. The civil improvement plans associated with the aforementioned final map shall propose the removal of any utilities within this public utility easement to be vacated.

Chairman Jay Aston disclosed the company he worked for was handling this application so he would be abstaining from the vote.

Lora Dreja of VTN Nevada, 2727 South Rainbow Boulevard, Las Vegas, NV 89146 appeared on behalf of the applicant and stated she concurred with Staff recommendations.

Vice-Chairman Jo Cato opened the Public Hearing. There were no participants.  
Vice-Chairman Cato closed the Public Hearing.

Commissioner Nelson Stone MOVED and Commissioner Dean Leavitt SECONDED to APPROVE VAC-22-04 per Staff's recommendations.

The motion carried by MAJORITY vote with Chairman Jay Aston abstaining.

**The item was APPROVED.**

**29) UN-23-04 (15881) STORAGE WEST-ANN ROAD (PUBLIC HEARING)**

An application submitted by LAACO, Ltd., property owner, for an amendment to conditions of a previously approved use permit in a C-2 General Commercial District to allow mini-warehousing. The property is generally located south of Ann Road and approximately 946 feet east of Decatur Boulevard. The Assessor's Parcel Number is 124-31-101-004.

**RECOMMENDATION:**

The application was presented by Mary Aldava, Planner on behalf of Staff who stated Staff was recommending that the deletion of Condition #4 be approved.

Jennifer Lazovich of Kummer, Kaempfer, Bonner and Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109 appeared on behalf of the applicant, stating she agreed with Staff's recommendation for approval.

Chairman Jay Aston opened the Public Hearing. There were no participants.  
Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt MOVED and Commissioner Harry Shull SECONDED to APPROVE UN-23-04 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**30) UN-98-04 (15878) TELISCHAK & CO. (PUBLIC HEARING)**

An application submitted by Orion Outdoor Media on behalf of Hobart Runvee Ltd., property owner, for a use permit in an M-2 General Industrial District to allow an off-premise sign (billboard). The property is located at the southeast corner of Lamb Boulevard and Ann Road. The Assessor's Parcel Number is 123-32-101-001.

The applicant requested the item be continued to the August 11, 2004 Planning Commission meeting.

Chairman Jay Aston opened the Public Hearing. There were no participants.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE UN-98-04 TO AUGUST 11, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 11, 2004.**

**Item No. 31 was heard next.**

**31) UN-99-04 (15879) TELISCHAK & CO. (PUBLIC HEARING)**

An application submitted by Orion Outdoor Media on behalf of Hobart Runvee Ltd., property owner, for a use permit in an M-2 General Industrial District to allow an off-premise sign (billboard). The property is generally located approximately 1,302 feet south of Ann Road and west of the I-15. The Assessor's Parcel Number is 123-31-602-003.

The applicant requested the item be continued to the August 11, 2004 Planning Commission meeting.

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

- Marie Cormier, 4325 Bo White Drive, North Las Vegas, NV 89032 stated she would hold comment for the August 11, 2005 meeting.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE UN-99-04 TO AUGUST 11, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 11, 2004.**

**Item No. 32 was heard next.**



**32) UN-100-04 (15882) TELISCHAK & CO. (PUBLIC HEARING)**

An application submitted by Orion Outdoor Media on behalf of Hobart Runvee Ltd., property owner, for a use permit in an M-2 General Industrial District to allow an off-premise sign (billboard). The property is located at the southwest corner of Lamb Boulevard and the I-15. The Assessor's Parcel Number is 123-31-502-001.

The applicant requested the item be continued to the August 11, 2004 Planning Commission meeting.

Chairman Jay Aston opened the Public Hearing. There were no requests to speak on this item.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE UN-100-04 TO AUGUST 11, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 11, 2004.**

**Item No. 53 was heard next.**

**33) UN-101-04 (15989) MARCELLO'S TAVERN (PUBLIC HEARING)**

An application submitted by Carl D. Marcello on behalf of Marcello Airport Center, LLC, property owner, for a use permit in a C-2 General Commercial District to allow the "on sale" of alcoholic beverages in conjunction with a tavern. The property is located at the southeast corner of Rancho Drive and Perimeter Road. The Assessor's Parcel Number is 139-19-404-004.

**RECOMMENDATION:**

The application was presented by Mary Aldava, Planner on behalf of Staff who stated Staff was recommending that UN-101-04 approved subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances.
2. That the restrooms be located such that patrons are not required to go through the bar area to access those facilities.
3. That the floor area of the bar shall not exceed 50% of the total public restaurant floor area.
4. That the applicant shall provide proof to the City that the Fiesta Hotel and Casino entrance is not within 1,500 feet of the proposed location. The evidence shall be provided prior to the application for a building permit.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
7. City of Las Vegas concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
8. 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.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.
10. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Rancho Drive and Carey Avenue.
11. The 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 17.24.130. Conformance may require modifications to the site.
12. 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.
13. 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.
14. The property owner is required to grant a roadway easement for commercial driveway(s).
15. The property owner is required to sign a restrictive covenant for utilities.

Michael McDonald, 4908 Carmen, Las Vegas, NV 89108 and Dave Brauer, Engineer Consultant, 3395 West Sunset Road, Las Vegas, NV 89113 appeared on behalf of the applicant. Mr. McDonald stated he concurred with Staff recommendations.

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

- Richard Moreno, 300 South 4th Street, Las Vegas, NV 89101 appeared representing the owners of the Rancho Airport Center. He was not opposing the application, he wanted it on the record that this was a 48 acre parcel being developed as an industrial center in the City of Las Vegas. He stated they had plans for an application for a special use permit in the City of Las Vegas for a tavern in the near future and felt they would be close to the 1500 foot separation. Chairman Jay Aston clarified if the application would be in North Las Vegas or Las Vegas. Mr. Moreno stated the application would be in Las Vegas. Senior Deputy Attorney Jim Lewis stated the City of North Las Vegas would likely not object to the tavern. With regarding to the City of Las Vegas, it would depend on their code.

Commissioner Nelson Stone asked about the 300 square foot temporary space verbiage and if this was a condition of approval for this application. Commissioner Stone requested the following condition be added as Condition No. 16:

**The floor plan shall be designed to include a room of approximately 300 square feet that could be separated from the rest of the facility, either temporarily or permanently, through the use of architecturally integrated partitions or other method as approved by staff, to accommodate a private or semi-private function and then function as part of the regular dining area when not used for special functions.**

Mr. McDonald stated he had no problem with the addition of Condition No. 16.

Commissioner Nelson Stone MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-101-04 per Staff's recommendations with the addition of Condition No. 16.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**34) UN-102-04 (15987) PAUL LEE'S KITCHEN (PUBLIC HEARING)**

An application submitted by Outback Steakhouse, Inc., property owner, for a use permit in a C-1 Neighborhood Commercial District to allow the "on sale" of alcohol in conjunction with a supper club. The property is located at the southeast corner of Fuselier Drive and Craig Road. The Assessor's Parcel Numbers are 139-05-702-007 and 139-05-702-003.

**RECOMMENDATION:**

The application was presented by Ned Thomas, Planner on behalf of Staff who stated Staff was recommending that UN-102-04 be approved by the Planning Commission, subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.
2. The development of this site shall be in compliance with the Commercial Development Standards and Design Guidelines, with the exception that the building exterior is not required to have a unified design theme that matches the existing restaurant on the same site.
3. This "On-sale" Use Permit (UN-102-04) for a supper club is site-specific and non-transferable.
4. Approval of a drainage study or drainage study update is required prior to submittal of the civil improvement plans.
5. The property owner is required to sign a restrictive covenant for utilities.
6. The applicant shall submit a traffic study update for review and approval.

