

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

April 13, 2005

Website - [http:// www.cityofnorthlasvegas.com](http://www.cityofnorthlasvegas.com)

BRIEFING: 6:30 pm., Conference Room, North Las Vegas City Hall,
2200 Civic Center Drive

CALL TO ORDER: 7:06 pm., Council Chambers, North Las Vegas City
Hall, 2200 Civic Center Drive

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

STAFF PRESENT: Jory Stewart, Planning and Development Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Bob Hoyes, Planner
Jim Lewis, Sr. Deputy City Attorney
Randy Cagle, PW, Real Property Services Manager
Kevin Futch, PW, Transportation
Jimmy Johnson, Fire Department
Tony Taylor, Parks Planner
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Alexander Carvalho, Boy Scout Troop No. 711

WELCOME: Chairman Jay Aston

MINUTES

- Approval of the minutes for the Planning Commission meeting of March 9, 2005.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

CONSENT AGENDA

- A. **PW-64-05 (20110) VILLAGES @ SIERRA RANCH, VILLAGE 2, UNIT 1: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY KB HOME NEVADA, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$561,692.51.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

- B. **PW-65-05 (20111) CRAIG SIMMONS COMMERCIAL CENTER: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY EMC INSURANCE COMPANY TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$42,932.73.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None:

- C. PW-66-05 (20112) MEADOW GOLD DAIRY COLD STORAGE AND CREAMERY: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY FIDELITY & DEPOSIT COMPANY OF MARYLAND TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$219,392.**

ACTION: APPROVED

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

- D. PW-67-05 (20113) CLASSIC PLUMBING: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INDEMNITY COMPANY OF CALIFORNIA TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$23,362.46.**

ACTION: APPROVED

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

- E. PW-68-05 (20114) AUTUMN CHASE III: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY CONTRACTORS BONDING AND INSURANCE COMPANY TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$385,895.90.**

ACTION: APPROVED

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

F. PW-69-05 (20116) MADERA, UNIT 1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN HOME ASSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$649,191.84.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None:

G. PW-70-05 (20118) MADERA, UNIT 3: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN HOME ASSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$408,397.55.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

H. PW-71-05 (20123) MADERA, UNIT 4: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN HOME ASSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$411,141.01.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

I. PW-72-05 (20124) LAGUNA PARK, UNIT 1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY ARCH INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$513,744.99.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

J. PW-73-05 (20125) LAGUNA PARK, UNIT 2: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY ARCH INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$274,440.49.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

K. PW-74-05 (20126) RUNVEE HOBART WEST, UNIT 4A: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$1,348,344.58.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

L. PW-75-05 (20130) RUNVEE HOBART WEST, UNIT 5A: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$560,344.25.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

M. PW-76-05 (20131) RUNVEE HOBART WEST, UNIT 5B: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$669,346.98.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

N. PW-77-05 (20132) CHEYENNE/CALIFORNIA: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY LIBERTY MUTUAL INSURANCE COMPANY TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$21,281.81.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

NEW BUSINESS

1. **AMP-13-05 (19704) CENTENNIAL CROSSING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF AMERICAN PACIFIC CAPITAL CENTENNIAL SIMMONS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATIONS OF LDR LOW DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL TO M-HDR MEDIUM-HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SIMMONS STREET AND RANCH HOUSE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-006.**

Item Nos. 1 and 2 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of AMP-13-05 as it was felt, based upon the surrounding land uses, the more appropriate land use designation and zoning for the site would be the existing zoning, LDR Low Density Residential and Neighborhood Commercial.

Bill Curran of Curran and Parry, 300 South 4th Street, Las Vegas, NV 89101 appeared on behalf of the applicant explaining the rezoning had been previously approved by the Commission and when it was forwarded to City Council they asked the site be redesigned to change from commercial to residential. He indicated they had tried to comply with Council's wishes but it was difficult to development a portion as R-1. It would be about 2 ½ gross acres, 2 acres net with a 100 foot street and a 60 foot street on the side. Most of the property would be consumed in improvements and they would probably only be able to get about three homes in the area. They would like to upgrade the portion of the property currently zoned R-1 and downgrade the portion that was currently zoned C-1.

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

Chairman Aston closed the Public Hearing.

Chairman Aston gave some background for the newer Commissioners. He stated the parcel had come before the Commission two or three times and he felt the last time the Commission made a recommendation, the recommendation was altered by City Council and he felt the item should be approved.

Commissioner Harry Shull concurred with Chairman Aston's comments and felt the property was unusually shaped and it had been worked out between the members and the development community and Staff was in a position where they technically needed to recommend denial but he did not see a problem with the design and what was being proposed and was in support of the project.

Commissioner Dean Leavitt stated the applicant was asked to make changes to the project and the changes had been made and they had met with the residents and come up with a project agreeable to them and now Staff was in a position where they were forced to recommend denial and he felt the applicant had done everything they could to satisfy the requests and requirements imposed by the residents and he was in support of the application.

Commissioner Steve Brown asked Staff if Simmons Street was a 120 foot right-of-way. Marc Jordan, Planning Manager responded it was a 100 foot right-of-way. Commissioner Brown stated Simmons Street would be relatively busy and stated the Commission already felt it was a good idea to put in higher density housing, which was shown on the map and asked Mr. Curran if it would integrate with that. Mr. Curran responded the rest of the project had already been approved and this would integrate with the previously approved project with the common circulation system. Commissioner Brown was also in support of the project.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

2. **ZN-30-05 (19702) CENTENNIAL CROSSING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF AMERICAN PACIFIC CAPITAL CENTENNIAL SIMMONS, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT AND C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SIMMONS STREET AND RANCH HOUSE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-006.**

Item Nos. 1 and 2 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of ZN-30-05 as it was felt, based upon the surrounding land uses, the more appropriate land use designation and zoning for the site would be the existing zoning, LDR Low Density Residential and Neighborhood Commercial.

Bill Curran of Curran and Parry, 300 South 4th Street, Las Vegas, NV 89101 appeared on behalf of the applicant explaining the rezoning had been previously approved by the Commission and when it was forwarded to City Council they asked the site be redesigned to change from commercial to residential. He indicated they had tried to comply with Council's wishes but it was difficult to development a portion as R-1. It would be about 2 ½ gross acres, 2 acres net with a 100 foot street and a 60 foot street on the side. Most of the property would be consumed in improvements and they would probably only be able to get about three homes in the area. They would like to upgrade the portion of the property currently zoned R-1 and downgrade the portion that was currently zoned C-1.

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

Chairman Aston closed the Public Hearing.

Chairman Aston gave some background for the newer Commissioners. He stated the parcel had come before the Commission two or three times and he felt the last time the Commission made a recommendation, the recommendation was altered by City Council and he felt the item should be approved.

Commissioner Harry Shull concurred with Chairman Aston's comments and felt the property was unusually shaped and it had been worked out between the members and the development community and Staff was in a position where they technically needed to recommend denial but he did not see a problem with the design and what was being proposed and was in support of the project.

Commissioner Dean Leavitt stated the applicant was asked to make changes to the project and the changes had been made and they had met with the residents and come up with a project agreeable to them and now Staff was in a position where they were forced to recommend denial and he felt the applicant had done everything they could to satisfy the requests and requirements imposed by the residents and he was in support of the application.

Commissioner Steve Brown asked Staff if Simmons Street was a 120 foot right-of-way. Marc Jordan, Planning Manager responded it was a 100 foot right-of-way. Commissioner Brown stated Simmons Street would be relatively busy and stated the Commission already felt it was a good idea to put in higher density housing, which was shown on the map and asked Mr. Curran if it would integrate with that. Mr. Curran responded the rest of the project had already been approved and this would integrate with the previously approved project with the common circulation system. Commissioner Brown was also in support of the project.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

3. **T-1169 (19701) CENTENNIAL CROSSING. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF AMERICAN PACIFIC CAPITAL CENTENNIAL SIMMONS, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT, R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED R-2), AND C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED R-2), CONSISTING OF 106 DUPLEX DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF SIMMONS STREET AND RANCH HOUSE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-006.**

It was requested by the applicant to continue T-1169 to April 27, 2005.

