

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

Jay Aston, Chairman
Nelson Stone
Dean Leavitt
Harry Shull

2200 Civic Center Drive
North Las Vegas, NV 89030
BUS: (702) 633-1516
FAX: (702) 649-6091

Jo Cato, Vice-Chairman
Dilip Trivedi
Steve Brown

Planning Commission Minutes are available on the internet at:

www.cityofnorthlasvegas.com

October 27, 2004

BRIEFING

Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive, at 6:30 P.M.
Review of Agenda

CALL TO ORDER

Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive, at 7:02 P.M.

ROLL CALL:

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

STAFF PRESENT:

Planning Manager Marc Jordan
Planner Ned Thomas
Planner Mary Aldava
Planner Robert Eastman

VERIFICATION:

Nicole Jones, Recording Secretary

PLEDGE OF ALLEGIANCE

Commissioner Nelson Stone

MINUTES

No minutes were presented.

CONSENT AGENDA

- A) PW-167-04 (17801) ROSE LAKE UNIT 1E: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$599,398.80.**

ACTION: APPROVED

MOTION: Commissioner Stone

SECOND: Vice Chairman Cato

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

NAYS: None

ABSTAIN: None

- B) PW-168-04 (17803) ROSE LAKE UNIT 1D: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$508,440.35.**

ACTION: APPROVED

MOTION: Commissioner Stone

SECOND: Vice Chairman Cato

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

NAYS: None

ABSTAIN: None

- C) PW-169-04 (17804) ROSE LAKE UNIT 2C: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$610,391.10.**

ACTION: APPROVED

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

D) PW-170-04 (17808) WESTLAKE ESTATES: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY HOLY TRINITY COMMUNITY DEVELOPMENT CORPORATION AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$41,866.77.

ACTION: APPROVED

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

E) PW-171-04 (17806) LAMADRE SQUARE: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY D. R. HORTON, INC AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$877,886.68.

ACTION: APPROVED

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

F) PW-172-04 (17807) CENTENNIAL AZURE UNIT 4: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY U.S. HOME CORP AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$313,074.30.

ACTION: APPROVED

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

G) PW-173-04 (17811) APCO EQUIPMENT RENTAL: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY LAS VEGAS PAVING CORPORATION TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN AMOUNT OF \$222,930.12.

ACTION: APPROVED

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

H) PW-174-04 (17812) SILVERWOOD RANCH UNIT 4: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY PRESERVATION REASSURANCES OF DUBLIN LTD. TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$844,143.03.

ACTION: APPROVED

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

I) PW-175-04 (17813) TIERRA DE LAS PALMAS VILLAGE 2 UNIT 2: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY GULF INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$355,360.50.

ACTION: APPROVED

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

J) PW-176-04 (17814) HIGHLAND HILLS UNIT 8: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN MOTORISTS INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$317,040.63.

ACTION: APPROVED

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

K) PW-177-04 (17815) HIGHLAND HILLS UNIT 9: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN MOTORISTS INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$649,875.44.

ACTION: APPROVED

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

L) PW-178-04 (17816) NEVADA PIC-A-PART: 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 \$52,238.40.

ACTION: APPROVED

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

M) PW-179-04 (17809) CENTENNIAL AZURE UNIT 5: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY D. R. HORTON, INC AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$193,692.62.

ACTION: APPROVED

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

N) PW-180-04 (17810) NELSON RANCH TEMPORARY ACCESS ROAD: ACCEPT THE SUBDIVISION OFF- SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$191,786.96.

ACTION: APPROVED

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

NEW BUSINESS

- 1) **AMP-90-04 (17247) SWC CENTENNIAL-SIMMONS (PUBLIC HEARING): AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL TO M-HDR MEDIUM-HIGH DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 302 FEET WEST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-002.**

Planning Manager Marc Jordan stated Item Numbers 1 and 2 were related and he would present them at the same time. He stated the applicant planned 116 townhomes. The application met most of the guidelines with the exception of the prohibition of having single-family residences on more than one side of the development. This one was bordered on two sides by single-family. The applicant also planned to decrease the commercial portion of their application. Staff recommended denial of the application.

Bill Curran, Curran and Parry, 300 South Fourth Street, Las Vegas, represented the applicant and stated the applicant had met with the neighbors and they supported this application for both the commercial and residential portions.

Chairman Aston opened the Public Hearing.

James Lucey, 3135 Sentimental Court, North Las Vegas, stated this was basically the same application denied by the Commission earlier in the year. At that time, he gave a petition with 60 names against the application to the Planning Commission and he asked the Commission to deny the application.

Christopher Reade, 3117 Greenfriar Avenue, North Las Vegas, represented the homeowners' board for Seasons at Aliante and stated that, while they did not want to see multi-family across the street from them, this project was at least acceptable to them and asked the Commission to approve the application.

David Marino, 6228 Prospect Niche Avenue, North Las Vegas, stated he owned a home at Granada Ridge and he had not been notified about this project. He stated he was not interested in multi-family housing across from his community.

Carlos Hank, 6209 Prospect Niche Avenue, North Las Vegas, stated he lived west of the area being developed and did not like the multi-family project. He asked the Commission to deny the project.

Debbie Picard, 6236 Prospect Niche Avenue, North Las Vegas, stated she had not received notice about this project. She said the schools were already crowded and she did not like the multi-family and would prefer to see it as single-family zoning.

Joy Diaz, 6538 Green Sparrow Lane, North Las Vegas, stated the applicant had met with them five times. The applicant had incorporated a lot of the suggestions of the neighbors and she believed the project was a good compromise.

Dan David, 6233 Olympic Gold Street, North Las Vegas, stated he lived directly across the street from the property and did not approve of the multi-family project.

Chairman Aston closed the Public Hearing.

Planning Manager Marc Jordan stated he had two letters on file in opposition to the project.

Mr. Curran stated he believed this was a good project and he urged the Planning Commission to approve it.

Commissioner Brown made a motion to deny AMP-90-04, seconded by Commissioner Leavitt. The motion did not carry.

ACTION: APPROVED

MOTION: Commissioner Stone

SECOND: Commissioner Leavitt

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

NAYS: Commissioner Brown

ABSTAIN: None

- 2) **ZN-108-04 (17246) SWC CENTENNIAL-SIMMONS (PUBLIC HEARING): AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT AND A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 302 FEET WEST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-002.**

Chairman Aston stated the comments from the prior Item Number 1 would carry forward to this item, as follows:

Planning Manager Marc Jordan stated Item Numbers 1 and 2 were related and he would present them at the same time. Planning Manager Jordan stated the applicant planned 116 townhomes. The application met most of the guidelines with the exception of the prohibition of having single-family residences on more than one side of the development. This one was bordered on two sides by single-family. The applicant also planned to decrease the commercial portion of their application. Staff recommended denial of the application.

Bill Curran, Curran and Parry, 300 South Fourth Street, Las Vegas, represented the applicant and stated applicant had met with the neighbors and they supported this application for both the commercial and residential portions.

Chairman Aston opened the Public Hearing.

James Lucey, 3135 Sentimental Court, North Las Vegas, stated this was basically the same application denied by the Commission earlier in the year. At that time, he gave a petition with 60 names against the application to the Planning Commission and he asked the Commission to deny the application.

Christopher Reade, 3117 Greenfriar Avenue, North Las Vegas, represented the homeowners' board for Seasons at Aliante and stated while they did not want to see multi-family across the street from them, this project was at least acceptable to them and asked the Commission to approve the application.

David Marino, 6228 Prospect Niche Avenue, North Las Vegas, stated he owned a home at Granada Ridge and he had not been notified about this project. He stated he was not interested in the multi-family housing across from his community.

Carlos Hank, 6209 Prospect Niche Avenue, North Las Vegas, stated he lived west of the area being developed and did not like the multi-family project. He asked the Commission to deny the project.

Debbie Picard, 6236 Prospect Niche Avenue, North Las Vegas, stated she had not received any notice about this project. She said the schools were already crowded and she did not like the multi-family and would prefer to see it as single-family zoning.

Joy Diaz, 6538 Green Sparrow Lane, North Las Vegas, stated the applicant had met with them five times. The applicant had incorporated a lot of the suggestions of the neighbors and she believed the project was a good compromise.

Dan David, 6233 Olympic Gold Street, North Las Vegas, stated he lived directly across the street from the project and did not approve of the multi-family project.

Chairman Aston closed the Public Hearing.

Planning Manager Marc Jordan stated he had two letters on file in opposition to the project, one from Rick Burrus and one from Jane Tarmy.

Mr. Curran stated he believed this was a good project and he urged the Planning Commission to approve it.

ACTION: APPROVED

MOTION: Commissioner Stone

SECOND: Commissioner Leavitt

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

NAYS: Commissioner Brown

ABSTAIN: None

ACTION: APPROVED AS AMENDED; ZONED AS R-2

MOTION: Commissioner Leavitt

SECOND: Commissioner Stone

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

NAYS: None

ABSTAIN: None

The meeting recessed at 7:55 P.M.

The meeting reconvened at 8:05 P.M.

- 3) **SPR-36-04 (17254) CENTENNIAL CROSSING TOWNHOMES: AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT AND C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED R-3 MULTI-FAMILY RESIDENTIAL DISTRICT) FOR A 116 UNIT, TWO-STORY TOWNHOME DEVELOPMENT. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 302 FEET WEST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-002.**

Planning Manager Marc Jordan stated Staff recommended continuance of this application. The applicant was required to place 25 feet of landscaping next to major arterial streets and the plan only showed 20 feet next to Centennial Parkway. Staff was unable to determine where the open space was located in the plan and could not determine if the open space requirements had been met.