Scott Holbrook of Moran and Associates, 630 South 4<sup>th</sup> Street Las Vegas, NV 89101 appeared on behalf of the applicant stating he concurred with Staff recommendations.

Chairman Jay Aston opened the Public Hearing. There were no participants.  
Chairman Aston closed the Public Hearing.

Commissioner Nelson Stone asked for an explanation of a supper club versus a tavern. Senior Deputy City Attorney Jim Lewis stated the difference between a supper club and a tavern was slot machine counts but it has to do with the number of seats available for dining, you must have 100 seats to qualify as a supper club and the restaurant must be the primary use of the site as opposed to the bar.

Commissioner Harry Shull asked the applicant if Paul Lee's Kitchen was a chain restaurant or privately owned. Mr. Holbrook responded it was privately owned.

Commissioner Harry Shull MOVED and Vice-Chairman Jo Cato SECONDED to APPROVE UN-102-04 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**35) UN-103-04 (16024) FABULOUS FREDDY'S CAR WASH (PUBLIC HEARING)**

An application submitted by Fabulous Freddy's Car Wash on behalf of William L. Linder and Parker Juel, a Family Trust, property owners, for a use permit in a C-1 Neighborhood Commercial District to allow an automobile service facility. The property is located at the southwest corner of Valley Drive and Craig Road. The Assessor's Parcel Numbers are 139-06-301-007 and 139-06-301-008.

**RECOMMENDATION:**

The application was presented by Mary Aldava, Planner on behalf of Staff who stated Staff was recommending that UN-103-04 be approved subject to the following conditions:

1. The development shall comply with the Commercial Development Standards and Design Guidelines, except the orientation of the buildings to the street corner.
2. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
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. Approval of a traffic study, including a queuing analysis, is required prior to submittal of the civil improvement plans.
6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Valley Drive.
7. Right-of-way dedication and construction of a CAT bus turn-out is required on Valley Drive near Craig Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
8. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. The property owner is required to sign a restrictive covenant for utilities.
11. 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*.
12. Monument signs shall not be located within the right-of-way nor shall they be located within the Gowan Outfall Channel drainage easement along Craig Road.

Ms. Aldava also stated there was a letter of opposition submitted by the residents on Totano Drive in the Gold Crest subdivision.

Sean Huggins of Moran and Associates, 630 South 4<sup>th</sup> Street, Las Vegas, NV 89101 introduced Rudy Starks, Architect, 3980 Howard Hughes Parkway, Las Vegas, NV 89109. Mr. Huggins stated he concurred with Staff recommendations but was requesting a waiver of landscaping on Valley Drive for the bus turnout.

Chairman Jay Aston opened the Public Hearing. The following participants were called upon:

- Marie Cormier, 4325 Bob White Drive, North Las Vegas, NV 89032 spoke in opposition to this application.

- John Henderson, 4218 Palamos, North Las Vegas, NV 89032 spoke in opposition to this application.
- Perry Thompson, 4315 Totano Drive, North Las Vegas, NV 89032 spoke in opposition to this application.
- Charles Falk, 4319 Totano Drive, North Las Vegas, NV 89032 spoke in opposition to this application.
- Mary Goodin, 4307 Totano Drive, North Las Vegas, NV 89032 spoke in opposition to this application.
- Robert Goodin, 4307 Totano Drive, North Las Vegas, NV 89032 spoke in opposition to this application.
- Anita Wood, 4108 Bola Drive, North Las Vegas, NV 89032 gave some history of what has happened in the past on this property and stated she was opposed to this application. She requested that this item be continued to give the applicant time to meet with the residents to try to work out something with the residents. She asked if the item were continued, if the item could be moved to the beginning of the agenda.
- Marilyn Kirkpatrick, 4747 Showdown Drive, North Las Vegas, NV 89031 was concerned about the request for a landscape waiver. She also requested the item either be continued or denied.
- Dennis H. Wingate, 6001 Iron Kettle Street, Las Vegas, NV 89130 stated he owned Southwest Car Wash located at 4706 W. Craig Road, North Las Vegas, NV 89032 stated his car wash was less than ½ mile from the site and spoke in opposition to this application.

Mr. Huggins stated he had been working with Staff for the last couple of weeks, the architect and Fred Smith, the owner. Last week the plans were approved with the exception of the buffer area, as there was no time to meet with the residents before the meeting. He stated he understood their concern with things going into their neighborhood they think will have a detrimental impact, including gas pumps and auto service facilities. He clarified that this was not a full service auto service facility, it is a lube service only. There will be a traffic study done as one of the conditions. He stated there was only one full service car wash on Decatur. He showed a rendering of the facility.

Commissioner Nelson Stone asked Staff if the use permit for the previous car wash was still active. Mary Aldava, Planner responded it was approved in 2003 and they have an approved building permit but they have not started construction. Commissioner Stone stated there were areas in town where neighborhood support is required for applications and requested the applicant to continue the item. Mr. Huggins responded he was new to the area and was not aware of the history of the property. He stated he would be willing to continue the item and meet with the residents in the area and agreed for a two week continuance.

Commissioner Harry Shull was in favor of the project but did want the applicant to meet with the residents in the area.

Commissioner Steve Brown stated he was not supporting the automobile facility and felt if it was taken out, they might be able to shuffle things around and get the landscaping in. He also encouraged the applicant not to reduce the landscaping but to increase it above the minimum to provide a better sound buffer. He asked the applicant to consider limited hours of operation.

Commissioner Dean Leavitt stated it was imperative the applicant meet with the residents.

Commissioner Dilip Trivedi asked Staff who determined where the bus stops are located. Mary Aldava, Planner, responded that Clark County does. Mr. Trivedi asked if they could be relocated so the landscaping could be increased. Ms. Aldava stated she didn't think they could be done. Clete Kus of Public Works stated the Regional Transportation Commission of Southern Nevada in conjunction with the uniform standard drawing that set the specifications for the design. Typically, the bus stop locations are on the far side of an intersection so people disembarking from the bus make their cross at the crosswalk versus by jaywalking.

Moving the bus stop is not an option.

Vice-Chairman Jo Cato stated she was in favor of a continuance and that it was imperative that the applicant meet with the residents

Chairman Jay Aston stated the Public Hearing would remain open until the application was heard in its entirety.

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to CONTINUE UN-103-04 TO THE AUGUST 11, 2004 MEETING AND BE PLACED ON THE AGENDA AS THE FIRST ITEM OF BUSINESS.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 11, 2004.**

**36) UN-104-04 (16023) FABULOUS FREDDY'S CAR WASH (PUBLIC HEARING)**

An application submitted by Fabulous Freddy's Car Wash on behalf of William L. Linder and Parker Juel, a Family Trust, property owners, for a use permit in a C-1 Neighborhood Commercial District to allow a convenience food store with gas pumps. The property is located at the southwest corner of Valley Drive and Craig Road. The Assessor's Parcel Numbers are 139-06-301-007 and 139-06-301-008.

**RECOMMENDATION:**

The application was presented by Mary Aldava, Planner on behalf of Staff who stated Staff was recommending that UN-104-04 be continued to the August 11, 2004 Planning Commission meeting.

