

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

June 8, 2005

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

BRIEFING: 5:30 pm., Conference Room, North Las Vegas City Hall,
2200 Civic Center Drive

CALL TO ORDER: 6:05 pm., Council Chambers, North Las Vegas City
Hall, 2200 Civic Center Drive

ROLL CALL: Chairman Jay Aston - Present
Vice-Chairman Jo Cato - Present
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 & Development Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Jeremy Davis, Planner
Jim Lewis, Sr. Deputy City Attorney
Nick Vaskov, Deputy City Attorney II
Randy Cagle, PW, Real Property Services Manager
Kevin Futch, PW, Transportation
James Frater, Fire Department
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Angelo Carvalho

WELCOME: Chairman Jay Aston

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF MAY 11, 2005.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

CONSENT AGENDA

A. PW-76-05 (21098) AERO SRD II WAREHOUSE: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY AERO SRD II, LLC AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$13,043.04.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

B. PW-77-05 (21099) NELSON RANCH, UNIT 1B: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$542,646.50.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

C. PW-78-05 (21100) NELSON RANCH, UNIT 3B: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CENTEX HOMES AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$422,879.38.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

D. PW-79-05 (21101) FABULOUS FREDDY'S CAR WASH: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY VALLEY ASCENT, LLC AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$60,355.23.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

E. PW-80-05 (21102) SHADOW CREEK OFF-SITES: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY MH, INC. AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$405,245.32.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

F. PW-81-05 (21103) LAUREL CANYON, UNIT 2B: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY RICHMOND AMERICAN HOMES OF NEVADA, INC. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$733,601.25.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

G. PW-82-05 (21105) ELDORADO NO. 12 RCL NO. 20: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$446,021.79.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

H. PW-83-05 (21106) NVE GOLF COURSE RESTROOMS: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$62,876.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

NEW BUSINESS

1. **UN-50-05 (20720) SAFEGUARD STORAGE, LLC (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CORTEL, LLC/CINGULAR WIRELESS ON BEHALF OF SAFEGUARD STORAGE, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A TELECOMMUNICATION TOWER SEPARATED FROM ANOTHER TOWER BY 150 FEET WHERE 750 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 3031 PECOS ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-13-506-001.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of UN-50-05 as there was an approved cell tower site located at the Cheyenne Sports Complex, approximately 2,000 feet north of the currently requested site and suggested the applicant consult with Public Works regarding co-locating at the Cheyenne Sports Complex facility. If the Commission determines approval is warranted, the following conditions of approval are recommended:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That this special use permit is site-specific and non-transferable.
3. That the pole not display, or be used to aid in the display of, any commercial product, banners, logo, business or purpose.
4. That the tower not exceed 80 feet in height.

Marck Sawyer, 1211 Town Center Drive, Las Vegas, NV 89144 appeared on behalf of the applicant stating they could not locate on the existing tower within the mini-storage facility based on structural reasons and if they were to locate there, it would be more aesthetically displeasing than it was now and they would need to swap out the tower. They proposed a monopalm within the existing mini-storage. If the tower was located 2,000 feet away, it would be out of the RF range and would not work.

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

- **Lee A. Mowery, #3 Argo, Irvine, CA 92603**, stated he was the property owner and was told there was a gap in the service area and that was why his facility was chosen and was the less obtrusive area to have the tower located. The proposed tower, 2,000 feet away, may or may not be built in the near future and there would still be a gap in service and requested approval of the tower.

Commissioner Aston closed the Public Hearing .

Commissioner Aston asked what concerns Staff had with the tower. Marc Jordan, Planning Manager responded there was no concern with the neighboring site. The cell tower located 150 feet to the south could not be co-located on. Staff wanted the applicant to look at the future facility, which had not yet been built, at the Cheyenne Sports Complex, to co-locate, because it was over 2,000 feet away and exceeded 750 feet but it was the discretion of the Commission to consider the item and approve it if they felt it was warranted.

Vice-Chairman Jo Cato asked Mr. Jordan if the City had thought the facility was already in existence but had been informed it was a proposed facility at the Cheyenne Sports Complex. Mr. Jordan responded that was correct.

Commissioner Dean Leavitt asked the applicant if he had read the conditions of approval. Mr. Sawyer responded he had. Commissioner Leavitt asked if he was agreeable with the recommended conditions of approval. Mr. Sawyer responded he was agreeable to the conditions if the item was approved.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

2. **VAC-16-05 (20712) CAMINO AL NORTE/RANCHO DEL NORTE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CAMINO AL NORTE PROPERTIES, LLC, PROPERTY OWNER, TO VACATE A 75 FOOT WIDE STREET EASEMENT GENERALLY LOCATED 60 FEET EAST OF CAMINO AL NORTE, SOUTH OF THE RANCHO DEL NORTE FLOOD CHANNEL AND PROCEEDING SOUTH APPROXIMATELY 702 FEET; TO VACATE A 25 FOOT WIDE ACCESS AND PUBLIC UTILITY EASEMENT APPROXIMATELY 200 FEET NORTH OF THE SOUTHERN PROPERTY LINE AND EAST OF CAMINO AL NORTE AND PROCEEDING EAST APPROXIMATELY 204 FEET; AND TO VACATE A PUBLIC SEWER EASEMENT LOCATED AT THE SOUTHEAST CORNER OF CAMINO AL NORTE AND THE RANCHO DEL NORTE FLOOD CHANNEL. THE ASSESSOR'S PARCEL NUMBER IS 124-34-410-011.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of VAC-16-05 subject to the following conditions:

1. The vacation and dedication of the relocated Fire Department emergency access easement must record concurrently with the final map. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.
2. The applicant shall grant a twenty (20) foot wide public utility easement for the proposed La Madre Way sewer line connection. Please contact Randal Cagle, Real Property Services Manager at 633-1232.