Bill Curran, Curran and Parry, 300 South Fourth Street, Las Vegas, stated the applicant agreed with the condition of 25 feet of landscaping and understood they needed to meet the open space requirement. He accepted a condition stating the applicant must have the open space required.

Commissioner Stone stated it was important that the open space requirement was met. He would not support the application otherwise.

Planning Manager Jordan stated Staff would verify the open space. The applicant would have to prove the open space before obtaining a building permit.

Commissioner Trivedi moved to approve SPR-36-04, seconded by Commissioner Brown. The motion did not carry.

ACTION: CONTINUED TO NOVEMBER 10, 2004

MOTION: Commissioner Stone

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

- 4) **AMP-89-04 (17244) SWC CENTENNIAL-SIMMONS (PUBLIC HEARING): AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SIMMONS STREET AND RANCH HOUSE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-002**

Planning Manager Marc Jordan stated Staff believed this application created strip commercial at this location and recommended denial of the application.

Bill Curran, Curran and Parry, 300 South Fourth Street, Las Vegas, represented the applicant and asked for the Commission's approval.

Chairman Aston opened the Public Hearing.

James W. Lucey, 3135 Sentimental Court, North Las Vegas, stated the project was across the street from his subdivision. He would prefer to see the property remain R-1 zoning and asked the Commission to recommend denial of this application.

Carlos Hank, 6209 Prospect Niche Street, North Las Vegas, stated he lived west of the area being developed and did not like the commercial project. He asked the Commission to deny the project.

David Marino, 6228 Prospect Niche Street, North Las Vegas, stated the project was directly across from the entryway to his subdivision and he preferred the Commission deny the application.

Guy Picard, 6204 Silver Vein Street, North Las Vegas, stated the Grenada Ridge residents were not notified about this project and he did not want this to go in across from the entryway to his subdivision.

Joy Diaz, 6538 Green Sparrow Lane, North Las Vegas, stated she preferred to see this project zoned for a business office with limited hours and a 40 foot buffer next to the property.

Dan David, 6233 Olympic Gold Street, North Las Vegas, stated the traffic already prevented him from making a turn south from Simmons Street.

Chairman Aston closed the Public Hearing.

Mr. Curran stated the buffer would be 40 feet at the street. Mr. Curran said the neighbors who had recently moved in and were not aware of this application would be contacted by the applicant.

ACTION: APPROVED

MOTION: Commissioner Stone

SECOND: Commissioner Trivedi

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

NAYS: Commissioner Brown

ABSTAIN: None

- 5) **ZN-107-04 (17245) SWC CENTENNIAL-SIMMONS (PUBLIC HEARING): AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SIMMONS STREET AND RANCH HOUSE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-002.**

Chairman Aston stated comments from Item Number 5 will carry to this item.

Planning Manager Marc Jordan stated Staff believed this application created strip commercial at this location and recommended denial of the application.

Bill Curran, Curran and Parry, 300 South Fourth Street, Las Vegas, represented the applicant and asked for the Commission's approval.

Chairman Aston opened the Public Hearing.

James W. Lucey, 3135 Sentimental Court, North Las Vegas, stated the project was across the street from his subdivision. He would prefer to see the property remain R-1 zoning and asked the Commission to recommend denial of this application.

Carlos Hank, 6209 Prospect Niche Street, North Las Vegas, stated he lived west of the area being developed and did not like the commercial project. He asked the Commission to deny the project.

David Marino, 6228 Prospect Niche Street, North Las Vegas, stated the project was directly across from the entryway to his subdivision and he would prefer the Commission deny the application.

Guy Picard, 6204 Silver Vein Street, North Las Vegas, stated the Grenada Ridge residents were not notified about this project and he did not want this to go in across from the entryway to his subdivision.

Joy Diaz, 6538 Green Sparrow Lane, North Las Vegas, stated she would prefer to see this project zoned for a business office with limited hours and a 40 foot buffer next to the property.

Dan David, 6233 Olympic Gold Street, North Las Vegas, stated the traffic already prevented him from making a turn south from Simmons Street.

Chairman Aston closed the Public Hearing.

Mr. Curran stated the buffer would be 40 feet at the street. Mr. Curran said the neighbors who had recently moved in and were not aware of this application would be contacted by the applicant.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

- 6) **SPR-52-04 (17257) SWC CENTENNIAL-SIMMONS: AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT AND AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED C-1) TO ALLOW BUILDINGS TO BE LOCATED TOWARDS THE REAR OF THE PROPERTY WHERE BUILDINGS ARE REQUIRED TO BE ORIENTED TOWARDS THE STREET FRONT AND TO ALLOW A 10-FOOT LANDSCAPE BUFFER ADJACENT TO RESIDENTIAL PROPERTIES WHERE 20 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-002.**

Planning Manager Marc Jordan stated the applicant requested a waiver to orient the buildings away from the street and Staff did not support the request. Planning Manager Jordan stated the applicant asked for a waiver to place a ten foot landscape buffer along the west property line when 20 feet was required. Staff recommended denial of the site plan review.

Bill Curran, Curran and Parry, 300 South Fourth Street, Las Vegas, stated the applicant would provide the 20 foot landscape buffer. He gave examples of approvals for the buildings being oriented away from the street and asked for the Commission's approval of that waiver.

Commissioner Stone stated he did not support the application because the Planning Commission had tried to get rid of strip design which is what he believed this project was. Mr. Curran stated the applicant would bring the project back in two weeks and attempt to make the suggested changes.

ACTION; CONTINUED TO NOVEMBER 10, 2004

MOTION: Commissioner Stone

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

Item Number 33 was heard next.

- 7) **AMP-91-04 (17268) ROME & PALMER (PUBLIC HEARING): AN APPLICATION SUBMITTED BY UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MDR MEDIUM DENSITY RESIDENTIAL TO HDR HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF PALMER STREET AND ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-24-801-001 AND 124-24-801-002.**

Chairman Aston stated he would be abstaining due to a potential personal involvement with this property and asked Vice Chairman Cato to conduct the meeting.

Planning Manager Marc Jordan stated Staff believed this was a good transitional use from the medium density to commercial and Staff recommended approval.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, represented the applicant and stated he concurred with Staff's recommendations.

Vice Chairman Cato opened the Public Hearing. There was no public participation.

Vice Chairman Cato closed the Public Hearing.

Commissioner Stone disclosed that an exhibit in the application was prepared by a company he used to work for. He said it did not impair his ability to make a decision on this item.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Stone

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

NAYS: None

ABSTAIN: Chairman Aston

- 8) **ZN-109-04 (17269) ROME & PALMER (PUBLIC HEARING): AN APPLICATION SUBMITTED BY UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN M-1 BUSINESS PARK INDUSTRIAL DISTRICT TO AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF PALMER STREET AND ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-24-801-001 AND 124-24-801-002.**

Chairman Aston stated he would be abstaining due to a potential personal involvement with this property and asked Vice Chairman Cato to conduct the meeting.

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

Vice Chairman Cato closed the Public Hearing.

Commissioner Stone disclosed that an exhibit in the application was prepared by a company he used to work for. He said it did not impair his ability to make a decision on this item.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Stone

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

NAYS: None

ABSTAIN: Chairman Aston

- 9) **ZN-106-04 (17259) MARTIN HOMES, LLC (PUBLIC HEARING): AN APPLICATION SUBMITTED BY JEFFREY MARTIN ON BEHALF OF ALAN F. AND LYNDA SZABLEWSKI, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED NORTH OF LAMADRE WAY APPROXIMATELY 345 FEET EAST OF GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-34-701-039.**

Planner Vicki Adams stated Staff recommended approval of this application.

Jeff Martin, 392 Jolly January Street, Las Vegas, represented the applicant and agreed with Staff's recommendations.

Chairman Aston opened the Public Hearing. There were no participants

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice Chairman Cato

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

NAYS: None

ABSTAIN: None

- 10) **VAC-34-04 (17282) MOUNTAIN SHADOW (PUBLIC HEARING: AN APPLICATION SUBMITTED BY R L HOMES ON BEHALF OF DARK LLC, PROPERTY OWNER, TO VACATE APPROXIMATELY 310 FEET OF THE EASTERLY HALF OF THE CONWAY STREET RIGHT-OF-WAY COMMENCING AT AZURE STREET AND PROCEEDING NORTH APPROXIMATELY 310 FEET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-501-006.**

Planner Vicki Adams stated Staff recommended approval of this application.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and concurred with Staff's recommendations.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Stone

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

NAYS: None

ABSTAIN: None

- 11) **UN-26-02 (17289) DENMAN CONSTRUCTION STORAGE YARD (PUBLIC HEARING): AN APPLICATION SUBMITTED BY D. L. DENMAN CONSTRUCTION COMPANY ON BEHALF OF D. L. DENMAN, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW THE PARKING OF TRACKED VEHICLES ON AN UNPAVED PORTION OF THE LOT. THE PROPERTY IS LOCATED AT 4880 DONOVAN WAY. THE ASSESSOR'S PARCEL NUMBER IS 123-31-402-003.**

Planner Robert Eastman stated the applicant had asked for additional time to complete the balance of the conditions of approval set when the application was approved in 2002. Staff believed the applicant had ample time and recommended denial of the application. If the Commission approved the application, Staff suggested a six-month extension rather than two years.