Sean Huggins of Moran and Associates, 630 South 4<sup>th</sup> Street, Las Vegas, NV 89101 stated he concurred with Staff recommendation.

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

- Anita Wood, 4108 Bola Drive, North Las Vegas, NV 89032 stated she had some disagreement with the applicant's statement that this was an appropriate location for a convenience store. There is a lot of commercial along Craig Road, as it is a commercial corridor but this is the only parcel of commercial along Craig Road that abuts residential on three sides. Most convenience stores thrive at major intersections but Craig and Valley is not a major intersection.

Chairman Aston stated the Public Hearing would remain open until the application was heard in its entirety.

Commissioner Dean Leavitt MOVED and Commissioner Harry Shull SECONDED to CONTINUE UN-104-04 TO THE AUGUST 11, 2004 MEETING.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 11, 2004.**



**37) UN-105-04 (16022) FABULOUS FREDDY'S CAR WASH (PUBLIC HEARING)**

An application submitted by Fabulous Freddy's Car Wash on behalf of William L. Linder and Parker Juel, a Family Trust, property owners, for a use permit in a C-1 Neighborhood Commercial District to allow an automobile car wash. The property is located at the southwest corner of Valley Drive and Craig Road. The Assessor's Parcel Numbers are 139-06-301-007 and 139-06-301-008.

**RECOMMENDATION:**

The application was presented by Mary Aldava, Planner on behalf of Staff who stated Staff was recommending that UN-105-04 be continued to the August 11, 2004 Planning Commission meeting.

Sean Huggins of Moran and Associates, 630 South 4<sup>th</sup> Street, Las Vegas, NV 89101 stated he concurred with Staff recommendation.

Chairman Jay Aston opened the Public Hearing. There were no participants. Chairman Aston stated the Public Hearing would remain open until the application was heard in its entirety.

Commissioner Dean Leavitt MOVED and Commissioner Harry Shull SECONDED to CONTINUE UN-105-04 TO THE AUGUST 11, 2004 MEETING.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 11, 2004.**

**38) UN-106-04 (16007) COMMERCE COMMONS TAVERN (PUBLIC HEARING)**

An application submitted by Territory, Inc., on behalf of Ike and Dana Epstein, property owners, for a use permit in a C-1 Neighborhood Commercial District to allow the "on sale" of alcohol in conjunction with a tavern. The property is located at the southeast corner of Commerce Street and Centennial Parkway. The Assessor's Parcel Number is 124-27-502-007.

**RECOMMENDATION:**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending that UN-106-04 be approved by the Planning Commission, subject to the following conditions with the addition of Condition No. 12 that would require the 300 square foot room:

1. Unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.
2. The development of this site shall be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to: providing additional architectural elements along rear facade of the building, providing windows along the front and side elevations that will allow visibility from Commerce Street and Centennial Parkway.
3. The Use Permit (UN-106-04) for a tavern is site-specific and non-transferable.
4. Approval of a traffic study is required prior to submittal of the civil improvement plans.
5. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway and Commerce Street.
6. Right-of-way dedication and construction of a flared intersection is required at Centennial Parkway and Commerce Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
7. Construction of a CAT bus turn-out is required on Centennial Parkway near Commerce Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
8. The 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 17.24.130. Conformance may require modifications to the site.
9. Approval of a drainage study is required prior to submittal of the civil improvement plans.
10. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
11. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.

Bob Gronauer of Kummer, Kaempfer, Bonner and Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109 appeared on behalf of Terry Stearm of Territory Inc. who stated he concurred with Staff recommendations.

Chairman Jay Aston opened the Public Hearing. There were no participants.  
Chairman Aston closed the Public Hearing.

Commissioner Nelson Stone asked about the restrooms and the 300 square foot partition. He requested that a condition be added for the 300 square foot meeting room. Mr. Gronauer was agreeable to the added condition.

Marc Jordan stated there was another tavern within close proximity and he believed it was outside of the 1500 foot. It might be appropriate to add a condition that proof be provided by the applicant prior to applying for a building permit, to read as follows:

That the applicant shall provide proof to the City that no other tavern is within 1,500 feet of the proposed location. The evidence shall be provided prior to the application for a building permit.

Mr. Gronauer stated he thought they already provided the proof when the application was submitted. The building had to be moved in order to meet the 1500 foot requirement.

Commissioner Nelson Stone MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-106-04 per Staff's recommendations with the following two additional conditions:

Condition No. 12.           The floor plan shall be designed to include a room of approximately 300 square feet that could be separated from the rest of the facility, either temporarily or permanently, through the use of architecturally integrated partitions or other method as approved by staff, to accommodate a private or semi-private function and then function as part of the regular dining area when not used for special functions.

Condition No. 13           That the applicant shall provide proof to the City that no other tavern is within 1,500 feet of the proposed location. The evidence shall be provided prior to the application for a building permit.

The motion carried by UNANIMOUS vote.

**The item was APPROVED WITH THE ADDITION OF CONDITION NOS. 12 AND 13.**

**39) UN-107-04 (16005) CENTENNIAL/LAMB (PUBLIC HEARING)**

An application submitted by Peter Michelin on behalf of Michael Angelo, LLC, property owner, for a use permit in a C-2 General Commercial District to allow a convenience food store with gas pumps. The property is located at the southeast corner of Lamb Boulevard and Centennial Parkway. The Assessor's Parcel Number is 123-29-101-001. A complete legal description is on file with the Planning and Zoning Department.

**RECOMMENDATION**

The application was presented by Ned Thomas, Planner on behalf of Staff who indicated Staff was recommending that UN-107-04 be approved with the following conditions of approval:

1. That, unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances.
2. That the use permit shall be valid only upon Planning Commission approval of a site plan for the overall shopping center.
3. That subsequent major expansions or additions to the use shall be subject to Planning Commission review and approval.
4. That the use permit is site specific and non-transferable.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
7. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
8. Remove the asphalt thickness from the plan.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.
10. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway and Lamb Boulevard.
11. Right-of-way dedication for a flared intersection is required at Centennial Parkway and Lamb Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
12. Right-of-way dedication and construction of a CAT bus turn-out is required on Centennial Parkway near Lamb Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
13. The 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 17.24.130. Conformance may require modifications to the site.
14. 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:
  1. Lamb Boulevard
  2. Centennial Parkway

16. Appropriate subdivision and/or parcel mapping is required to create the proposed parcel. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.

Bob Gronauer of Kummer, Kaempfer, Bonner and Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109 appeared on behalf of Pete Michelin, property owner and applicant, stating he concurred with Staff recommendations.

Chairman Jay Aston opened the Public Hearing. There were no participants.  
Chairman Aston closed the Public Hearing.

Commissioner Nelson Stone asked Lenny Badger of Public Works about Condition No. 8 (remove asphalt thickness from plan). He asked what that meant. Mr. Badger stated that comment is where a cross section of a street is shown, pavement sections would be specified when pavement sections are determined later in the process when a geotechnical report is obtained.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-107-04 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**40) ZOA-07-04 (15964) ORION ENGINEERING AND SURVEY (PUBLIC HEARING)**

An ordinance amendment initiated by Orion Engineering and Surveying, Inc. to amend Title 17 (Zoning Ordinance) Section 17.20.060 of the North Las Vegas Municipal Code to add minimum front setbacks for side-loading garages in the R-2 Two-Family Residential District and providing for other matters properly related thereto.

**RECOMMENDATION**

The application was presented by Ned Thomas, Planner on behalf of Staff who indicated Staff was recommending that ZOA-07-04 be approved.