Chris Arambula, L.R. Nelson Consulting Engineers, Inc., 6765 Russell Road, #200, Las Vegas, NV 89118 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: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

3. **T-1179 (20718) CAMINO AL NORTE/RANCHO DEL NORTE. AN APPLICATION SUBMITTED BY CAMINO AL NORTE PROPERTIES, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 146 TOWNHOMES. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CAMINO AL NORTE AND RANCHO DEL NORTE DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-34-410-011.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending T-1179 be continued to allow the applicant time to submit a revised tentative map demonstrating compliance with all open space requirements and the Fire Department indicated there were some areas where the turning radii does not comply with Fire Code requirements.

Chris Arambula, L.R. Nelson Consulting Engineers, Inc., 6765 Russell Road, #200, Las Vegas, NV 89118 appeared on behalf of the applicant stating he was agreeable to continue for two weeks.

ACTION: CONTINUED TO JUNE 22, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

4. **VAC-15-05 (20721) INTERNATIONAL BOULEVARD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE ASMAR TRUST, PROPERTY OWNER, TO VACATE APPROXIMATELY 20 FEET OF THE SOUTHERLY RIGHT-OF-WAY OF INTERNATIONAL BOULEVARD BETWEEN BURMA ROAD AND ALLEN LANE. THE ASSESSOR'S PARCEL NUMBER IS 139-07-510-062.**

The application was presented by Jeremy Davis, Planner on behalf of staff who indicated Staff was recommending approval of VAC-15-05.

Thomas Hellums, 7330 Smoke Ranch Road, Suite B, Las Vegas, NV 89128 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

5. **UN-36-03 (20716) NORTH COAST HOTEL & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY EXBER, INC. PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CASINO AND HOTEL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND LAMB BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-30-501-002 AND 123-30-501-003.**

The application was submitted by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of UN-36-03 with the deletion of Condition No. 23 as shown on the Staff Report. The recommended conditions are as follows:

1. That AMP-25-03, ZN-37-03 and GED-01-03 be approved by the City Council. If any one of the three items are not approved, this request shall be considered null and void; and
2. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
3. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
4. That 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; and
5. That driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in North Las Vegas Municipal Code 17.24.130. Conformance may require modifications to the site; and
6. That a water network analysis must be submitted with the civil improvement plans; and
7. That all local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' North Neighborhood Flood Control Master Plan; and
8. That the following right of way dedications are required, unless deemed otherwise by the City's Traffic Engineer:
 - a. Sixty feet (60.0') for Lamb Boulevard;

- b. Thirty feet (30.00') for Azure Avenue;
 - c. Additional right of way for the flared intersection at Centennial Parkway and Lamb Boulevard per the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1;
 - d. Bus turn out on Lamb Boulevard near Centennial Parkway; and
9. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, with the exception of the building orientation/placement, whereby the principal structure may be located as identified on the site plan; and
 10. That the principal structure be designed and constructed to support wireless communications facilities; and
 11. That the most direct route as is reasonable shall be provided from outside to the movie theaters; and
 12. That signage be permitted in accordance with the following:
 - a. That one 60-foot (maximum) sign be permitted along Centennial Parkway in the immediate vicinity of the second (i.e., main) entrance, as identified on the site plan; and
 - b. That one 60-foot (maximum) sign be permitted along Lamb Boulevard in the immediate vicinity of the northern (i.e., main) entrance, as identified on the site plan; and
 - c. That all other free-standing signage be limited to monument signs not taller than eight feet (8.00'); and
 13. That the parking structures be constructed as part of the first phase of development; and
 14. That all sides of the parking structures be designed and constructed with facades to match the principal structure. The western parking structure shall include, but not be limited to, Conditions A through E:
 - a. Landscape planters (exposed to the exterior) on every even-numbered level shall be provided; and
 - b. One continuous landscape planter along the exterior side(s) of the ramp(s) shall be provided; and

- c. The landscape planters shall be a minimum four feet (4.00') in width (inside-to-inside); and
 - d. Every even-numbered level shall be stepped back a minimum four feet (4.00'); and
 - e. The planting materials within the planters shall provide 100% coverage and are encouraged to "spill-over" the exterior sides; and
15. That a minimum thirty feet (30.00') of landscaping be provided along the western and southern property lines. The landscape areas shall include two rows of 36-inch box trees spaced not greater than 25 feet on-center. The rows shall be staggered with centers equally offset and the interior row shall be planted upon a berm. The berm shall be a minimum four feet (4.00') in height. The trees shall be of an evergreen variety/species that provides for maximum screening. The required trees shall be in addition to other required landscape materials; and
 16. That all structures shall recognize a minimum 90-foot (90.00') setback from the southern and western property lines; and
 17. That a minimum 16-plex theater be provided as part of the first phase of development; and
 18. That a minimum 64-lane bowling alley be provided as part of the first phase of development; and
 19. That the maximum height of the principal structure be 190 feet; and
 20. That UN-36-03 shall expire in accordance with the requirements set forth in the Zoning Ordinance; and
 21. That a recessed loading dock, as depicted on the elevations, shall be included; and
 22. That 30,000 square feet of independent meeting rooms and/or convention space be provided similar to those facilities provided at the Sun Coast Hotel and Casino.