Larry Gearheart, Eagle Contracting, 4880 Donovan Way, Las Vegas, represented the applicant and stated they were approximately 70% finished with the conditions. He stated some of the trees died because of the heat, but other than the landscaping, the only thing remaining to accomplish was some asphalt. He asked the Commission to allow them some more time.

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

Chairman Aston closed the Public Hearing.

Commissioner Leavitt stated he believed the two-year extension was too long. Mr. Gearheart stated they would be able to finish in a year. Commissioner Stone stated the minutes from the City Council meeting where this application was approved contained comments from every Council person stating they wanted this accomplished within the two year time frame.

ACTION: DENIED

MOTION: Commissioner Stone

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

12) UN-46-02 (17270) CENTENNIAL & PECOS (PUBLIC HEARING): AN APPLICATION SUBMITTED BY PECOS & CENTENNIAL PARKWAY TRUST, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-24-801-008.

Planner Robert Eastman stated the applicant had received four other extensions of time. When the application was originally approved, the applicant stated it would be some time before construction would begin. Staff recommended a six-month extension with the following conditions:

1. Standard conditions 1, 2, 3, 5, 6, 7, 8, 10, 11, 12, 14, 15, 23, 25, 26, 27, 29 and 32.
2. Fiber optic required in Centennial Parkway and Pecos Road frontages.
3. Dedication of right-of-way for intersection of Centennial Parkway and Pecos Road (201.1 requirements).
4. Dedication of right-of-way for bus turn-out on Centennial Parkway.
5. The applicant shall comply with current Commercial Development Design Standards and Design Guidelines at the time the building permit is sought.
6. The applicant shall comply with all applicable and current conditions of approval prior to issuance of a building permit.
7. Construction shall begin within six months of the date of this approval.
8. A minimum of two windows shall be incorporated into the design of the building. The windows shall be the same design and size as the windows used elsewhere on the building.
9. The applicant shall submit a detailed floor plan for review and approval by the Planning Commission prior to issuance of a building permit.
10. The applicant shall maintain a floor ratio of 40% to 60% ratio, bar to restaurant.
11. A minimum of a 300-square foot meeting room be included.

George Garcia, 1711 Whitney Mesa, Suite 110, Henderson, stated there was a commercial developer involved with the application and they anticipated beginning construction soon. The applicant concurred with Staff's recommendation.

Chairman Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Stone

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

NAYS: None

ABSTAIN: None

13) UN-61-03 (17261) CENTENNIAL PLAZA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY B W INVESTMENTS, LLC ON BEHALF OF CENTENNIAL 5 DEVELOPMENT, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME 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 NORTHEAST CORNER OF CENTENNIAL PARKWAY AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-801-013.

Planner Robert Eastman stated the area around this parcel showed considerable development and Staff anticipated this was the last request for an extension of time. Staff recommended approval of this application with conditions as follows:

1. Unless expressly authorized through a variance, waiver, or another approved method, this development shall comply with all applicable codes and ordinances; no approval of the presented site plan is implied.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. 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 directed by the Director of Public Works.
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. The following right-of-way dedications are required:
 - a. 50 feet for Centennial Parkway and associated spandrel.
 - b. 30 feet for Goldfield Street and associated spandrel.
6. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.
7. The Nevada Power Company poles and easements must be shown.
8. An underground drainage easement for the Centennial Parkway East Channel must be granted in accordance with the attached legal description and exhibit within 90 days of approval and no parking or signage will be permitted within 25 feet of the property line.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.

10. Driveway number and location 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.
11. That the applicant shall submit a survey, stamped by a surveyor licensed in the state of Nevada, to the Development Services Department as proof of compliance with the 1,500-foot separation requirement prior to the issuance of a business license or building permit.
12. Driveways on Centennial Parkway will be limited to right-in/right-out access unless located at a distance of 660 feet from the intersection.
13. That windows be provided throughout the building, except where the kitchen and restrooms are proposed to be located, and the windows shall match the style of the proposed retail center.
14. That the floor area of the bar shall not exceed 50% of the total public restaurant floor area.
15. The property owner understands that parking spaces and landscaping within the permanent easement and the temporary construction easement, within the property abutting Centennial Parkway, will be affected during the construction of the Centennial Parkway Channel East. The property owners shall provide alternative legal parking spaces if the parking spaces are rendered unusable.
16. The property owner agrees to grant a 20-foot temporary construction easement at the time of construction at no cost and the City of North Las Vegas shall replace existing improvements affected by the construction of the Centennial Parkway Channel East. The property owner shall not place any other improvements, other than the parking spaces and landscaping, within the permanent easement or temporary easement that would increase the cost of construction by the City of North Las Vegas.
17. Prior to making application for a building permit with the City of North Las Vegas, the property owner shall record in the official records of Clark County, a covenant running with the land that contains the requirements of Condition Nos. 15 and 16 and is in the form acceptable to the City of North Las Vegas.
18. That 25 feet of landscaping shall be provided along Centennial Parkway with trees planted within the three feet adjacent to the parking lot.

Bill Welter, 1517 Angel Berry Road, Las Vegas, stated he concurred with Staff's recommendation.

Chairman Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Stone

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

NAYS: None

ABSTAIN: None

- 14) **UN-76-03 (17271) DECATUR & TROPICAL (PUBLIC HEARING): AN APPLICATION SUBMITTED BY WORLDMARK, INC. ON BEHALF OF DECATUR TROPICS, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOL IN CONJUNCTION WITH A TAVERN. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND RICE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-204-001.**

Planner Vicki Adams stated Staff recommended approval of this application for an extension of time to April 8, 2005, with the following conditions:

1. That AMP-53-03 and ZN-75-03 be approved by the City Council, otherwise this application shall be considered null and void; and
2. That no site plan approval is granted, assumed or implied. All reviewing departments and agencies shall reserve the right to provide comments, corrections and conditions related to the site until such time that the Major Site Plan is submitted for review and approval by the Planning Commission; and
3. That the applicant file for and obtain approval from the Planning Commission for a Major Site Plan Review for the entire shopping center prior to applying for the building permits related to the development of this site; and
4. That the applicant shall submit a survey, stamped by a surveyor licensed in the state of Nevada, to the Development Services Department as proof of compliance with the 1,500-foot separation requirement prior to the issuance of a business license or building permit.
5. That customers entering the establishment and/or waiting to be seated shall be separated from the bar area by a 100% opaque wall not less than eight feet in height; and
6. That the restrooms be located such that patrons are not required to go through the bar area to access those facilities; and
7. That windows be provided throughout the building, except where the kitchen and restrooms are proposed to be located, and the windows shall match the style of the approved retail center; and
8. That the floor area of the bar shall not exceed 50% of the total public restaurant floor area; and

9. That, unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances; and
10. That the following right-of-way dedications are required:
 - a. Dedicate an additional ten foot right-of-way for Centennial Parkway between Decatur Boulevard and Montgomery Street alignment.
 - b. Dedicate Centennial Parkway 100 feet in width from Montgomery Street to San Mateo Street.
 - c. Dedicate Tropical Parkway as it intersects with Centennial Parkway and the associated spandrels.
 - d. Dedicated right-of-way for a flared intersection at Tropical Parkway and Decatur Boulevard.
 - e. Additional right-of-way dedication is required at Decatur Boulevard and Tropical Parkway for the flared intersection per *Clark County Area Uniform Standard Drawings for Public Works Construction Off-Site Improvements* Drawing Number 201.1; and
11. That 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*; and
12. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
13. That all known geologic hazards shall be shown on the tentative map and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original tentative map layout; and
14. Revise the plans to reflect the realignment of Tropical Parkway to conform to the *Master Plan of Streets and Highways*; and
15. That a reversionary map must be filed to combine all parcels; and
16. That Tropical Parkway must be labeled as Centennial Parkway; and
17. That the applicant be required to submit an application for vacation of San Mateo Street from the Centennial Parkway alignment to the old Tropical Parkway alignment; and
18. That the applicant be required to submit an application for vacation of Tropical Parkway alignment between San Mateo Street and Centennial Parkway; and

19. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
20. That the civil improvement plans for the project must include Schedule 40 PVC fiber optic conduit along Decatur Boulevard, Tropical Parkway and Centennial Parkway; and
21. Driveway number and location 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.
22. That the applicant must file for and obtain approval from the Planning Commission for a Site Plan Review for the entire site prior to submitting civil improvement plans; and
23. That UN-76-03 shall expire on April 8, 2005.

George Garcia, 1711 Whitney Mesa, Suite 110, Henderson, represented the applicant and concurred with Staff's recommendations.

Chairman Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice Chairman Cato

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

NAYS: None

ABSTAIN: None

- 15) **UN-146-04 (17263) CENTENNIAL/LAMB TAVERN (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 THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN. THE PROPERTY IS GENERALLY LOCATED EAST OF LAMB BOULEVARD APPROXIMATELY 315 FEET NORTH OF AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-06-613-005.**

Planner Vicki Adams stated the site plan was not detailed enough to allow an appropriate review of the site and Staff recommended approval with 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 use permit shall be valid only upon Planning commission approval of a site plan for the overall shopping center.
3. That the 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. That 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. That 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 approved by the Director of Public Works or his designee.
8. Approval of a traffic study is required prior to submittal of the civil improvement plans.
9. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway and Lamb Boulevard.
10. 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.