ACTION: CONTINUED TO APRIL 27, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

4. **AMP-14-05 (19706) CENTENNIAL CROSSING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF AMERICAN PACIFIC CAPITAL CENTENNIAL SIMMONS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF M-HDR MEDIUM-HIGH DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL. THE PROPERTY IS GENERALLY LOCATED WEST OF SIMMONS STREET AND APPROXIMATELY 620 FEET NORTH OF RANCH HOUSE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-006.**

Item Nos. 4 and 5 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of AMP-14-05 because based on the previous approval this site would provide access to the R-2 development that was currently in place. When Staff reviewed the applications for AMP-14-05 and ZN-31-05 it was looked at as a whole with the applications for AMP-13-05 and ZN-30-05.

Bill Curran of Curran and Parry, 300 South 4th Street, Las Vegas, NV 89101 appeared on behalf of the applicant explaining the Master Plan and Zoning had been changed to R-2 so the access could be taken off Simmons Street into the original parcel, now with the redesign that was no longer functional and they want to change back to the commercial that it was previously.

Chairman Jay 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, Commissioners Leavitt, Shull, Brown, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

5. **ZN-31-05 (19703) CENTENNIAL CROSSING (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF AMERICAN PACIFIC CAPITAL CENTENNIAL SIMMONS, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED WEST OF SIMMONS STREET AND APPROXIMATELY 620 FEET NORTH OF RANCH HOUSE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-006.**

Item Nos. 4 and 5 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of ZN-31-05 because based on the previous approval this site would provide access to the R-2 development that was currently in place. When Staff reviewed the applications for AMP-14-05 and ZN-31-05 it was looked at as a whole with the applications for AMP-13-05 and ZN-30-05.

Bill Curran of Curran and Parry, 300 South 4th Street, Las Vegas, NV 89101 appeared on behalf of the applicant explaining the Master Plan and Zoning had been changed to R-2 so the access could be taken off Simmons Street into the original parcel, now with the redesign that was no longer functional and they want to change back to the commercial that it was previously.

Chairman Jay 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, Commissioners Leavitt, Shull, Brown, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

6. SPR-15-05 (19705) CENTENNIAL CROSSING. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF AMERICAN PACIFIC CAPITAL CENTENNIAL SIMMONS, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A WAIVER OF THE BUILDING LOCATION STANDARDS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-006.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of SPR-15-05 as the applicant had not given a justifiable reason why the waiver should be granted. However, if the Commission determined approval was warranted, Staff was recommending SPR-15-05 be subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development shall comply with the Commercial Development Standards and Design Guidelines, except Pad 2 is not required to be located at the front of the site at the minimum setback line.
3. That all landscaping for this development shall be consistent in materials and design with the master-planned community of Aliante.
4. Approval of a traffic study is required prior to submittal of the civil improvement plans.
5. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along the project's Centennial Parkway and Simmons Street frontages.
6. Right-of-way dedication and construction of a flared intersection is required at Centennial Parkway and Simmons Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
7. Access shall be limited to right turns in and out by the installation of a raised median island within Centennial Parkway and Simmons Street.
8. The driveway access to Centennial Parkway and Simmons Street are subject to the review and approval of the City Traffic Engineer and must meet the standards set forth in the *City of North Las Vegas Municipal Code*.

9. Right-of-way dedication and construction of a CAT bus turn-out is required on Simmons Street near Centennial Parkway. 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.
10. Appropriate subdivision and/or parcel mapping is required to create the parcel. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
11. A revocable encroachment permit for landscaping within the public right of way is required.
12. 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.
13. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
14. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
15. The property owner is required to grant a roadway easement for commercial driveway(s).
16. The property owner is required to sign a restrictive covenant for utilities.
17. 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.
18. Approval of a drainage study is required prior to submittal of the civil improvement plans.
19. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.

20. 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.

Bill Curran of Curran and Parry, 300 South 4th Street, Las Vegas, NV 89101 appeared on behalf of the applicant explaining there had been a few small changes. He stated Pad No. 1 had been approved, Pad No. 2 was changed slightly so the traffic circulation pattern remained consistent and some protrusions had been added so the buildings were not in a straight line. There were restaurant pads on the corners with covered awnings for an outdoor dining area. The buildings in this project would match the existing buildings in the project across the street.

Chairman Jay Aston asked Staff if some of the issues in the denial of the site plan review were related to the Amendment to Master Plan and Zoning or was it just the waiver request. Marc Jordan, Planning Manager responded the recommendation was based solely on the waiver request.

Chairman Aston asked Mr. Curran what feedback he had regarding the waiver request. Mr. Curran responded there was no negative feedback from anyone. If the buildings were moved closer to the street it would raise havoc with the traffic circulation. Chairman Aston asked if the landscape buffers met the current requirements. Mr. Curran responded they did.

Commissioner Dean Leavitt stated if this was a new project, it would be better to have all buildings oriented to the street but by having just one section of the development oriented to the street, not only did it interrupt the circulation, but made it look like a hodge podge and he was supporting the waiver request.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

7. UN-31-05 (19606) COMMERCE COMMONS TAVERN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TERRITORY, INC., ON BEHALF OF IKE AND DANA EPSTEIN, 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 CENTENNIAL PARKWAY AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-502-007.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, 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-31-05) for a tavern is site-specific and non-transferable.
4. Approval of a traffic study is required prior to submittal of the civil improvement plans.
5. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway and Commerce Street.
6. Right-of-way dedication and construction of a flared intersection is required at Centennial Parkway and Commerce Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
7. Construction of a CAT bus turn-out is required on Centennial Parkway near Commerce Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
8. The number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in North Las Vegas Municipal Code 17.24.130. Conformance may require modifications to the site.

9. Approval of a drainage study is required prior to submittal of the civil improvement plans.
10. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
11. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
12. A revocable encroachment permit for landscaping within the public right of way is required.
13. All Nevada Power Company easements and poles must be shown. The poles shall be fully located within the landscaping area and if the relocation of any poles is required it will be at the expense of the developer.
14. The property owner is required to grant a pedestrian access easement for sidewalk located within the common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
15. 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.
16. The property owner is required to grant a roadway easement for commercial driveway(s).
17. The property owner is required to sign a restrictive covenant for utilities.
18. If the property owner is subdividing in the future, the applicant must submit a commercial subdivision map.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant. He stated he concurred with Staff recommendation and asked for clarification if the Use Permit was approved for one year or six months. Jim Lewis, Sr. Deputy City Attorney responded since the application came in before the change made by City Council, the old rules would apply and the Use Permit would expire in six months.

Mr. Jordan stated to eliminate confusion, he would like to add Condition No. 19 to read: "That the Use Permit shall expire on October 13, 2005."

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH THE
ADDITION OF CONDITION NO. 19 TO READ AS FOLLOWS:

19. THE USE PERMIT SHALL EXPIRE OCTOBER 13, 2005.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

8. **UN-33-05 (19699) LANDMARK LUMBER LLC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GEORGE DACOSTA ON BEHALF OF ROGER DIELEMAN, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW OUTDOOR MANUFACTURING. THE PROPERTY IS GENERALLY LOCATED SOUTH OF TROPICAL PARKWAY AND APPROXIMATELY 300 FEET EAST OF MARION DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 123-29-701-002.**

It was requested by the applicant to continue UN-33-05 to April 27, 2005.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO APRIL 27, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

9. **ZN-28-05 (19449) 4300 NORTH DECATUR (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ALISSA CHOTI, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT 4300 NORTH DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-06-310-007.**

The application was presented by Robert Eastman Principal Planner on behalf of Staff who indicated Staff was recommending approval of ZN-28-05.

Saeed Saatchi, 4300 North Decatur Boulevard, North Las Vegas, NV 89130 and Jim Smith of American Realty, 1800 E. Sahara Avenue, Las Vegas, NV 89104 appeared on behalf of the applicant. Mr. Smith stated they concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

10. **AMP-12-05 (19670) VILLAGES @ CENTRAL PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ALIANCE RESIDENTIAL COMPANY ON BEHALF OF U H S DELAWARE, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATIONS OF OS OPEN SPACE AND REGIONAL COMMERCIAL TO HDR HIGH DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED NORTH OF CRAIG ROAD AND APPROXIMATELY 1,020 FEET WEST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-03-201-004 AND 139-03-201-005.**

It was requested by the applicant to continue AMP-12-05 to May 11, 2005.