Kathryn Grider of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89128 appeared on behalf of the applicant, stating she concurred with Staff recommendations.

Commissioner Dean Leavitt MOVED and Commissioner Harry Shull SECONDED to APPROVE ZOA-07-04 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**41) FDP-14-04 (15990) CENTENNIAL & STATZ CONDOS**

An application submitted by Temple Development on behalf of Centennial & Statz Partnership, LLC, property owner, for a Final Development Plan review in a PUD Planned Unit Development District, consisting of 168 condominiums. The property is located at the southwest corner of Statz Street and Centennial Parkway. The Assessor's Parcel Number is 124-25-102-003.

**RECOMMENDATION:**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending that FDP-14-04 be approved 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; and
2. That the development of this site be in compliance with Ordinance No. 1680 (ZN-53-02); and
3. That the development of this site be in compliance with the Multi-Family Development Standards (§17.24.195 NLV Municipal Code); and
4. That parking shall be provided based on the current requirements set forth in the Zoning Ordinance for multi-family developments; and
5. That a minimum 67,200 square feet (1.54 acres) of open space shall be provided; and
6. That pop-outs be provided around all windows; and
7. That a cornice be provided around each building; and
8. That the backsides of the garages be designed and constructed with a similar level of detailing as the principal buildings, including but not limited to cornices, false windows and pop-outs; and
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.
10. A queuing analysis is required.
11. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway and Statz Street.
12. The entrance street on Centennial Parkway is limited to right in, right out.
13. Right-of-way dedication for a flared intersection is required at Centennial Parkway and Statz Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
14. Right-of-way dedication and construction of a CAT bus turn-out is required on Statz Street near Centennial Parkway per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
15. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
16. All Nevada Power Company easements and poles must be shown. The poles shall be fully located within the landscape area and if the relocation of any poles is required it will be at the expense of the developer.

17. The property owner is required to grant roadway easements where public and private streets intersect.
18. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
19. A revocable encroachment permit for landscaping within the public right of way is required.
20. The plans shall comply with *City of North Las Vegas Municipal Code* section 17.24.210.E.9 which states: "Sidewalks are required along all streets. Sidewalks along arterial streets with a right-of-way eighty (80) feet or wider must be separated from the back of the street curb by a minimum of five feet, except in bus turn out areas. Meandering curvilinear sidewalks must be placed within the perimeter landscape area outside of the right-of-way." However, in areas where the sidewalk is placed next to the block wall, the width must be increased to six feet. Landscaping would then be required between the sidewalk and the back of street curb.
21. Approval of a drainage study is required prior to submittal of the civil improvement plans.
22. 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.
23. That the submitted landscape plan be approved in concept only. Specific plant materials, sizes, species and locations will be determined at such time that a building permit application is submitted.
24. The setbacks for this development shall be consistent with those of the R-3, Multi-Family Residential District.
25. That the following minimum amenities be provided, subject to review and approval by the Department of Parks & Recreation:
  1. circuitous lighted paths
  2. a minimum of 20 24-inch box trees per acre
  3. at least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
  4. at least one large open space area for group / organized play
  5. picnic tables and barbecue grills
  6. benches spaced along park pathways
  7. club house w/cyber café
  8. pool and spa
  9. large shade area (in place of 30' gazebo)
  10. ADA accessibility
  11. details of amenities to be provided

Bob Gronauer of Kummer, Kaempfer, Bonner and Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109 appeared on behalf of Temple Development, stating a final development was approved for an apartment complex approximately five or six months ago. He stated they are asking for a waiver of some of the parking requirements because the minimum requirement of 2.25 of what was proposed was excessive and they wanted to use it as open space. However, during conversation at that time, the waiver was removed and the final development plan was approved. Since that time, the market has changed, so the developer wanted to build condominiums instead of apartments, which changed the site plan of the layout of the buildings. The density is the same and they are meeting the same requirements but a few building need to be moved around. There are two Conditions of approval they are asking to be removed. Condition Nos. 6 and 7 requiring cornices and pop-out to be provided around windows and building. They are asking for these to be removed because the original application did not have those conditions. He stated Staff mentioned the



location of the bus turnout. He understood if a bus turnout is in the landscape area, you can still count it as part of the landscaping; however, there is an issue with respect to the set-backs. There is a trash enclosure located along the area of the bus turnout but are willing to make a minor change and move the trash enclosure to the northeastern portion of the property and leave some parking spaces. The minor change affects four or five of the garage units. When looking at the layout, they realized it would be better, from a development standpoint, to try to keep the garages by the units utilizing them.

Mary Aldava, Planner stated the garages would need to meet the required set-backs.

Commissioner Nelson Stone asked for clarification on the garages in question. Mr. Gronauer stated the bus turnout was along Statz. The bus turnout can be located in the landscape area. There would be five foot side walk and five feet of landscaping located in that area. They would be willing to move the trash enclosure further to the north but would like to try to keep the garages so they would be evenly dispersed with the units. Commissioner Stone asked Clete Kus of Public Works if the bus turnout was an easement. Mr. Kus responded it was a dedicated right-of-way. Commissioner Stone asked if it could be made an easement to preserve the location of the property line and they would get the bus turnout and the applicant would maintain an easement. Mr. Kus responded they would have concerns about establishing a precedent.

Senior Deputy City Attorney Jim Lewis stated some thought needed to be given to idea. Mr. Gronauer asked if there was some latitude of moving the bus turnout a little further down to squeeze the garages in and move the parking stalls. Mr. Gronauer requested the item be trailed, so he could consult with his client to get approval continue the item.

The item was trailed.

Bob Groanuer requested the item be continued for two weeks to the August 11, 2004 Planning Commission meeting.

Commissioner Steve Brown MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE FDP-14-04 to the August 11, 2004 meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 11, 2004.**

**Item No. 55 was heard next.**

**42) SPR-31-04 (16002) HARBOUR CENTER**

An application submitted by Harbour Investments, property owner, for a site plan review in a C-1 Neighborhood Commercial District to allow a monument sign. The property is located at the northeast corner of Camino Al Norte and Lone Mountain Road. The Assessor's Parcel Number is 124-33-803-001.

Bob Gronauer of Kummer, Kaempfer, Bonner and Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109 appeared on behalf of the applicant requesting that SPR-31-04 be continued to the August 25, 2004 Planning Commission meeting.

Commissioner Nelson Stone MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE SPR-31-04 TO THE AUGUST 25, 2004 MEETING.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO AUGUST 25, 2004.**

**43) SPR-32-04 (15982) CVS**

An application submitted by Carter & Burgess on behalf of the Star Living Trust, property owner, for a site plan review in a C-1 Neighborhood Commercial District to allow: a building to oriented away from the corner and street frontage; a reduction of the required street dedication for Allen Lane, and a 10 foot landscape buffer where 20 feet is required. The property is located at the southeast corner of Allen Lane and Craig Road. The Assessor's Parcel Number is 139-05-301-001.

