

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

April 12, 2006

***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 & Zoning Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Terence Capers, Planner
Nick Vaskov, Deputy City Attorney II
Randy Cagle, PW, Real Property Services Manager
Clete Kus, PW, Transportation Planner
Janice Carr, Fire Department
Jo Preston, Police Department
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Chairman Jay Aston

WELCOME: Chairman Jay Aston

MINUTES

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF MARCH 8, 2006.**

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: Commissioner Brown

CONSENT AGENDA

A. PW-71-06 (25307) TIERRA DE LAS PALMAS, LARGE LOT: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY BANK WEST OF NEVADA TO RELEASE THE CASH-IN-LIEU OF BOND - SEPARATE ACCOUNT IN THE AMOUNT OF \$23,765.

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

B. PW-72-06 (25308) PETE SHIELDS RESIDENTIAL: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY CONTRACTORS BONDING & INSURANCE COMPANY TO RELEASE THE OFF-SITE IMPROVEMENT BOND IN THE AMOUNT OF \$33,994.73.

Chairman Jay Aston stated he would be abstaining as he was involved with the project.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

C. PW-73-06 (25309) HIGHLAND HILLS, LARGE LOT, PHASE 1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN MOTORISTS INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$828,033.64.

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

D. PW-74-06 (25310) HIGHLAND HILLS, LARGE LOT, PHASE 2: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN MOTORISTS INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$1,176,442.41.

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

- E. PW-75-06 (25311) SUNRISE CANYON, UNIT 1: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$965,036.49.**

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

- F. PW-76-06 (25312) MARCELLO AIRPORT CENTER, PHASE 1: APPROVE THE COMMERCIAL DEVELOPMENTS OFF-SITE IMPROVEMENTS AGREEMENT BY MARCELLO AIRPORT CENTER, LLC AND ACCEPT THE CASH-IN-LIEU OF BOND AGREEMENT - SEPARATE ACCOUNT IN THE AMOUNT OF \$918,270.43.**

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

- G. PW-77-06 (25313) AERO SRD II WAREHOUSE: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY THE HANOVER INSURANCE COMPANY TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$13,043.04.**

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

- H. PW-78-06 (25314) ELDORADO NO. 10 R1-60 NO. 18: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA TO RELEASE THE SUBDIVISION BOND IN THE AMOUNT OF \$807,807.81.**

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

- I. PW-79-06 (25315) NVE DORRELL LANE: 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 \$136,775.41.**

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

- J. PW-80-06 (25316) NORTH MEADOWS WEST, UNIT 2: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN CASUALTY COMPANY OF READING PENNSYLVANIA TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$354,525.44.**

Commissioner Harry Shull stated he would be abstaining, as his Company developed the property.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

K. PW-81-06 (25317) NORTH MEADOWS WEST, UNIT 3: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN CASUALTY COMPANY OF READING PENNSYLVANIA TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$567,832.43.

Commissioner Harry Shull stated he would be abstaining, as his Company developed the property

ACTION: APPROVED

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

L. PW-82-06 (25318) ROSADA CHANNEL: ACCEPT THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND ADVISE THE DIRECTOR OF PUBLIC WORKS TO NOTIFY AMERICAN CASUALTY COMPANY OF READING PENNSYLVANIA TO RELEASE THE PERFORMANCE BOND IN THE AMOUNT OF \$588,003.09.

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

- M. PW-83-06 (25319) GLENEAGLES 4, DELAYED CONSTRUCTION: 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 \$65,942.86.**

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. 3 was heard next.

NEW BUSINESS

1. **AMP-16-06 (24935) CENTENNIAL & NOVAK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP ON BEHALF OF THE ILLIA FAMILY LIVING TRUST, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF BUSINESS, RESEARCH, OR DEVELOPMENT PARK TO HDR HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF NOVAK STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-101-011, 123-29-101-012 AND 123-29-101-013.**

Item Nos. 1 and 2 were presented together

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of AMP-16-06. AMP-16-06 is a request to amend the Comprehensive Plan from Business Research and Development Park to High Density Residential and ZN-24-06 is a rezoning from M-2 to R-3, which is multi-family residential. The project was a little over eight acres in size and was generally located at the southeast corner of Centennial Parkway and Novak Street. According to the guidelines, new designation of the property should be at the intersection of two one hundred foot streets and Novak is approximately a 60 foot right-of-way, therefore, this item would not meet that requirement. The property to the south and the property to the west was currently being developed with single-family detached homes with medium-low density which allows up to six units per acre. The property to the east has been recently approved for R-3, which would allow up to 25 units per acre. The applicant indicated in their letter of intent they were proposing to continue that transition of high density from the east to the west, changing the business research and development park designation which was also north of the property. Staff disagreed and believed medium-low density would be more consistent with the properties to the west and south and would be a better designation. It was also brought up that the property was currently zoned M-2 and that R-3 would be a better land use. Staff agreed that M-2 was not an appropriate land use for that area, as it would be surrounded by residential; however, R-3 would be too much density for the area, and single-family detached would be a better land use in that area.

