

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

October 26, 2005

***All Staff Reports and attachments are available on the City's  
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:** 6:00 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  
Mary Aldava, Planner  
Nick Vaskov, Deputy City Attorney II  
Jennifer Doody, Development & Flood Control  
Clete Kus, PW, Transportation Planner  
James Frater, Fire Department  
Jo Ann Lawrence, Recording Secretary

**VERIFICATION:** Jo Ann Lawrence, Recording Secretary

**PLEDGE OF ALLEGIANCE:** Commissioner Dilip Trivedi

**WELCOME:** Chairman Jay Aston

**MINUTES**

- **APPROVAL OF THE MINUTES FOR THE SPECIAL JOINT CITY COUNCIL AND PLANNING COMMISSION MEETING OF AUGUST 31, 2005.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: Commissioner Brown

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF SEPTEMBER 28, 2005.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: Commissioner Carvalho

**CONSENT AGENDA**

- A. **PW-168-05 (23237)ANN LOSEE PERIMETER STREETS, PHASE 1: APPROVE THE OFF-SITE IMPROVEMENTS AGREEMENT BY PARDEE HOMES OF NEVADA AND ACCEPT THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$1,204,843.35.**

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-169-05 (23238) MARAVILLA OFF-SITES: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY GULF INSURANCE COMPANY TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$216,125.**

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-170-05 (23239) NVE GENTLE BROOK STREET SEWER: 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 \$27,115.**

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-171-05 (23240) NVE ACTIVE ADULT, UNIT 4 PHASE 2: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INSURANCE COMPANY OF THE WEST TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$497,919.29.**

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-172-05 (23241) LAUREL CANYON MASTER PLAN FACILITY: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY RICHMOND AMERICAN HOMES OF NEVADA, INC. AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$3,909,330.15.**

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-173-05 (23242) GILMORE SUBSTATION: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY NEVADA POWER COMPANY AND ACCEPT THE PERFORMANCE BOND IN THE AMOUNT OF \$104,556.96.**

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-174-05 (23243) LONE MOUNTAIN ESTATES: APPROVE THE SUBDIVISION OFF-SITE IMPROVEMENTS AGREEMENT BY CELEBRATE HOMES 27, LLC AND ACCEPT THE SUBDIVISION BOND IN THE AMOUNT OF \$716,711.05.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: Commissioner Shull

- H. **PW-175-05 (23245) AUTO RETAIL CENTER: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY INDEMNITY COMPANY OF CALIFORNIA TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$14,245.55.**

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

- I. **PW-176-05 (23246) CRAIG COMMERCE CENTER: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY BANK OF AMERICA TO RELEASE THE IRREVOCABLE STANDBY LETTER OF CREDIT IN THE AMOUNT OF \$40,000 REDUCED FROM \$229,984.37 ON JULY 6, 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

**NEW BUSINESS**

1. **UN-101-05 (22756) CENTENNIAL PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CASH AMERICA, INC. OF NEVADA ON BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A PAWN SHOP. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-002.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-101-05 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.
2. The use permit is site specific and non-transferrable.
3. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

**Paul Larsen of Lionel Sawyer & Collins, 300 South Fourth Street, Las Vegas, NV 89101** appeared on behalf of the applicant explaining why they had chosen the location and stated he concurred with Staff recommendation.

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

**Bob Borgersen, 7617 Island Rail, North Las Vegas, NV 89084** stated he was opposed to a pawn shop and likened it to a strip club.

**Steve Congrave, 2113 Mountain Rail Drive, North Las Vegas, NV 89084** spoke on behalf of himself and **Deborah and Steven Clouten, 2117 Mountain Rail Drive, North Las Vegas, NV 89084**. Mr. Congrave stated they were opposed to a pawn shop going in the neighborhood and did not feel it fit in with the expectations of what was wanted in Aliante.

Chairman Aston closed the Public Hearing.

Mr. Larsen stated he understood the concerns of the public, but due to the distance restrictions from existing licensed locations, that was the only area they could be located. They had checked out several locations but this location was the only one that met all of the eligibility criteria set by the City for that type of license. They worked with the

developer, who had put together a nice project and was very sensitive to keeping the integrity of the project as well as the integrity with the surrounding neighborhood. That was why all of the buildings match and they were not allowed to have their own individual color scheme, are not allowed signage that was typical for their business and they are in a discreet central portion of the center rather than being on a corner, which would be their preference. He stated they had addressed the aesthetic concerns, the location concerns, and asked for the Commission's approval.

Commissioner Steve Brown stated, as a resident of Aliante, he wanted to point out that it was not a good location considering the people he lived with and their opinions of it and he knew none of his neighbors were in support of the application. As a Commissioner, he had to weigh what was good for the City, what was good for the neighborhood and what was good for the individual, so he could not say "not in my back yard," so the question was, where else could it be located. He looked at the map and thought there might be a location to the east, further away from the planned community and more in a less planned community but was not sure that was a better location. Commissioner Brown stated he was speaking for his neighbors and could not support the application.

Mr. Larsen stated one of the problems with the location to the east of the current location, was the centers were not ready for occupancy because of development issues and lags. He stated they were subject to the requirement, that once the license was awarded, they had to open their doors within six months of winning the lottery. There may be other locations available to the east but they might not be available during the six month period they were mandated by law to have their doors open. As it was, they would probably be asking City Council to extend the six month period and even with an extension of six months, he did not feel it would meet the development time line set by the City under its licensing ordinance.

Chairman Jay Aston read the first paragraph of Staff's analysis: "Title 5 of the North Las Vegas Municipal Code allows one new pawn broker license for each increase in population of 50,000 persons. The pawn broker license is granted through a lottery system as the population increases by 50,000. The applicant was granted the opportunity to apply for a pawn broker license by winning the last lottery conducted on May 16, 2005." It also stated a pawn shop was an allowed use in C-1. He pointed out the use was allowed and the applicant had gone through the application process as set up by the elected officials.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

**MOTION:** Commissioner Leavitt

**SECOND:** Chairman Aston

**AYES:** Chairman Aston, Vice-Chairman Cato, Commissioners Leavitt and Trivedi

**NAYS:** Commissioners Shull, Brown, and Carvalho

**ABSTAIN:** None

**Item No. 3 was heard next.**



2. **UN-107-05 (22843) CENTENNIAL PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED PUD PLANNED UNIT DEVELOPMENT DISTRICT) TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A SUPPER CLUB. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 200 FEET SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 200 FEET EAST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-002.**

Withdrawn by the applicant.

**Item No. 15 was heard next.**

3. **SPR-56-05 (22833) CENTENNIAL MARKET PLACE. AN APPLICATION SUBMITTED BY CENTENNIAL DEVELOPMENT LLC ON BEHALF OF CORONADO CENTENNIAL LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW MORE THAN TWO SIDES OF BUILDING WITH DRIVE THRU LANES. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-102-001 AND 124-27-102-002.**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending approval of SPR-56-05 subject to the conditions listed in the memo dated October 26, 2005 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 commercial development shall be in compliance with the Commercial Development Standards and Design Guidelines, including but not limited to a consistent building design for all buildings and pads including the gas canopy.
3. Recessed lighting shall be used for the gas canopies.
4. Exterior down spouts and exterior roof ladders are not allowed, and shall be located within the building.
5. That if SPR-56-05 is approved both SPR-05-05 and UN-08-05 shall be considered null and void.
6. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
7. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
8. Approval of a drainage study is required prior to submittal of the civil improvement plans.
9. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.

10. 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.
11. Approval of a traffic study is required prior to submittal of the civil improvement plans.
12. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Centennial Parkway and Commerce Street.
13. 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 and 245.1.
14. Right-of-way dedication and construction of a CAT bus turn-out is required on Commerce 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.
15. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
16. A revocable encroachment permit for landscaping within the public right of way is required.
17. 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.
18. 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.
19. All Nevada Power Company easements and poles must be shown. The poles shall be fully located within the landscape area and if the relocation of any poles is required it will be at the expense of the developer.
20. The property owner is required to grant a roadway easement for commercial driveway(s).

21. The property owner is required to sign a restrictive covenant for utilities.
22. This item shall comply with the conditions of approval for T-1185.
23. 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. Commerce Street

**Mike Bradshaw, 3068 East Sunset Road, Suite 7, Las Vegas, NV 89120** appeared on behalf of the applicant. Mr. Bradshaw explained this site plan was for a 12 acre parcel and there were also applications for six special use permits following the site plan review. He stated the use permits were for a Tire Works Automotive facility, a convenience store with a car wash, a Taco Bell with a drive-thru, another automobile repair facility, and day care center and he concurred with Staff recommendation.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS**

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Shull**

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

**NAYS: None**

**ABSTAIN: None**

4. **UN-108-05 (22844) CENTENNIAL MARKET PLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTENNIAL DEVELOPMENT, LLC, ON BEHALF OF CORONADO CENTENNIAL, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY (BUILDING K). THE PROPERTY IS GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 260 WEST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-102-001 AND 124-27-102-002.**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending approval of UN-108-05 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. That all conditions of approval for SPR-56-05 shall apply.

**Mike Bradshaw, 3068 East Sunset Road, Suite 7, Las Vegas, NV 89120** appeared on behalf of the applicant. Mr. Bradshaw explained this site plan was for a 12 acre parcel and there were also applications for six special use permits following the site plan review. He stated the use permits were for a Tire Works Automotive facility, a convenience store with a car wash, a Taco Bell with a drive-thru, another automobile repair facility, and day care center and 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 RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

5. **UN-109-05 (22845) CENTENNIAL MARKET PLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTENNIAL DEVELOPMENT, LLC ON BEHALF OF CORONADO CENTENNIAL, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS (BUILDING B). THE PROPERTY IS GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 260 FEET WEST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-102-001 AND 124-27-102-002.**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending approval of UN-109-05 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. That all conditions of approval for SPR-56-05 shall apply.

**Mike Bradshaw, 3068 East Sunset Road, Suite 7, Las Vegas, NV 89120** appeared on behalf of the applicant. Mr. Bradshaw explained this site plan was for a 12 acre parcel and there were also applications for six special use permits following the site plan review. He stated the use permits were for a Tire Works Automotive facility, a convenience store with a car wash, a Taco Bell with a drive-thru, another automobile repair facility, and day care center and 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 RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

6. **UN-110-05 (22846) CENTENNIAL MARKET PLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTENNIAL DEVELOPMENT, LLC ON BEHALF OF CORONADO CENTENNIAL, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A DRIVE-THRU AUTOMOBILE WASHING ESTABLISHMENT (BUILDING B). THE PROPERTY IS GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 260 FEET WEST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-102-001 AND 124-27-102-002.**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending approval of UN-110-05 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. That all conditions of approval for SPR-56-05 shall apply.

**Mike Bradshaw, 3068 East Sunset Road, Suite 7, Las Vegas, NV 89120** appeared on behalf of the applicant. Mr. Bradshaw explained this site plan was for a 12 acre parcel and there were also applications for six special use permits following the site plan review. He stated the use permits were for a Tire Works Automotive facility, a convenience store with a car wash, a Taco Bell with a drive-thru, another automobile repair facility, and day care center and 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 RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

7. **UN-111-05 (22847) CENTENNIAL MARKET PLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTENNIAL DEVELOPMENT, LLC ON BEHALF OF CORONADO CENTENNIAL, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CHILD CARE FACILITY (BUILDING I). THE PROPERTY IS GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 260 FEET WEST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-102-001 AND 124-27-102-002.**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending approval of UN-111-05 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. That all conditions of approval for SPR-56-05 shall apply.