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

- **Woodrow Finney, 4716 Vista Del Rey, North Las Vegas, NV 89030** stated he would hold his comments until the item was heard on May 11, 2005.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO MAY 11, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

11. **ZN-29-05 (19671) VILLAGES @ CENTRAL PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ALIANCE RESIDENTIAL COMPANY ON BEHALF OF U H S DELAWARE, INC., PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-2 GENERAL COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 460 MULTI-FAMILY UNITS, OFFICE AND RETAIL COMMERCIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-03-201-004 THRU 139-03-201-006.**

It was requested by the applicant to continue ZN-29-05 to May 11, 2005.

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

- **Woodrow Finney, 4716 Vista Del Rey, North Las Vegas, NV 89030** stated he would hold his comments until the item was heard on May 11, 2005.

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO MAY 11, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

12. **T-1168 (19700) VILLAGES @ CENTRAL PARK. AN APPLICATION SUBMITTED BY ALLIANCE RESIDENTIAL COMPANY ON BEHALF OF U H S DELAWARE, INC., PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-2 GENERAL COMMERCIAL DISTRICT CONSISTING OF ONE COMMERCIAL/RETAIL LOT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CRAIG ROAD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-03-201-004 AND 139-03-201-006.**

It was requested by the applicant to continue T-1168 to May 11, 2005.

ACTION: CONTINUED TO MAY 11, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

13. **UN-32-05 (19669) WEST GOWAN OFFICE PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BA PERFORMANCE ON BEHALF OF CASEY REAL ESTATE HOLDINGS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY (MOTORCYCLE). THE PROPERTY IS LOCATED AT 2267 WEST GOWAN ROAD, SUITE 107. THE ASSESSOR'S PARCEL NUMBER IS 139-08-701-026.**

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending approval subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That UN-32-05 is site-specific and non-transferable.

Tony Dailey, 1628 Council Bluff Lane, North Las Vegas, NV 89031 stated he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

14. UN-36-02 (19665) MARAVILLA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY AMSTAR HOMES ON BEHALF OF MARAVILLA, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A SUPPER CLUB. THE PROPERTY IS LOCATED NORTH OF ANN ROAD AND APPROXIMATELY 300 FEET WEST OF VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-401-021.

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending approval of UN-36-02 subject to conditions in Staff Report with the exception of Condition No. 26 which should be amended to read, "That UN-36-02 shall expire on September 4, 2005." The recommended conditions are as follows:

1. That UN-36-02 be subject to all applicable conditions of ZN-49-02; and
2. That the final site development plan shall be subject to site plan review and approval by the City Council; and
3. That the development shall comply with all applicable codes and ordinances; and
4. That the use permit is site specific and nontransferable; and
5. That technical design comments will be made at the time development plans are submitted; and
6. That the applicant provide a graphic illustration that clearly indicates that no other tavern is within 1,500 feet of the proposed establishment prior to issuance of a building permit. The illustration shall be created and stamped by a Nevada-licensed surveyor; and
7. That a final development plan for the commercial center be reviewed and approved by the City Council prior to application of any construction permits; and
8. That the construction of the proposed supper club take place after, or in conjunction with, the construction of "Major (tenant) A". All associated parking and landscaping shall be provided at the time of construction; and
9. That the required pedestrian plaza area(s) be constructed as part of the first phase of construction; and
10. That a minimum twenty (20) feet of landscaping be provided between the residential and commercial portions of the PUD. Installation, ownership and maintenance of

- the landscaping shall be the responsibility of a property owner association(s) and/or the commercial center; and
11. That the meandering sidewalk along the northern and western property lines be removed; and
 12. That the meandering sidewalk adjacent to the Ann Road right-of-way be separated from the back-of-curb by a minimum five (5) feet of landscaping, except as approved by Public Works; and
 13. That the development of the shopping center be in conformance with the Commercial Design Standards and shall adhere to the illustrative Commercial Center Guideline Book; and
 14. That all perimeter walls and landscaping be provided as part of the first phase of construction or per an approved phasing plan by Planning staff; and
 15. That bicycle parking areas be provided in a manner so as not to interfere with pedestrian walkways; and
 16. That a screen wall (maximum six feet in height) be provided along the northern and western property lines or a buffer/screening design as otherwise approved by Planning staff. The wall shall be decorative on both sides, except where it faces a residential alley. The design of the wall shall be complementary to the design of the shopping center and shall not be permitted to have any smooth-face CMU blocks; and
 17. That site plan approval is conceptual, subject to a final development plan and code requirements; and
 18. That this approval shall not constitute or imply approval of any privileged business license that may be required by the City; and
 19. That all conditions, stipulations and limitations be fulfilled and construction begun within six months of the date of approval; and
 20. That windows be provided on the east-, north- and south-facing walls that allow clear and unobstructed views of the interior of the establishment from outside; and
 21. That restrooms be accessible from the dining area without having to go through the bar area; and
 22. That dining and waiting areas be separated from the bar area by an opaque wall with a minimum height of four feet; and

23. That the supper club shall not exceed 4,992 total square feet (outside wall to outside wall); and
24. That free-standing signage be restricted to monument-type and shall be part of the shopping center's overall approved sign program. The sign program for the shopping center shall be reviewed and approved by the City Council as part of the final development plan prior to application of a building permit or business license; and
25. Fire access lane turning radii shall be designed and installed in accordance with the Fire Code.
26. That UN-36-02 shall expire on September 4, 2005.

Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH CONDITION NO. 26 AMENDED TO READ AS FOLLOWS:

26. THAT UN-36-02 SHALL EXPIRE ON SEPTEMBER 4, 2005.

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

15. **ZN-76-02 (19668) QUALCOMM NLV CAMPUS MASTER PLAN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY QUALCOMM INCORPORATED ON BEHALF OF LOLLITO, LLC AND G R B-S G G, LLC, PROPERTY OWNERS, TO AMEND A PREVIOUSLY APPROVED PUD PLANNED UNIT DEVELOPMENT DISTRICT TO CONSIST OF APPROXIMATELY 22.43 ACRES TO ALLOW INDUSTRIAL AND OFFICE USE. THE PROPERTY IS GENERALLY LOCATED NORTH OF CHEYENNE AVENUE AND APPROXIMATELY 610 FEET WEST OF ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 139-07-801-015.**

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending approval subject to conditions listed in Staff Report with amendments to Condition No. 62 to read "That a maximum five buildings be allowed to be two stories. The maximum height of a two-story building shall be 60 feet." Staff also recommended that Condition No. 70 be added to read "That the perimeter wall be allowed to be up to 10 feet in height. The wall shall be decorative and shall have one pilaster every 30 linear feet or portion thereof, and shall have a sloped decorative cap atop the entire wall. In addition, Staff recommends that Condition No. 44 from previously approved conditions be deleted if this application is approved. The recommended conditions are as follows:

ALL PHASES:

1. That AMP-39-03 be approved by the City Council. If AMP-39-03 is denied, then this amendment shall be considered null and void; and
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
3. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
4. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
5. That an amended parcel map shall be filed to create parcels of different land uses; and
6. That right-of-way for a flared right-turn lane at Cheyenne Avenue and Valley Drive be provided; and
7. That all streets with rights-of-way 100 feet or greater require a centerline median; therefore, a median shall be provided on Cheyenne Avenue; and

8. That the driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer and shall meet the standards set forth in Section 17.24.130 of the Zoning Ordinance. Conformance may require modifications to the site plan; and
9. That a comprehensive drainage study is required; and
10. That approval of this application does not imply a commitment by the City for utility service to the subject property. A utility commitment will only be issued upon compliance with the requirements and conditions set forth in the *Utility Service Commitment Policy Guidelines* available from the Department of Public Works; and
11. That all parking areas throughout the PUD shall be developed in accordance with the Commercial Design Standards; and
12. That the minimum number of required parking stalls shall be provided with each phase of development; and
13. That street construction shall conform to current engineering standards and City Ordinances; and
14. That technical design comments will be made at the time development plans are submitted; and
15. That some interior streets may require minor revisions as required by the Traffic Engineer; and
16. That a water network analysis shall be provided prior to development; and
17. That all known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geologic hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans; and
18. That measures to achieve a noise level reduction, outdoor-to-indoor, of 25 decibels shall be incorporated into the design and construction; and
19. That all known soil conditions shall be shown on the civil improvement plans. Soil conditions that affect landscaping and wall construction may substantially alter the site plan and require submission of a revised site plan, which must be approved by the Development Services Director or his/her designee prior to approval of the civil improvement plans; and