Bill Curran of Curran and Perry, 300 South 4th Street, Las Vegas, NV 89101 stated the 40 acre casino site at the southwest corner of Centennial Parkway and Lamb Boulevard was transferred to Boyd Gaming and they intend to go forward with the casino on that site and everything is on schedule. That was relevant to the proposed site as it would bring a large employment center to that location as soon as the overpass was completed and they were linked to I-215 to the north. The proposed site was adjacent to and would be integrated as part of the property immediately to the east, which was approved

approximately two months ago. He felt their request was consistent with what was approved on the adjacent site.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating the proposed site was near the intersection of two major arterials, Lamb Boulevard, 120 feet, and Centennial Parkway, 100 feet and they are between two major interchanges, I-15 and I-215, which will be completed soon, with the Lamb SID. There is major commercial and industrial to the south of the Railroad, and a high traffic corridor well suited to having for-sale condominiums in close proximity to the commercial as well as to the major regional traffic route and from a land use standpoint, the proposed development was well suited for the area. The product looks like a townhouse product, each having its own character and identity, each had its own private courtyard vestibule area in the front and each had its own walkway and entrance into the unit. The design for the existing parking consists of two and three story buildings and they have created a stair stepping and transitioning and buffering within the property. They have pushed the units substantially away, well beyond the 50 foot minimum requirement. On the east they are approximately 75 feet away, including the landscaping with the carports and driveways in between.

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

Chairman Jay Aston asked the density on the proposed project. Mr. Garcia responded the maximum density for R-3 would be up to 25 units per acre. Chairman Aston asked the density on the plan as presented, with the two and three story buildings. Mr. Garcia responded the density was approximately 23 units per acre. Chairman Aston asked the density of the PUD to the south. Mr. Jordan responded he was not sure of the exact density but in looking at the site, it looked like it was developed with 4500 square foot lots, so there was probably 5.5 units per acre to no more than six units per acre. Chairman Aston asked the width of the right-of-way to the west. Mr. Jordan responded Novak Street was a 60 foot right-of-way.

Mr. Garcia double checked the density on the parcel being discussed and the gross acreage was 20.73 acres and the density was 18.2 units per acre.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

2. **ZN-24-06 (24942) CENTENNIAL & NOVAK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP ON BEHALF OF THE ILLIA FAMILY LIVING TRUST, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF NOVAK STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-101-011, 123-29-101-012 AND 123-29-101-013.**

Item Nos. 1 and 2 were presented together

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending denial of ZN-24-06. AMP-16-06 is a request to amend the Comprehensive Plan from Business Research and Development Park to High Density Residential and ZN-24-06 is a rezoning from M-2 to R-3, which is multi-family residential. The project was a little over eight acres in size and was generally located at the southeast corner of Centennial Parkway and Novak Street. According to the guidelines, new designation of the property should be at the intersection of two one hundred foot streets and Novak is approximately a 60 foot right-of-way, therefore, this item would not meet that requirement. The property to the south and the property to the west was currently being developed with single-family detached homes with medium-low density which allows up to six units per acre. The property to the east has been recently approved for R-3, which would allow up to 25 units per acre. The applicant indicated in their letter of intent they were proposing to continue that transition of high density from the east to the west, changing the business research and development park designation which was also north of the property. Staff disagreed and believed medium-low density would be more consistent with the properties to the west and south and would be a better designation. It was also brought up that the property was currently zoned M-2 and that R-3 would be a better land use. Staff agreed that M-2 was not an appropriate land use for that area, as it would be surrounded by residential; however, R-3 would be too much density for the area, and single-family detached would be a better land use in that area.