**Mike Bradshaw, 3068 East Sunset Road, Suite 7, Las Vegas, NV 89120** appeared on behalf of the applicant. Mr. Bradshaw explained this site plan was for a 12 acre parcel and there were also applications for six special use permits following the site plan review. He stated the use permits were for a Tire Works Automotive facility, a convenience store with a car wash, a Taco Bell with a drive-thru, another automobile repair facility, and day care center and 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 RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None



8. **UN-112-05 (22848) CENTENNIAL MARKET PLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTENNIAL DEVELOPMENT, LLC ON BEHALF OF CORONADO CENTENNIAL, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH DRIVE-THRU (BUILDING D). THE PROPERTY IS GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 260 FEET WEST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-102-001 AND 124-27-102-002.**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending approval of UN-112-05 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. That all conditions of approval for SPR-56-05 shall apply.

**Mike Bradshaw, 3068 East Sunset Road, Suite 7, Las Vegas, NV 89120** appeared on behalf of the applicant. Mr. Bradshaw explained this site plan was for a 12 acre parcel and there were also applications for six special use permits following the site plan review. He stated the use permits were for a Tire Works Automotive facility, a convenience store with a car wash, a Taco Bell with a drive-thru, another automobile repair facility, and day care center and 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 RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

9. **UN-113-05 (22849) CENTENNIAL MARKET PLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTENNIAL DEVELOPMENT, LLC ON BEHALF OF CORONADO CENTENNIAL, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN AUTOMOBILE SERVICE FACILITY (BUILDING A). THE PROPERTY IS GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 260 FEET WEST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-102-001 AND 124-27-102-002.**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending approval of UN-113-05 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. That all conditions of approval for SPR-56-05 shall apply.

**Mike Bradshaw, 3068 East Sunset Road, Suite 7, Las Vegas, NV 89120** appeared on behalf of the applicant. Mr. Bradshaw explained this site plan was for a 12 acre parcel and there were also applications for six special use permits following the site plan review. He stated the use permits were for a Tire Works Automotive facility, a convenience store with a car wash, a Taco Bell with a drive-thru, another automobile repair facility, and day care center and 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 RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

10. **AMP-54-05 (22791) ROSE LAKE 20 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTEX HOMES, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF HIGH DENSITY RESIDENTIAL TO MEDIUM LOW DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-701-007.**

Items Nos. 10 and 11 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of AMP-54-05 for Low Density Residential.

**Brent Wilson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89128** appeared on behalf of the applicant stating he concurred with Staff recommendation with the change in land use from Medium Low Density Residential to Low Density Residential.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED FOR LOW DENSITY RESIDENTIAL

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

11. **ZN-82-05 (22803) ROSE LAKE 20 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTEX HOMES, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-701-007.**

Items Nos. 10 and 11 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of ZN-82-05 for Low Density Residential.

**Brent Wilson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89128** appeared on behalf of the applicant stating he concurred with Staff recommendation with the change in land use from Medium Low Density Residential to Low Density Residential.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED FOR R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**12. T-1212 (22792) ROSE LAKE 20. AN APPLICATION SUBMITTED BY CENTEX HOMES, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 90 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-25-701-007.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of T-1212 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. If AMP-54-05 & ZN-82-05 is not approved by City Council then this tentative map application shall be null and void.
3. The development shall comply with the Single-Family Design Standards.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
7. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics and thickness of the pavement sections will be determined by the Department of Public Works.
8. The proposed emergency access shall be constructed per *Clark County Area Uniform Standard Drawing No. 226*.
9. The applicant shall submit a traffic study update for review and approval.
10. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Pecos Road and Tropical Parkway, if not already existing.

11. 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:
  - a. Pecos Road
  - b. Tropical Parkway
12. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Tropical Parkway and Pecos Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
13. Right-of-way dedication and construction of a CAT bus turn-out is required on Pecos Road near Tropical Parkway per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
14. All common elements shall be labeled and are to be maintained by the Home Owners Association.
15. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
16. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
17. 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.
18. A revocable encroachment permit for landscaping within the public right of way is required.
19. A construction phasing plan, depicting onsite development and supporting offsite improvements, as well as construction access routes, shall be provided by the developer. Approval by the Department of Public Works is required prior to the issuance of any permits.
20. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
21. Proposed residential driveway slopes shall not exceed a slope of twelve percent (12%).

22. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
23. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.

**Brent Wilson of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89128** appeared on behalf of the applicant stating he concurred with Staff recommendation with the change in land use from Medium Low Density Residential to Low Density Residential.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

13. **AMP-57-05 (22838) CENTENNIAL & UPRR (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP ON BEHALF OF DAVID MORGAN, LLC, ET AL, AND THE JOHN AND MOLLIE GUBLER TRUST, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MEDIUM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 675 FEET EAST OF NOVAK STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-101-008 AND 123-29-501-001.**

Item Nos. 13 and 14 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of AMP-57-05. According to the guidelines, high density residential should only be adjacent to two 100 foot rights-of-way. The only 100 foot right-of-way the property was adjacent to would be Centennial Parkway. High Density Residential should also be consistent or compatible with the adjacent nearby residential. Most of the area in the vicinity was zoned PUD and was being developed with 4500 square foot lots and was next to the railroad. Staff had concerns about placing high density residential development next to a railroad. When the area was originally zoned from Industrial to Residential, Staff brought up concerns regarding residential development nearby and in the event there might be an accident, it would be harder to evacuate people who were living there than it was to evacuate industrial type developments. The requested density could allow up to 25 units to the acre and Staff had concerns for the safety of anyone who might live there; therefore Staff was recommending denial of both applications. Mr. Jordan also referred to a memo from the Fire Department addressing some of their concerns of the high density being requested.

**George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant stating the location of the property was unique. The eastern front of the property was located along the Union Pacific Railroad Tracks and also at the juncture where the railroad tracks met Centennial Parkway. There were two major corridors, a Union Pacific Railroad corridor and Centennial Parkway as a major arterial. The location currently zoned residential, for the same type of product, was not found suitable for that type of development for a number of reasons - its proximity to the two major right-of-ways, the unusual configuration of the property and the 200 foot set-back that was required adjacent to the railroad. They determined residential in the entire area was appropriate as long as there was sufficient buffering for the noise attenuation and a berm and wall would help mitigate the noise levels based on sound studies and also provide the requisite amenities and set the development far enough back so there would



not be vibration transmission from the railroad. All those factors were reviewed when the analysis was done and Council set a standard for how far back development should be and he had no problem concurring with that. In the plans being prepared for the project, they made sure that was provided for. Given the unusual set of circumstances, the proximity and the adjacency to the arterial right-of-way and the railroad right-of-way and the ability to provide a transition from the very intense industrial back to residential, he felt it was appropriate to have an R-3 product which was 16 ½ to 17 units per acre.

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

Chairman Aston closed the Public Hearing.

Commissioner Dilip Trivedi asked the applicant to address the Fire Department's concerns regarding evacuation. Mr. Garcia responded those same concerns were raised by the Fire Department when the proximity of residential to the railroad was addressed. There are a number of methods, one being reverse 911, where all residents can be individually notified. Frequently, evacuation was not required, often times it was containment on-site and the people were kept on-site. He stated they went through the analysis, the accident potential from a Union Pacific Railroad, and it was found accidents do not typically occur on a main line, they occur at grade rail crossings. They also occur where there are major arterials and highways, so the propensity for accidents was less likely to occur on a railroad than on Craig Road where the rail crosses or locations where there are major arterials where the tanker trucks are subject to greater frequency of accidents than they are on rail.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Vice-Chairman Cato

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

NAYS: Chairman Aston, Commissioners Leavitt and Brown

ABSTAIN: None

The motion did not carry.

Commissioner Steve Brown asked Staff if the density could be modified. Mr. Jordan responded that was possible, but he would have to keep in mind that the R-3 would not be consistent with anything less than high density. Commissioner Brown asked if the property next to this application was R-1. Mr. Jordan responded it was a PUD that was not more than 5 ½ units per acre. The existing PUD, was 4.6 units per acre.

Commissioner Brown stated there was no transitioning and there was only one arterial

instead of two as required and he was concerned about the density. Mr. Jordan stated if it were changed to R-2, it would be medium density; however, you would be more than doubling the density in the area as medium would allow up to 10 units per acre.

Commissioner Brown asked the applicant if he was agreeable to something like that. Mr. Garcia responded he would like the Commission to make its recommendation but the PUD draft originally proposed did have transitioning involved but due to circumstances, that plan was not being presented.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: Commissioner Carvalho

ABSTAIN: None

14. **ZN-83-05 (22836) CENTENNIAL & UPRR (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP ON BEHALF OF DAVID MORGAN, LLC, ET AL, AND THE JOHN AND MOLLIE GUBLER TRUST, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 675 FEET EAST OF NOVAK STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-101-008 AND 123-29-501-001.**

Item Nos. 13 and 14 were presented together.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of AMP-57-05. According to the guidelines, high density residential should only be adjacent to two 100 foot rights-of-way. The only 100 foot right-of-way the property was adjacent to would be Centennial Parkway. High Density Residential should also be consistent or compatible with the adjacent nearby residential. Most of the area in the vicinity was zoned PUD and was being developed with 4500 square foot lots and was next to the railroad. Staff had concerns about placing high density residential development next to a railroad. When the area was originally zoned from Industrial to Residential, Staff brought up concerns regarding residential development nearby and in the event there might be an accident, it would be harder to evacuate people who were living there than it was to evacuate industrial type developments. The requested density could allow up to 25 units to the acre and Staff had concerns for the safety of anyone who might live there; therefore Staff was recommending denial of both applications. Mr. Jordan also referred to a memo from the Fire Department addressing some of their concerns of the high density being requested.

**George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** appeared on behalf of the applicant stating the location of the property was unique. The eastern front of the property was located along the Union Pacific Railroad Tracks and also at the juncture where the railroad tracks met Centennial Parkway. There were two major corridors, a Union Pacific Railroad corridor and Centennial Parkway as a major arterial. The location currently zoned residential, for the same type of product, was not found suitable for that type of development for a number of reasons - its proximity to the two major right-of-ways, the unusual configuration of the property and the 200 foot set-back that was required adjacent to the railroad. They determined residential in the entire area was appropriate as long as there was sufficient buffering for the noise attenuation and a berm and wall would help mitigate the noise levels based on sound studies and also provide the requisite amenities and set the development far enough back so there would not be vibration transmission from the railroad. All those factors were reviewed when the analysis was done and Council set a standard for how far back development should be and he had no problem concurring with that. In the plans being prepared for the project, they made sure that was provided for. Given the unusual set of circumstances, the proximity and the adjacency to the arterial right-of-way and the railroad right-of-way and the ability

to provide a transition from the very intense industrial back to residential, he felt it was appropriate to have an R-3 product which was 16 ½ to 17 units per acre.

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

Chairman Aston closed the Public Hearing.

Commissioner Dilip Trivedi asked the applicant to address the Fire Department's concerns regarding evacuation. Mr. Garcia responded those same concerns were raised by the Fire Department when the proximity of residential to the railroad was addressed. There are a number of methods, one being reverse 911, where all residents can be individually notified. Frequently, evacuation was not required, often times it was containment on-site and the people were kept on-site. He stated they went through the analysis, the accident potential from a Union Pacific Railroad, and it was found accidents do not typically occur on a main line, they occur at grade rail crossings. They also occur where there are major arterials and highways, so the propensity for accidents was less likely to occur on a railroad than on Craig Road where the rail crosses or locations where there are major arterials where the tanker trucks are subject to greater frequency of accidents than they are on rail.

Commissioner Steve Brown asked Staff if the density could be modified. Mr. Jordan responded that was possible, but he would have to keep in mind that the R-3 would not be consistent with anything less than high density. Commissioner Brown asked if the property next to this application was R-1. Mr. Jordan responded it was a PUD that was not more than 5 ½ units per acre. The existing PUD, was 4.6 units per acre.