20. That the owner/developer is responsible for extending public utilities to the site; and
21. That the applicant and/or developer and their successors in interest shall disclose to the initial purchaser of a new residence, as contained within the sales agreement by separate written document, disclosure of current zoning district, future zoning, and the master plan land use designation of adjoining parcels of land; and
22. That no approval of the driveway number and location is implied. Prior to approval of the final development plan or tentative map, the driveways shall be revised to meet the standards set forth in North Las Vegas Municipal Code 17.24.130 and the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 225*; and
23. That no site plan approval is implied; and
24. That all free-standing signage be limited to monument-type, which shall not exceed eight (8) feet in overall height. All free-standing signs shall have a sign area and location in accordance with the requirements set forth in the Zoning Ordinance; and
25. That a final development plan be reviewed and approved by the Planning Commission for each phase of development; and
26. That no trash enclosures shall be located within 50 feet of Valley Drive, nor within 50 feet of the residential areas of this PUD; and

NEIGHBORHOOD COMMERCIAL PHASE:

27. That the commercial area be limited to a maximum 10.3 acres (gross); and
28. That the development of the commercial area be in compliance with the Commercial Design Standards, including but not limited to parking lot landscaping, foundation landscaping, pedestrian plaza open space and pedestrian walkways; and
29. That the design theme of the commercial area be consistent with that of the business park; and
30. That the uses permitted within the commercial area be limited to those identified as "Principally Permitted Uses" in the C-1, Neighborhood Commercial, district with the following exceptions, which shall not be permitted: Appliance sales and services, auto supply store, department store, furniture store, garden supply store, grocery store, hardware store, hunting and fishing supply store, paint and wallpaper store, and pet shop; and

31. That any use involving the “on-sale” of alcoholic beverages shall require a special use permit in accordance with the requirements set forth in the Zoning Ordinance; and
32. That one convenience food restaurant with drive-through service window be permitted. The convenience food restaurant shall be located within the 10.3-acre commercial area. If additional convenience food restaurants with drive-through service windows are requested, those requests shall require a special use permit in accordance with the requirements set forth in the Zoning Ordinance; and
33. That vehicular access to the commercial area not be permitted from the residential area; and
34. That group homes shall not be permitted; and

BUSINESS PARK PHASE:

35. That vehicular access to the business park not be permitted from the residential area; and
36. That the uses permitted within the business park shall be limited to those identified as “Principally Permitted Uses” in the M-1, Business Park Industrial, zoning district with the following exceptions, which shall not be permitted: Outdoor storage, exterminator shop and manufacturing; and
37. That, if a heliport is desirable, the development of such shall require Planning Commission consideration of a special use permit and the approval shall be subject to all applicable FAA regulations; and
38. That one mini-warehousing facility shall be considered for a “Special Use Permit” provided the gross acreage of the facility not exceed three acres; and
39. That two pedestrian access ways shall be provided from the non-residential areas to the residential areas. The access ways shall be ADA compliant; and
40. That a sufficient number of sheltered bicycle parking stalls shall be provided throughout the business park. The number of stalls required shall be determined at the time development plans are submitted; and
41. That the development of the business park be in compliance with the Commercial Design Standards, including but not limited to the pedestrian open space plaza areas; and
42. That group homes shall not be permitted; and

RESIDENTIAL PHASE:

43. That 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; and
44. That the development of the residential areas be in compliance with the Single Family Design Guidelines; and
45. That the development of the residential areas be in compliance with the standards set forth in Section 17.20.060 ®-2, Two-Family Residential District) of the Zoning Ordinance and developed as two-family townhomes; and
46. That all recreational amenities shall be identified at the time of final development plan submittal. The applicant shall meet with the Department of Parks & Recreation prior to submittal to ensure compliance; and
47. That 50% of the required open space areas be completed prior to the issuance of a building permit for the 100th residential unit; and
48. That 100% of the required open space areas be completed prior to the issuance of a building permit for the 200th residential unit; and
49. That notes be placed on the conforming and final maps indicating the conditions of approval, as deemed appropriate by the Development Services Department.
50. The amenities to be included in the open space which shall contain, at a minimum, the following items:
 - a. Circuitous lighted paths; and
 - b. A minimum of 20 24-inch box trees per acre; and
 - c. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection and accompanying shade ramada and;
 - d. At least one large open space area for group/organized play; and
 5. One large group shade area/gazebo (30' diameter), lighted; and
 - f. Picnic tables and barbecue grills; and
 - g. Benches spaced along park pathways; and
 - h. Details of the amenities are to be provided.
51. Emergency access shall only be allowed next to Valley Drive. Such access shall comply with all Fire Department Codes and Ordinances.

52. That front yards shall be maintained by the Homeowners Association.
53. The Final Development Plan for the residential portion shall be a Public Hearing.
54. The community shall be gated.
55. The CC&Rs shall not allow a property owner to own more than one unit in this development.
56. Traffic calming is required on Colton Ave., including medians, subject to the approval of the Public Works Department.
57. Meandering sidewalks are required along Colton Ave., Valley Drive and Allen Lane.

QUALCOMM PHASE:

58. That, if/when a final development plan is approved for the subject Qualcomm site, it shall render the previously-approved "Business Park Central" preliminary development plan null and void. If/when a final development plan is approved for the previously-approved "Business Park Central", the Qualcomm preliminary development plan shall be null and void; and
59. That the development of this site shall substantially conform to the preliminary development plan, as submitted; and
60. That a maximum six buildings be constructed in substantial compliance to the sizes and locations provided on the preliminary development plan; and
61. That a maximum five buildings be allowed to be two stories. The maximum height of a two-story building shall be 60 feet; and
62. That one turn-around with a 52-foot radius be provided west of the General Plant Building and one turn-around with a 52-foot radius be provided west of the MDC Building; and
63. That the perimeter wall be decorative in all areas where the wall is visible from an adjacent parcel, publicly-accessible area, right-of-way and/or undeveloped portion of this or an adjacent site; and
64. That the use of razor wire shall be permitted only if said razor wire is screened from adjacent parcels, publicly-accessible areas, rights-of-way and/or undeveloped portions of this or an adjacent site. All razor wire shall be a minimum 10 feet inside the perimeter wall; and

65. That all roof-mounted antennae shall be screened and treated in the same manner as roof-mounted mechanical equipment; and
66. That all buildings and parking areas not within the confines of the perimeter wall shall be constructed in compliance with the Commercial Development Standards and Design Guidelines; and
67. That all buildings and parking areas within the confines of the perimeter wall shall be constructed in compliance with the Industrial Development Standards and Design Guidelines; and
68. That all routine testing of equipment that may be noisier than the normal operations of the facility take place Monday through Friday and between the hours of 10:00 a.m. and 3:00 p.m. Under no circumstance shall the decibel levels at the property lines exceed 65 decibels.
69. That the perimeter wall be allowed to be up to 10 feet in height. The wall shall be decorative and shall have one pilaster every 30 linear feet or portion thereof, and shall have a sloped decorative cap atop the entire wall.

Mike Asaro, of Architects Delawie Wilkes Rodrigues Barker, 2265 India Street, San Diego, CA 92121 and James Callaghan, 5575 Morehouse Drive, San Diego, CA 92121 appeared on behalf of the applicant. Mr. Asaro asked Staff if the language in Condition No. 63 could be amended broadening the language to allow other possible alternatives. Jimmy Johnson, Assistant Fire Chief responded they could come to some type of agreement that would meet fire code and be acceptable to the Fire Department. Bob Hoyes, Planner stated the following language could be added: "unless otherwise approved by the Fire Chief."