Bill Curran, Curran & Parry, 300 South 4th Street Suite 1201, Las Vegas, NV 89101 appeared on behalf of the applicant stating he concurred with Staff recommendation with the deletion of Condition No. 23. He also clarified the reason the City wanted that condition was because they were proceeding with improvements along Lamb Boulevard and they

were agreeable to that and were willing to cooperate and asked for the Commission's approval.

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. 23

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

6. **UN-49-05 (20538) ANN MARKET PLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CASHBOX II, LLC DBA CASHBOX ON BEHALF OF BARRY AND PATRICIA A. FORD, ETAL, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (CHECK CASHING/PAYDAY LOAN). THE PROPERTY IS LOCATED AT 2696 WEST ANN ROAD, SUITE 9. THE ASSESSOR'S PARCEL NUMBER IS 124-29-811-002.**

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of UN-49-05 subject to the following 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 any expansions to the proposed use shall be subject to Planning Commission review and approval; and
4. The size of the facility shall not exceed 1,440 total square feet.

Chet Cox, 2232 Chatsworth Court, Henderson, NV 89074 stating they only charge for the days their loans are used; they do not charge a fee based on a two or four week period. He understood this was a very sensitive issue for zoning and also did not want one of these types of businesses on every corner and that was why they selected to be 2.2 miles from the nearest payday loan facility on Craig Road. Mr. Cox also stated they belong to every national association that has to do with payday loan or check cashing in the United States and their associations were much more stringent to the rules they need to adhere by than the Federal, State or City regulations as his company only allowed a loan to be renewed four times, where all State regulations allow them to be renewed five times. They are in this business because it enables hundreds of citizens to access the cash needed to simplify paying their bills and understand their industry had good and bad operators but those who approach the business with integrity and responsibility offer a viable solution to consumers faced with a short term financial challenge when no other options exist. He concurred with Staff recommendations and asked for the Commissions approval.

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

Chairman Aston closed the Public Hearing.

Vice-Chairman Jo Cato stated if it was the desire of the Planning Commission to approve the application, she was concerned with the signage. She did not like the yellow signs with

the flashing lights and asked the applicant what their signs would look like. Mr. Cox presented a picture of their sign. Vice-Chairman Cato asked Sr. Deputy City Attorney Jim Lewis if signs could be restricted. Sr. Deputy City Attorney Lewis suggested the Planning and Development Staff explain what was allowed by Code and stated the special use permit allowed reasonable conditions to be placed on the use. Robert Eastman, Principal Planner explained, as the site was immediately across the street from residential on Ann Road, the signage allowed would be an eight foot monument sign. If all signage was on the building, wall signage was 15% of the face of the building. Sr. Deputy City Attorney Lewis asked Vice-Chairman Cato if she was really concerned about the color of the sign. Vice-Chairman Cato responded that was correct. Mr. Cox stated the sign would be as shown in the picture presented, which will be part of the file. The signs were licensed nationally and were red with black faced background.

Chairman Aston stated he would like to entertain defining the current zoning ordinance so they could look at the differences between the typical financial institution and what the separation requirements were, etc., and stated maybe that might be pursued at the end of the meeting.

Commissioner Dilip Trivedi stated the code did not clearly define a financial institution and approval of a special use permit was up to the discretion of the Planning Commission. Sr. Deputy City Attorney Jim Lewis responded that was correct. Commissioner Trivedi stated he did not feel lending money to people who were desperately in need of money and who were heavily in debt was a good idea and adding a triple digit interest only promoted misery, desperation, and was a treadmill of perpetual debt in which people were unable to recover from and felt there were alternatives and was not in support of the application.

Vice-Chairman Cato stated the Planning Commission was a land use body and could not get involved in what goes on with the payday loan businesses and respected Commissioner Trivedi's opinion and agreed with Chairman Aston that the Commission should pursue coming up with a definition for payday loan facilities and believed an application was before the Commission a couple of weeks ago and supported the application and in order to remain consistent, would be supporting this application.

Commissioner Angelo Carvalho stated as a Commission they looked outside the box and followed guidelines given to them by Staff and in the City Code and felt if an individual chooses to open a facility and the zoning is correct, the Commission should not be judgmental on the type of business.

Commissioner Dean Leavitt stated in the past, when the Commission has denied these types of applications, there has been an outpouring of residential concern and there are no residents at the meeting opposed to this application. He stated just because he may not

choose to participate in that type of business, does not mean other people will not or do not need it and would support the application.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH SIGN TO BE AS SHOWN IN PICTURE PRESENTED AT MEETING

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: Commissioners Brown and Trivedi

ABSTAIN: None

7. **VN-19-05 (20513) HERNANDEZ RESIDENCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JOSE SALGADO ON BEHALF OF ALMA D. HERNANDEZ, PROPERTY OWNER, FOR A VARIANCE IN AN R-EL RANCH ESTATES LIMITED DISTRICT TO ALLOW A REAR YARD SETBACK OF 10 FEET WHERE 20 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 3332 SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-08-801-005.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending denial of VN-19-05. If the Commission feels approval is warranted, the following conditions of approval are recommended:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That a minimum ten (10) foot rear yard setback be provided for the subject property.