Commissioner Brown stated there was no transitioning and there was only one arterial instead of two as required and he was concerned about the density. Mr. Jordan stated if it were changed to R-2, it would be medium density; however, you would be more than doubling the density in the area as medium would allow up to 10 units per acre.

Commissioner Brown asked the applicant if he was agreeable to something like that. Mr. Garcia responded he would like the Commission to make its recommendation but the PUD draft originally proposed did have transitioning involved but due to circumstances, that plan was not being presented.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: Commissioner Carvalho

ABSTAIN: None

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

15. **SPR-55-05 (22832) CENTENNIAL VILLAGE. AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF ST. MARKS PLACE / LOSEE CENTER B LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT FOR NINE (9) OFFICE/RETAIL BUILDINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-24-401-001 AND 124-24-401-002.**

It was requested by the applicant to continue SPR-55-05 to November 9, 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 NOVEMBER 9, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

16. **UN-114-05 (22850) CENTENNIAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF CENTENNIAL LOSEE CENTER, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A FINANCIAL INSTITUTION (BANK WITH DRIVE-THRU). THE PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF LOSEE ROAD AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBER IS 124-24-401-001.**

It was requested by the applicant to continue UN-114-05 to November 9, 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 NOVEMBER 9, 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. **VAC-32-05 (22839) LA MADRE/BRUCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TIOGA GRAND, LLC ON BEHALF OF TIOGA GRAND LLC AND TOK SUN KIM, PROPERTY OWNERS, TO VACATE A PORTION OF LA MADRE WAY FROM BRUCE STREET TO HAROLD STREET (APPROXIMATELY 585 LINEAL FEET). THE ASSESSOR'S PARCEL NUMBER IS 124-35-801-001.**

It was requested by the applicant to continue VAC-32-05 to the November 9, 2005 meeting.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 9, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

18. **T-1218 (22840) LA MADRE/BRUCE. AN APPLICATION SUBMITTED BY TIOGA GRAND LLC ON BEHALF OF TIOGA GRAND LLC AND TOK SUN KIM, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 24 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF LA MADRE WAY AND BRUCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-801-001, 124-35-801-002, 124-35-801-003 AND 124-35-801-004.**

It was requested by the applicant to continue T-1218 to November 9, 2005.

ACTION: CONTINUED TO NOVEMBER 9, 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

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



19. **UN-105-05 (22798) ANN & SIMMONS COMMERCIAL CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JAY PO, INC. ON BEHALF OF SIMMONS CENTRE, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES (BEER AND WINE) IN CONJUNCTION WITH A RESTAURANT. THE PROPERTY IS GENERALLY LOCATED WEST OF SIMMONS STREET AND APPROXIMATELY 600 FEET NORTH OF ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-29-414-003.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending denial of UN-105-05 as it was located less than 400 feet away from a proposed day care center which was under construction.

**Min Jian Diep, 4402 Cinema Avenue, North Las Vegas, NV 89031** appeared stating she did not understand the recommendation for denial.

Mr. Eastman explained there was a child care facility located across the street from the proposed restaurant site and in North Las Vegas there needs to be a minimum of 400 feet between the child care facility and the restaurant that was proposing to serve beer and wine. The measure showed the distance was 285 feet, so the restaurant was closer than the 400 feet required; therefore, Staff was recommending denial of the application. Ms. Diep stated there was a bar across the street next to the McDonalds.

Marc Jordan, Planning Manager stated the tavern being referred to was approved and then the church was put in. There was no restriction that does not allow a church to come in within 400 feet of the bar and the he bar was one of the first uses in the vicinity.

Chairman Jay Aston stated it was a matter of timing for Staff's recommendation and if they did not serve alcohol in the restaurant, there would not be an issue.

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

Chairman Aston closed the Public Hearing.

Vice-Chairman Jo Cato asked Staff how far Thai Basil Restaurant was from the day care center. Mr. Jordan responded it was over 600 feet. Vice-Chairman Cato stated she would not be in support of the application due to the close proximity to the day care center.

Commissioner Harry Shull asked if there were provisions, that if there was a natural barrier, i.e. a large street or something similar, that you could reduce the distances between the natural barriers or large streets. Mr. Jordan responded that was correct, but that was listed

in Title 17. The issue being discussed was in Title 5, which was not discretionary to the Commission. A natural barrier would not include Simmons Street. In Title 17 you still would not be able to waive the 400 feet because it was a Title 5 requirement, and there was no way to waive that requirement.

Ms. Diep stated she understood the code but at all of their other locations, they were able to sell beer and wine.

Chairman Aston explained if the child care facility was not there, there would not be a problem.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

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

20. **AMP-53-05 (22790) CARTIER LOT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PAUL TALANIAN ON BEHALF OF THE PAUL AND BEVERLY TRUST AND THE ROBIN M. TULLENERS TRUST, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MEDIUM DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CARTIER AVENUE AND APPROXIMATELY 425 FEET EAST OF BRUCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-14-810-008.**

It was requested by the applicant to continue AMP-53-05 to November 9, 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 NOVEMBER 9, 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

21. **ZN-80-05 (22800) CARTIER LOT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PAUL TALANIAN ON BEHALF OF THE PAUL AND BEVERLY TRUST AND THE ROBIN M. TULLENERS TRUST, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED SOUTH OF CARTIER AVENUE AND APPROXIMATELY 425 FEET EAST OF BRUCE STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-14-810-008.**

It was requested by the applicant to continue ZN-80-05 to November 9, 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 NOVEMBER 9, 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

**Item No. 38 was heard next.**

22. **AMP-55-05 (22806) CENTER POINTE - PHASE I (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE STRATTON GROUP ON BEHALF OF CENTENNIAL POINTE, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MEDIUM HIGH DENSITY RESIDENTIAL TO VERY HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF DEER SPRINGS WAY AND NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-22-601-005.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of AMP-55-05.

**Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating she 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, Vice-Chairman Cato, Commissioners Leavitt, Shull, Brown, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

**Item no. 43 was heard next.**

23. **AMP-56-05 (22805) CENTER POINTE - PHASE II (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE STRATTON GROUP ON BEHALF OF CENTENNIAL POINTE, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MEDIUM HIGH DENSITY RESIDENTIAL TO VERY HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF DEER SPRINGS WAY AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-701-002, 124-22-701-003, 124-22-701-004, 124-22-701-005 AND 124-22-701-008.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending denial of AMP-56-05 as the proposed amendment was not consistent with the guidelines set forth in the Comprehensive Plan for VHDR, Very High Density Residential.

**Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant explaining the project was immediately south of Deer Springs Road. To her knowledge the property owners for the property fronting North 5<sup>th</sup> Street and the property immediately to the south had not come through with any zoning. While it was master planned for zoning lower than what was being requested by this application, as the North 5<sup>th</sup> Street corridor study becomes more concrete and higher density was encouraged in order to support the transportation corridor, there was a very strong chance those parcels would ask for higher density than currently zoned. The proposed site was approximately 660 feet off of North 5<sup>th</sup> Street and she did not feel the high density concept should be restricted to parcels immediately on North 5<sup>th</sup> Street. Ms. Lazovich stated she realized the Transportation Corridor Study had not been officially approved and when looking at the proposed conceptual plan, that sets forth the idea of what was needed to support bringing the transportation corridor to reality and their property was located south of Deer Springs Road and had an urban designation and the urban designation shows a density of up to 60 units to the acre was needed as more density was needed to support the transportation corridor. She felt the use was appropriate and should be considered, given what was going on in the area and given that the other two parcels close by were not zoned yet and she felt the property owners would be requesting a higher density in the future.

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

Chairman Aston closed the Public Hearing.

Commissioner Dean Leavitt asked the applicant how much property was involved. Ms. Lazovich responded it was 9.22 acres.

Chairman Jay Aston asked the applicant what was located on the map shown in purple. Ms. Lazovich responded at one point it was zoned R-3 but believed it came forward as a PUD and was actually a PUD that was being developed as a single-family detached residential development by D.R. Horton. Chairman Aston stated with residential to the north and west, that maybe instead of going for medium-high density to very high density, the applicant could consider going to high density and on the zoning going to R-3 instead of R-4. Ms. Lazovich clarified that high density was 25 units per acre.

Commissioner Leavitt asked the applicant, if the North 5<sup>th</sup> Street Transportation Corridor, at this point, was conceptual, if it was never finalized or approved, if she felt the back parcel would still warrant the very high density. Ms. Lazovich stated she did, because if the transportation corridor were not finalized, the regional mall was just approved at Losee Road and when you look at the master plan and start to narrow down the areas where you could actually see some height go up and get the densities that are being seen across the valley, whether they are on transportation corridors or not, they are representing applications where they are seeking the height, because to go vertical makes sense for a number of reasons outside of just transportation purposes.

Chairman Aston asked Staff if they would be agreeable to high density and R-3. Mr. Jordan responded it still would not comply with the guidelines of being adjacent to two 100 foot rights-of-way as Deer Spring Road and Goldfield Avenue were not 100 foot rights-of-ways.

Ms. Lazovich stated after consulting with the property owner, he would be agreeable to high density residential with a zoning of R-3 if the Commission were willing to approve with that designation.

Commissioner Steve Brown asked Staff if the applicant were to acquire the property to the south and the piece on North 5<sup>th</sup> Street, if that would make this application more amenable because it would then be on the transportation corridor. Mr. Jordan responded it would.

Commissioner Dilip Trivedi stated he thought the City was looking for higher density within a half mile of North 5<sup>th</sup> Street. Mr. Eastman responded they were generally in support and would prefer to see higher density in relation to North 5<sup>th</sup> Street; however, Staff was opposed to higher density in piece meal fashion that did not have the neighboring parcels that were still lower density and did not have a planned development for the site. Additionally, if the property that could join the two together was not acquired and was developed at a lower density, then the higher density product could create a negative impact on those homes, so they would prefer it be developed as one site. Commissioner Trivedi stated he would be in favor of going with the higher density as the property was next to a school and was within a half mile band of North 5<sup>th</sup> Street.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Trivedi

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

NAYS: Chairman Aston, Commissioners Leavitt and Brown

ABSTAIN: None

The motion failed as there was not a super majority.

Chairman Aston asked for another motion.

ACTION: APPROVED FOR HIGH DENSITY RESIDENTIAL

MOTION: Commissioner Shull

SECOND: Chairman Aston

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

NAYS: Commissioner Leavitt

ABSTAIN: None

**Item No. 44 was heard next.**



**24. UN-97-05 (22633) CARTER & BURGESS INC. (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CARTER & BURGESS, INC. ON BEHALF OF GARY K. AND DEBORAH L. CROSS, PROPERTY OWNERS, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A RAIL TO TRUCK TRANSFER STATION USING HAZARDOUS MATERIALS (INCLUDING SULFURIC ACID, CAUSTIC SODA, HYDROCHLORIC ACID, NITRIC ACID, AND FERRIC CHLORIDE). THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF EL CAMPO GRANDE AVENUE AND LAMONT STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-801-005 AND 123-29-801-008.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of UN-97-05 with Condition No. 2.b. amended to strike the word El Campo Grande Avenue and add the wording, "with the following exception, 20 feet of landscaping shall not be required along el Campo Grande Avenue," and add Condition No. 18 to read, "A two hour rated fire wall shall be constructed at the property line along El Campo Grande Avenue. These two conditions would allow the applicant to use the northern spur line, as it appears somewhat closer than the 20 feet to the property line and the fire wall would allow the applicant to use that spur line and with the wall located at the property line, landscaping would not be appropriate. The original conditions of approval are as follows:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The development of this site shall be in compliance with the Industrial Development Standards and Design Guidelines, including but not limited to the following:
  - a. All metal buildings shall have sand-textured paint on the outside walls and shall have a minimum two colors coordinated such to break-up any wall greater than 50 linear feet in length. All buildings shall be painted using the same design theme.
  - b. A minimum 20 feet of landscaping along Lamont Street and El Campo Grande Avenue shall be provided in accordance with code requirements.
3. That all future on-site repairs to, or servicing of, vehicles take place entirely within a building. All on-site repairs to, or servicing of, vehicles shall be limited to fleet vehicles under the name of the operation licensed through the City of North Las Vegas Business License Division.