**RECOMMENDATION**

The application was presented by Ned Thomas, Planner on behalf of Staff who indicated Staff was recommending that SPR-32-04 be approved with 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 development shall comply with the Commercial Development Standards and Design Guidelines, except for the following:
  - a. The building may be oriented away from the street corner and street frontage as shown on the site plan.
  - b. Fifteen feet of perimeter landscaping along Craig Road.
3. All loading areas and trash collection areas shall be screened from the view of adjacent properties by the use of walls and/or dense landscaping.
4. The developer shall provide consistent landscaping along the Craig Road frontage, including the area over the Gowan Outfall channel right-of-way.
5. Dedication and construction of Allen Lane is required per the *Master Plan of Streets and Highways* and *City of North Las Vegas Municipal Code* section 16.24.100.B.
4. Right-of-way dedication for a flared intersection is required at Allen Lane and Craig Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
5. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Allen Lane.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. The proposed access road on the easterly portion of the parcel shall be flared to accommodate the turning radius of WB50 vehicles.
8. Approval of a drainage study is required prior to submittal of the civil improvement plans.
9. 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.
10. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
11. A revocable encroachment permit for landscaping within the public right of way is required.
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. The property owner is required to grant a roadway easement for commercial driveway(s).
14. All Nevada Power Company easements and poles must be shown. The poles shall be fully located within the landscape area and if the relocation of any poles is required it will be at the expense of the developer.
15. Monument signs will not be permitted within the Gowan Outfall channel right-of-way along Craig Road.
16. The plans shall comply with *City of North Las Vegas Municipal Code* Section 17.24.210.E.9 which states: "Sidewalks are required along all streets. Sidewalks along arterial streets with a right-of-way eighty (80) feet or wider must be separated from the back of the street curb by a minimum of five feet, except in bus turn out areas. Meandering curvilinear sidewalks must be placed within the perimeter landscape area outside of the right-of-way." However, in areas where the sidewalk is placed next to the block wall, the width must be increased to six feet. Landscaping would then be required between the sidewalk and the back of street curb.

Commissioner Nelson Stone disclosed his company uses Lionel Sawyer Collins for contract law purposes but he felt he could make a fair and impartial decision.

Paul Larson, of Lionel Sawyer Collins, 300 South 4<sup>th</sup> Street, Las Vegas, NV 89101 appeared on behalf of the applicant, stating he was proposing to move the building away from the corner to the southeast part of the parcel in order to screen the drive thru area and the loading and trash enclosure areas from the street by using the building itself to do that. He stated Staff wanted two parking stalls to be converted to landscaping and they are agreeable to that. The project was redesigned so there was an arcade along the windows in front of the building with landscaping along the part of the building that does not have windows. With regard to Craig Road they accept Staff's recommendation for 15 feet of landscaping. With regard to Allen Lane they withdraw waiver request Nos. 2 and 3 and request a slight modification of those to the extent that the landscaping and construction that is required will be inside of the right-of-way dedication and they propose an alternate condition that they be allowed to follow the existing line of improvements along Allen Lane.

Commissioner Nelson Stone asked for an explanation of what the line of development was. Lenny Badger of Public Works stated they would require right-of-way dedication for the entire 40 foot half street. He stated he was not clear on what the 20 foot existing dedication was. John Shields, 6655 Bermuda Road, Las Vegas, NV 89128 explained the dedication of the 40 foot with the five foot of transition is not a problem, it is shown on the site plan. They would like to follow the existing improvements that have been constructed at the intersection and continue south with the improvements so they do not have to move the power pole located at the intersection. Senior Deputy City Attorney Jim Lewis asked for a definition of transition. Mr. Larson stated it would be the right-of-way transition. Commissioner Stone asked if the curb and gutter would remain at the 35 foot distance, and if they were talking about the meandering sidewalk around the power pole. Mr. Shields stated the curb line would be 35 foot from the center line and there would be a five foot landscape area and then a five foot sidewalk and then the right-of-way. Commissioner Stone suggested the applicant work with Staff on the power pole situation. Mr. Larson withdrew waiver request Nos. 2 and 3 and stated he concurred with Staff recommendations.

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to APPROVE SPR-32-04 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**44) SPR-33-04 (15981) METL SPAN**

An application submitted by Metl-Span on behalf of the Abronson Trust, property owner, for a site plan review in an M-2 General Industrial District to allow a 12,000 square foot building addition and to allow 10 feet of perimeter landscaping where 20 feet is required. The property is located at 4610 Donovan Way. The Assessor's Parcel Number is 139-01-502-003.

**RECOMMENDATION:**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending that SPR-33-04 be approved subject to the following conditions. with the following change to Condition No. 3:

**The screening for the outside storage area be provided with 8 foot stucco-like textured panels with decorative CMU capped pilasters.**

However, if the Planning Commission determines that approval is warranted at this time, the Planning and Zoning Department recommends that SPR-33-04 be subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Industrial Development Design Standards, except ten (10) feet of perimeter landscaping shall be provided adjacent Donovan Way.
3. That the textured metal panels proposed for the outside storage area shall be subject to review and approval by staff.
4. 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.
5. The property owner is required to grant a roadway easement for commercial driveway(s).

George Rodgers Architect, 4625 South Polaris, Suite 216, Las Vegas, NV 89103 presented the sample referred to by Ms. Aldava. He stated it was a Metl Span product called tough wall and the color is desert tan. It will be used vertically in 42" wide panels with decorative pilasters and stated he concurred with Staff recommendations. He asked for clarification on the landscaping associated with the parking. As the parking was rearranged and the landscape added, if there was an opportunity for the required landscaping to be redistributed to areas of the site that would actually benefit the public such as at the front of the site and in other place in the front rather than distribute it around the back where the existing warehouse building actually hides the landscaping. Ms. Aldava asked if he was talking about the parking lot landscaping required behind the building. Mr. Rodgers stated that was correct. Ms. Aldava stated Staff had no objection to removing any landscaping proposed at the rear of the building and moving it to the front of the site. Condition No. 2 would be changed to read:

**The development shall comply with the Industrial Development Design Standards, except ten (10) feet of perimeter landscaping shall be provided adjacent to Donovan Way and proposed landscaping be redistributed with Staff approval.**

Commissioner Steve Brown MOVED and Vice-Chairman Jo Cato SECONDED to APPROVE SPR-33-04 per Staff's recommendations WITH THE ADDITION OF RECOMMENDATION NO. 2 THAT THE LANGUAGE, AS READ BY STAFF, THAT THE LANDSCAPING IN THE REAR OF THE BUILDING CAN BE REDISTRIBUTED AS APPROVED BY STAFF AND THAT ITEM NO. 3 THAT THE ADDITIONAL WORDING READ INTO THE RECORD BY STAFF BE ADDED IN RESPECT TO THE TYPE OF PANEL USED.

The motion carried by UNANIMOUS vote.

**The item was APPROVED WITH CONDITION NOS. 2 AND 3 AMENDED.**

**45) SPR-34-04 (16017) SHORT LINE EXPRESS MARKET**

An application submitted by Short Line Marketing, LLC on behalf of Desert Holdings, LLC, property owner, for a site plan review in an M-2 General Industrial District to allow an 18 foot high sign where an 8 foot high monument sign is the maximum allowed. The property is located at the southeast corner of Simmons Street and Cheyenne Avenue. The Assessor's Parcel Number is 139-17-510-002.