Ricardo Salgado, 3332 Simmons Street, North Las Vegas, NV 89030 stated when he purchased the property, the location of the building met the setbacks; but, since purchasing it, they had to dedicate 20 feet across the front of the property, and now do not meet the set-back requirements. He stated they had spent over \$18,000 on the blueprints, soils reports, etc. and it would be expensive to change the floor plans.

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

Chairman Aston closed the Public Hearing.

Commissioner Harry Shull asked if the current setback proposed was 30 feet in the front and 10 feet in the back. Robert Eastman responded that was correct. Commissioner Shull explained to the applicant that Staff would like the house moved forward 10 feet so there would be a 20 foot backyard and a 20 foot front yard. The house is currently set back deeper on the lot than it should be. Mr. Salgado stated the plan had been approved by the Building Department but the Traffic Department did not want them parking on Simmons Street and required another 10 foot be added to the setback.

Chairman Aston stated Public Works needs a turning radius so they do not back out into the traffic on Simmons Street due to the right-of-way. Kevin Futch of Public Works, Transportation Services stated that was correct. Simmons was going to be a 100 foot right-of-way and would be fully developed in the next year and a half; it would be a high speed

arterial, 45 miles per hour, and City Code required that homes fronting arterials either have a three point turning ability so they come out forward into the roadway or they provide some type of horseshoe driveway.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**8. ZOA-07-05 (21060) ZONING ORDINANCE AMENDMENT (PUBLIC HEARING).
AN ORDINANCE AMENDMENT INITIATED BY THE CITY OF NORTH LAS VEGAS
TO AMEND TITLE 17 (ZONING ORDINANCE) SECTION 17.24.080(I) TO ALLOW
SCREENING ALTERNATIVES FOR OUTDOOR STORAGE YARDS 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 approval of ZOA-07-05 with Condition No. 2.a amended to read: "When the boundary of a storage yard abuts another storage yard boundary, screening is not required, between the storage yards along the abutting boundaries."

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, Vice-Chairman Cato, Commissioners Leavitt, Shull, Brown,
Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

9. **SPR-22-05 (20512) HERNANDEZ RESIDENCE. AN APPLICATION SUBMITTED BY JOSE SALGADO, ON BEHALF OF ALMA D. HERNANDEZ, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-EL RANCH ESTATES LIMITED DISTRICT TO ALLOW A SINGLE-FAMILY DWELLING ON A 7,840 SQUARE FOOT LOT WHERE 10,000 SQUARE FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 3332 SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-08-801-005.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending SPR-22-05 be continued to allow the applicant time to submit a turning analysis that shows they comply with the ability to turn around at Simmons Street. If the Commission approves SPR-22-05, Condition No. 2 would need to be deleted. The following conditions of approval are recommended with the deletion of Condition No. 2 on the Staff Report dated June 8, 2005.

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes, ordinances and the Single-Family Design Guidelines. More specifically:
 - a. That the body and trim finish and roof materials of the dwelling unit shall be beige, tans, earth tones, warm pastels or neutral colors indigenous to the Las Vegas Valley and its surrounds, or from the southwest region; and
 - b. Concrete or clay tile, or other Class A Type roofing materials of a similar appearance to concrete or clay tile, shall be used on all sloped roofs. Any area of a roof which utilizes a flat roof design shall incorporate a parapet wall or cornice element on all sides of the area; and
 - c. Mechanical equipment such as air conditioning units and satellite dishes shall be concealed from view of public streets and neighboring properties by dense landscaping, a wall equal to the height of the mechanical equipment being screened and of similar material and design to surrounding walls, or be located behind private yard walls. All exterior air conditioning units shall be ground mounted; and
 - d. Each residential lot shall have a minimum of one tree planted between the sidewalk and the front of each house at the time the house is constructed, in accordance with Section 17.24.210 (E)(6); and
 - e. The garage doors shall have a "pop-out" from the garage wall plane and the doors must be recessed at least 12 inches; and

- f. The dwelling shall have stucco. Stone or brick exteriors. Materials such as simulated stone or brick may be permitted upon review and approval by staff.

Ricardo Salgado, 3332 Simmons Street, North Las Vegas, NV 89030 asked for approval.

Chairman Jay Aston asked Public Works Staff if the item needed to be continued or if the turning radius analysis could be addressed as a condition of approval. Kevin Futch of PW, Transportation Services responded it could be addressed as a condition. The issue was that the applicant must show some type of a horseshoe driveway on their plan before a permit could be issued. Public Works was requesting an analysis, sealed by an engineer, showing it was possible with the construction of the driveway. Mr. Futch stated he would be okay with adding a condition that stated "Before any building permits can be issued, an analysis be approved by the City Traffic Engineer." Chairman Aston asked Staff if they had an existing standard for a horseshoe or a back-out example. Mr. Futch responded there was not a specific standard, but there are guidelines by the American Association of State Highway and Transportation officials and had a design vehicle, which was a passenger car with a minimum turning radius and they must demonstrate the driveway met the minimum turning radii.

Chairman Aston asked how the condition would be stated. Sr. Deputy City Attorney Jim Lewis responded it should read: "Before building permit issuance, the applicant will submit ASHTO Turning Radius drawings to the City Engineer for approval."