4. That subsequent expansions, modifications or additions to the use, type or percentage-by-weight of hazardous materials shall be subject to Planning Commission and City Council review and approval.
5. Transfer area and loaded rail cars shall be a minimum of 20 feet from buildings, property lines, streets, alleys or means of egress to a public way. An un-pierced two hour fire resistive wall extending not less than 30 inches above and to the sides of the storage and transfer area is allowed in lieu of such distance.
6. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
7. Chemicals limited to:

Sulfuric Acid	93%	CAS #: 7664-93-9
Aluminum Sulfate	48.5%	CAS #: 10043-01-3
Ferric Chloride	37-45%	CAS #: 7705-08-0
Hydrochloric Acid	17-37%	CAS #: 7647-01-0
Sodium Hydroxide	49-51%	CAS #: 1310-73-2
Hydrofluorosilicic Acid	20-27%	CAS #: 16961-83-4
8. Transfer operations and storage/use of hazardous materials shall comply with the Fire Code.
9. Fire hydrant off-site improvements, in accordance with the Fire Code, along project side of El Campo Grande and Lamont Street are required.
10. Aerial windsock (15 mph), as approved by the Fire Department, is required.
11. 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:
  - a. Lamont Street
  - b. El Campo Grande Avenue
12. The property owner is required to grant a roadway easement for commercial driveway(s).
13. The property owner is required to sign restrictive covenant for utilities.
14. The property owner is required to grant a PUE for any water meter, backflow devices or hydrants outside of the right of way.

15. Approval of a traffic study is required prior to submittal of the civil improvement plans.
16. Approval of a drainage study is required prior to submittal of the civil improvement plans.
17. All off-site improvements must be completed on Lamont Street and El Campo Grande Avenue.

**Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating the property was an existing use for materials for the past six years but it was approved in Clark County for the transportation of materials. There are two spurs located along El Campo Grande Avenue and the applicant was wanting to transport hazardous materials. Currently, at the corner of Lamont Street and El Campo Grande Avenue, there was an existing spur closest to the property line on El Campo Grande Avenue. There are no existing improvements outside of the fact that there are some paved sections in the area. He asked for a waiver of the off-site improvements, except for the paving, which would mean the lights, curb, gutter, sidewalks, etc. Typically, in Clark County, when developers are in the middle of "no man's land", they usually sign a deed of restriction with Clark County which means they are not required to put off-site improvements into the area except for paving and the bare minimum until the County requests they add the improvements required of the property owner. He understood final approval must come from City Council. It would be virtually impossible to put the 20 foot landscaping buffer along the property along El Campo Grande Avenue because the way the spurs were located, they were approximately eight feet from the property line. Mr. Gronauer stated instead of installing a fire wall along El Campo Grande, they would agree to restrict the hazardous material to be unloaded off the trains on the track that was furthest away and would agree to use the other track for the non-hazardous materials. They were currently doing non-hazardous material on both lines, so they would still like to continue the non-hazardous materials closest to El Campo Grande, and would like to work with Staff to come up with another way to come in with an aesthetically pleasing type of buffer along El Campo Grande. Instead of installing a block wall on Lamont Street, they would like to use a landscape berm. Mr. Gronauer stated he concurred with Staff recommendation without having to install a two hour fire wall along El Campo Grande and he also agreed to the added conditions that he would only be required to only have the hazardous material on the second line as pointed out, which would be located furthest east from the property line.

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

Chairman Aston closed the Public Hearing.

Commissioner Harry Shull asked Staff what a two hour fire wall would be. James Frater of the Fire Department referred to Condition No. 5 in the Staff Report and explained the fire wall requirement also applied to the transfer area so the southern most rail spur may be 20 feet from the property line but if they transfer in between the two rail spurs, the transfer area would also have to be at least 20 feet from the property line. In lieu of the 20 feet, the Fire Code allows a two hour wall extending 30 inches above and to the sides of the storage and transfer area. A two hour wall was typically done with 8" block with solid grouting.

Commissioner Dilip Trivedi asked Staff how high the two hour wall would have to be. Mr. Frater of the Fire Department responded Condition No. 5 stated the two hour fire wall had to extend at least 30 inches above and to the sides of the storage and transfer area, so it would need to be at least 30 inches above the rail car. Commissioner Trivedi asked the applicant how he was addressing security issues. Mr. Gronauer responded they do not have any storage of hazardous materials on site. If the hazardous material would be on site, it would be immediately removed. They were providing some type of security gates within the property. They do not have on-site security as they do not have storage of hazardous materials.

Chairman Jay Aston asked if Public Works would be open to having a condition which would allow further discussion regarding the waivers. Jennifer Doody of Public Works responded that according to the code, the condition was required for new development and the condition could only be waived by City Council. Chairman Aston asked if the Commission were to go along with Staff recommendation, the waiver would have to be requested of City Council. Mr. Gronauer stated he understood if the use permit were approved, it would be forwarded to City Council, but he wanted it on record that he had requested the waivers at the Commission level, so it was not a surprise when the item was heard by Council.

Chairman Aston asked the applicant if he agreed with the amendments to the conditions read into the record by staff. Mr. Gronauer responded he did not agree with Condition No. 18 because if you go 30 inches above the rail cars, the wall would be approximately 10 foot high and due to the grade separation you would have a 15 foot wall and he did not know if they would need a variance for that. Within 20 feet of the property line, if they were going to do any transportation of hazardous material, located between the two spurs, they would exceed the 20 feet and that was why he offered the condition that they do not have any hazardous materials within 20 feet of the property line and If they did, they would be required to install a two hour fire wall. The intention was not to have any storage or transportation within 20 feet of the property line. Chairman Aston asked the applicant if he was okay with the amendment to Condition No. 2.b. Mr. Gronauer responded he was okay with Condition No. 2.b as amended.

Chairman Aston asked Staff if Condition No. 18 could be worded to reach a compromise.

While Staff was checking into rewording the condition, Commissioner Leavitt made comments.

Commissioner Dean Leavitt asked if the applicant had a desire to phase the improvements in as they went along, with respect to the maintenance shop and the office building and asked if there were any time lines. Mr. Gronauer stated, for the record, it would be two to three years out. Commissioner Leavitt stated there had been instances in the past where industrial uses had been granted and the phased improvements had not been completed.

There was a break in proceedings at 7:38 p.m.

The meeting reconvened at 7:50 p.m.

Mr. Eastman stated Staff would be willing to remove Condition No. 18.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 2.b AMENDED TO READ:

2.b. A MINIMUM 20 FEET OF LANDSCAPING ALONG LAMONT  
STREET SHALL BE PROVIDED IN ACCORDANCE WITH CODE  
REQUIREMENTS WITH THE FOLLOWING EXCEPTION, 20 FEET  
OF LANDSCAPING SHALL NOT BE REQUIRED ALONG EL CAMPO  
GRANDE.

**MOTION:** Commissioner Shull

**SECOND:** Commissioner Leavitt

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

**NAYS:** None

**ABSTAIN:** None

Mr. Gronauer confirmed the item would automatically go to City Council for final consideration. Chairman Aston responded it would automatically go forward.

25. **UN-104-05 (22794) MORTGAGE LENDING & INVEST (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RHONDA M. AND CHANCE G. RETI, PROPERTY OWNERS, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A FINANCIAL INSTITUTION (MORTGAGE BANKING). THE PROPERTY IS GENERALLY LOCATED WEST OF VALLEY DRIVE AND APPROXIMATELY 535 FEET NORTH OF CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-07-417-008.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of UN-104-05 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. UN-104-05 is site specific and non-transferable.
3. The use shall be limited to mortgage lending only.

**Chance Reti, 1370 Honey Lake Street, Las Vegas, NV 89110** appeared stating they have a mortgage broker banking business which would help the community and 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 SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**26. UN-106-05 (22796) CARMINE'S ITALIAN CAFÉ (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CARMINE J. BARRA ON BEHALF OF SIMMONS MP, LLC, ET AL, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES (BEER AND WINE) IN CONJUNCTION WITH A RESTAURANT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF SIMMONS STREET AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-32-113-002.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending UN-106-05 be continued to allow the applicant time to submit a floor plan that demonstrates a minimum seating capacity of 45 people and a survey prepared by a Nevada licensed surveyor indicating that no school, church, city-owned park or commercial child care facility licensed for more than twelve children are within 400 feet of the primary customer entrance.

**Carmine Barra, 5585 Simmons Street, North Las Vegas, NV 89032** appeared on behalf of the applicant stating he had submitted a floor plan.

Mr. Jordan stated, since the applicant had filed for a building permit, there should have been a floor plan submitted. There was a school in the vicinity, but it appeared to be more than 400 feet away. Mr. Jordan stated he was okay with approval subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.
2. The sale of alcoholic beverages is limited to beer and wine as outlined in Title 5 of the *North Las Vegas Municipal Code*.
3. The use permit is site-specific and non-transferrable.
4. That a floor plan be submitted for review by staff to ensure that a minimum 45 seats are provided prior to the issuance of a beer and wine license.
5. That the applicant submit for review by staff a survey that demonstrates a minimum separation of 400 feet from the primary customer entrance to the nearest school, church, city-owned park and commercial child care facility licensed for more than twelve children prior to the issuance of a beer and wine license.
6. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.

Chairman Aston asked the applicant if he agreed to the conditions. Mr. Barra 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 SUBJECT TO STAFF RECOMMENDED CONDITIONS**

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Shull

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

**NAYS:** None

**ABSTAIN:** None



**27. AMP-63-05 (23291) TEXT AMENDMENT. AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, TEXT AMENDMENT, TO CHANGE SUBSECTION 4.1.6A(7) CHANGING THE HIGH DENSITY RESIDENTIAL CATEGORY TO ALLOW 12 TO 25 DWELLING UNITS PER ACRE TO CORRESPOND TO THE REQUIREMENTS FOR R-3 ZONING (MULTI-FAMILY RESIDENTIAL DISTRICT).**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of AMP-63-05.

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

**28. SPR-54-05 (22834) CRAIG PLAZA. AN APPLICATION SUBMITTED BY WADSWORTH DEVELOPMENT GROUP ON BEHALF OF SAHARA VEGAS LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT FOR A WAIVER OF BUILDING ORIENTATION. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND COLEMAN STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-05-702-009.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending denial of SPR-54-05 as Staff was concerned there were other buildings also located on the site and Staff felt pulling the building back would actually block part of the view and visibility would be worse than if the building were pushed forward. Additionally, Staff did not see any other compelling reason to grant the waiver.

**Michael Wright of Sahara Vegas LLC, 801 North 500 West, Suite 300, Bountiful, UT** appeared on behalf of the applicant stating this was a special circumstance because when they were going through the planning stages with the retail center at the front, they were asked by Staff to split the building into two buildings so there would be visibility to the rear of the parcel and he was asking the Commission for approval.

Chairman Jay Aston asked the applicant to show what he was asking for on the site plan. Mr. Wright stated he was asking that the office building be centered between the two retail shops to give more visibility from Craig Road and felt it was better to pull the building away as it was close to residential in the one area.

Commissioner Harry Shull stated there were building guidelines and he felt they should be adhered to and did not feel moving the building would give a much better view.

Marc Jordan, Planning Manager stated when the applicant came in for a building permit, the Planner, who worked on it, noticed the original proposal was one building that would separate the southern half of the site from the northern half. Therefore, if there was commercial behind it, the original design would have required traffic to pull out onto Coleman Street, and drive down Coleman Street to enter the access, so Staff did not want a building cutting the site in half. Staff was suggesting a design other than what was being presented, but this design was not against any of the ordinance requirements; therefore, Staff could not stop them from developing it.