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH THE DELETION OF CONDITION NO. 44, CONDITION NOS. 62 AND 63 AMENDED AND CONDITION NO. 70 ADDED TO READ AS FOLLOWS:

62. THAT A MAXIMUM FIVE BUILDINGS BE ALLOWED TO BE TWO STORIES. THE MAXIMUM HEIGHT OF A TWO-STORY BUILDING SHALL BE 60 FEET.
63. THAT ONE TURN-AROUND WITH A 52-FOOT RADIUS BE

PROVIDED WEST OF THE GENERAL PLANT BUILDING AND ONE TURN-AROUND WITH A 52-FOOT RADIUS BE PROVIDED WEST OF THE MDC BUILDING UNLESS OTHERWISE APPROVED BY THE FIRE DEPARTMENT.

70. THAT THE PERIMETER WALL BE ALLOWED TO BE UP TO 10 FEET IN HEIGHT. THE WALL SHALL BE DECORATIVE AND SHALL HAVE ONE PILASTER EVERY 30 LINEAR FEET OR A PORTION THEREOF AND SHALL HAVE A SLOPED DECORATIVE CAP ATOP THE ENTIRE WALL.

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

16. **AMP-11-05 (19451) BUSINESS RESEARCH DEVELOPMENT PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KIRT KLAHOLZ ON BEHALF OF STOHUD LAND, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF BUSINESS, RESEARCH OR DEVELOPMENT PARK TO NEIGHBORHOOD COMMERCIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF MARTIN LUTHER KING BOULEVARD AND CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-16-501-001.**

Item Nos. 16 and 17 were presented together.

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending that AMP-11-05 be approved.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

17. **ZN-27-05 (19452) BUSINESS RESEARCH DEVELOPMENT PARK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KIRT KLAHOLZ ON BEHALF OF STOHUD LAND, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF MARTIN LUTHER KING BOULEVARD AND CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-16-501-001.**

Item Nos. 16 and 17 were presented together.

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending that ZN-27-05 be approved.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

18. **UN-30-05 (19520) OUR LADY OF GUADALUPE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TIM C. AYALA ON BEHALF OF MARCO SANDOVAL, PROPERTY OWNER, FOR A USE PERMIT IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A CHURCH. THE PROPERTY IS GENERALLY LOCATED NORTH OF CAREY AVENUE AND APPROXIMATELY 94 FEET EAST OF NORTH STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-16-802-003.**

It was requested by the applicant to continue UN-30-05 to May 25, 2005.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO MAY 25, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

19. UN-34-05 (19698) WASHINGTON FEDERAL SAVINGS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GARY NELSON ARCHITECT ON BEHALF OF WASHINGTON FEDERAL SAVINGS, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (BANK). THE PROPERTY IS GENERALLY LOCATED NORTH OF ANN ROAD AND APPROXIMATELY 246 FEET EAST OF FERRELL STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-412-003.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending that UN-34-05 be approved subject to the following recommended conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; except to allow for the second drive-thru lane at the front of the site along Ann Road.
2. That UN-34-05 is site-specific and non-transferable.
3. That any expansions to the proposed use shall be subject to Planning Commission review and approval.
4. Review and approval of site sign shall not be included in use permit.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Approval of a traffic study update is required prior to submittal of the civil improvement plans.
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. 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.
9. 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.
10. The property owner is required to grant a roadway easement for commercial

driveway(s).

11. The property owner is required to sign a restrictive covenant for utilities.
12. A revocable encroachment permit for landscaping within the public right of way is required.
13. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
14. Fire access land turning radii shall be designed and installed in accordance with the Fire Code.
15. Fire lane access shall be a minimum of 24 feet.
16. The installation of sprinklers for fire suppression is required with a central monitoring system.

Gary Nelson Architect, 811 Baymist Avenue, Henderson, NV 89052 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

20. UN-146-04 (17263) CENTENNIAL/LAMB TAVERN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PETER MICHELIN ON BEHALF OF MICHAEL ANGELO, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED 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 AND APPROXIMATELY 315 FEET NORTH OF AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 123-29-101-003.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-146-04 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances.
2. That the use permit shall be valid only upon Planning Commission approval of a site plan for the overall shopping center.
3. That subsequent major expansions or additions to the use shall be subject to Planning Commission review and approval.
4. That the use permit is site specific and non-transferable.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
7. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
8. 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 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 *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 driveway(s).
19. The property owner is required to sign a restrictive covenant for utilities.
20. The expiration date on this use permit is October 13, 2005.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

21. **ZOA-05-05 (19970) TITLE 17 (PUBLIC HEARING). AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS TO AMEND TITLE 17 (ZONING ORDINANCE) SECTION 17.20.020(G), 17.20.030(G), 17.20.040(G), 17.20.050(G), 17.20.060(H), 17.20.070(H), 17.20.080(H) TO ALLOW AN ENCROACHMENT INTO THE SETBACKS FOR MEDIA NICHEs AND COOLING SYSTEMS WITHIN ALL RESIDENTIAL DISTRICTS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending that ZOA-05-05 be approved.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

22. SPR-14-05 (19662) MARCELLO MARKETPLACE. AN APPLICATION SUBMITTED BY CARL D. MARCELLO ON BEHALF OF THE CLARK COUNTY DEPARTMENT OF AVIATION, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT CONSISTING OF 135,628 SQUARE FEET OF COMMERCIAL. THE APPLICANT IS ALSO REQUESTING A WAIVER OF THE COMMERCIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES REQUIREMENT TO ORIENT A BUILDING TO THE CORNER. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CAREY AVENUE AND RANCHO DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-18-404-005.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of SPR-14-05 subject to the conditions listed in the revised memo dated April 13, 2005 as follows:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development shall comply with the Commercial Development Standards and Design Guidelines except that:
 - a. Pad 10 may be oriented away from the street frontage if the building is utilized for a pharmacy, only. All other uses must be oriented to the corner of the site.
 - b. The landscape islands are not required along the eastern property line directly behind Building 1 (Retail), Building 2 (Retail) and Building 3 (Retail).
3. Approval of a traffic study is required prior to submittal of the civil improvement plans.
4. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Rancho Drive and Carey Avenue.
5. Right-of-way dedication for a flared intersection is required at Rancho Drive and Carey Avenue per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
6. Right-of-way dedication and construction of a CAT bus turn-out is required on Rancho Drive near Carey Avenue per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.

7. The driveway access to Carey Avenue is subject to the review and approval of the City Traffic Engineer and must meet the standards set forth in the North Las Vegas Municipal Code.
8. The number of driveways and their locations along Rancho Drive are subject to the review and approval of the Nevada Department of Transportation.
9. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standards Drawing* numbers 222A and 25, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
10. Approval of a drainage study is required prior to submittal of the civil improvement plans.
11. 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.
12. City of Las Vegas (CLV) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
13. Nevada Department of Transportation concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
14. The property owner is required to grant a roadway easement for commercial driveway(s).
15. The property owner is required to sign a restrictive covenant for utilities.
16. The property owner is required to grant a pedestrian access easement for sidewalks within any common element.
17. A revocable encroachment permit for landscaping within the public right of way is required.

Scott Brown of JMA Architects, 10150 Covington Cross Drive, Las Vegas, NV 89144 appeared on behalf of the applicant, stating he agreed with most of Staff recommendations except for one condition. He stated the main waiver being requested was for Pad No. 10 on Rancho Drive and Carey Avenue. He stated that corner was initially an issue with Staff to provide a 10 foot right-of-way for a future right turn lane. He stated they were providing a 10 foot right-of-way dedication there. Currently, there is 35 feet of landscape on the corner of Rancho Drive and Carey Avenue until the right-of-way is constructed. At this time

it is undetermined who the tenant will be for Pad No. 10 and the applicant would like maximum flexibility for that pad as at this point, it is a possible pharmacy or convenience store with gas pumps and possibly a retail use.

Carl Marcello, 4795 South Durango Drive, Las Vegas, NV 89147 developer and owner of the project stated the landscape requirements would add a lot of greenery to that area and they were taking a risk building on spec but the corner was valuable to them and stated to restrict the building orientation to the front of the site was detrimental to the project and asked for the Commissions' approval of all waivers.

Mr. Brown asked if the recommendation included the building orientation to the corner. Commissioner Shull responded his motion was made subject to Staff's recommended conditions of approval listed in the revised memo dated April 13, 2005.

Mr. Marcello asked if there could be any more discussion. Chairman Aston responded the discussion was over. Mr. Marcello asked the Commission to reconsider their position.