**RECOMMENDATION:**

The application was presented by Mary Aldava on behalf of Staff who indicated Staff was recommending that the waiver request for SPR-34-04 be denied; however, if the Planning Commission determine approval is warranted Staff has recommended the following conditions:

1. That the maximum height of the freestanding sign shall be 18 feet.
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

Mark Whitehouse of Nevada Sign Company, 3555 W. Naples, Las Vegas, NV 89103 appeared on behalf of the applicant. He addressed some of Staff's concerns, one being that the site was across from residential. Cheyenne is a major thoroughfare and he thought the best use for the area was office. He stated Cheyenne Avenue was not appropriate for residential. He also address the issue of the master sign plan drafted for the project, stating the monument signs intended for the project were for identification of an industrial project. Going to an industrial project is different than going to a convenience store. A convenience store is more of a retail themed impulse buying type of business where identification is a necessity. He stated he understood Staff's concerns about keeping the conformity but felt this type of business warrants a large sign. He showed a rendering of the proposed sign, explaining it was a new Shell style sign with most of the sign consisting of an opaque structure; the gray areas do not light up, the white area around the logo does not light up, the only parts that light up are the gas prices. The sign is five feet wide and 18 feet high, which is 90 square feet of signage. He also stated the sign would be facing east and west on Cheyenne, so it would not be glaring toward any homes.

Chairman Jay Aston called Marie Cormier, 4325 Bob White Drive, North Las Vegas, NV 89032 to the podium for comment. Ms. Cormier was not in favor of the 18 foot sign being approved.

Commissioner Steve Brown stated he was not opposed to the sign as the competitors did have the taller signs.

Commissioner Steve Brown MOVED and Vice-Chairman Jo Cato SECONDED to APPROVE SPR-34-04 WITH AN 18 foot sign per Staff's recommendations.

The motion carried by a MAJORITY vote with Commissioners Harry Shull, Dean Leavitt and Nelson Stone voting NO

**The item was APPROVED.**

**46) T-957 (16003) MIRA VISTA**

An application submitted by Signature Homes on behalf of Plaster Development Company, Inc., property owner, for an amendment to a previously approved tentative map in a PUD Planned Unit Development District consisting of 67 single-family dwellings to amend Condition #3 and to delete Condition #5. The property is located at the northeast corner of Clayton Street and Gowan Avenue. The Assessor's Parcel Number is 139-09-210-004.

**RECOMMENDATION:**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending that the request for an amendment to conditions for T-957 be denied; however, if the Planning Commission determines, from the evidence presented, that approval is warranted at this time, the Planning and Zoning Department recommends that condition #5 be deleted and condition #3 be amended to read as follows:

- 3. The development shall comply with the Single-Family Design Standards, including, but not limited to ten (10) feet of landscaping, which may include the sidewalk, adjacent to the corner side of all corner lots within the development. Except for corner lots 13, 14, 24, 25, 38 and 39 where no sidewalk is present shall be limited to five (5) feet of landscaping, which shall be maintained by the property owner.**

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109 appeared on behalf of Signature Homes. He stated Signature Homes purchased the property as it was already tentative mapped by another developer. Based on the engineer's recommendations and input that Signature Homes would have bid on the lots that were in compliance with the single family design guidelines. However, when going through development stage, they realized there are six lots within the gated community that run into the side yard landscaping issue. In the past, side yard landscaping has been maintained by the homeowner instead of the homeowner's association. Along the side lots, there is a requirement to have 10 feet of landscaping. Currently, there is 10 feet of landscaping. The code also allows a five foot sidewalk along with five feet of landscaping, which would be considered as a 10 foot side yard landscaping. He stated across the street in the gated community, there is a five foot sidewalk, but there is not a five foot sidewalk on the other side of the street and because of that, the five foot of sidewalk cannot be counted as part of the corner side yard landscaping. He was proposing five feet on the perimeter of the block wall and the other five feet would be on the interior. In addition, he stated this was a gated community and they far exceed the open space requirements located in the development. He felt with the proposed changes they would still meet the intent of the single-family design guidelines.

Commissioner Nelson Stone asked Mr. Gronauer if he agreed with the deletion of Condition No. 5 and the amendment to condition No. 3. Mr. Gronauer responded he agreed with the changes.

Commissioner Nelson Stone MOVED and Commissioner Dean Leavitt SECONDED to APPROVE T-957 per Staff's recommendations WHICH INCLUDE THE AMENDMENT TO CONDITION NO. 3.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item No. 50 was heard next.**

**47) T-1119 (16036) RUNVEE HOBART**

An application submitted by Centex Homes, property owner, for approval of a tentative map in a PUD Planned Unit Development District. The property is located at the northeast corner of Pecos Road and Ann Road. The Assessor's Parcel Number is 123-30-301-001.

It was requested by the applicant that T-1119 be continued to the September 8, 2004 Planning Commission meeting.

Commissioner Nelson Stone MOVED and Commissioner Steve Brown SECONDED to CONTINUE T-1119 to September 8, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO SEPTEMBER 8, 2004**

**Item No. 48 was heard next.**



**48) T-1120 (16034) RUNVEE HOBART**

An application submitted by Centex Homes, property owner, for approval of a tentative map in a PUD Planned Unit Development District consisting of 305 single-family dwellings. The property is generally located south of Tropical Parkway and approximately 567 feet east of Pecos Road. The Assessor's Parcel Number is 123-30-301-001.

It was requested by the applicant that T-1120 be continued to the September 8, 2004 Planning Commission meeting.

Commissioner Nelson Stone MOVED and Commissioner Steve Brown SECONDED to CONTINUE T-1120 to September 8, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO SEPTEMBER 8, 2004**

**Item No. 49 was heard next.**

**49) T-1121 (16035) RUNVEE HOBART**

An application submitted by Centex Homes, property owner, for approval of a tentative map in a PUD Planned Unit Development District consisting of 518 single-family dwellings. The property is generally located east of Pecos Road and approximately 866 feet south of Tropical Parkway. The Assessor's Parcel Number is 123-30-301-001

It was requested by the applicant that T-1121 be continued to the September 8, 2004 Planning Commission meeting.

Commissioner Dean Leavitt MOVED and Vice-Chairman Jo Cato SECONDED to CONTINUE T-1121 to September 8, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO SEPTEMBER 8, 2004**

**Item No. 52 was heard next.**

**50) T-1122 (16026) SUNFLOWER II**

An application submitted by Avante Homes on behalf of N.G.A. #2 LLC, property owner, for approval of a tentative map in an R-1 Single-Family Residential District consisting of 48 single-family dwellings. The property is located at the northwest corner of Walnut Street and Tropical Parkway. The Assessor's Parcel Number is 123-30-201-007.

Commissioner Harry Shull stated he would be abstaining from the vote on this item.

**RECOMMENDATION:**

The application was presented by Ned Thomas, Planner on behalf of Staff who indicated Staff was recommending approval of T-1122 with 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 development shall comply with the Single-Family Residential Development Standards and Design Guidelines, including, but not limited to, the following:
  - a. Corner lot landscaping with a minimum width of ten feet shall be provided along Lots 32, 36, 37, 43, 44, and 48.
  - b. Sidewalks along Tropical Parkway and Walnut Road shall be separated from the curb by a minimum of five (5) feet and meandering.
3. Perimeter walls shall be owned and maintained by the Homeowners' Association.
4. Approval of a drainage study is required prior to submittal of 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 stub streets shall comply with the City of North Las Vegas modified stub street design which features a minimum 24 foot back of curb radius and a maximum length of 150 feet, as measured from the back of curb of the intersecting street to the back of curb at the furthest point of the cul-de-sac.
8. The plans shall comply with *City of North Las Vegas Municipal Code* section 17.24.210.E.9 which states: "Sidewalks are required along all streets. Sidewalks along arterial streets with a right-of-way eighty (80) feet or wider must be separated from the back of the street curb by a minimum of five feet, except in bus turn out areas. Meandering curvilinear sidewalks must be placed within the perimeter landscape area outside of the right-of-way." However, in areas where the sidewalk is placed next to the block wall, the width must be increased to six feet. Landscaping would then be required between the sidewalk and the back of street curb.
9. The property owner is required to grant roadway easements where public and private streets intersect.
10. All common elements shall be labeled and are to be maintained by the Homeowners' Association.
11. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.