Commissioner Dilip Trivedi asked the minimum turning radius required for turning. Mr. Futch responded the outside turning radius was 25 feet. Commissioner Trivedi asked if there was an existing setback of 30 feet. Mr. Futch responded the issue was that vehicles come inward into the driveway and when they back out, they would be backing out onto a public street, so vehicles approximately 18 feet in length would not be able to make the turn from that position. Commissioner Trivedi asked if they would have room to make that turning radius of 30 feet outside, if that could be made a condition.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH THE DELETION OF CONDITION NO. 2 AND THE ADDITION OF A NEW CONDITION NO. 2 TO READ:

2. BEFORE BUILDING PERMIT ISSUANCE, APPLICANT TO FILE AASHTO TURNING RADIUS DRAWINGS FOR APPROVAL BY CITY TRAFFIC ENGINEER

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

10. SPR-23-05 (20511) SALGADO RESIDENCE. AN APPLICATION SUBMITTED BY RICARDO SALGADO, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-EL RANCH ESTATES LIMITED DISTRICT TO ALLOW A SINGLE-FAMILY DWELLING ON A 7,405 SQUARE FOOT LOT WHERE 10,000 SQUARE FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 3336 SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-08-801-004.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending SPR-23-05 be continued to allow a variance application to be submitted. Additionally, the Public Works Department submitted conditions that required site plan changes, the largest being the moving of the garage itself.

Chairman Jay Aston asked what street the drive was on.

Kevin Futch, Public Works, Transportation Services stated the front door entry is on Simmons Street and the garage entry is Colton Street. Originally the garage entrance was on Simmons Street and they could not demonstrate the turning radius so they moved the garage doors to the side of the garage fronting Coleman Street. The issue there is that the garage is in the curve u-turn of the future intersection, so the driveway would be partly in the radius of the return. Chairman Aston stated if the concrete driveway was not required as shown on the site plan, then the house could shift back a little and could take into consideration as a Commission to allow the home to be moved back. Mr. Futch stated another solution would be to mirror image the home, flipping the entire home and putting the garage on the south side, then the entry would be on the side of the house and the garage would be further down on Colton Street and there would be no conflicts.

Chairman Aston explained to the applicant that staff was recommending the application be continued to allow him to review the site plan with Staff and come up with a solution to the issues with the driveway.

Commissioner Dilip Trivedi stated he felt a good solution would be to mirror the house east to west so they would have a straight shot into the garage from Colton Street and it would reduce a lot of concrete and they would save a lot in concrete. Mirroring the plan would be a simple matter and should not be too costly.

Sr. Deputy City Attorney Jim Lewis stated it sounded like the applicant had already submitted building plans and the hypothetical that has been proposed and there might be a problem changing the plans at this point and suggested the item be continued so the applicant could talk with the City Traffic Engineer.

Chairman Aston asked the applicant if he had any questions and understood the reason for the continuance. The applicant responded he understood.

ACTION: CONTINUED TO JUNE 22, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

11. **SPR-24-05 (20566) GREATER NEVADA AUTO AUCTION. AN APPLICATION SUBMITTED BY GREATER NEVADA AUTO AUCTION, ON BEHALF OF JMC-IV REAL ESTATE COMPANY, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-1, BUSINESS PARK INDUSTRIAL DISTRICT AND M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW MORE THAN 60,000 SQUARE FEET OF EXTERIOR STORAGE. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF HOLLYWOOD BOULEVARD AND INTERSTATE 15. THE ASSESSOR'S PARCEL NUMBERS ARE 123-23-101-001 AND 123-14-000-002.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was supporting the waiver of the required 20-foot landscape buffer adjacent to any abutting residential property but were not supporting the waiver of the requirement that light standards may not be more than 20 feet in height. Staff is recommending approval of SPR-24-05 subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The industrial development shall be in compliance with the Industrial Development Design Standards, except the 20-foot landscape buffer adjacent to the residential properties to the north, east and west of the development.
3. Twenty feet of perimeter landscaping throughout Auction Lane adjacent to the proposed development shall be provided.
4. The applicant shall install an eight (8) foot high decorative wall or landscape screen along the boundary of the storage area proposed.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Clark County Regional Flood Control District concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
7. NDOT concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
8. Prior to approval of the civil improvement plans, the applicant must provide a maintenance and inspection schedule, to be approved by the Department of Public Works, for the

9. 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.
10. The applicant shall submit a traffic study update for review and approval.
11. As Speedway Boulevard has not been dedicated to allow access to I-15, any associated civil improvement plans cannot be approved nor will any building permits be issued.
12. A minimum thirty-two (32) foot access road, per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing No. 209, is required on Drive 1 and Drive 2.
13. As part of the construction of the access roadways, the applicant shall construct some type of physical barrier to prohibit access to the adjacent National Guard Facility. The type of barrier and location shall be subject to review and approval by the Director of Public Works.
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. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
18. Turning radii along the fire access lanes shall be designed in accordance with the Fire Code.
19. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Commissioner Harry Shull left Chambers at 7:15 p.m.

Bob Gronauer of Kummer, Kaempfer, Bonner and Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant explaining

Greater Nevada Auto Auction was the number one auto auction in the world and had approximately 85 auction sites in the United States. They were currently located on Las Vegas Boulevard South in Clark County. In 2004 they sold well over 80,000 vehicles and had outgrown their current facility.

Commissioner Shull returned to Chambers at 7:17 p.m.