Commissioner Dilip Trivedi stated he liked the site plan as it was drawn he felt it gave an opportunity to add more landscaping on the corner and made the corner more attractive. Commissioner Trivedi asked the requirement for orienting the building to the street as opposed to what was shown on the site plan. Robert Eastman, Planner responded the building orientation requirement was a design standard to help give the street edge more definition and to help reduce the visibility to some extent of a sea of parking. He used the Fiesta Hotel as an example. He stated the Fiesta Hotel and Casino, as a casino, was exempt. Additionally, they were built before the design standards were approved but the Fiesta, as any larger retail development, many times put a sea of parking in the front which does not contribute to an attractive development that was friendly and inviting for pedestrian access along the street and it encouraged higher traffic speeds, it encouraged drivers passing by to pay less attention to what they are doing, and it did not encourage a more cohesive and attractive development as was preferred with a street edge. A street edge, while in most normal circumstances would be preferred, as it was in more built up urban areas to help with traffic flow and for aesthetic purposes. The building orientation did not in any way affect the landscaping, as the landscaping was already provided. If the building was set up to the corner, it would be located at the edge of the landscaping. The difference for this application and this site plan was that the strip of parking at the front would be forced to be put to the back. Additionally, if, at some future date, he applied for a use permit for a convenience food store with gas pumps, those pumps would be located away from the corner and located either on the side, behind along Rancho Drive or behind over toward Carey Avenue which would, additionally, need to be addressed when the use permit was applied for.

Chairman Aston asked Commissioner Shull if he wished to change his motion. Commissioner Shull responded he was active on the Planning Commission when the

Design Standards were developed and felt strongly about them. He stated 15 or 20 years ago the City of Henderson was referred to as Hooterville but they have instituted a number of the Design Standards that this City has tried to adopt and have been moving forward and even though we are not a Summerlin or Green Valley, the City has to start someplace and he felt new projects should conform to the current Design Standards and wished to leave his motion as stated.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

23. T-1167 (19614) ALIANTE COMMONS. AN APPLICATION SUBMITTED BY LOCHSA ENGINEERING ON BEHALF OF ALIANTE COMMONS, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-2 GENERAL COMMERCIAL DISTRICT CONSISTING OF ONE COMMERCIAL LOT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 124-30-802-018.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of T-1167 with Condition Nos. 19 and 20 deleted and a condition added to read: "The Tentative Map shall be null and void if the applicable rezonings and Development Agreement are not approved by the City Council." The recommended conditions of approval are as follows:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road and Allen Lane if not already existing.
3. Right-of-way dedication for a flared intersection is required at Ann Road and Allen Lane per the Uniform Standard Drawings for Public Works; Construction Off-Site Improvements Drawing Number 201.1 and 245.1
4. Right of way dedication for a CAT bus turnout is required along the project's Ann Road frontage.
5. The accesses to Ann Road, Allen Lane, and Willis Street are subject to the review and approval of the City Traffic Engineer and must meet the standards set forth in the City of North Las Vegas Municipal Code.
6. Commercial driveways are to be constructed in accordance with Clark County Area Uniform Standard Drawing numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
7. The property owner is required to grant a roadway easement for commercial driveway(s).
8. Appropriate subdivision and/or parcel mapping is required to create the parcel. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the North Las Vegas Municipal Code.
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 landscaping area and if the relocation of any poles is required it will be at the expense of the developer.
11. The property owner is required to grant a pedestrian access easement for sidewalk located within the common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
12. The property owner is required to sign a restrictive covenant for utilities.
13. Approval of a drainage study is required prior to submittal of the civil improvement plans.
14. 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.
15. 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.
16. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the actual thickness of the pavement sections will be determined by the Department of Public Works.
17. The development is required to participate in the Ann Road SID. The design professional shall coordinate with Allen Fajardo (633-2044) of the Engineering Services Division of Public Works.
18. The sidewalks along Ann Road and Allen Lane must be separated from the back of the street curb by a minimum of five (5) feet and be curvilinear in design.
19. The Tentative Map shall be null and void if the applicable rezonings and Development Agreement are not approved by the City Council.

Dave Clapsaddle of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH THE DELETION OF CONDITION NOS. 19 AND 20 AND THE ADDITION OF A CONDITION TO READ:

THAT THE TENTATIVE MAP SHALL BE NULL AND VOID IF THE APPLICABLE REZONINGS AND DEVELOPMENT AGREEMENT ARE NOT APPROVED BY CITY COUNCIL.

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

OLD BUSINESS

24. **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-2 FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 500 FEET EAST OF FERRELL STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-101-006. (CONTINUED FEBRUARY 9, 2005)**

SPR-36-04 was withdrawn by the applicant.

25. **AMP-07-05 (19167) THE GATEWAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PJ & CB, LLC, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS, TO DELETE LAWRENCE STREET BETWEEN DEER SPRINGS WAY AND DORRELL LANE; TO DELETE COLLETTE STREET BETWEEN DEER SPRINGS WAY AND DORRELL LANE; TO DELETE DORRELL LANE BETWEEN LAWRENCE STREET AND LOSEE ROAD; TO DELETE AN UNNAMED STREET BETWEEN LAWRENCE STREET AND LOSEE ROAD; TO DELETE DEER SPRINGS WAY BETWEEN LAWRENCE STREET AND LOSEE ROAD AND TO DELETE ROME BOULEVARD BETWEEN LAWRENCE STREET AND LOSEE ROAD. (CONTINUED MARCH 9, 2005)**

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant requesting that AMP-07-05 be continued to April 27, 2005.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO APRIL 27, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

26. **VAC-05-05 (19156) THE GATEWAY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PJ & CB, LLC, TO VACATE LAWRENCE STREET BETWEEN DEER SPRINGS WAY AND DORRELL LANE; TO VACATE COLLETTE STREET BETWEEN DEER SPRINGS WAY AND DORRELL LANE; TO VACATE DORRELL LANE BETWEEN LAWRENCE STREET AND LOSEE ROAD; TO VACATE AN UNNAMED STREET BETWEEN LAWRENCE STREET AND LOSEE ROAD; TO VACATE DEER SPRINGS WAY BETWEEN LAWRENCE STREET AND LOSEE ROAD AND TO VACATE ROME BOULEVARD BETWEEN LAWRENCE STREET AND LOSEE ROAD. (CONTINUED MARCH 9, 2005)**

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant requesting that VAC-05-05 be continued to April 27, 2005.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO APRIL 27, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

27. UN-28-05 (19422) REVERE MARKETPLACE/CHECK CITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CHECK CITY ON BEHALF OF MESA INVESTMENTS, LLC PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (PAYDAY LOAN). THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND REVERE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-04-701-002. (CONTINUED MARCH 23, 2005)

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending approval of UN-28-05 subject to the following recommended conditions:

1. That the special use permit is site specific and non-transferable; and
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
3. That this development shall comply with conditions of approval for T-1126; and
4. That any expansions to the proposed use shall be subject to Planning Commission review and approval.

Ed Garcia of Jones Vargas, 3773 Howard Hughes Parkway, Las Vegas, NV 89109 appeared on behalf of the applicant. He stated in paragraph two of the analysis, there was mention of the definition of financial institutions; Mr. Marchesi's operations were all licensed by the Financial Institutions Division both under NRS 604 and NRS 675. The ordinance was drafted to define the difference between a bank and a small consumer finance company. He stated the application complied with all standards for a use permit. The location was much more understated with both the exterior and the signage than a lot of these type of operations. These type of operations provide a needed service, not only to North Las Vegas but to the entire Las Vegas Valley. One of Staff's comments was concern whether this business was necessary to the community and neighborhood. He commented in other jurisdictions, in Las Vegas and Clark County, there were four of these type operations on one corner, which showed the traffic drove the locations and used those types of establishments. Mr. Garcia introduced the applicant, **Jim Marchesi, 6820 W. Charleston Boulevard, Las Vegas, NV 89117**. Mr. Marchesi stated this would be his first location in North Las Vegas and had been in the check cashing business for about 20 years. They have establishments in five states and he was not only one of the owners but was also president of Nevada Financial Services Association which was an industry association. His company was also on the board of the Community Financial Services Association of America, which was an association that operates under a set of "best

practices” of which there were only a few operators who operated under those guidelines. He stated he had been in Carson City working with Representative Buckley for the past six months to try to get these types of items integrated into the statutes in Nevada so that it made a consistent offering for all check cashing businesses. He stated his company was an industry leader and his facilities were bank like. They spend between \$200,000 and \$500,000 getting a location leased and in shape to be able to do business. He stated the industry was changing and had become very mainstream. Now, in the State of Nevada, there were over 200,000 people who use their business weekly which shows there is a huge demand. As the business evolves, additional products will continue to be offered, such as mortgages, credit cards and other services that don't overlap with the banks but would compliment their services. The average customer earns \$45,000 per year, 96% of them are high school educated, 56% have some college, and over 60% own their own homes. He feels there is a stereotypical image of the type of person who uses these types of businesses which is false. There have been two nationwide studies and eight state studies done.