11. 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.
12. 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 Section 17.24.130. Conformance may require modifications to the site.
13. Driveways must be a minimum of 200 feet from the intersection and maintain a 200 foot separation.
14. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and the City of North Las Vegas Municipal Code Section 16.24.100.B:
 - a. Lamb Boulevard
 - b. Centennial Parkway
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. Commercial driveways are to be constructed in accordance with the *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.
18. The property owner is required to grant a roadway easement for commercial driveways.
19. The property owner is required to sign a restrictive covenant for utilities.

Bob Grounauer, 3800 Howard Hughes Parkway, Las Vegas, stated he agreed with Staff's recommendations. The tavern was part of a larger commercial plan and the applicant would come back with a site plan on this property when the plans for the development were finalized.

Chairman Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

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

16) UN-147-04 (17260) CROSSWINDS COMMUNITY CHURCH (PUBLIC HEARING: AN APPLICATION SUBMITTED BY 4118 CRAIG ROAD, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A CHURCH. THE PROPERTY IS LOCATED AT 4220 WEST CRAIG ROAD, SUITE 220. THE ASSESSOR'S PARCEL NUMBER IS 139-06-613-005.

Planner Vicki Adams stated one of the original conditions for the PUD restricted the types of uses for the buildings on the northern property line which included the subject site. The original ordinance was amended to allow all uses which were allowed in the C-1 zoning district if approved by the City Council. Staff recommended approval and stated the application would be forwarded to City Council for approval 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 Use Permit (UN-147-04) is site specific and non-transferable.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and introduced Pastor Daniel Hanham.

Pastor Daniel Hanham, 1444 Cedro Street, Las Vegas, stated the church was incorporated three and one half years ago and the members were meeting in an elementary school. He asked the Commission for their approval.

Commissioner Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

Commissioner Stone asked for the hours the church operated. Ms. Lazovich stated Wednesday evening from 7:00 to 8:30 P.M., Friday evening from 7:00 to 9:00 P.M. and typical Sunday hours. The pastor had an office located in the church.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice Chairman Cato

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

NAYS: None

ABSTAIN: None

17) **UN-148-04 (17272) ARMANDO'S AUTO SERVICE (PUBLIC HEARING): AN APPLICATION SUBMITTED BY MANUEL GASTELUM ON BEHALF OF EDUARDO A. DIESTRA., PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY. THE PROPERTY IS LOCATED AT 3219 MARY DEE AVENUE, UNITS B AND C. THE ASSESSOR'S PARCEL NUMBER IS 139-11-813-007.**

Planner Robert Eastman stated Staff recommended denial because there was an inadequate number of parking spaces. If the Planning Commission approved the application, Staff recommended 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 applicant must supply evidence that the development supplies adequate parking to all uses within the building.
3. All service work shall take place in the bays of the building.
4. All storage of vehicles shall be located on site behind the block wall.
5. The gate for the parking lot shall be an opaque metal gate.

Manual Gastellum, 1232 Asierito Circle, Henderson, the applicant, asked for Planning Commission's approval and stated he would answer any questions.

Chairman Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

Commissioner Stone reminded the applicant the approval was for service work and not heavy repair work. Commissioner Leavitt asked what hours the shop would open and the applicant stated Monday through Friday, 8:00 A.M. to 5:00 P.M. and Saturday, 8:00 A. M. to 2:00 P.M.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Stone

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

NAYS: None

ABSTAIN: None

- 18) **UN-149-04 (17264) LAMB TROPICAL RUNVEE PARCEL (PUBLIC HEARING): AN APPLICATION SUBMITTED BY RUNVEE, INC., 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 BAR / TAVERN. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LAMB BOULEVARD AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 123-30-701-001.**

Planner Robert Eastman stated Staff recommended approval with 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, 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-149-04 for a tavern is site-specific and non-transferable.
4. Access to Lamb Boulevard at this location will not be permitted due to the proximity of the Union Pacific Railroad overpass. Contact Dan Le, Engineering Services Division of Public Works at 633-1932 for information regarding the design of the Lamb Boulevard capital improvement project.
5. Right-of-way dedication and construction of a flared intersection is required at Lamb Boulevard and Tropical Parkway per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
6. Right-of-way dedication and construction of a CAT bus turn-out is required on Lamb Boulevard near Tropical Parkway per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1
7. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Lamb Boulevard and Tropical Parkway.
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 Section 17.24.130. Conformance may require modifications to the site.

9. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
10. A revocable encroachment permit for landscaping within the public right-of-way is required.
11. 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.
12. Commercial driveways are to be constructed in accordance with the *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. The property owner is required to sign a restrictive covenant for utilities.
15. Approval of a drainage study is required prior to submittal of the civil improvement plans.
16. 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.
17. 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.

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and stated concurrence with Staff's recommendations.

Commissioner Aston opened the Public Hearing.

Mitchell Truman, 4910 Donovan Way, North Las Vegas, stated he represented the Union Pacific Railroad and he advised the Planning Commission that crossing gates must be installed across Donovan Way when traffic patterns reach certain guidelines. He stated the railroad would look to the City for payment and installation of those gates at a cost of approximately \$500,000 each. He also advised the Commission that the railroad handled toxic chemicals in the area. He had concerns that people leaving the bar would tamper with railroad equipment and for the safety of vehicles in close proximity to railroad crossings.

Senior Deputy City Attorney Jim Lewis stated if the City received requests from Union Pacific to install crossing gates, the City would discuss the necessity for the gates and payment for them at that time.

ACTION: APPROVED

MOTION: Commissioner Stone

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

19) UN-150-04 (17265) PECOS/TROPICAL RUNVEE PARCEL (PUBLIC HEARING): AN APPLICATION SUBMITTED BY RUNVEE, INC., 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 BAR / TAVERN. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF PECOS ROAD AND TROPICAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 123-30-301-001.

Planner Robert Eastman stated this application was similar to the previous application and they were located 1500 feet from one another. Planner Eastman stated a letter of opposition had been received. Staff recommended approval with 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, including but not limited to: providing additional architectural elements along the 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-150-04 for a tavern is site-specific and non-transferable.
4. Access to Lamb Boulevard at this location will not be permitted due to the proximity of the Union Pacific Railroad overpass. Contact Dan Le, Engineering Services Division of Public Works at 633-1932 for information regarding the design of the Lamb Boulevard capital improvement project.
5. Right-of-way dedication and construction of a flared intersection is required at Lamb Boulevard and Tropical Parkway per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
6. Right-of-way dedication and construction of a CAT bus turn-out is required on Lamb Boulevard near Tropical Parkway per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1
7. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Lamb Boulevard and Tropical Parkway.
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 Section 17.24.130. Conformance may require modifications to the site.

9. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
10. A revocable encroachment permit for landscaping within the public right-of-way is required.
11. 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.
12. Commercial driveways are to be constructed in accordance with the *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. The property owner is required to sign a restrictive covenant for utilities.
15. Approval of a drainage study is required prior to submittal of the civil improvement plans.
16. 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.
17. 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.

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented the applicant and stated this was part of the Runvee Master Plan. He said the applicant concurred with Staff's recommendation.

Commissioner Aston opened the Public Hearing.

Mitchell Truman, Union Pacific Railroad, 4910 Donovan Way, North Las Vegas, suggested Staff's Counsel confer with the State Attorney General about payment for the railroad crossings.

Pamela Just, 6137 Kinderhood Court, North Las Vegas, stated there was an elementary school right down the street and she did not believe a tavern should built near there.

Noelle Winterkleppel, 6125 Roseborough Court, North Las Vegas, stated there were a lot of children in her neighborhood and she did not believe the tavern should be located there.

Chairman Aston closed the Public Hearing.

Planning Manager Marc Jordan stated a school had been approved for a location about 2,000 feet away. He said the applicant had to provide a form from a surveyor stating the location was more than 1,500 feet from a school, tavern or day care.

ACTION: APPROVED

MOTION: Commissioner Stone

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

- 20) **FDP-20-04 (17287) LA MADRE SQUARE: AN APPLICATION SUBMITTED BY D. R. HORTON, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 122 DUPLEX UNITS AND 3 SINGLE-FAMILY HOMES. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CAMINO AL NORTE AND LAMADRE WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-33-702-001.**

The applicant requested this item be continued to November 10, 2004.

ACTION: CONTINUED TO NOVEMBER 10, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Stone

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

NAYS: None

ABSTAIN: None

- 21) **FDP-21-04 (17288) CMA OFFICE BUILDING: AN APPLICATION SUBMITTED BY KIM LAMBERTY ON BEHALF OF THE CREDIT EXECUTIVES, D. R. HORTON, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF ONE (1) COMMERCIAL BUILDING. THE PROPERTY IS GENERALLY LOCATED NORTH OF CHEYENNE AVENUE AND APPROXIMATELY 586 FEET WEST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-08-416-005.**

The applicant requested this item be continued to November 10, 2004.