12. A revocable encroachment permit for landscaping within the public right of way is required.
13. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
14. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
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 Tropical Parkway and Walnut Road.
17. Right-of-way dedication and construction of a flared intersection is required at Walnut Road and Tropical Parkway per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
18. Right-of-way dedication and construction of a CAT bus turn-out is required on Tropical Parkway near Walnut Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
19. Any fire department access easement(s) must conform to the City of *North Las Vegas Municipal Code* section 17.24.210.D.4.a and shall be located within a common element that is to be maintained by the Home Owners' Association.
20. Side lot landscaping as required by the *City of North Las Vegas Municipal Code* Title 17.
21. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.

Lora Dreja of VTN Nevada, 2727 South Rainbow Boulevard, Las Vegas, NV 89146 appeared on behalf of the applicant and stated she concurred with Staff's recommendations.

Commissioner Dean Leavitt MOVED and Commissioner Steve Brown SECONDED to APPROVE T-1122 per Staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Harry Shull abstaining..

**The item was APPROVED.**

## OLD BUSINESS

### **51)T-1114 (15608) LONE MOUNTAIN ESTATES**

An application submitted by Celebrate Properties, Inc., property owner, for approval of a tentative map in an R-E Ranch Estates District consisting of 28 single-family dwellings. The property is at the southeast corner of Lone Mountain Road and Allen Lane. The Assessor's Parcel Numbers are 139-05-02-001, 139-05-102-002 and 19-05-101-003.

#### **RECOMMENDATION:**

Commissioner Harry Shull stated he would be abstaining from the vote on this item.

The application was presented by Marc Jordan on behalf of Staff who indicated Staff was recommending approval 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. All lots created shall comply with the *North Las Vegas Municipal Code* Section 16.20.02.B which states: "The side lines of lots shall be approximately at right angles to the street upon which the lot faces, or approximately radial if the street is curved."
3. Right-of-way dedication and construction of a CAT bus turn-out is required on Lone Mountain Road near Allen Lane per the *Uniform Standard Drawings for Public Works' Construction Off-site Improvements Drawing Number 234.1*.
4. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in the Clark County Area Uniform Standard Drawing No. 210. The use of roll curb will require an additional one foot of right-of-way.
5. Sidewalk is required on a minimum of one side of all interior, private streets.
6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
7. 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.
8. Approval of a traffic study is required prior to submittal of the civil improvement plans.
9. A queuing analysis is required if access controls are to be employed.
10. The civil improvement plans for the project shall include schedule 40 fiber optic conduit along the project's Allen Lane and Lone Mountain Road frontages.
11. The property owner is required to grant roadway easements where public and private streets intersect prior to civil improvement plan approval.
12. All common elements shall be labeled and are to be maintained by the Home Owners Association.
13. The vacation of ten (10) feet of Allen Lane south of Noah Avenue is required.
14. Should the vacation of Noah Avenue not be approved, plans must be revised to include existing dedication.

15. Public easements per instruments 20010410:00392 and 20010410:00303 shall be vacated.
16. Appropriate subdivision and/or parcel mapping is required to complete the project. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
17. All Nevada Power Company easements and poles must be shown. The poles shall be fully located within the landscape area and if the relocation of any poles is required, it will be at the expense of the developer.
18. The property owner is required to grant a pedestrian access easement for sidewalk outside of the public right-of-way prior to approval of the civil improvement plans.
19. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
20. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
21. Fire sprinkler are required in all homes in lieu of providing a secondary access to the site.
22. The development shall comply with the Single Family Design Guidelines.

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

Chairman Jay Aston explained this was not a Public Hearing, but called the following participants to give their comments:

- Sherry Messer, 3330 Wedo Way, North Las Vegas, NV 89031 stated she would like to see a tentative map and requested that street lights not be installed or a block wall around the community since it is next to R-E.
- Tom Messer, 3330 Wedo Way, North Las Vegas, NV 89031 stated he would like to see a map of the development and voiced his concerns of more traffic being added to Wedo Way.
- Carol Gomez, 3640 Wedo Way, North Las Vegas, NV 89031 stated they agreed to let part of Noah be vacated on the condition that the inlet would be on Allen Lane and asked that the development not exit onto Wedo Way.

Commissioner Nelson Stone asked Staff if they reviewed the differences in the tentative maps. Mr. Gronauer responded there were some changes made to comply with the requirements of the Fire Department and the Public Works Department.

Commissioner Stone asked if there was a secondary access to the development. Steve Giovanni of the Fire Department responded deletion of the second access was requested and proposed to fire sprinkler all of the buildings and the Fire Department felt that was a safer environment for the development.

Commissioner Steve Brown asked if streets light would be installed on Kenny Way. Mr. Gronauer responded that may be a requirement. Clete Kus of Public Works stated street lights would only be on Allen Lane and Lone Mountain Road. Commissioner Brown asked if the street would have to be paved. Lenny Badger of Public Works stated they would not be required to put in curb and gutter.

Commissioner Nelson Stone MOVED and Commissioner Steve Brown SECONDED to APPROVE T-1114 per Staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Harry Shull Abstaining.

**The item was APPROVED.**

**The continuation of Item No. 41 was heard next.**

**52)T-1090 (15192) RUNVEE HOBART**

An application submitted by Centex Homes, on behalf of Runvee Hobart, LTD, property owner, for approval of a tentative map in a PUD Planned Unit Development District consisting of 485 single-family dwellings. The property is located at the southwest corner of Ann Road and Pecos Road. The Assessor's Parcel Number is 123-31-101-001.

It was requested by the applicant that T-1090 be continued to the September 8, 2004 Planning Commission meeting.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE T-1090 to September 8, 2004.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO SEPTEMBER 8, 2004**

**Item No. 26 was heard next.**

**53) AMP-42-04 (15329) CRAIG & SIMMONS EAST (PUBLIC HEARING)**

An application submitted by Celebrate Homes on behalf of Clifford J. Findlay and Thomas E. & Kumiko Winter, property owners, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Community Commercial to MDR Medium Density Residential. The property is generally located at the intersection of Fuselier Drive and Whitney Peak Way. The Assessor's Parcel Numbers are 139-05-601-002, 139-05-601-004, 139-05-601-009, 139-05-601-014, 139-05-601-029 and 139-05-601-031.

The applicant requested the item be continued to the September 8, 2004 Planning Commission meeting.

Chairman Jay Aston opened the Public Hearing. There were no requests to speak on this item.

Chairman Aston stated the Public Hearing would remain open until the item was heard in its entirety.

Chairman Aston stated since this was the third request for continuance the applicant was asked to show good cause for the continuance to be granted

Commissioner Harry Shull disclosed that he was in the process of acquiring this property and he would be abstaining from the vote.

Bob Gronauer of Kummer, Kaempfer, Bonner and Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109 appeared on behalf of the applicant. He stated 30 days ago he withdrew pending applications for a zone change on this property, for R-3 zoning. At that time the AMP-42-04 AND AMP-46-04 were continued to the July 28, 2004 meeting. During that time, two neighborhood meetings were held and the proposed revisions were explained. Notice was given that the applicant was asking for a continuance and he felt it would be better to hear AMP-42-04 and AMP-46-04 together with the pending zone change.