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

- **Wes Kiser, 1516 Bluestar, North Las Vegas, NV 89032** stated he was president of Hidden Canyon Homeowners Association located on the corner of Martin Luther King Boulevard between Alexander Road and Gowan Road. He was opposed to this application as there were at least six of these types of businesses already located on Craig Road and he did not feel this type of business would be appropriate across the street from a future park and stated they could afford to spend money because they charged such high interest rates.

Chairman Aston closed the Public Hearing.

Mr. Marchesi stated there were a lot of families who used his business and the customer base was primarily young families. He stated his business was a low cost alternative. People's reasons for using his business vary from not wanting to bounce a check to avoiding late fees to just wanting to have money to go out of town for the weekend. If you look at their alternatives, he could show studies that reflect his product costs about half what the alternatives do.

Commissioner Dean Leavitt stated last year in June, 2004 the City did a study on the number of these types of operations in the City and according to the map, there were six facilities on Craig Road and asked the applicant to show where his proposed business was in location to the other six already there. Mr. Garcia stated they complied with all distance requirements imposed. Mr. Marchesi stated the site was several thousand feet away from the nearest competitor. Commissioner Leavitt stated there was a significant number of these types of businesses in the City and City Council was reluctant to see the need for any

additional services at this time and maybe when the business was more regulated and had additional services such as mortgages, etc, maybe the perception would be different; but, at this time, he was not in support of this application because he felt 2,000 feet was not much distance between establishments.

Jim Lewis, Sr. Deputy City Attorney asked to help Commissioner Leavitt make a clarification that when he was referring to discussions in the past with City Council, that they were discussions regarding financial institutions and check cashing stores generally, not this application specifically. Commissioner Leavitt responded that was correct.

Commissioner Angelo Carvalho stated when he first looked at this application he was not opposed to it, but he had received several calls from individuals stating the Commission should look into how many check cashing facilities there were on Craig Road; so, he drove Craig Road to see how many facilities there were and knowing it would be across the street from a proposed park, he was not in support of the application.

Commissioner Dilip Trivedi asked the applicant what kind of interest rates the customers were charged and since he alluded to the fact his business was not stereotypical, how his business differed from the others and also asked if he was in support of the usury law amendments being proposed in the Legislature and what his position was. Mr. Marchesi responded they were working with Representative Buckley on AB-384 which was a bill to provide additional regulations that would limit the back end fees that some people in the industry charge. AB-340, is the bill that was presented by Representative June Giunchigliani which had the usury statute. Ms. Giunchigliani stated in testimony that she was not proposing a usury statute, she was doing it on behalf of a constituent and knew the usury statute would not pass. Mr. Marchesi stated in response to the interest rate charged, the rate charged was not the issue. The issue was what decision the customer was making. The customer was making a cost benefit analysis and they were looking at their alternative and that was a much higher cost. If the cost of a return check was analyzed relative to the fee charged by his business, the return check fee would be 233 percent higher than the fee charged by his business. Mr. Marchesi stated his establishment was different than others, because his was an industry leader. They help set the direction of the industry. His business had lower rates and most of his competitors did not charge on a daily base. Commissioner Trivedi again asked what type of interest rates were charged. Mr. Marchesi responded the fee charged was \$15 per \$100 for two weeks which worked out to 392 percent annually; but, if that fee were compared to the return check charge, it would be half the cost. Mr. Marchesi stated an annual percentage rate was not a good yardstick to use. He stated the average customer used his business about five times per year and he felt this was a product in demand and was used by middle income people. He felt there was misunderstanding of the services provided. Commissioner Trivedi asked the applicant if the interest rates were capped, if he would still be in the same business. Mr. Marchesi responded he would not. The average cost to process a loan as quoted by Wells

Fargo and Bank of America was a \$55 loan initiation fee. A study done in his industry showed the average cost to initiate a loan was \$33. If \$33 were put on a \$100 or \$200 loan, to recoup the cost, the customer would either need to use the product more than once or a fee had to be charged to cover the cost. Commissioner Trivedi stated he felt there were too many check cashing businesses in the area and was not in support of the application.

Commissioner Steve Brown stated Mr. Marchesi's argument was compelling and he felt he operated a reasonable business and probably was an industry leader; however, he felt the density of check cashing facilities was too high and was not in support of this application. He stated there was close to 25 of these types of businesses already in the City.

Chairman Jay Aston stated the check cashing industry was not clearly regulated on a stated level and the Commission could not determine which facilities were good and which were bad unless there was data, evidence or regulations based on a State level to establish the guidelines. He wanted to see evidence showing this business was different than other existing establishments of this type. Chairman Aston suggested the applicant continue the application and bring back evidence or data showing the differences between his business and others that already exist. Mr. Garcia responded they would be willing to continue this item. Mr. Marchesi stated there was significant ways to regulate and to further clarify some things that had become gaps. NRS 604 was very restrictive and dictated exactly how the business must be conducted and they were audited yearly.

ACTION: CONTINUED TO APRIL 27, 2005

MOTION: Commissioner Brown

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

28. **VAC-07-05 (19400) DONOVAN WAY & FREIGHTLINER AVE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BOULDER PLACEMENT ON BEHALF OF JERRY APPELHANS AND DEBRA TENNARIELLO, PROPERTY OWNERS, TO VACATE LONE MOUNTAIN ROAD COMMENCING AT DONOVAN WAY AND PROCEEDING EAST APPROXIMATELY 231 FEET. THE ASSESSOR'S PARCEL NUMBER IS 139-01-502-001. (CONTINUED MARCH 23, 2005)**

It was requested by the applicant to continue VAC-07-05 to April 27, 2005.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO APRIL 27, 2005

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

29. **VN-09-05 (19413) SIMMONS ASSOCIATES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY SIMMONS ASSOCIATES, LLC, PROPERTY OWNER, FOR A VARIANCE IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A 10-FOOT SETBACK WHERE 30 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF SIMMONS STREET AND LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-20-614-001. (CONTINUED MARCH 23, 2005)**

It was requested by the applicant to continue VAC-09-05 to April 27, 2005.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO APRIL 27, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

30. ZN-23-05 (19429) RIVERWALK RANCH HIGH NOON I (PUBLIC HEARING). AN APPLICATION SUBMITTED BY D. R. HORTON, INC., ON BEHALF OF THE C. LEAVITT FAMILY TRUST, ET AL, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A 189 UNIT, TRI-PLEX DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF RANCH HOUSE ROAD AND MONTGOMERY STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-203-002, 124-30-202-001, 124-30-202-002, 124-30-202-003, 124-30-202-004, 124-30-202-005, 124-30-202-006, 124-30-202-007, 124-30-204-003 AND 124-30-204-004. (CONTINUED MARCH 23, 2005)

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending that ZN-23-05 be continued to allow the applicant time to submit a revised preliminary development plan addressing all issues of concern explained in the revised memo dated April 13, 2005. If the applicant does not wish to continue this item, Staff was recommending denial; however, if the Commission determined approval was warranted, 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. That development shall comply with Multi-Family Development Standards, including but not limited to all buildings within the development will need to be separated by a distance of not less than 20 feet.
3. The development shall comply with the current parking requirements.
4. The open space shall comply with the PUD, Planned Unit Development requirements.
5. 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.
6. That the development comply with the appropriate Building Code requirements.
7. 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.