The site in this application is 280 acres. They chose the site as it was at the end of the current development in North Las Vegas and there was room for expansion of their facility. He felt there would be no other development beyond the site as the property was at the end of the disposal boundary. Anything to the north, east, or to the west cannot be sold unless it is done with an act of Congress. The only way the property would be disposed of would be through an act of Congress. The property to the north was in the Nellis Air Force corridor and Apex was further north. Nellis Air Force Base has fought any type of residential development in that area and if something were to be built, it would be strictly some type of industrial development.

Mr. Gronauer stated the current site plan had already been approved in Clark County. Before pulling the building permits with the County, the annexation had already been approved, so they now had to have the site plan approved by the City. The acreage of each of the detention/retention basins was approximately 180 feet in width so inside the property there was 180 feet, so if anything was ever going to be developed in the area, there was some buffering. Staff was recommending approval of the first waiver of the landscaping as it would not buffer them from a neighboring property. Mr. Gronauer stated they were asking to have the light standards be in excess of 20 feet in height. The intent of the industrial design standards was to have lights bleeding across property lines and having a detrimental impact on residential neighborhoods. However, in this area there was a different scenario. The area would be industrial and they would not be impacting any type of residential uses in the area. The lights were for security purposes and there is a 34 foot grade separation between I-15 and the property.

Mr. Gronauer stated Condition No. 9 states power poles should be put in landscape islands. He asked that the condition be amended to state that "all Nevada Power Company easements and poles must be shown and if the relocation of any poles is required, it would be at the expense of the developer."

Mr. Gronauer stated it would take about three miles of lineal feet of block wall to be constructed, approximately 19,000 square feet, which would cost approximately 2.5 Million Dollars for a six foot high wall. He requested instead of installing a block wall around the property, they would like to install a chain link fence with slats and landscaping. The landscaping and the chain link fence would be around the frontage on I-15. The remainder

of the property, where landscaping is not required, instead of the block wall, they would like to install chain link with slats. He stated they also considered along I-15, installing a block wall or landscape berm to have some type of visibility to I-15. He pointed out that no matter what is done along I-15, when driving on I-15 and looking to the west, you would not look down to see the landscaping and block wall, the view would be across the property itself and the fence would not shield the contents of the site.

Chairman Aston asked Mr. Gronauer if he agreed with the wording on Condition No. 2.

Planning and Development Director Jory Stewart suggested they might want to consider deferring the condition on the perimeter block wall around the storage areas until such time as development might occur on adjacent properties. Ms. Stewart stated she did not want to see slats in the chain link fence as the area was exposed to high winds which destroy the slats. Chairman Aston asked which condition that was. Ms. Stewart responded it was Condition No. 4.

Mr. Gronauer stated he was in agreement with the wording on Condition No. 2.

Chairman Aston stated he has seen detention basins all over town that do not have fences around them. If this site is including detention basins, those basins may be considered a buffer zone and asked if the applicant would be willing to defer a decorative wall until such time development took place on adjacent properties. Mr. Gronauer responded the issue was there was nothing to buffer to the north of the property. Mr. Gronauer asked that the condition be restated for clarification. Marc Jordan, Planning Manager suggested Condition No. 4 be amended to read: "That the applicant shall install an eight (8) foot high decorative wall or landscape screen. The wall may be deferred until development approaches within 660 feet of the site and that the wall be constructed within six months." He explained, the reason he chose 660 feet was in the zoning ordinance, there is already a requirement for landscaping for developments located in the middle of nowhere and do not require people to install the landscaping until development reaches 660 feet of the site. Mr. Gronauer stated he was in agreement with Condition No. 4 as amended.

Chairman Aston asked if landscaping was being done along I-15, whether or not the applicant would be willing to install a block wall along I-15. Mr. Jordan responded the condition currently reads, a decorative wall or landscape screen, so the applicant would have to follow through with that, but they would have to landscape along Auction Lane. Mr. Jordan stated if there was a concern about security on the site, at this time Staff would not object to a chain link fence without the slats for security purposes, but the applicant must keep in mind the fence would have to be removed when development occurs on adjacent properties and the screening requirements would be in effect.

Mr. Gronauer confirmed they could put in a chain link fence without slats; however, if development occurred within 660 feet, they would have six months to install the block wall or decorative landscaping.

Chairman Aston stated a Nevada Power easement needs to have some kind of approval letter from Nevada Power to construct anything within their easement. Mr. Gronauer responded they have an approval letter from Nevada Power for construction. Chairman Aston asked if a copy of the approval letter could be provided to Staff and asked if there were any conditions on the approval letter.

Commissioner Harry Shull stated he concurred with Staff on the slats and was not opposed to a chain link fence for security purposes but would be opposed to the slats. He also felt a 40 foot pole would only be a few feet above the elevation of the freeway and would not be offensive and with reference to the landscape and wall along the freeway, he would like to see a hard edge because it was the first thing people see as they come into the community.

Mr. Jordan clarified Auction Way, which runs parallel to I-15 in front of the facility, Condition No. 2 requires 20 feet of landscaping along that area, which is a normal landscaping requirement adjacent to any right-of-way and was expected at time of development. The screening and the storage is something that would occur in the future. Mr. Jordan read the amended language for Condition No. 4: "The applicant shall install an eight (8) foot high decorative wall or landscape screen. The decorative wall or landscape screen may be deferred until such time that development occurs within 660 feet of the subject site after which landscape screen or decorative wall shall be constructed within six months to screen the storage area." He also stated if it was the Commission's desire to allow 40 foot light poles, then Condition No. 2 would need to be amended to include that as part of the waiver request. Chairman Aston if the light pole would need to be amended in Condition No. 2. Mr. Jordan responded it would. He suggested to add at the end of the condition, "and that light poles shall not exceed 40 feet in height."