ACTION: CONTINUED TO NOVEMBER 10, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Stone

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

NAYS: None

ABSTAIN: None

- 22) **T-1137 (17286) ALLEN-DELHI: AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES ON BEHALF OF ALLEN 7 LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT CONSISTING OF 39 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ALLEN LANE AND COLTON AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-701-012, 139-07-701-014 THRU 139-07-701-022.**

Planner Vicki Adams stated Staff recommended continuance of this item unless details had been worked out with Public Works and the Fire Department. If the application was approved, Staff recommended 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. Should the applicant choose to provide access to Allen Lane via Kentmere Avenue, the proposed entrance shall align with Greenwich Drive.
3. Five (5) copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Department of Public Works and the Department of Planning and Development prior to submittal of the final map and civil engineering plans.
4. The City will attempt to secure right-of-way for parcel 139-07-701-013. If successful the developer will be required to install curb, gutter and pavement to avoid sawtooth conditions.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Allen Lane.
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. Allen Lane - 40'
 - b. Delhi Avenue - 30'
 - c. Colton Avenue - 30'

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 street names shall be in accordance with the *North Las Vegas Street Naming and Address Assignment Standards*.
12. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
13. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
14. A revocable encroachment permit for landscaping within the public right-of-way is required.
15. All Nevada Power Company easements and poles must be shown. The poles shall be fully located within the landscaped area and if the relocation of any poles is required, it will be at the expense of the developer.
16. Streets in excess of five hundred (500) feet shall conform to the minimum curvilinear street requirements as outlined in North Las Vegas Municipal Code Section 16.20.050.
17. 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 the recording of the final map.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, stated the applicant had worked out details with the Fire Department and believed the issues with Public Works had also been worked out. Ms. Lazovich asked to add language to Condition No. 2 so that it read "Should the applicant choose to provide access to Allen Lane via Kentmere Avenue, the proposed entrance shall align with Greenwich Drive *unless an alternative is approved by the North Las Vegas Traffic Engineer*. She said Condition No. 4 should be amended to read, "The city will attempt to secure right-of-way for parcel 139-07-701-013. If successful, the developer will be required to install curb, gutter and pavement to avoid sawtooth conditions. *This condition shall be null and void if the City cannot acquire the right-of-way prior to approval of the final map or if the developer cannot obtain written consent of the property owner to construct the curb, gutter and pavement prior to approval of the final map.*" In concurrence with the Fire Department, she asked that Condition No. 19 be deleted.

Commissioner Stone confirmed the conditions were acceptable with Staff.

ACTION: APPROVED AS AMENDED;

CONDITION 2 AMENDED TO READ AS FOLLOWS: SHOULD THE APPLICANT CHOOSE TO PROVIDE ACCESS TO ALLEN LANE VIA KENTMERE AVENUE, THE PROPOSED ENTRANCE SHALL ALIGN WITH GREENWICK DRIVE UNLESS AN ALTERNATIVE IS APPROVED BY THE NORTH LAS VEGAS TRAFFIC ENGINEER.

CONDITION NO. 4 AMENDED TO READ AS FOLLOWS: THE CITY WILL ATTEMPT TO SECURE RIGHT-OF-WAY FOR PARCEL 139-07-701-013. IF SUCCESSFUL, THE DEVELOPER WILL BE REQUIRED TO INSTALL CURB, GUTTER AND PAVEMENT TO AVOID SAWTOOTH CONDITIONS. THIS CONDITION SHALL BE NULL AND VOID IF THE CITY CANNOT ACQUIRE THE RIGHT-OF-WAY PRIOR TO APPROVAL OF THE FINAL MAP OR IF THE DEVELOPER CANNOT OBTAIN WRITTEN CONSENT OF THE PROPERTY OWNER TO CONSTRUCT THE CURB, GUTTER AND PAVEMENT PRIOR TO APPROVAL OF THE FINAL MAP.

CONDITION NO. 19 IS DELETED.

MOTION: Commissioner Brown

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

- 23) **SPR-53-04 (17285) SHADOW CREEK MANOR: AN APPLICATION SUBMITTED BY D. R. HORTON, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO REDUCE CORNER SIDE LOT LANDSCAPING FROM THE REQUIRED TEN (10) FEET TO FIVE (5) FEET. THE PROPERTY IS LOCATED AT 6213 AND 6228 AMORY STREET, 2637 BLUE AVENUE, 2636, 2624, 2616 AND 2516 TORCH AVENUE, 6228 FARCIA STREET, 6229 BLISS STREET, AND 6229 DARA STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-25-110-017, 124-25-110-043, 124-25-110-047, 124-25-110-050, 124-25-110-054, 124-25-110-055, 124-25-110-059, 124-25-110-078, 124-25-110-084 AND 124-25-110-088.**

Planner Vicki Adams stated the applicant requested a waiver of the Single Family Design Guidelines to allow five feet of corner side-lot landscaping instead of the required ten feet. The request applied to ten lots in the subdivision. Staff did not believe the applicant adequately supported the request for the waiver nor was a soil survey submitted with the application. Staff recommended denial of the application.

Gia Nguyen, 1555 South Rainbow Boulevard, Las Vegas, represented the applicant and had planned ten feet of landscaping from the house to the sidewalk but they planned to put a screen wall in for privacy. He asked for Planning Commission's approval.

Commissioner Stone stated he did not believe there was a valid justification for the waiver and he could not support the application.

ACTION: DENIED

MOTION: Commissioner Stone

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

OLD BUSINESS

- 24) **AMP-59-04 (16012) ALHAMBRA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY RUNVEE, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF INDUSTRIAL TO REGIONAL COMMERCIAL. THE PROPERTY IS GENERALLY LOCATED AT THE INTERSECTION OF LAMB BOULEVARD AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-31-602-003, 123-31-502-001, 123-30-801-001 AND 123-32-101-001.**

Planning Manager Marc Jordan stated Staff recommended approval of this application. He said Staff had received three letters opposing this application. All of the letters indicated concern with safety of pedestrians and the incompatibility with the railroad tracks.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant, and stated they were in concurrence with Staff's recommendations.

Commissioner Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Stone

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

- 25) **GED-01-04 (16014) ALHAMBRA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY RUNVEE, INC., PROPERTY OWNER, FOR A PETITION TO ESTABLISH A GAMING ENTERPRISE DISTRICT. THE PROPERTY IS GENERALLY LOCATED AT THE INTERSECTION OF LAMB BOULEVARD AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-31-602-003, 123-31-502-001, 123-30-801-001 AND 123-32-101-001.**

Planning Manager Marc Jordan stated the applicant was required to provide clear and convincing evidence that this application was appropriate. Staff had no objections to this application.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, stated he represented the applicant and was accompanied by George Garcia, G. C. Garcia, Inc., and representatives from Kim Lee Horn who would answer questions on the technical issues. He stated the Planned Unit Development would have a mixture of uses on the property, such as gaming, residential, office, and retail. Mr. Gronauer explained the application specifically met the guidelines such as innovations in residential, commercial and industrial development. He believed the proposed establishment would not be detrimental to the health, safety or general welfare of the community and was not incompatible with the surrounding area. The property was not less than 500 feet from the property line of a developed residential district and was not less than 1500 feet from the property line of a public or private school or a structure used primarily for religious services and would not adversely affect residences, schools or religious structures within 2500 feet of the property line. Mr. Gronauer explained water and sewer service were adequate for the expected demands. There were adequate services for electrical, natural gas, telephone and communications. Additionally, the site was not located in a flood zone. He explained police and fire services would not be unduly impacted. He presented a letter from the school district stating the application would not affect them.

George Garcia, 1711 Whitney Mesa Drive, Henderson, stated this project was a gateway into the northeast part of North Las Vegas. He described the project as a "Main Street" concept. It would contain a variety of uses, including residential and would enhance the quality of life for residents and tourists.

Chairman Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Stone

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

NAYS: None

ABSTAIN: None

- 26) **ZN-76-04 (16013) ALHAMBRA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY RUNVEE, INC., PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A HOTEL, CASINO AND TAVERN; COMMERCIAL; MULTI-FAMILY UNITS AND OFFICE. THE PROPERTY IS GENERALLY LOCATED AT THE INTERSECTION OF LAMB BOULEVARD AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-31-602-003, 123-31-502-001, 123-30-801-001 AND 123-32-101-001.**

Planning Manager Marc Jordan stated Staff did not believe the preliminary development plan was consistent with the regional commercial approved for this site. Staff had no problem with the commercial on the lower floor and residential on top but did not support the multi-family zoning requested for the north side. He explained that there were no standards for mixed-use commercial. While construction would take several years, Staff still needed to develop design standards. He stated Staff recommended continuance for the preliminary plan to be redesigned to comply with current regional commercial standards. If Planning Commission decided the application was to be approved, Staff recommended the following conditions:

1. This Preliminary Development Plan shall be revised to include the minimum requirements set forth in the City of North Las Vegas municipal Code Section 17.28.060.D. Street stationing
2. The plans shall be revised to comply with *City of North Las Vegas Municipal Code* section 16.20.040.1 which states: "The streets in subdivisions shall conform in width and alignment with that shown or indicated in the applicable portions of the master plan of streets and highways as adopted or as may be amended or as shown on precise plans which have been adopted. (Ord. 1172 § 1 (part), 1996: prior code § 16.06.040)"
3. 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. Ann Road
 - b. Donovan Way
 - c. Lamb Boulevard
4. Ann Road shall intersect Donovan Way at a ninety (90) degree angle.
5. Lamb Boulevard between Interstate 15 and the UPRR overpass is designated as a limited access arterial, therefore, access to Lamb Boulevard shall be achieved via the connecting roadway network (Ann Road). Driveways along this limited access arterial will not be permitted.