ACTION: DENIED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**29. T-1217 (22812) CRAIG PLAZA. AN APPLICATION SUBMITTED BY WADSWORTH DEVELOPMENT GROUP ON BEHALF OF SAHARA VEGAS LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT CONSISTING OF A 25,200 SQUARE FOOT OFFICE SITE. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND COLEMAN STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-05-702-009.**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of T-1217 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. 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.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Approval of a traffic study is required prior to submittal of the civil improvement plans.
5. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
6. The civil improvements shall include schedule 40 PVC fiber optic conduit along the project's Craig Road frontage if not already existing.
7. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225.
8. The property owner is required to grant a roadway easement for commercial driveway(s).
9. The property owner is required to sign a restrictive covenant for utilities.
10. All off-site improvements must be completed prior to final inspection of the first

building.

**Michael Wright of Sahara Vegas LLC, 801 North 500 West, Suite 300, Bountiful, UT**  
appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

30. **T-1213 (22807) GOLDFIELD I. AN APPLICATION SUBMITTED BY WILLIAM LYON HOMES ON BEHALF OF GOLDFIELD 20 LLC AND GOLD PYLE LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 61 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LAMADRE WAY AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-701-011, 124-34-701-015, 124-34-701-020, 124-34-701-021, 124-34-701-026, 124-34-701-025, 124-34-701-026, 124-34-701-029, 124-34-701-032, AND 124-34-701-038.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending that T-1213 be continued to allow the applicant time to redesign the tentative map so lots were not fronting Goldfield Street and La Madre Way, which are both 60 foot rights-of-way and also to correct the access problems. If the applicant was not willing to continue T-1213, then Staff was recommending denial.

**Robert Cunningham of Taney Engineering, 4445 South Jones Boulevard, Las Vegas, NV** appeared on behalf of the applicant stating there was appropriate access to the site. Eagle Way was paved adjacent to the church site next to the subdivision. They would be able to take access along Eagle Way between Washburn and La Madre Way and also on Goldfield Street. Mr. Cunningham asked for clarification on Condition No. 6. Jennifer Doody of Public Works responded Condition No. 6 could be removed as it was not necessary. He stated he concurred with all other conditions.

Chairman Jay Aston asked the applicant if there had been an effort made to design the subdivision so there would be no homes fronting Goldfield Street and La Madre Way. **Terry Connelly of William Lyon Homes, 500 Pilot Road, Suite G, Las Vegas, NV 89119** responded they had tried many layouts. They were using some repeat product that had been previously built, all single story homes, and were giving up the two story elements to try to make an area that was all single story homes and when laid out, they took up more space. They looked at different constraints with some of the fall of the land, laying out different street configurations. They were trying to be compatible with the existing homes in the area. They thought with the new design guidelines, with Public Works, it would act as a traffic calming effect and also provide deeper driveways for backing in and out. Chairman Aston asked the depth of the driveways. Mr. Connelly responded they were 20 feet deep with a five foot sidewalk area and another five foot landscape area for a total of 30 feet deep. There are several properties under contract and have already closed of some of them, the area from North 5<sup>th</sup> Street to Commerce Street and from Washburn Street to Lone Mountain Road and were trying to clean up all of the in-fill pieces. There are so many irregular shaped lots that the opportunity was lost to make some nice fits. Chairman Aston stated he was concerned with the traffic before and after school and with

children walking down the street with cars backing onto a right-of-way and felt it was a safety issue.

Commissioner Harry Shull stated he did not have a problem with the proposed layout.

Commissioner Dean Leavitt stated at the last City Council meeting there was some extensive discussion regarding houses facing the street, especially 60 foot rights-of-ways, and it was his understanding that Council would like Staff to work on eliminating that situation but understood what the applicant was trying to accomplish.

Jory Stewart, Planning and Development Director stated Commissioner Leavitt was correct. City Council just held a study session where Public Works made an extensive presentation on the problem with the houses facing 60 foot streets, especially where there were continuous street improvements such as on Goldfield, which would eventually be improved and would function and act as a collector street rather than a neighborhood street. Typically, when houses were faced onto streets, they were interior streets within a subdivision. Goldfield carries traffic that was not just neighborhood associated but was thru traffic coming from and going to other places. She stated Council had directed Staff to use their discretion and work with the traffic engineers and Public Works to determine if the request for lots facing the 60 foot streets would stand the test of time and make sense in the future as the area continues to develop. In this case, the lots facing Goldfield Street would be in conflict with the collector street nature. La Madre Way would be as bad would develop into a street that carried thru traffic also. Ms. Stewart stated Staff had shown good judgement in recommending that the tentative map be redesigned to have the lots face into neighborhood streets instead of on the surrounding future collector streets.

Commissioner Steve Brown asked the applicant if there were existing homes across Goldfield Street with the driveways facing Goldfield. Mr. Connelly responded there was at least one facing Goldfield. Commissioner Brown asked if the existing homes on La Madre Way were facing the street. Mr. Connelly stated there were eight existing homes fronting on La Madre.

Ms. Stewart stated further to the west, there were five lots facing La Madre Way but the lots directly across from the proposed development were facing an interior street. Mr. Connelly agreed that Ms. Stewart was correct.

Commissioner Brown stated if there were lots facing the road on one side and not on the other, there would be a situation similar to Tenaya Street, where it was a 25 mile zone but cars were going 45 and felt it was a safety issue and could not support it.

Commissioner Dilip Trivedi asked Ms. Stewart if Staff was suggesting that on streets 60 foot wide and more, if we did not want eyes on the street. Ms. Stewart responded in Public

Works' presentation to the Council, Public Works Director made it very clear that they would like to see developments, where feasible, most likely in the master planned communities, where we do have eyes on the street. The front of the homes with the front patio and windows facing the street, possibly rear loaded, so there might be alley access to the rear of the home, where there would be a garage entry, with the front of the home toward the street with nice pedestrian sidewalks and landscaping.

ACTION: CONTINUED TO NOVEMBER 9, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**31. T-1214 (22808) GOLDFIELD II. AN APPLICATION SUBMITTED BY WILLIAM LYON HOMES ON BEHALF OF GOLDFIELD 20 LLC AND CTR LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 32 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF EAGLE WAY AND VERDE WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-804-002, 124-34-804-003, 124-34-804-005 AND 124-34-804-006.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending that T-1214 be continued to allow the tentative map to be revised to allow for a 20 foot landscaped pedestrian easement, common element adjacent to the right-of-way, which had been required on other developments along North 5<sup>th</sup> Street to ensure consistency of design up and down North 5<sup>th</sup> Street. There are also some lots facing Verde Way, which was a 60 foot street and also show some pedestrian and bicycle linkages between the interior street and North 5<sup>th</sup> Street and Verde Way. The Fire Department also indicated there was only one means of access to the interior of the site where two were required.

**Robert Cunningham of Taney Engineering, 4445 South Jones Boulevard, Las Vegas, NV** appeared on behalf of the applicant asking for clarification of the Fire Department's comment regarding the access, as he thought if there were less than 25 homes, the secondary access was not required. James Frater of the Fire Department responded that was correct. If there were under 25 lots, the secondary means of access was not required so Condition No. 26 could be deleted. Mr. Cunningham stated Staff was recommending that a pedestrian access be provided between Lone Mountain Road and Verde Way in order to improve the circulation of the neighborhood as well as a bicycle pedestrian access between North 5<sup>th</sup> Street and the cul-de-sac. He felt since there were only 21 lots, it was a minor subdivision and there was not going to be a tremendous amount of foot traffic generated from the residents and felt Conditions Nos. 9 and 10 were not necessary.

Chairman Jay Aston asked Staff if there were reasons, other than the Fire Department and the pedestrian access, that they were recommending continuance. Mr. Jordan responded Public Works was requesting the continuance for the extra five feet along North 5<sup>th</sup> Street and because of the lots fronting Verde Way. Mr. Connelly stated they could accommodate the additional five feet and would still be able to meet all other requirements and would agree to a two week continuance.

Chairman Aston asked the Commission if they felt the community was large enough to have pedestrian access to North 5<sup>th</sup> Street or if they were just looking at the five feet along North 5<sup>th</sup>. He felt direction should be given to the applicant before they redraw their tentative map.



Commissioner Steve Brown stated if the map were redrawn with the homes facing Verde Way to become part of the project, it would make a major change in access, as they would need a secondary access point and asked if they would be required to pull the homes into the project.

Jory Stewart, Planning and Development Director stated Verde Way dead ended at Conway Street, so in terms of justifying the homes facing the street, in the future it might be feasible, that there were a block of streets facing with eyes on the street, a short segment of a 60 foot street that would not turn into a collector street, but since she was not a traffic engineer, deferred to Public Works.

ACTION: CONTINUED TO NOVEMBER 9, 2005

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

**T-1215 (22809) GOLDFIELD III. AN APPLICATION SUBMITTED BY WILLIAM LYON HOMES ON BEHALF OF GOLDFIELD 20 LLC AND CTR LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 21 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF LONE MOUNTAIN ROAD AND DEEM DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-03-503-001, 139-03-503-002, 139-03-503-003 AND 139-03-503-004.**

The application was presented by Marc Jordan, Planning Manager on behalf of staff who indicated Staff was recommending approval of T-1215 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The tentative map will be considered null and void if ZN-75-05 is not approved by City Council.
3. The development of this site shall substantially conform to the submitted tentative map.
4. The number of lots for this development shall not exceed 21.
5. The development of this site shall be in compliance with the Single-Family Development Standards and Design Guidelines included, but not limited to, a curvilinear sidewalk along Lone Mountain Road, an 80-foot right-of-way.
6. All perimeter walls shall be owned and maintained by the Homeowners' Association and shall be constructed entirely within the common elements.
7. The following information must be included in any sale, lease or transfer of property within the subject development:

This property is located in a 65-70 decibel noise Air Installation Compatible Use Zone (AICUZ) as defined by Nellis Air Ford Base in 2004. The United States Air Force discourages residential development in 65-70 decibel AICUZ areas (or the United States Air Force strongly discourages residential development in 70-75 AICUZ areas).
8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Lone Mountain Road.

9. 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:
  1. Lone Mountain Road
  2. Deem Drive
  3. Goldfield Street
10. All common elements shall be labeled and are to be maintained by the Home Owners Association.
11. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
12. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
13. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.
14. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
15. 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.
16. Approval of a drainage study is required prior to submittal of the civil improvement plans.
17. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
18. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.

19. Approval of a traffic study is required prior to submittal of the civil improvement plans.
20. The interior streets shall be labeled as public or private.
21. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics and thickness of the pavement sections will be determined by the Department of Public Works.

**Robert Cunningham of Taney Engineering, 4445 South Jones Boulevard, Las Vegas, NV** appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**33. T-1216 (22810) GOLDFIELD IV. AN APPLICATION SUBMITTED BY WILLIAM LYON HOMES ON BEHALF OF GOLDFIELD 20 LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 22 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF GOLDFIELD STREET AND SERGEANT JORDAN AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-03-505-003, 139-03-505-005 AND 139-03-505-006.**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of T-1216 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The development of this site shall substantially conform to the submitted tentative map.
3. The number of lots for this development shall not exceed 22.
4. The development of this site shall be in compliance with the Single-Family Development Standards and Design Guidelines.
5. All perimeter walls shall be owned and maintained by the Homeowners' Association and shall be constructed entirely within the common elements.
6. 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:
  - a. Sergeant Jordan Avenue
  - b. Goldfield Street
7. All common elements shall be labeled and are to be maintained by the Home Owners Association.
8. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
9. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
10. 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.

11. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
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. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
16. Approval of a traffic study is required prior to submittal of the civil improvement plans.
17. The interior streets shall be labeled as public or private.
18. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics and thickness of the pavement sections will be determined by the Department of Public Works.