Commissioner Nelson Stone MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE AMP-42-04 To September 8, 2004.

The motion carried by MAJORITY vote with Commissioner Harry Shull abstaining from the vote.

**The item was CONTINUED TO September 8, 2004.**

**Item No. 54 was heard next.**



**54) AMP-46-04 (15333) CRAIG & SIMMONS CHURCH SITE (PUBLIC HEARING)**

An application submitted by Celebrate Homes on behalf of the Roman Catholic Church Las Vegas, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Community Commercial to MDR Medium Density Residential. The property is located at the southwest corner of Red Coach Avenue and Simmons Street. The Assessor's Parcel Number is 139-05-203-001.

The applicant requested the item be continued to the September 8, 2004 Planning Commission meeting.

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

- Penny Martino-Hagel, 4536 Rolls Royce Road, North Las Vegas, NV 89031 declined to comment at this time.

Chairman Aston stated since this was the third request for continuance the applicant was asked to show good cause for the continuance to be granted.

Commissioner Harry Shull disclosed that he was in the process of acquiring this property and he would be abstaining from the vote.

Bob Gronauer of Kummer, Kaempfer, Bonner and Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109 appeared on behalf of the applicant, stating his comments from the previous item would also apply to AMP-46-04 as follows: He stated 30 days ago he withdrew pending applications for a zone change on this property, for R-3 zoning. At that time the AMP-42-04 AND AMP-46-04 were continued to the July 28, 2004 meeting. During that time, two neighborhood meetings were held and the proposed revisions were explained. Notice was given that the applicant was asking for a continuance and he felt it would be better to hear AMP-42-04 and AMP-46-04 together with the pending zone change.

Commissioner Dean Leavitt MOVED and Commissioner Nelson Stone SECONDED to CONTINUE AMP-46-04 To September 8, 2004 with the Public Hearing remaining open.

The motion carried by MAJORITY vote with Commissioner Harry Shull abstaining from the vote.

**The item was CONTINUED TO September 8, 2004.**

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

**55) UN-92-04 (15643) STARBUCKS COFFEE (Public Hearing)**

An application submitted by James Allen & Company on behalf of the Joan G. Zimmerman 1988 Rev. Trust, property owner, for a use permit in an M-2 General Industrial District to allow a convenience food restaurant with drive thru. The property is located at the southeast corner of Craig Road and Losee Road. The Assessor's Parcel Number is 139-01-301-006.

**RECOMMENDATION:**

The application was presented by Ned Thomas, Planner on behalf of Staff who indicated Staff was recommending approval UN-92-04 with 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 proposed site plan and restaurant building shall comply with the commercial design standards.
3. Approval of a traffic study is required prior to submittal of the civil improvement plans.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. 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.

Bob Sherman of Sherman Architecture, 7730 West Sahara Avenue, Suite 103, Las Vegas, NV 89117 appeared on behalf of the applicant and stated he concurs with Staff recommendations.

Commissioner Steve Brown MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-92-04 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**56) UN-93-04 (15649) DEL TACO (Public Hearing)**

An application submitted by James Allen & Company on behalf of the Joan G. Zimmerman 1988 Rev. Trust, property owner, for a use permit in an M-2 General Industrial District to allow a convenience food restaurant with drive thru. The property is located at the southeast corner of Craig Road and Losee Road. The Assessor's Parcel Number is 139-01-301-006.

**RECOMMENDATION:**

The application was presented by Ned Thomas, Planner on behalf of Staff who indicated Staff was recommending approved of UN-93-04 with 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 proposed site plan and restaurant building shall comply with the commercial design standards.
3. Approval of a traffic study is required prior to submittal of the civil improvement plans.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. 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.

Bob Sherman of Sherman Architecture, 7730 West Sahara Avenue, Suite 103, Las Vegas, NV 89117 appeared on behalf of the applicant and stated he concurs with Staff recommendations.

Commissioner Dean Leavitt MOVED and Commissioner Harry Shull SECONDED to APPROVE UN-93-04 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**57) UN-96-04 (15699) THAI BASIL ASIAN DINER (Public Hearing)**

An application submitted by Frank Ngo on behalf of Barry Ford, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow the "on-sale" of alcoholic beverages in conjunction with a restaurant. The property is located at 2696 West Ann Road. The Assessor's Parcel Number is 124-29-811-002.

**RECOMMENDATION:**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated the item was continued from the July 14, 2004 Planning Commission meeting at the discretion of the Planning Commission. Ms. Aldava stated the applicant had submitted a revised site plan showing they complied with the 100 seats required for a restaurant limited license to sell all types of alcoholic beverages so Staff was recommending that UN-96-04 be approved submit to the following condition:

1. That, unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.

Frank Ngo, applicant, 2696 W. Ann Road, North Las Vegas, NV 89031 stated he concurred with Staff recommendations.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-96-04 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**58) UN-97-04 (15739) COIN LAUNDRY (Public Hearing)**

An application submitted by PWS, Inc., on behalf of LMPC, LLC, property owner, for a use permit in an R-A/CR Redevelopment Area/Commercial/Retail Subdistrict to allow a self-service laundromat. The property is generally located south of Lake Mead Boulevard and approximately 413 feet west of Pecos Road. The Assessor's Parcel Number is 139-24-701-008.

**RECOMMENDATION:**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated the item was continued from the July 14, 2004 Planning Commission meeting at the discretion of the Planning Commission as the applicant did not appear for the Public Hearing. Staff is recommending approval of UN-97-04 subject to the following condition:

1. That, unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.

David Horton of PWS, 6500 Flotilla Street, Los Angeles, CA 90040 appeared on behalf of the applicant stating he concurred with Staff recommendations.

Commissioner Dean Leavitt MOVED and Commissioner Harry Shull SECONDED to APPROVE UN-97-04 per Staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**PUBLIC FORUM**

No members of the public came forward.

**DIRECTOR'S BUSINESS:**

Planning and Zoning Director Jory Stewart asked Commissioners if they considered the screening of storage yards. There was some discussion and it was decided to bring the discussion back to another meeting.

Planning Manager Marc Jordan asked the Commission if they would be interested in changing the time of the meeting possibly to 6 p.m.

Commissioner Harry Shull stated it was okay with him.

Commissioner Dean Leavitt stated some of the Commission's decisions are based on resident input and if the meeting starts too early, they would impair that situation and one hour will not make much difference.

Commissioner Nelson Stone stated he felt the 7 p.m. time was okay; most meetings do not go that late. He asked if there could be a section on the agenda where there items are approved in one motion. Director Jory Stewart stated she would check into it. She also stated some jurisdictions approve the agenda in one motion which would include items continued or withdrawn.

Vice Chairman Jo Cato stated she was okay with the 7 p.m. start time.

Commissioner Steve Brown stated he could be here by 6 p.m. but did not feel one hour would make much difference.

Commissioner Dilip Trivedi stated he would be able to come in at 6 p.m.

**CHAIRMAN'S BUSINESS:** None

**ADJOURNMENT:** 12:37 PM

A motion to ADJOURN the July 28, 2004 meeting of the Planning Commission of the City of North Las Vegas was made by Commissioner Dean Leavitt. Vice-Chairman Jo Cato SECONDED the motion.

The meeting adjourned at 12:37 p.m.

/s/ Jay Aston  
Jay Aston, Chairman

**ATTEST:**

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