6. A master transportation plan with modeling containing 20 year projections will be required.
7. Should the applicant choose to pursue an amendment to the *Master Plan of Streets and Highways* to remove a portion of Donovan Way between Ann Road and Lamb Boulevard, a master transportation plan justifying the vacation must be submitted to and approved by the Transportation Services Division of Public Works prior to submitting an application to amend the *Master Plan of Streets and Highways*.
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* section 17.24.130. Conformance may require modifications to the site.
9. Right-of-way dedication and construction of a CAT bus turn-out is required on Lamb Boulevard near Ann Road and on Ann Road near Lamb Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
10. Right-of-way dedication and construction of a flared intersection is required at Ann Road and Lamb Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
11. Adequate parking shall be provided and shown on the site plan. Calculations for parking must be provided to the Transportation Services Division.
12. This project shall include a pedestrian walkway over the U. P. R. R. In order to provide access to the residential area to the west.
13. Adequate parking shall be provided and shown on the site plan. Calculations for parking must be provided to the Transportation Services Director.
14. Provide fiber optic conduit on Ann Road and Lamb Blvd.
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. 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.

18. The property owner is required to grant a roadway easement for commercial driveway(s).
19. The property owner is required to sign a restrictive covenant for utilities.
20. Approval of a drainage study is required prior to submittal of the civil improvement plans.
21. 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.
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. The installation of sprinklers for fire suppression is required in all buildings within this development, with alarms transmitted to a central station.
24. A voice evacuation fire alarm system with remote microphone is required for all buildings containing residential dwelling units within this development.
25. No occupancy of any buildings within the development may occur before the completion of the Lamb Boulevard improvement project, which includes connection of Lamb Boulevard to both the I-15 and I-215 freeways.
26. Open space and recreational amenities shall be provided in accordance with the requirements set forth in the North Las Vegas Municipal Code and identified at such time that the final development plan is submitted.
27. All residential dwelling units shall be constructed as second-floor units and above. No residential dwelling unit shall be on the ground floor of any structure. With the exception of a concierge desk, lobby, hallway, elevator landing or stairwell leading up to the residential dwelling units, only commercial uses shall occupy the ground floors of all buildings within the Planned Unit Development.
28. The number of parking stalls for the residents and guests shall be provided in accordance with the requirements set forth in the Zoning Ordinance for Multi-Family developments. The location of the residential parking shall be within a secured parking garage constructed as a "basement" below the residential units with each parking stall within 150 feet of the unit in which it serves. Guest parking is not required to be located within the secured garage.
29. Residential units shall not be allowed above any restaurant, bar, tavern or lounge.

30. Balconies shall be provided for each residential unit. Each balcony shall be a minimum 40 square feet in size.
31. In addition to the stipulations stated herein, the residential portions of the development shall comply with the Multi-Family Development Standards, with the exception of the exterior finish of the buildings.
32. The overall design of the site and buildings shall comply with the Commercial Development Standards and Design Guidelines.
33. Exterior roof ladders and down spouts shall not be permitted.
34. Signage for the development shall comply with the requirements for a commercial development, with the exception of the hotel and casino. The hotel and casino shall comply with the requirements set forth in the Zoning Ordinance. A Master Sign Program shall be approved prior to the issuance of any building permits for signs.
35. The first phase of the development shall consist of, at a minimum, the casino, a minimum 300 rooms for the hotel.
36. One final development plan shall be submitted for the entire planned unit development. The final development plan may be divided into a maximum three phases. Each phase may be subsequently submitted independently of the others as separate final development plans provided that each phase is appropriately defined on the plan.
37. A theater complex with a minimum six screens, or an alternative "major entertainment amenity", shall be developed as part of the second phase of this development. The theater complex, or alternative, shall be a minimum 24,000 square feet, identified on the final development plan and the type of entertainment venue shall be subject to approval by the Planning Commission as part of the final development plan review.
38. Parking for the commercial uses shall be provided in accordance with ordinance requirements. Parallel parking in front of the commercial uses shall not be counted toward the commercial or residential guest parking.
39. Unless otherwise approved through a variance, waiver or other method, this development shall comply with all applicable codes and ordinances.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, was accompanied by George Garcia and represented the applicant. He stated he wanted to incorporate all of his comments from Item No. 25 into this one. He said this was a preliminary plan and not

the final development plan. He explained the applicant was trying to be innovative and try something different. He stated they accepted Staff's conditions and asked for the Commission's approval.

George Garcia, 1711 Whitney Mesa Drive, Henderson, stated the applicant did not want to have the AMP and the GED separated from the PUD. It was cleaner to have all approved at the same time so that purchasers of homes in the PUD would be aware of the casino being built. He said the Planning Commission would have the opportunity to review the entire project when the Final Development Plan was complete.

Chairman Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

Commissioner Stone stated he had experience with a property which was approved well in advance of building the project and the residences around it. He believed it was a good time to approve something like this application so that when the residences were built, everyone buying them would understand the surrounding zoning.

Commissioner Brown asked if the application could be conditioned to say that approval is based on any new ordinances or the conditions given by Staff, whichever is more restrictive. Planning Manager Jordan said a condition was already listed that described the commercial on the first floor and residential above it. If the applicant determined that the condition wasn't feasible, they could come back and apply to amend the PUD. Mr. Gronauer stated the applicant was fine with that condition.

ACTION: APPROVED, AS AMENDED:

CONDITION NO. 1 DELETE "BE REVISED TO"

CONDITION NO. 5 DELETE "DRIVEWAYS ALONG THIS LIMITED ACCESS ARTERIAL WILL NOT BE PERMITTED"

ADD CONDITION NO. 39 TO READ AS FOLLOWS: A SPECIAL USE PERMIT FOR A CASINO SHALL BE VALID FOR A PERIOD OF EIGHT YEARS AND THAT EXTENSIONS OF TIME MAY BE GRANTED FOR PERIOD OF NOT MORE THAN TWO YEARS EACH.

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

27) UN-110-04 (16187) ALHAMBRA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY RUNVEE, INC., PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT (PROPOSED PUD PLANNED UNIT DEVELOPMENT DISTRICT) TO ALLOW A HOTEL AND CASINO. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF LAMB BOULEVARD AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-31-602-003 AND 123-31-502-001.

Planning Manager Marc Jordan stated Staff had recommended approval of this item with the following conditions.

1. This Preliminary Development Plan shall be revised to include the minimum requirements set forth in the City of North Las Vegas Municipal Code Sections 17.28.060.D. Street Stationing
2. The plans shall be revised to comply with *City of North Las Vegas Municipal Code* section 16.20.040.1 which states: "The streets in subdivisions shall conform in width and alignment with that shown or indicated in the applicable portions of the master plan of streets and highways as adopted or as may be amended or as shown on precise plans which have been adopted. (Ord. 1172 § 1 (part), 1996: prior code § 16.06.040)"
3. 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:
 - d. Ann Road
 - e. Donovan Way
 - f. Lamb Boulevard
4. Ann Road shall intersect Donovan Way at a ninety (90) degree angle.
5. Lamb Boulevard between Interstate 15 and the UPRR overpass is designated as a limited access arterial, therefore, access to Lamb Boulevard shall be achieved via the connecting roadway network (Ann Road).
6. A master transportation plan with modeling containing 20 year projections will be required.
7. Should the applicant choose to pursue an amendment to the *Master Plan of Streets and Highways* to remove a portion of Donovan Way between Ann Road and Lamb Boulevard, a master transportation plan justifying the vacation must be submitted to and approved by the Transportation Services Division of Public Works prior to submitting an application to amend the *Master Plan of Streets and Highways*. Additionally, the applicant will be required to establish a connector road to the northern portion of Donovan Way via Ann Road and Marion Drive.

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* section 17.24.130. Conformance may require modifications to the site.
9. The design of the bridge crossing the railroad tracks has not been finalized. Therefore, parking under the bridge structure should not be considered.
10. Right-of-way dedication and construction of a CAT bus turn-out is required on Lamb Boulevard near Ann Road and on Ann Road near Lamb Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
11. Right-of-way dedication and construction of a flared intersection is required at Ann Road and Lamb Boulevard per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
12. This project shall include a pedestrian walkway over the UPRR in order to provide access to the residential area to the west.
13. Adequate parking shall be provided and shown on the site plan. Calculations for parking must be provided to the Transportation Services Division.
14. Provide fiber optic conduit on Ann Road and Lamb Blvd.
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. 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.
18. The property owner is required to grant a roadway easement for commercial driveway(s).
19. The property owner is required to sign a restrictive covenant for utilities.
20. Approval of a drainage study is required prior to submittal of the civil improvement plans.
21. 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.

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. The use permit is site-specific and non-transferable.
24. The development of this site shall be in compliance with the conditions listed for ZN-76-04.
25. Unless otherwise approved through a variance, waiver or other method, this development shall comply with all applicable codes and ordinances.
26. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, with the exception of the building orientation/placement, whereby the principal structure may generally be located as identified on the site plan.
27. That the principal structure be designed and constructed to support wireless communications facilities; and
28. That a minimum 300-room hotel be constructed as part of the first phase of development in conjunction with the casino.
29. That all sides of the parking structures be designed and constructed with facades to match the principal structure.
30. That the maximum height of the principal structure be 150 feet.
31. That UN-110-04 shall expire in accordance with the requirements set forth in the Zoning Ordinance.
32. That the project include an amenity(s) as required by NRS for resort hotel casino, including, at a minimum a pool or spa and one other recreation or entertainment amenity in conjunction with the retail or mixed-use phase of development. Such amenity(s) may be, but not limited to, movie theaters, ice rink and/or bowling alleys.