**Robert Cunningham of Taney Engineering, 4445 South Jones Boulevard, Las Vegas, NV** appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

34. **FDP-24-05 (22813) HALEVA OFFICE/WAREHOUSE. AN APPLICATION SUBMITTED BY ROSHPINA LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 89,600 SQUARE FEET OF OFFICE/WAREHOUSE BUILDINGS. THE PROPERTY IS LOCATED APPROXIMATELY 660 FEET EAST OF ALLEN LANE AND SOUTH OF LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-20-202-006, 139-20-202-007, 139-20-202-008 AND 139-20-202-014.**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending that FDP-24-05 be continued so the applicant could address Staff concerns listed in the Staff Report.

The applicant was not present.

ACTION: CONTINUED TO NOVEMBER 22, 2005

MOTION: Commissioner Shull

SECOND: Vice-Chairman Cato

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

NAYS: None

ABSTAIN: None

**35. FDP-25-05 (22831) CELEBRATES CASA DEL SOL. AN APPLICATION SUBMITTED BY CELEBRATE HOMES ON BEHALF OF CELEBRATE PROPERTIES LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 86 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-32-810-001.**

Commissioner Harry Shull stated he would be abstaining as his company owned the property.

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending approval of FDP-25-05 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 comply with all conditions of approval of ZN-25-93 and T-1209.
3. That six (6) foot parkways shall be provided along the corner of Lots 56, 70, 71, 75, 76 and 86.
4. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
5. The following minimum park 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 IPEMA approved play structures for children with (ref: ASTM Playground Equipment for Public Use. Sec. 6.2 - 6.3) EPDM resilient fall protection over a non-porous surface and accompanying gazebo (30' diameter), lighted
  - d. At least one large grassy open space area for group/organized play with drinking fountain
  - e. Two shade structures, one lighted
  - f. Picnic tables and barbecue grills
  - g. Benches spaced along park pathways
  - h. Dog stations at grassy areas
  - i. Half court basketball court with lighting on timer
  - j. Bicycle rack at playground area
  - k. Details of amenities to be provided



6. Permits are required for all structures except as exempted by the CNLV Municipal Code, Building Administrative Code Section 15.72.140 B. & C.
7. Construction of the Developed Open Space is to be started no later than the issuance of the 28<sup>th</sup> building permit, and completed upon the issuance of the 58 permit.

**George Garcia 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 RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

- 36. T-1220 (22842) CRAIG & ALLEN. AN APPLICATION SUBMITTED BY ENGLE HOMES ON BEHALF OF ALLEN VILLAGE LLC, NAKHJAVANI LIVING TRUST AND CRAIG SELF STORAGE LLC, PROPERTY OWNERS, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 75 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED SOUTH CORNER OF CRAIG ROAD AND APPROXIMATELY 750 FEET WEST OF ALLEN LANE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-06-701-002 AND 139-06-701-007.**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending approval of T-1220 with the addition of Condition No. 26 to read, "This tentative map shall be null and void if ZN-73-05 is not approved by the City Council." The 25 conditions listed in the Staff Report are as follows:

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.
3. The commercial portion shall be labeled "Not a Part".
4. All assessments for S.I.D. No. 58 (Craig Road) must be paid in full prior to recordation of the final map.
5. Winding Creek Way shall align with the school driveway or be offset one-hundred twenty five (125) feet.
6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
7. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
8. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics and thickness of the pavement sections will be determined by the Department of Public Works.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.
10. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Craig Road if not already existing.

11. The property owner is required to grant roadway easements where public and private streets intersect.
12. All common elements shall be labeled and are to be maintained by the Home Owners Association.
13. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
14. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
15. 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.
16. A revocable encroachment permit for landscaping within the public right of way is required.
17. A construction phasing plan, depicting onsite development and supporting offsite improvements, as well as construction access routes, shall be provided by the developer. Approval by the Department of Public Works is required prior to the issuance of any permits.
18. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.
19. Proposed residential driveway slopes shall not exceed a slope of twelve percent (12%).
20. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
21. The side lot easement(s) must be revised to a pedestrian access/public utility easement that conforms to *City of North Las Vegas Municipal Code* 17.24.210.D.4.a.
22. 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.

23. Sidewalk is required on a minimum of one side of all interior, private streets.
24. Sidewalks shall be mapped as part of the private street or located within a common element and not part of the lot.
25. Provide a second means of Fire Department access, in accordance with the Fire Code, from Craig Road to Rosemont Avenue.

**Robert Cunningham of Taney Engineering, 4445 South Jones Boulevard, Las Vegas, NV** appeared on behalf of the applicant stating he concurred with Staff recommendation along with the addition of Condition No. 26.

Marc Jordan, Planning Manager stated, for the record, the applicant had submitted a revised plan which showed the landscaped area was incorporated on the south and western sides into the PUD. The tentative map would probably change slightly, with the common area becoming part of the PUD.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE ADDITION OF CONDITION NO. 26 TO READ:

26. THIS TENTATIVE MAP SHALL BE NULL AND VOID IF ZN-73-05 IS NOT APPROVED BY THE CITY COUNCIL.

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None

37. **T-1159 (19164) SHADOW MOUNTAIN. AN APPLICATION SUBMITTED BY PANATTONI DEVELOPMENT ON BEHALF OF SHADOW MOUNTAIN INVESTORS LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2 GENERAL INDUSTRIAL DISTRICT CONSISTING OF ONE INDUSTRIAL LOT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ALEXANDER ROAD AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-12-510-001.**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending Condition No. 7 not be deleted but be reworded as follows:

7. Right-of-way dedication for a flared for a flared intersection is required at Alexander Road and Pecos Road per the *Uniform Standard Drawings for Public Works' Off-Site Improvements* Drawing Number 201.1 and 245.1.

**Mathew of Baughman & Turner, Inc., 1210 Hinson Street, Las Vegas, NV 89102** appeared on behalf of the applicant stating he concurred with Staff recommendation.

ACTION: APPROVED WITH CONDITION NO. 7 AMENDED TO READ:

7. RIGHT-OF-WAY DEDICATION FOR A FLARED FOR A FLARED INTERSECTION IS REQUIRED AT ALEXANDER ROAD AND PECOS ROAD PER THE *UNIFORM STANDARD DRAWINGS FOR PUBLIC WORKS' OFF-SITE IMPROVEMENTS* DRAWING NUMBER 201.1 AND 245.1.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

**Item No. 46 was heard next.**

38. T-1219 (22841) WASHBURN/BRUCE. AN APPLICATION SUBMITTED BY TIOGA GRAND LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT CONSISTING OF 39 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF WASBURN ROAD AND BRUCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-35-701-002, 124-35-701-003, 124-35-701-004, 124-35-701-005 AND 124-35-701-006.

It was requested by the applicant to continue T-1219 to November 9, 2005.

ACTION: CONTINUED TO NOVEMBER 9, 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

**OLD BUSINESS**

39. **VAC-17-05 (20895) INTERNATIONAL VILLAGE (PUBLIC HEARING. AN APPLICATION SUBMITTED BY ONE CAP ON BEHALF OF 5440 WEST SAHARA, LLC, PROPERTY OWNER, TO VACATE LIBERIA DRIVE BETWEEN INDIA AVENUE AND BURMA ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-610-034 AND 139-07-610-035. (CONTINUED JUNE 22, JULY 13 AND 27, AND AUGUST 24, 2005)**

Withdrawn by the applicant.

40. **VAC-19-05 (21067) INTERNATIONAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ONE CAP ON BEHALF OF THE 5440 WEST SAHARA, LLC, PROPERTY OWNER, TO VACATE MEXICO DRIVE COMMENCING APPROXIMATELY 498 FEET NORTHEAST OF ASIA ROAD AND PROCEEDING NORTH APPROXIMATELY 651 FEET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-510-034 AND 139-07-510-035. (CONTINUED JULY 13 AND 27, AND AUGUST 24, 2005)**

Withdrawn by the applicant.



41. **VAC-20-05 (21221) INTERNATIONAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ONE CAP ON BEHALF OF THE 5440 WEST SAHARA, LLC, PROPERTY OWNER, TO VACATE HAWAII DRIVE COMMENCING APPROXIMATELY 897 FEET NORTHEAST OF INDIA AVENUE AND PROCEEDING NORTH APPROXIMATELY 474 FEET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-610-063 AND 139-07-610-064. (CONTINUED JULY 13 AND 27, AND AUGUST 24, 2005)**

Withdrawn by the applicant.

42. VAC-27-05 (21845) INTERNATIONAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ONE CAP ON BEHALF OF 5440 W. SAHARA, LLC, PROPERTY OWNER, TO VACATE A PORTION OF UNIVERSAL DRIVE FROM INTERNATIONAL BOULEVARD TO THE INTERSECTION OF ASIA ROAD AND INDIA AVENUE, APPROXIMATELY 1800 LINEAL FEET. THE ASSESSOR'S PARCEL NUMBER IS 139-07-610-076. (CONTINUED AUGUST 24, 2005)

Withdrawn by the applicant.

Item No. 45 was heard next.

43. **ZN-60-05 (21854) CENTER POINTE - PHASE 1 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE STRATTON GROUP ON BEHALF OF CENTENNIAL POINTE, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF NORTH FIFTH STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-22-601-005. (CONTINUED AUGUST 24, AND SEPTEMBER 28, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending approval of ZN-60-05.

**Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating she 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, Vice-Chairman Cato, Commissioners Leavitt, Shull, Brown, Trivedi, and Carvalho

NAYS: None

ABSTAIN: None

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

44. **ZN-61-05 (21855) CENTER POINTE - PHASE 2 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE STRATTON GROUP ON BEHALF OF CENTENNIAL POINTE, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-22-701-002, 124-22-701-003, 124-22-701-004, 124-22-701-005 AND 124-22-701-008. (CONTINUED AUGUST 24, AND SEPTEMBER 28, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated due to the Commission's vote on Item No. 23, AMP-56-05, Staff was recommending approval of ZN-61-05 with R-3 zoning.

**Jennifer Lazovich of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating she concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED FOR R-3 MULTI-FAMILY RESIDENTIAL

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: Commissioner Leavitt

ABSTAIN: None

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

45. T-1195 (21688) BROADACRES. AN APPLICATION SUBMITTED BY CIVIL WORKS INC. ON BEHALF OF BROADACRES LTD, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-2 GENERAL COMMERCIAL DISTRICT AND C-3 GENERAL SERVICE DISTRICT CONSISTING OF APPROXIMATELY 26.5 ACRES OF COMMERCIAL SUBDIVISION. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF LAS VEGAS BOULEVARD AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-13-605-003, 139-13-605-004, 139-13-605-006, 139-13-605-007, 139-13-605-008, 139-13-605-009, 139-13-605-010, 139-13-605-011, 139-13-605-012, 139-13-605-014, 139-13-605-014 AND 139-13-702-003. (CONTINUED AUGUST 24, AND SEPTEMBER 28, 2005)

Withdrawn by the applicant.

Item No. 49 was heard next.

**46. UN-87-05 (22402) ADS PIPE SYSTEM OFFICE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ADVANCED DRAINAGE SYSTEMS, INC. ON BEHALF OF ADJ PROP, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A TEMPORARY TRAILER. THE PROPERTY IS LOCATED AT 4200 FREHNER ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-402-006. (CONTINUED SEPTEMBER 28 AND OCTOBER 12, 2005)**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending approval of UN-87-05 subject to the following conditions with the deletion of Condition No. 11.