8. The installation of sprinklers shall be required for each residential unit if the unit's square footage exceeds 5,000 square feet.
9. Due to the width of the streets as shown, on-street parking may be prohibited on one/both side(s) by marking of the fire lane. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
10. Turning radius must meet Fire Code.
11. Street distances must meet Fire Code.
12. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.
13. Approval of a drainage study is required prior to submittal 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. Approval of a traffic study is required prior to submittal of the civil improvement plans.
16. A queuing analysis is required if this development is to be gated.
17. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway.
18. 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. Centennial Parkway
 - b. Montgomery Street
 - c. Ranch House Road

19. The property owner is required to grant roadway easements where public and private streets intersect.
20. All common elements shall be labeled and are to be maintained by the Home Owners Association.
21. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
22. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
23. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
24. A revocable encroachment permit for landscaping within the public right of way is required.
25. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
26. VAC-02-05 shall record concurrently with the final map.
27. Should VAC-02-05 be denied this map must be revised or considered null and void.
28. As a minimum the following amenities shall be provided within the open space:
 - a. Circuitous lighted paths;
 - b. A minimum of 20 24-inch box trees per acre;
 - c. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada;
 - d. At least one large open space area for group / organized play;
 - e. One large group shade area / gazebo (30' diameter), lighted ;
 - f. Swimming pool with cabana;
 - g. Picnic tables and barbecue grills;
 - h. Benches spaced along park pathways; and
 - i. Details of amenities to be provided.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating this property was unique because it was master planned and also zoned for multi-family which

allowed up to 25 dwelling units per acre. The product being proposed was a tri-plex development and they were proposing 189 units, which came out to approximately 11.2 dwelling units per acre. They were doing a planned unit development because they felt they were caught between the code where they were required to use the multi-family design guidelines but felt by designing this unique product, they were going through the planned unit development's (PUD) process but were still required to increase the open space requirements with respect to the PUD requirement. There were three issues discussed at the March 23, 2005 Planning Commission Meeting. One issue was with respect to the planned unit development requirements, that they were setting their own standards in a planned unit development. R-3 required the separation between buildings to be 20 feet. Some of the buildings were a minimum of 14 and others were 20. The reason they were asking for the waiver was because they felt the distance between the buildings was sufficient. The second issue was the open space. The calculations were resubmitted and they were now at 3.14 acres of open space. Although they met the common usable open space requirements, in addition, they were providing almost two acres of private usable open space. The private usable open space was going to be in the rear yards, which were about 15 feet wide. Mr. Gronauer showed a comparison of the proposed project with respect to parking requirements in other local jurisdictions. If this project were in The City of Henderson they would be required to have 488 parking spaces, Clark County would be 400, City of Las Vegas would be 394 and in North Las Vegas was 520. He believed the project had plenty of parking. They took an analysis on the site and each unit was being provided with 2.65 parking stalls which includes guest parking stalls per unit. They were able to add an additional 21 spaces within the site plan. Today, the revised plans show 500 parking spaces, just 21 spaces less than required. Mr. Gronauer clarified they met all open space requirements, the parking would be capped at 500 spaces instead of 521 and a 14' separation between buildings.

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

Chairman Aston closed the Public Hearing.

Chairman Jay Aston stated this was a new circumstance to be held to multi-family design guidelines being as it is an attached product. There were 189 units with 500 parking spaces and asked if the units had two car garages. Mr. Gronauer responded, there were two 2-car and one single car garage on each unit. Chairman Aston commented you could take out one of the buildings or you could take out some of the common area to get the additional 21 parking spaces, but it appeared there was plenty of parking, so he was in support of the application.

Commissioner Steve Brown asked if the parking restrictions were included in the recommended conditions and asked the applicant to point out the conditions that needed amending. Mr. Gronauer responded on Condition No. 2 the building separation would be

14 feet instead of 20 feet, Condition No. 3 would state “the development shall have a minimum of 500 parking spaces, and Condition No. 4 was okay as written, as they were in compliance with the open space. Commissioner Brown stated that because of the D.R. Horton tri-plex product, which he had viewed several times and felt it was a good quality project, and he was quite satisfied that it provided the owner what they were looking for in a home, he felt making the exceptions on this particular project would not be out of line.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH CONDITION NOS. 2 AND 3 AMENDED TO READ AS FOLLOWS:

2. THAT THE DEVELOPMENT SHALL COMPLY WITH MULTI-FAMILY DEVELOPMENT STANDARDS, INCLUDING BUT NOT LIMITED TO ALL BUILDINGS WITHIN THE DEVELOPMENT WILL NEED TO BE SEPARATED BY A DISTANCE OF NOT LESS THAN 14 FEET.
3. THE DEVELOPMENT SHALL HAVE A MINIMUM OF 500 PARKING SPACES.

MOTION: Commissioner Brown

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

31. **T-1152 (18650) RIVERWALK RANCH HIGH NOON I. AN APPLICATION SUBMITTED BY D. R. HORTON, ON BEHALF OF D. R. HORTON, JJMSLP, AND THE LEAVITT C. FAMILY TRUST, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED R-3 MULTI-FAMILY RESIDENTIAL DISTRICT) CONSISTING OF 189 TRIPLEX UNITS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF RANCH HOUSE ROAD AND MONTGOMERY STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-203-002, 124-30-202-001, 124-30-202-002, 124-30-202-003, 124-30-202-004, 124-30-202-005, 124-30-202-006, 124-30-202-007, 124-30-204-003 AND 124-30-204-004. (CONTINUED JANUARY 26, FEBRUARY 9, AND MARCH 23, 2005)**

The application was presented by Bob Hoyes, Planner on behalf of Staff who indicated Staff was recommending T-1152 be continued to allow the applicant time to submit a revised tentative map. If the Commission determined approval was warranted, Staff recommended that T-1152 be subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. That T-1152 shall become null and void if ZN-23-05 is not approved by the City Council.
3. The development shall comply with all conditions approval for ZN-23-05.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating the recommended conditions would address the issues discussed on ZN-23-05.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

32. **T-1160 (19180) ROME & GOLDFIELD. AN APPLICATION SUBMITTED BY BLUE HERON PROPERTIES, ON BEHALF OF GOLDFIELD HOMES LLC AND GOLDFIELD CENTENNIAL LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN A C-2 GENERAL COMMERCIAL DISTRICT (PROPOSED R-3 MULTI-FAMILY RESIDENTIAL DISTRICT) AND AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT CONSISTING OF 184 MULTI-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ROME BOULEVARD AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-801-007 AND 124-22-801-011. A COMPLETE LEGAL DESCRIPTION IS ON FILE WITH THE PLANNING AND DEVELOPMENT DEPARTMENT. (CONTINUED MARCH 23, 2005)**

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant requesting T-1160 be continued to the April 27, 2005 Planning Commission Meeting.

ACTION: CONTINUED TO APRIL 27, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

33. **ZN-20-05 (19214) NORTH 5TH STREET AND WASHBURN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DYMON INVESTMENTS ON BEHALF OF GOLDFIELD 20, LLC, MICHAEL AND LISA WHITSETT, AND GOLD PYLE, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF GOLDFIELD STREET AND LA MADRE WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-701-011, 124-34-701-015, 124-34-701-020, 124-34-701-021, 124-34-701-025, 124-34-701-026, 124-034-701-029, 124-34-701-032 AND 124-34-701-038. (CONTINUED MARCH 9 AND 23, 2005)**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending that ZN-20-05 be approved.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Planning & Development Director Jory Stewart stated the Advanced Planning section was establishing an Advisory Committee to be comprised of approximately ten to twelve people. The Committee would help assist in the Master Plan Update which would be in addition to periodic and regular briefings to the Planning Commission. The Committee would be a representation of the general public, stake holders such as the Chamber of Commerce, Downtown Business Partnership, Home Builder's Association, members of the Vision 2025 Committee and appointees from the community at large and a representative from the Planning Commission. She asked that the Planning Commission select a liaison to serve on the Committee and asked for a nomination at the next Planning Commission meeting.

Marc Jordan, Planning Manager asked the Commission if they could choose several dates and times they would like to have a Vision 2025 presentation by the Strategic Planning Department. The Commission decided they would like the presentation made April 27, 2005 at 5:30 p.m.

CHAIRMAN'S BUSINESS

No report given

ADJOURNMENT

The meeting adjourned at 9:14 p.m.

/s/ Jay Aston
Jay Aston, Chairman

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