However in further review of the item, Staff decided many of these conditions were redundant because they were already stated in the PUD. Staff recommended amending the conditions by deleting Conditions 1, 2, 3, 5, 6, 7, 8, 10, 11, 13, 14, 16, 17, 18, 19, 20, 21, 22, and 28. Condition No. 31 should be amended to add "and PUD ZN-76-04 as approved by City Council". A new condition was added as Condition 33 and stated "The use Permit shall be null and void if ZN-76-04 and GED -01-04 are not approved by the City Council". The applicant stated agreement with those amendments.

Chairman Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED, AS AMENDED.

CONDITIONS 1, 2, 3, 5, 6, 7, 8, 10, 11, 13, 14, 16, 17, 18, 19, 20, 21, 22,
AND 28 SHALL BE DELETED

CONDITION 31 SHALL BE AMENDED TO READ AS FOLLOWS: THAT
UN-110-04 SHALL EXPIRE IN ACCORDANCE WITH THE
REQUIREMENTS SET FORTH IN THE ZONING ORDINANCE AND PUD
NO. ZN-76-04 AS APPROVED BY CITY COUNCIL.

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

CONDITION NO. 33 SHALL BE ADDED AS FOLLOWS: THE USE PERMIT
SHALL BE NULL AND VOID IF ZN-76-04 AND GED-01-04 ARE NOT
APPROVED BY CITY COUNCIL

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

28) UN-114-04 (16265) ALHAMBRA (PUBLIC HEARING): AN APPLICATION SUBMITTED BY RUNVEE, INC., PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT (PROPOSED PUD PLANNED UNIT DEVELOPMENT DISTRICT) TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 123-30-801-001.

Planning Manager Marc Jordan stated Staff had recommend several conditions for approval but many of them were redundant because they were stated in the PUD and Staff recommended amending the conditions to read as follows:

1. Ann Road shall intersect Donovan Way at a ninety (90) degree angle.
2. The design of the bridge crossing the railroad tracks has not been finalized. Therefore, parking under the bridge structure should not be considered.
3. The project shall include a pedestrian walkway over the UPRR in order to provide access to the residential area to the west.
4. The use permit is site-specific and non-transferable.
5. The development of this site shall be in compliance with the conditions listed for ZN-76-04.
6. Unless otherwise approved through a variance, waiver or other method, this development shall comply with all applicable codes and ordinances.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated he concurred with the conditions outlined by Staff.

Chairman Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Planning Manager Marc Jordan asked the Commission to reconsider this item.

ACTION RECONSIDER ITEM 27

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

ACTION: APPROVED, AS AMENDED TO ADD THE FOLLOWING CONDITION:

7. THE USE PERMIT SHALL BE NULL AND VOID IF ZN-76-04 IS NOT APPROVED BY CITY COUNCIL.

MOTION: Commissioner Leavitt

SECOND: Vice Chairman Cato

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

NAYS: None

ABSTAIN: None

29) ZN-100-04 (16843) CENTENNIAL 17 (PUBLIC HEARING): AN APPLICATION SUBMITTED BY DAKOTA ONE, LLC, ON BEHALF OF THE PAULA BOARDMAN IRREVOCABLE TRUST, ET AL, AND THE JOHN AND MOLLIE GUBLER TRUST, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 80 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 675 FEET EAST OF NOVAK STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-101-008 AND 123-29-501-001.

Planner Vicki Adams stated this item was continued from the September 22, 2004, Planning Commission meeting to allow the applicant to submit a preliminary development plan which clearly outlined the Union Pacific buffer area, the regional flood control facility dedication and the open space required. The revised plan has been submitted and Staff recommended approval with the following conditions:

1. Unless otherwise approved through a variance, waiver or other method, this development shall comply with all applicable codes and ordinances.
2. That the development shall comply with the Single-Family Development Design Standards.
3. That the minimum lot size shall be 4,500 square feet.
4. That the development shall not exceed 77 Single-Family Homes.
5. That the following setbacks shall apply:
 - a. Front: Fifteen (15) feet, provided all garages maintain a 20-foot front setback.
 - b. Interior side: Five (5) feet
 - c. Corner side: Ten (10) feet
 - d. Rear yard: Fifteen (15) feet
6. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the open space/park areas showing landscaping and amenities. Prior to submittal of the final development plan, the applicant must schedule a meeting with the Parks and Recreation Director or designee to determine what amenities will be required of the private park areas.
7. That perimeter landscaping of the exterior street perimeter be designated as "Common Elements" and that interior perimeter landscaping commonly described as corner side yard landscaping be addressed as allowed for in the North Las Vegas Municipal Code Section 17.24.210(E).

8. That the perimeter walls be owned and maintained by the homeowners' association.
9. 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.
10. At a minimum, the following amenities shall be provided within the open space:
 - a. Circuitous lighted paths
 - b. A minimum of twenty 24-inch box trees per acre
 - c. At least two differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada.
 - d. At least one large open space area for group/organized play
 - e. One large group shade area/gazebo (30' diameter), lighted in addition to shelter at play structure
 - f. Picnic tables and barbecue grills
 - g. Benches spaced along park pathways
 - h. ADA accessibility
 - i. Details of amenities to be provided
11. Right-of-way dedication (dimensions of which to be determined in an approved drainage study) is required for the Regional Flood Control facility adjacent to the Union Pacific Railroad. Should the applicant choose to place the facility underground within a drainage easement at his own expense, a change to the Clark County Regional Flood Control District Master Plan must be successfully obtained; should a drainage facility of thirty (30) feet in width prove to be inadequate, modifications to the site may be necessary, possibly resulting in fewer lots.
12. Approval of a drainage study is required prior to submittal of the civil improvement plans.
13. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
14. 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.
15. Side lot easement(s) must comply with the City of North Las Vegas Municipal Code Section 17.24.210.D.4.a.
16. Access points along Centennial Parkway will be limited to right in, right out unless otherwise approved by both the City of North Las Vegas Traffic Engineer and the Public Utility Commission.

17. A minimum right-of-way width of 60 feet shall be provided for the subdivision entrance street.
18. Streets shall intersect at 90 degree angles. Otherwise intersections must be radial or include a tangent of at least 50 feet in length prior to intersection, or as otherwise approved by the City Traffic Engineer.
19. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in *Clark County Uniform Standard Drawing No. 210*. The use of roll curb will require an additional one foot of right-of-way.
20. All residential lots created shall have direct access to and abut a public or private street meeting the minimum widths set forth in the City of North Las Vegas Municipal Code.
21. Sidewalk, with a minimum width of 3.5 feet, is required on a minimum of one side of all interior, private streets.
22. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 222*.
23. Dedication and construction of the following streets and/or half streets is required per the Master Plan of Streets and Highways and City of North Las Vegas Municipal Code Section 16.24.100.B:
 - a. Centennial Parkway
24. All lots created 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."
25. The property owner is required to grant roadway easements where public and private streets intersect.
26. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
27. A revocable encroachment permit for landscaping within the public right-of-way is required.
28. All common elements shall be labeled and are to be maintained by the homeowners' association.

29. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards and must be approved by the City of Las Vegas Central Fire Alarm office. If a conformed tentative map is required, the approved street names shall be shown on the map prior to final signatures.
30. Approval of a traffic study is required prior to submittal of the civil improvement plans.
31. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway.
32. All Nevada Power Company easements and poles must be shown and shall be fully located within the landscape area. If any poles need to be relocated, it will be at the expense of the developer.
33. The developer is responsible for the acquisition of public utility easements needed for any off-site utilities.
34. Streets in excess of five hundred (500) feet shall conform to the minimum curvilinear street requirements as outlined in North Las Vegas Municipal Code Section 16.20.050.

Russell Skeus, 7525 Hickham Avenue, Las Vegas, represented the applicant and stated they concurred with Staff's recommendations.

Chairman Aston opened the Public Hearing. There was no public participation.

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

30) ZOA-12-04 (16902) ELIMINATION OF FWD REQUIREMENTS (PUBLIC HEARING): AN ORDINANCE AMENDMENT INITIATED BY ORION ENGINEERING AND SURVEYING, INC., TO AMEND TITLE 17 (ZONING ORDINANCE) OF THE NORTH LAS VEGAS MUNICIPAL CODE TO ELIMINATE THE REQUIREMENT FOR FENCE/WALL DEVIATIONS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

The applicant requested this item be continued to November 10, 2004.