1. That, unless expressly authorized through the variance, waiver or another method, this development shall comply with all applicable codes and ordinances; and
2. That the temporary trailer shall be generally located as indicated on the site plan; and
3. That the trailer shall not be larger than 600 square feet; and
4. That the trailer shall be ADA-compliant; and
5. That the trailer cannot be installed and open for business until such time that a building permit is issued for the permanent building; and
6. That UN-87-05 shall expire on September 28, 2006.
7. That a minimum five (5) parking stalls be provided.
8. That all areas where vehicles will be driven, stored and/or moved shall be paved. Said paved areas shall be appropriately identified on the submitted building plans.
9. Some type of physical barrier, subject to staff review and approval, shall be installed along the edges of the pavement and identified on the building plans.
10. That UN-87-05 is site-specific and non-transferable.
11. That UN-53-05 shall be considered null and void.
12. Approval of a drainage study is required prior to submittal of the civil improvement plans.

13. That the development of this site be in compliance with the Industrial Development Standards and Design Guidelines, with the exception of the following:
  - a. The block wall and landscaping along Frehner Road may remain in place, provided that “as built” drawings be submitted with the building plans and that the landscape materials are in compliance with current code requirements.
14. That the development of this site be in compliance with the Industrial Development Standards and Design Guidelines, including but not limited to the following:
  - a. A minimum 20 feet of landscaping be provided along the Union Pacific Railroad right-of-way.
  - b. A decorative block wall be provided between the subject use and the landscape areas along the Union Pacific Railroad right-of-way. The block wall shall be ten feet (10.00') in height, unless the applicant provides details indicating a lower height would satisfy the screening requirements.
  - c. A 10-foot screen wall be provided along the southern boundary of the use, unless otherwise waived in accordance with the requirements set forth in the Zoning Ordinance.
15. All new buildings shall be designed and constructed in accordance with the requirements set forth in the Zoning Ordinance.
16. The limits of this special use permit shall only be for the subject 3.1± acres of the overall larger 20.64±-acre site.
17. All required improvements shall be completed prior to the issuance of a Certificate of Occupancy or prior to application of a Business License, whichever occurs first.

**Gary Robertson of Frehner Construction, 4200 Frehner Road, North Las Vegas, NV 89032** appeared on behalf of the applicant stating he wanted to keep the special use permit. Marc Jordan, Planning Manager stated that by deleting Condition No. 11, they would be able to keep their special use permit.

Mr. Robertson stated he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

Mr. Robertson stated ADS would be there for 12 months or less and the approximate date

for starting construction was about 18 months, so there would not be any conflict.

**Manuel Waidelich, Manager of ADS Pipe Systems, 4200 Frehner Road, North Las Vegas, NV 89032** stated their lease with Frehner Construction terminates in December, 2006 and they are prepared to move the trailer and asked that they receive 30 days notice as they would have to relocate the entire office. Regarding Condition No. 11, it was his understanding that Frehner Construction or Aggregate Industries would like to keep their special use permit open as previously approved.

Commissioner Dean Leavitt stated if the trailer was removed, the complexity of the application would be changed. Mr. Jordan responded he was confused also, because a use permit for a temporary building was before the Commission and one of the requirements, according to the ordinance, was that in order to get a use permit for a temporary building was that you had to show that permanent construction was eminent. You cannot just put a temporary building on property, operate for one year and then remove the building and leave because that would be temporary use of the property. The change in the ordinance was for people who want to develop a piece of property and start their business before construction was complete; so they get a use permit to allow them to operate, build their building and once the building was complete, they remove the temporary building and move into the permanent facility. All permanent improvements are done on-site. If the applicant was proposing to build a permanent building and not a trailer, then he does not need a use permit. Mr. Jordan stated he was confused about what the use permit was for and reminded the applicant there was a condition for them to show that permanent construction was eminent and so far they have not demonstrated that to Staff.

Mr. Waidelich stated they never had plans to construct a permanent building on the site, since they were only leasing the property and the lease terminates December 2006, when the landlord was taking over the entire 20 acres to construct their batch plant. He stated they wanted a permit for a modular office trailer to have their office staff on site for the storage yard. He was instructed that they were prepared to remove the trailer and relocate their office to an off-site location.

Chairman Aston clarified the application was for 13 months for a temporary trailer. Mr. Waidelich responded that was correct.

Jory Stewart, Planning and Development Director asked if this was a temporary use on the site. Chairman Aston responded the current applicant was the lessor and could not define that, because he was not the owner of the property and asked if the owner should be making the application and portraying his intended use after the 13 months. Mr. Jordan stated there was a use permit already approved for this site, according to the owner, it was the batch plant, which had already been approved. The applicant can make a request on behalf of the owner, so the owner does not have to do that, as long as there was a



signature of the owner on the application. The applicant wants a temporary use but there was not a provision in the ordinance for a temporary use such as this. Therefore, this was an application for a temporary building which, technically, by the ordinance, that can be allowed as long as they can demonstrate that permanent construction was eminent. The applicant has not done that, so there was a condition, that if the item were approved, that before anything can be issued for the temporary building, they have to get a permit for a permanent building, which the applicant has already indicated he was not doing.

Commissioner Dean Leavitt stated situations like this have come up in the past and he was opposed to this application.

ACTION: DENIED

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

47. **ZN-78-05 (22644) CENTENNIAL PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF APPROXIMATELY 44,500 SQUARE FEET OF RETAIL SPACE AND 34 UNITS OF WORK / LIVE LOFTS. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 200 FEET SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 200 FEET EAST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-002. (CONTINUED OCTOBER 12, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending that ZN-78-05 be continued to allow the applicant time to redesign the site to comply with the requirements for the PUD and with the mixed use development.

**Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating they were asking for a planned unit development on less than five acres of property. The entire site was currently zoned C-1; however, they were asking to change the zoning district from C-1 to a Planned Unit Development (PUD) in the middle of the property and felt it was justified because there was existing construction already in the area to the north and west of the site for commercial development. In the code, there were no provisions that allow for special use permits to allow mixed use developments in commercial districts. The only avenue was to come in with a PUD. By coming in with a PUD, in order to have a live/work concept which comes out to a total of 34 units on the property, the lofts, they would have to come in with a PUD. He understood, when the applicant came in initially with the task force, one of the directions they were following, was they could come in with a PUD for the lofts, which was a mixed use development. The PUD was just another avenue to allow a mixed use. It was still commercial with commercial being developed on the perimeter. There are 34 covered parking spaces required for each unit. In addition to the covered parking, there was an issue with the landscape islands with respect to parking, which had been addressed. There was an issue with the balconies, which have been inserted on the perimeter of the lofts. The majority of the open space was located within the round-about but there was additional open space along the eastern portion of the property where they are proposing a dog walking area with respect to one of the amenities for the neighbors who will be living in the complex. Further to the south there was a picnic table, canopy and barbeque pit area. Inside the building, they are proposing a gym/clubhouse on the third floor to be located inside the building and as you come out of the building, in order to prevent traffic from coming across, there was a pathway that leads to the center of the round-about, which has a gazebo with approximately 20,000 feet of open space. One of the advantages of a PUD was they had to provide more open space. Mr. Gronauer stated

he was willing to work with Public Works on the Final Development Plan to address any traffic circulation issues they might have. Mr. Gronauer submitted a copy of an agreement between the applicant and the neighbors with respect to the development. He pointed out, for the record, they were proposing along the south property line, adding a six foot block wall along the inside of the property line and between the two block walls, they would provide more dense landscaping in that area. The trees would be staggered at 15' on center and it was his understanding the issue was to maintain some type of buffer. The neighbors also wanted similar architectural features at the rear of the building. There was also an issue with drainage and they have agreed, at the southeast corner of the property, to excavate a slope grade to a depth of 18 inches below the existing concrete, floodway slab and install a temporary riprap system in the area to help prevent any flooding due to construction.

Commissioner Dean Leavitt asked the applicant how much distance was between the double block walls. Mr. Gronauer responded there was approximately 15 feet.

Jennifer Doody of Public Works stated the commercial development was approximately 20 feet higher than the residential to the south and the residents were concerned the headlights from the vehicles would shine into their second story windows and had requested a 3 ½ foot pony wall along the back of the parking area.

Mr. Gronauer stated, for the record, the neighbors were now requesting a six foot block wall. Ms. Doody stated the existing commercial had a 3 ½ foot block wall which would cover the headlights.

Vice-Chairman Jo Cato clarified the neighbors were now asking for a six foot high wall instead of the 3 ½ foot originally requested. Mr. Gronauer confirmed they were asking for a six foot wall.

Chairman Jay Aston opened the public Hearing.

**Debbie Piccard, 6236 Prospect Niche, North Las Vegas, NV 89084** stated she liked the project but would like to see a six foot wall at the back of the property as it sits up so much higher than the residential and the wall would help prevent the headlights from shining and the noise from cars starting and doors slamming. The landscaping would also help with the noise and lights.

Chairman Jay Aston stated there was concern that with the 15 feet between two six foot walls, there would be kids hanging out in that area because they also would not be visible. Chairman Aston asked if the desire for the six foot wall was due to the headlights or to keep people from going into the area. Ms. Piccard responded it was for the headlights and noise.

Jory Stewart, Planning and Development Director stated new conditions were being discussed, they were designing at the podium and discussing a design that had not been considered by other agencies who were not represented at the meeting and felt if they were to continue on that path, it might be best to continue the item for further analysis of the conditions being brought forward by the homeowners association.

Commissioner Steve Brown asked Ms. Piccard if she was talking about a second six foot wall or just one six foot wall. Ms. Piccard responded there was already an existing wall and they wanted another six foot wall at the back of the property. Mr. Gronauer stated there would be two walls. He explained that was the only condition being requested. There was a written record of the private contract with the neighbors, so there was only one conditions being requested to be added. They would like to have another six foot block wall along the perimeter along the north side of the property to block the lights from the vehicles and between the two block walls, the landscaping would be intensified. Commissioner Brown clarified they were talking about a 15 foot wide landscape area for a buffer, but due to the slope, at the other end, a 3 ½ foot wall, there would be a channel between the two but the neighbors want a six foot wall instead.

**Craig Shehan, 2712 Prospector Mine, North Las Vegas, NV 89084** stated a 3 ½ foot wall would not stop someone from looking into his back yard.

Chairman Aston stated the Public Hearing was over and asked residents to be seated.

Commissioner Dean Leavitt stated the only way he could support the application was if it were continued and the City of North Las Vegas Police Department be allowed to complete a CPTED evaluation.

Chairman Aston agreed with Commissioner Leavitt and felt the application should be continued.

Vice-Chairman Jo Cato also felt the application should be continued and could not support the six foot wall. After the CPTED evaluation was completed and it was cleared with the Police Department, she would consider it. She felt kids would be hanging out in that area and also that the item should be continued.

Commissioner Dilip Trivedi stated the area between the two fences should be looked at closely so that it would not become a “no man’s land” and the applicant should present a plan showing both walls and how the area between would be landscaped.

Chairman Aston stated there were a number of directions that could be taken to solve the concerns and issues but it was not up to the Commission to determine them.

Mr. Gronauer stated he did not have the authority to continue the application and could not get in touch with the applicant due to personal matters and was instructed to move forward. In two weeks, he would come back with the same site plan, the PUD issue would not be changed from a 4.85 acre site to a 10 acre site because time was of the essence. The wall would be there or not and he asked that if the Police Department did not want the wall and said there was a safety issue, it would be addressed at that time and felt it could be handled with a condition.

Chairman Aston asked if the wall issue could be covered by a condition. Ms. Stewart responded this was an example that the applicant's representative had met with the public but none of that information was brought back and discussed with Staff before bringing it to the Commission. It was possible Staff would have some suggestions on how to transition from the proposed development to the adjoining residential and she was not sure the public was aware that the building, which was approximately 49 feet high plus another seven or eight feet of architectural embellishment. The wall would not necessarily achieve the objective the neighborhood was looking for. Maybe the buffering should be increased so that the building was set back further from the southern property line to protect the interests of the neighborhood. Ms. Stewart stated these types of discussions could be had with Staff and Council did not want these issues discussed at the podium. If the situation was not going to change in two weeks when the item was heard by Council, there would be a tougher time at Council trying to resolve the issues and she advised the application be continued and discussed with Staff to try to come up with an amicable solution which would meet the neighboring property owners' objectives.