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH CONDITION NOS. 2 , 4, AND 9 AMENDED TO READ AS FOLLOWS:

2. THE INDUSTRIAL DEVELOPMENT SHALL BE IN COMPLIANCE WITH THE INDUSTRIAL DEVELOPMENT DESIGN STANDARDS, EXCEPT THE 20-FOOT LANDSCAPE BUFFER ADJACENT TO THE RESIDENTIAL PROPERTIES TO THE NORTH, EAST AND WEST OF THE DEVELOPMENT AND THAT LIGHT POLES SHALL NOT EXCEED 40 FEET IN HEIGHT.

4. THE APPLICANT SHALL INSTALL AN EIGHT (8) FOOT HIGH DECORATIVE WALL OR LANDSCAPE SCREEN ALONG THE BOUNDARY OF THE STORAGE AREA PROPOSED. THE DECORATIVE WALL OR LANDSCAPE SCREEN MAY BE DEFERRED UNTIL SUCH TIME THE DEVELOPMENT OCCURS WITHIN 660 FEET OF THE SUBJECT SITE, AFTER WHICH LANDSCAPE SCREEN OR DECORATIVE WALL SHALL BE CONSTRUCTED WITHIN SIX MONTHS TO SCREEN THE STORAGE AREA.

9. ALL NEVADA POWER COMPANY EASEMENTS AND POLES MUST BE SHOWN AND IF THE RELOCATION OF ANY POLES IS REQUIRED, IT WILL BE AT THE EXPENSE OF THE DEVELOPER.

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

12. **SPR-25-05 (20715) VALUE PLACE. AN APPLICATION SUBMITTED BY NEW RIVER DEVELOPMENT, LLC, ON BEHALF OF AN FINANCIAL CORPORATION, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A 363-UNIT EXTENDED STAY HOTEL DEVELOPMENT WITH THREE (3) FOUR-STORY BUILDINGS FOR A TOTAL OF 127,920 SQUARE FEET. THE PROPERTY IS GENERALLY LOCATED EAST OF COMMERCE STREET APPROXIMATELY 300 FEET NORTH OF CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-03-601-001.**

It was requested by the applicant to continue SPR-25-05 to June 22, 2005.

ACTION: CONTINUED TO JUNE 22, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

13. **T-1178 (20714) ANN/ROARING SURF. AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, ON BEHALF OF BARTSAS MARY 10, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT CONSISTING OF 48 SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND ROARING SURF DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 124-33-101-005.**

The application was presented by Jeremy Davis, Planner on behalf of Staff who indicated Staff was recommending approval of T-1178 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Single-Family Design Standards, including but not limited to the following:
 - a. The sidewalk along Ann Road must be separated from the back of the street curb by a minimum of five (5) feet and be meandering.
3. That side loaded garages shall be provided with a 15-foot setback.
4. That the proposed 44-foot/emergency access easement shall also serve as pedestrian access, be a common element and be landscaped subject to staff review and approval.
5. 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.
6. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in *Clark County Area Uniform Standard Drawing No. 210*. The use of roll curb will require an additional one foot of right of way.
7. Sidewalk is required on a minimum of one side of all interior, private streets.
8. Sidewalks shall be mapped as part of the private street or located within a common element and not part of the lot.
9. The proposed emergency access built at the east end of Coliseum Avenue shall be constructed per *Clark County Area Uniform Standard Drawing No. 226*.

10. Approval of a drainage study is required prior to submittal of the civil improvement plans.
11. All local facilities and street centerline grades must be constructed in conformance with the city of North Las Vegas' *North Neighborhood Flood Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
12. Remove the street section thickness from the typical sections. The pavement sections will be determined by the Department of Public Works.
13. The property owner is required to grant a permanent roadway easement for a bus loading pad on Ann Road, per the Ann Road Improvement Project, within thirty (30) days of the Tentative Map approval.
14. The property owner is required to grant roadway easements where public and private streets intersect.
15. All common elements shall be labeled and are to be maintained by the Home Owners Association.
16. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
17. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
18. 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.
19. A revocable encroachment permit for landscaping within the public right of way is required.
20. 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.
21. Approval of a traffic study is required prior to submittal of the civil improvement plans.
22. The developer is required to participate in the S.I.D. for Ann Road.

Kelly Witwer of Triton Engineering, 6757 West Charleston Boulevard, Las Vegas, NV 89146 appeared on behalf of the applicant stating he concurred with Staff recommendation but asked for clarification of Condition No. 4, which states the proposed 44 foot emergency access easement shall also serve as a pedestrian access via common element, any landscape subject to staff review and approval. He stated the emergency access easement was proposed at 26 feet and asked that the condition be amended to reflect that. Chairman Aston asked Staff if they had a problem with that. Staff responded Condition No. 4 could be amended to reflect the 26 feet.