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

ACTION: CONTINUED TO NOVEMBER 10, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Stone

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

NAYS: None

ABSTAIN: None

- 31) **VAC-31-04 (16894) ENGLE AVENUE (PUBLIC HEARING): AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT CORPORATION ON BEHALF OF MARLIDA, INC., PROPERTY OWNER, TO VACATE THE NORTHERLY 30-FOOT HALF-STREET RIGHT-OF-WAY OF ENGLE AVENUE COMMENCING APPROXIMATELY 160 FEET EAST OF LOSEE ROAD AND PROCEEDING EAST APPROXIMATELY 469 FEET. THE ASSESSOR'S PARCEL NUMBER IS 124-24-301-001.**

The applicant requested the item be continued until November 23, 2004

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

ACTION: CONTINUED TO NOVEMBER 23, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Stone

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

NAYS: None

ABSTAIN: None

- 32) **SPR-45-04 (16893) DEER SPRINGS & LOSEE: AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT CORPORATION, ON BEHALF OF MARLIDA, INC., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT) TO ALLOW A MULTIFAMILY DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LOSEE ROAD AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-24-301-001 AND 124-24-301-002.**

The applicant requested this item be continued until November 23, 2004

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

ACTION: CONTINUED TO NOVEMBER 23, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Stone

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

NAYS: None

ABSTAIN: None

33) UN-137-04 (17012) CENTENNIAL/SIMMONS ALIANTE CENTER (PUBLIC HEARING): AN APPLICATION SUBMITTED BY THE JAMES E. STROH ARCHITECT, INC., ON BEHALF OF UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (BANK). THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF SIMMONS STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-002.

Planning Manager Marc Jordan stated this site was planned for a bank and Staff recommended continuance because the redesign of related Item Number 6 would change the application. If Planning Commission approved this item, Staff recommended 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, including but not limited to all the buildings within the proposed commercial development being oriented to the street corner and/or at the front of the site at the minimum setback line, unless a waiver request is reviewed and approved by the Planning Commission.
3. That all landscaping for this development shall be consistent in materials and design with the master-planned community of Aliante.
4. Approval of the drainage study is required prior to submittal of the civil improvement plans.
5. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
7. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
8. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
9. A revocable encroachment permit for landscaping within the public right-of-way is required.

10. 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.
11. 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.
12. The property owner is required to grant a roadway easement for commercial driveway(s)
13. The property owner is required to sign a restrictive covenant for utilities.
14. Approval of a traffic study is required prior to submittal of the civil improvement plans.

Bill Curran, Curran and Parry, 300 South Fourth Street, Las Vegas, asked the Commission to approve this item. Mr. Curran stated the new Bank of North Las Vegas planned to be located on the site and delay would be detrimental to that process.

Chairman Aston opened the Public Hearing.

James York, 7908 Holly Knoll Avenue, Las Vegas, stated the Bank of North Las Vegas was in the process of approval from the Federal Deposit Insurance Corporation and one of the conditions on their approval was the location.

David Marino, 6228 Prospect Niche Street, North Las Vegas, stated he would like to see a bank at that location.

Chairman Aston closed the Public Hearing.

Mr. Curran asked the commission to approve this use permit.

ACTION: APPROVED

MOTION: COMMISSIONER LEAVITT

SECOND: COMMISSIONER STONE

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

NAYS: None

ABSTAIN: None

34) SPR-47-04 (17011) CENTENNIAL PLAZA: AN APPLICATION SUBMITTED BY JAMES E. STROH, ARCHITECT, INC. ON BEHALF OF SIMMONS 15 LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW PAD DEVELOPMENT TO BE LOCATED TO THE REAR OF THE PROPERTY WHERE IT IS REQUIRED TO BE LOCATED TO THE STREET FRONT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-501-005.

Planner Vicki Adams stated this item had been continued from the October 13th Planning Commission meeting. The applicant requested a waiver of the commercial development standards and design guidelines requiring buildings to be oriented to the street corner and street front. Staff pointed out another bank in the area which had complied with the development standards and recommended denial of the waiver request. If Planning Commission determined approval of this application was warranted, the following conditions would apply:

1. That the site meet all conditions of approval of UN-79-04 with the exception that Pad 1, Pad 2 and Pad 3 are not required to be oriented to the corner of the site.
2. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances, including, but not limited to the Commercial Development Standards and Design Guidelines.

Bill Curran, 300 South Fourth Street, Las Vegas, represented the applicant and stated the applicant believed this waiver had been approved in a prior application and had already created their design around that approval. Mr. Curran said the other bank referred to by Staff had circumstances different from this application and asked for Commission's approval.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

- 35) **UN-144-04 (17145) ALIANTE STORAGE (PUBLIC HEARING: AN APPLICATION SUBMITTED BY CHRYSALIS INVESTMENT, LLC ON BEHALF OF REBECCA RAGAIN, ETAL, PROPERTY OWNERS, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW MINI-WAREHOUSING. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ROME BOULEVARD AND SAN MATEO STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-19-401-002.**

The applicant asked that this item be continued to November 10, 2004

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

ACTION: CONTINUED TO NOVEMBER 10, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Stone

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

NAYS: None

ABSTAIN: None

- 36) UN-133-04 (16897) SECURED MINI-STORAGE (PUBLIC HEARING: AN APPLICATION SUBMITTED BY SECURED STORAGE, LLC , PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A 100 FOOT HIGH OFF-PREMISE SIGN (BILLBOARD). THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 172 FEET SOUTHEAST OF THE NORTH FIFTH STREET AND LOSEE ROAD INTERSECTION. THE ASSESSOR'S PARCEL NUMBER IS 139-14-303-002.**

The applicant requested this item be continued to November 10, 2004 to meet with Nevada Department of Transportation to request trees be trimmed which were blocking the sign..

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

ACTION: CONTINUED TO NOVEMBER 10, 2004

MOTION: Commissioner Leavitt

SECOND: Commissioner Stone

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

NAYS: None

ABSTAIN: None

- 37) **FDP-17-04 (17135) LONE MOUNTAIN & LOSEE-WEST: AN APPLICATION SUBMITTED BY CELEBRATE HOMES, ON BEHALF OF CELEBRATE HOMES 28 LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 250 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS GENERALLY LOCATED EAST OF LAWRENCE STREET BETWEEN LONE MOUNTAIN ROAD AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-703-009 & 124-35-803-005.**

Commissioner Stone stated he would abstain from voting on this item.

Planner Robert Eastman stated the applicant asked that 20 feet of land the applicant had dedicated for the trail system count as part of their open space requirement. That request was not reflected on the PUD approval and Staff recommended continuance of this item to amend the PUD.

Don Hazelhoff, 7391 Prairie Falcon Road, Las Vegas, represented the applicant and stated they would meet with Staff concerning the unresolved issues and asked for a continuance.

ACTION: CONTINUED TO NOVEMBER 10, 2004

MOTION: Commissioner Brown

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Commissioner Stone

38) SPR-41-04 (16646) CREEKSIDE BUSINESS PARK: AN APPLICATION SUBMITTED BY PANATTONI DEVELOPMENT COMPANY ON BEHALF OF LOSEE ROAD INVESTORS, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW 94,253 SQUARE FOOT INDUSTRIAL DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF WASHBURN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-36-301-001.

Planner Robert Eastman stated this item had been continued from the last meeting and the applicant submitted a revised site plan. Staff recommended approval of the application 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 a ten (10) foot landscape buffer shall be provided along the southern property line adjacent to the residential zoned property.
3. Turning radii along fire access lanes shall be designed in accordance with the Fire Code.
4. Fire access lanes shall be designed in accordance with Fire Code Requirements.
5. Right-of-way dedication and construction of a CAT bus turn-out is required on Washburn Road near Losee Road. It is suggested that the applicant provide the bus stop placement within the exclusive right turn lane for the property per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.3.
6. The developer will be required to dedicate and construct right-of-way in accordance with Clark County Area Uniform Standard Drawing Nos 201.1 and 245.1 for a flared intersection at Losee Road and Washburn Road.
7. The developer shall provide reasonable cross access between the convenience store and the warehouse/office buildings.
8. Approval of a traffic study is required prior to submittal of the civil improvement plans.
9. The civil improvements shall include schedule 40 PVC fiber optic conduit along the project's Losee Road and Washburn Avenue frontages.
10. Driveway number and 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.

11. 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.
12. The property owner is required to grant a roadway easement for commercial driveway(s).
13. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
14. A revocable encroachment permit for landscaping within the public right-of-way is required.
15. 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.
16. The property owner is required to sign a restrictive covenant for utilities.
17. Approval of a drainage study is required prior to submittal of the civil improvement plans.
18. 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.
19. 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.
20. Show the limits of the Federal Emergency Management Agency Special Flood Hazard Area Zone A on the tentative map.
21. The City of North Las Vegas does not permit the construction of any buildings within a Federal Emergency Management Agency (FEMA) designated Special Flood Hazard Area (SFHA). Under this policy, the applicant must meet the following requirements prior to issuance of permits and certificates of occupancy:
 - a. Grading and off-site construction permits may be issued once a copy of the Conditional Letter of Map Review (CLOMR) application has been submitted to FEMA for processing.
 - b. Building permits may be issued once a CLOMR has been obtained from FEMA.
 - c. Certificates of Occupancy can be issued once a Letter of Map Revision (LOMR) has been obtained from FEMA.

Jason Kunkler, Panattoni Development, 770 East Warm Springs Drive, Las Vegas, represented the application and stated they had addressed the concerns Staff raised at the prior meeting and asked for Planning Commission approval.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: Commissioner Stone

Planning Manager Marc Jordan asked the Planning Commission to reconsider two items, No. 27, UN-110-04, and No. 28, UN-114-04. Motion made by Commissioner Leavitt to reconsider, seconded by Commissioner Brown. Motion passed unanimously.

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS:

No additional business.

CHAIRMAN'S BUSINESS:

No additional business

ADJOURNMENT

The meeting adjourned at 12:01 A.M.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

APPROVED: JANUARY 12, 2005

/s/ Jay Aston
Chairman Jay Aston

ATTEST:

Recording Secretary