Mr. Gronauer stated he was not changing anything, as the only issue was the block wall and he would talk to the Chief of Police for a CPTED analysis.

ACTION: CONTINUED TO NOVEMBER 9, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: Commissioner Brown

ABSTAIN: None

48. **UN-99-05 (22649) CENTENNIAL PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED PUD PLANNED UNIT DEVELOPMENT DISTRICT) TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A SUPPER CLUB. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 200 FEET SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 200 FEET EAST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-002. (CONTINUED OCTOBER 12, 2005)**

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who indicated Staff was recommending continuance to allow the underlying zoning problem to be resolved prior to action on UN-99-05.

Jory Stewart, Planning and Development Director added that there was also an application on this agenda for a day care facility proposed in this development, which was continued to follow the consideration of on-sale of alcoholic beverages. She stated that does not remove the need for the Commission to consider the proximity of the supper club to the day care center. She stated if the application was coming back in two weeks, she would like to see the open space considerations on the site remedied before it comes back to the Commission.

**Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating the use was compatible and harmonious to the surrounding area. The neighbors have reviewed the application and are in support of it. He stated the open space requirements were not addressed on a special use permit and he felt this use was appropriate for a commercial shopping center and asked for approval.

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

Chairman Aston closed the Public Hearing.

Vice-Chairman Jo Cato asked for clarification that there was a child care facility. Ms. Stewart responded it was Item No. 49 on the Agenda, which the applicant has requested it be continued to December 28, 2005. Mr. Gronauer added it was the same issue that had come up with an application earlier in this meeting. They had already talked to the day care facility provider and it was a matter of the way the code was written. You cannot have an alcohol use within 400 feet of a day care facility. In the past, waivers have been allowed, as long as the tenant was okay with the types of uses in the area. He stated they did not

move forward with the child care facility as there was going to be a sushi restaurant and another restaurant in the center that they felt was appropriate and the day care operator was in agreement. If the day care center were approved at this time, then there would not be any alcohol uses allowed.

Chairman Aston asked if a floor plan was submitted with the application. Marc Jordan, Planning Manager stated it had not and reminded the Commission they do not have the zoning as that application was continued so a use permit could not be considered. If the use permit was approved, the site plan submitted was consistent with a PUD and if it was approved, the site plan was not consistent with the hard zoning.

Commissioner Steve Brown asked Nick Vaskov, Deputy City Attorney if there was a problem with considering the day care center that does not currently exist and had not been approved yet. Ms. Stewart stated she was trying to point out there had been cases in the past where a liquor establishment had gone in and then some time in the future, it was not anticipated, but a day care center or a church came in, it does not make liquor go away, which was the intent of the ordinance. This was a situation where the City was aware of what the uses would be and thought they were possibly circumventing the intent of the ordinance by ignoring the fact that a day care center was proposed on the site. Commissioner Brown understood, except for that fact that the ordinance was written to protect the day care center so that kept Staff from approving a liquor establishment near a day care facility and was not written to protect the liquor from the day care.

ACTION: CONTINUED TO NOVEMBER 9, 2005

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Item No. 51 was heard next.**

49. **UN-100-05 (22648) CENTENNIAL PLAZA PAD 5 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (PROPOSED PUD PLANNED UNIT DEVELOPMENT DISTRICT) TO ALLOW A CHILD CARE FACILITY. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 200 FEET SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 200 FEET EAST OF SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-29-513-002. (CONTINUED OCTOBER 12, 2005)**

It was requested by the applicant to continue UN-100-05 to December 28, 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 DECEMBER 28, 2005

MOTION: Commissioner Leavitt

SECOND: Chairman Aston

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

NAYS: None

ABSTAIN: None



50. VN-24-05 (22647) ELLIS & LAKE MEAD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TIM C. AYALA ON BEHALF OF DANIEL AND AMELIA AGUIRRE, PROPERTY OWNERS, FOR A VARIANCE IN AN R-A/CR REDEVELOPMENT AREA/COMMERCIAL RETAIL SUBDISTRICT TO ALLOW A 5-FOOT SETBACK BETWEEN A COMMERCIAL BUILDING AND A RESIDENTIAL ZONE BOUNDARY, WHERE 10 FEET IS REQUIRED, AND TO ALLOW A 3-FOOT SETBACK BETWEEN A COMMERCIAL PARKING LOT AND A RESIDENTIAL ZONE BOUNDARY, WHERE 5 FEET IS REQUIRED. THE PROPERTY IS GENERALLY LOCATED WEST OF ELLIS STREET AND APPROXIMATELY 200 FEET NORTH OF LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-24-210-216. (CONTINUED OCTOBER 12, 2005)

It was requested by the applicant to continue VN-24-05 to November 9, 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 NOVEMBER 9, 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

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

51. **AMP-51-05 (22651) K & G FOAM DESIGN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KEVIN BOYD ON BEHALF OF ALEXANDER & BELMONT, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO DELETE AN UNNAMED EAST-WEST STREET BEGINNING ON BELMONT STREET APPROXIMATELY 625 FEET SOUTH OF ALEXANDER ROAD AND PROCEEDING APPROXIMATELY 1000 FEET WEST. THE ASSESSOR'S PARCEL NUMBER IS 139-12-103-005. (CONTINUED OCTOBER 12, 2005)**

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending approval of AMP-51-05.

**Tony Annotti, 2828 Anteres, Las Vegas, NV 89117** 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 Carvalho

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

NAYS: None

ABSTAIN: None

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

52. T-1211 (22628) CHEYENNE "H" BIZCTR. AN APPLICATION SUBMITTED BY HEDLEY CONSTRUCTION & MANAGEMENT INC. ON BEHALF OF RONALD REISS TRS., PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2 GENERAL INDUSTRIAL DISTRICT CONSISTING OF AN APPROXIMATE 7.55 ACRE INDUSTRIAL DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CHEYENNE AVENUE AND CLAYTON STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-08-803-010. (CONTINUED OCTOBER 12, 2005)

Withdrawn by the applicant.

Item No. 1 was heard next.

**53. SPR-53-05 (22533) CHEYENNE "H" BIZCTR. AN APPLICATION SUBMITTED BY HEDLEY BIZCTR CHEYENNE LP ON BEHALF OF RONALD REISS TRS., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT CONSISTING OF A 129,260 SQUARE FOOT OFFICE/WAREHOUSE DEVELOPMENT. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CHEYENNE AVENUE AND CLAYTON STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-08-803-010. (CONTINUED OCTOBER 12, 2005)**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending approval of SPR-53-05 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 development shall comply with the Industrial Development Design Standards.
3. Turning radii along the fire access lanes shall be designed in accordance with the Fire Code.
4. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
5. Approval of a traffic study is required prior to submittal of the civil improvement plans
6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Cheyenne Avenue and Clayton Street if not already existing.
7. Right of way dedication and construction of a CAT bus turn-out on Cheyenne Avenue near Clayton Street is required per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
8. Right-of-way dedication and construction of a flared intersection, including a right turn lane, is required at Clayton Street and Cheyenne Avenue per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 and 245.1.
9. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.

10. 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.
11. The property owner is required to grant a roadway easement for commercial driveway(s).
12. The property owner is required to sign a restrictive covenant for utilities.
13. Slope easement recorded July 6, 1966 Doc#: 728.585319, must be vacated.
14. Approval of a drainage study is required prior to submittal of the civil improvement plans.
15. NDOT concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
16. 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.
17. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.

**Gary Congdon of Lee & Sakahara Architects, 6280 South Valley View Boulevard #116, Las Vegas, NV 89118** appeared on behalf of the applicant stating he concurred with Staff recommendation with the exception of Condition No. 8. He wanted the right-of-way dedication but wanted to hold off on the construction of the flared intersection as he did not feel it was needed at this time.

Clete Kus of Public Works stated in discussions with the City's Engineer, it was the desire to keep Condition No. 8 as written.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS**

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Carvalho**

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

**NAYS: None**

**ABSTAIN: None**

54. **WAV-05-05 (22635) PROVANCE EAST. AN APPLICATION SUBMITTED BY U.S. HOME CORPORATION ON BEHALF OF CELEBRATE HOLDING LLC, PROPERTY OWNER, FOR APPROVAL OF A WAIVER FROM TITLE 16 IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A 2-FOOT SEPARATION BETWEEN THE DRIVEWAY AND THE SIDE PROPERTY LINE WHERE SEVEN (7) FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF SIMMONS STREET AND THE GOWAN OUTFALL CHANNEL. THE ASSESSOR'S PARCEL NUMBERS ARE 139-05-601-002, 139-05-601-003, 139-05-601-004, 139-05-601-005, 139-05-601-006, 139-05-601-007, 139-05-601-008, 139-05-601-009, 139-05-601-010 AND 139-05-601-033. (CONTINUED OCTOBER 12, 2005)**

The application was presented by Mary Aldava, Planner on behalf of Staff who indicated Staff was recommending that WAV-05-05 be denied; however, if the Commission desired approval, the following conditions were recommended:

1. The party wall on the property line between the two buildings shall be constructed in accordance with 2000 IBC, Section 705.
2. The four (4) foot landscape buffer between each two residential units shall contain the following:
  - a. A minimum of one small variety tree, with a minimum 24" box at planting with a four (4) foot by four (4) foot root barrier.
  - b. A minimum of eight (8) shrubs, with a minimum five (5) gallon planting size.
3. All driveways shall be constructed with Pave Stone pavers or a similar product for all driveways, as approved by staff.

**Stephanie Allen of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating the final development plan was approved August, 2005 and there are various products within the PUD, one of them being a duplex product located along the western edge of the property and along the north and east edge. It was a zero lot line product and they were asking for a waiver in the separation requirement between the driveway and the property line. They are asking for a two foot separation between the driveways and the middle property line where seven feet are required. A similar waiver was approved two weeks ago in the Centennial Crossing II development and asked for approval. Ms. Allen asked that Condition No. 2.c be added to read: "A minimum of four(4) shrubs, with a minimum five (5) gallon planting size on the five foot driveways."

Chairman Jay Aston asked for the lot numbers. Ms. Allen responded the lot numbers were 35 thru 44 and 59 thru 68.

Commissioner Steve Brown asked staff why we have the requirement for the seven foot separation from the lot line to the driveway and if a common wall on a garage was shared, where did the seven feet come from. Jennifer Doody of Public Works responded it was because there was a property line there and it fell under the single-family residential guidelines, which has the seven foot for detached homes.

Commissioner Dean Leavitt asked the applicant if the driveways were concrete or pavers. Ms. Allen agreed to the condition that the driveway be pavers.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE ADDITION OF CONDITION NO. 2.c.

2.c. A MINIMUM OF FOUR (4) SHRUBS, WITH A MINIMUM FIVE (5) GALLON PLANTING SIZE PROVIDED ON LOT NOS. 35 - 44 AND 59 - 68.

MOTION: Commissioner Shull

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

**PUBLIC FORUM**

There was no public participation.

**DIRECTOR'S BUSINESS**

Planning and Development Director Jory Stewart invited the Commission to attend a simulcast of a program, "Zoning for Transit Oriented Development" arranged by Ned Thomas, Planner, which will be televised into the Justice Facility IT Training Room, on the First Floor at 1:00 p.m. on Wednesday, November 2, 2005.

**CHAIRMAN'S BUSINESS**

There was no report given.

**ADJOURNMENT**

The meeting adjourned at 9:56 p.m.

APPROVED: November 22, 2005

/s/ Jay Aston  
Jay Aston, Chairman

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