James Frater of the Fire Department wanted to make it clear that the emergency access easement, the Fire Department requires 24 feet of driveable surface and was not sure if the access was reduced to 26 feet, if they could get a pedestrian gate in there. Mr. Witwer responded they would be willing to add another five or six feet. Staff stated they could go with 32 feet. Mr. Frater stated that would work for the Fire Department.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION WITH CONDITION NO. 4 AMENDED TO READ:

4. THAT THE PROPOSED 32-FOOT/EMERGENCY ACCESS EASEMENT SHALL ALSO SERVE AS PEDESTRIAN ACCESS, BE A COMMON ELEMENT AND BE LANDSCAPED SUBJECT TO STAFF REVIEW AND APPROVAL.

MOTION: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

OLD BUSINESS

14. **ZN-11-05 (18726) ANN & ALLEN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KENNEDY COMMERCIAL ON BEHALF OF ALIANTE COMMONS, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF WILLIS STREET AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-30-802-018. (CONTINUED MAY 11, 2005)**

WITHDRAWN WITHOUT PREJUDICE

15. **UN-40-05 (20243) COMMERCE & CENTENNIAL (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LLD TEMPLE, LLC ON BEHALF OF CCD TEMPLE, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO ALLOW FOUR (4) SINGLE-FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ROME BOULEVARD AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-813-029, 124-22-813-040 AND 124-22-813-085. (CONTINUED MAY 25, 2005)**

It was requested by the applicant to continue UN-40-05 to June 22, 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 JUNE 22, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

16. **VAC-14-05 (20372) VACATION OF FUSELIER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ALEX COLEMAN, LLC, ON BEHALF OF ALEX COLEMAN, LLC, ROBBIN S. MARTINDALE, ETAL, VELMA DUPREE ELLIS GRUBBS, PROPERTY OWNERS, TO VACATE FUSELIER DRIVE BETWEEN GOWAN ROAD AND ALEXANDER ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-08-501-004, 139-08-501-005, 139-08-501-008, 139-08-501-009, 139-08-502-001, 139-08-502-003, 139-08-502-007, 139-08-502-008, 139-08-601-008, 139-08-602-001, 139-08-602-003 AND 139-08-602-005. (CONTINUED MAY 25, 2005)**

It was requested by the applicant to continue VAC-14-05 to July 13, 2005.

Chairman Jay Aston opened the Public Hearing. The following person declined to comment at this time:

- **Sandy Allen, 3947 Fuselier Drive, North Las Vegas, NV 89032.**

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO JULY 13, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

17. SPR-20-05 (20358) PECOS-GOWAN COMMERCIAL CENTER. AN APPLICATION SUBMITTED BY JOSEPH GOLSHAN, ON BEHALF OF SHELBOURNE TOWERS, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT REQUESTING WAIVERS TO THE COMMERCIAL DEVELOPMENT STANDARDS AND THE DESIGN GUIDELINES' REQUIREMENTS TO ORIENT THE BUILDING TO THE STREET FRONT OF THE PROPERTY AND TO PROVIDE MEANDERING SIDEWALKS. THE PROPERTY IS GENERALLY LOCATED WEST OF PECOS ROAD AND APPROXIMATELY 125 FEET SOUTH OF GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-12-702-002. (CONTINUED MAY 25, 2005)

It was requested by the applicant to continue SPR-20-05 to June 22, 2005.

ACTION: CONTINUED TO JUNE 22, 2005

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

18. **WAV-02-05 (20266) NORTH MEADOWS WEST. AN APPLICATION SUBMITTED BY CELEBRATE HOMES, ON BEHALF OF CELEBRATE HOMES XVI, LLC, PROPERTY OWNER, FOR APPROVAL OF A WAIVER FROM TITLE 16 IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A ZERO (0) FOOT SEPARATION BETWEEN THE DRIVEWAY AND THE SIDE PROPERTY LINE, WHERE SEVEN (7) FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 2115 MEADOW GREEN AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-05-515-048. (CONTINUED MAY 25, 2005)**

Commissioner Harry Shull stated he would be abstaining on this item as his company was the applicant.

Commissioner Shull left Chambers at 8:00 p.m.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of WAV-02-05 and that it be forwarded to City Council for final consideration.

Tom Barnes, Celebrate Homes, 2535 West Cheyenne #100, North Las Vegas, NV 89032 appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

Commissioner Shull returned to Chambers at 8:03 p.m.

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Planning and Zoning Director Jory Stewart reminded the Commission to mark their calendar for the August 31, 2005 joint meeting with City Council and the Planning Commission on the small lot ordinance, June 13, 2005 will be the meeting on the Comprehensive Plan Update at 6:00 p.m. in the City Manager's Conference Room, and the Walkable Communities will be June 20, 2005 in the North Las Vegas Library with two sessions, one from 1:00 to 4:00 p.m. and the other from 5:00 to 8:00 p.m.

CHAIRMAN'S BUSINESS

Chairman Jay Aston asked Sr. Deputy City Attorney Jim Lewis what the process would be for the Commission to request the Planning Department to take a further look at the zoning ordinance in regards to defining financial institutions and segregating those between payday loan establishments and adding guidelines to be reviewed and considered by the Commission and then present them to Council. Sr. Deputy City Attorney Lewis responded that could be discussed at the current meeting, generally, and could be informally taken to the City Manager or it could be placed on the Planning Commission agenda for discussion and the public would be invited to add their input and action could be taken and then be forwarded to City Council.

The Commission agreed to place the item on the June 22, 2005 Planning Commission Agenda for discussion.

ADJOURNMENT

The meeting adjourned at 8:22 p.m.

APPROVED: July 13, 2005

/s/ Jay Aston
Jay Aston, Chairman

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