Bill Curran of Curran and Perry, 300 South 4th Street, Las Vegas, NV 89101 stated the 40 acre casino site at the southwest corner of Centennial Parkway and Lamb Boulevard was transferred to Boyd Gaming and they intend to go forward with the casino on that site and everything is on schedule. That was relevant to the proposed site as it would bring a large employment center to that location as soon as the overpass was completed and they were linked to I-215 to the north. The proposed site was adjacent to and would be integrated as part of the property immediately to the east, which was approved approximately two months ago. He felt their request was consistent with what was approved on the adjacent site.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating the proposed site was near the intersection of two major arterials, Lamb Boulevard, 120 feet, and Centennial Parkway, 100 feet and they are between two major interchanges, I-15 and I-215, which will be completed soon, with the Lamb SID. There is major commercial and industrial to the south of the Railroad, and a high traffic corridor well suited to having for-sale condominiums in close proximity to the commercial as well as to the major regional traffic route and from a land use standpoint, the proposed development was well suited for the area. The product looks like a townhouse product, each having its own character and identity, each had its own private courtyard vestibule area in the front and each had its own walkway and entrance into the unit. The design for the existing parking consists of two and three story buildings and they have created a stair stepping and transitioning and buffering within the property. They have pushed the units substantially away, well beyond the 50 foot minimum requirement. On the east they are approximately 75 feet away, including the landscaping with the carports and driveways in between.

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

Chairman Jay Aston asked the density on the proposed project. Mr. Garcia responded the maximum density for R-3 would be up to 25 units per acre. Chairman Aston asked the density on the plan as presented, with the two and three story buildings. Mr. Garcia responded the density was approximately 23 units per acre. Chairman Aston asked the density of the PUD to the south. Mr. Jordan responded he was not sure of the exact density but in looking at the site, it looked like it was developed with 4500 square foot lots, so there was probably 5.5 units per acre to no more than six units per acre. Chairman Aston asked the width of the right-of-way to the west. Mr. Jordan responded Novak Street was a 60 foot right-of-way.

Mr. Garcia double checked the density on the parcel being discussed and the gross acreage was 20.73 acres and the density was 18.2 units per acre.

ACTION: APPROVED

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Item No. 5 was heard next.

3. **SPR-16-06 (24932) CENTENNIAL & NOVAK. AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP ON BEHALF OF ILLIA FAMILY LIVING TRUST, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW 176 CONDOMINIUM UNITS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND NOVAK STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-101-011, 123-29-101-012 AND 123-29-101-013.**

It was requested by the applicant to continue SPR-16-06 to April 26, 2006.

ACTION: CONTINUED TO APRIL 26, 2006

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. 18 was heard next.

4. **UN-29-06 (24903) MONTGOMERY PLAZA (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ANN-DECATUR, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND MONTGOMERY STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-30-401-015.**

The application was presented by Marc Jordan, Planning Manager who stated Staff was originally recommending continuance; however, since FDP-07-06 was approved Staff was recommending approval of UN-29-06 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-29-06 is site specific and non-transferable.
3. The convenience food restaurant (UN-29-06) shall comply with the conditions of approval for FDP.

Ken Horak, Architect, 100 Buckskin Circle, Jarrell, TX 76537 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF 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

Item No. 6 was heard next.

5. FDP-07-06 (24902) MONTGOMERY PLAZA. AN APPLICATION SUBMITTED BY ANN-DECATUR LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF ONE LOT WITH A WAIVER REQUEST TO ALLOW 10 FEET OF PERIMETER LANDSCAPING WHERE 20 FEET IS REQUIRED. THE PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF MONTGOMERY STREET AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-30-401-015.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff was recommending continuance of FDP-07-06. This is a final development plan for a retail center. In addition to the final development plan, the applicant was requesting a waiver of the landscaping requirement next to Montgomery Street. They asked that the requirement to be waived from 20 feet to 10 feet. In regards to the site itself, it meets the Commercial Design Standards and was consistent with the Smith's Center across Montgomery Street to the west and that was a condition of approval of the Planned Unit Development (PUD). Staff was not supporting a reduction in the landscaping requirement of the waiver, as the property to the west, where the Smith's Center was developed, also shares Montgomery Street as a side street to their development and Staff measured and found they did comply with the 20 feet of landscaping next to Montgomery Street, so Staff would like to see the consistency of design in that landscaping, so they were not supporting the waiver reduction. With that, the property was only one acre of the entire ten acre PUD, so that would require a major revision to the plan, they would need to show how they would work that out and incorporating the extra 10 feet, if it was the Commission's desire not to support it. There are a few other minor concerns with the plan. The applicant would need to show where the trash enclosures would be on the site and would need to show that the pedestrian areas are shown on the plan by a difference in paving, which both of those items could be considered minor. Staff was recommending FDP-07-06 be continued as they were not in support of the waiver to the landscaping; however, if the Commission desires approval, the following conditions are recommended:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The site comply with the Commercial Development Standards and Design Guidelines including, but not limited to, twenty (20) feet of landscaping along Montgomery Street in compliance with Section 17.24.200(J)(1) of Title 17.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.

5. 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.
6. 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.
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. The property owner is required to 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.
11. A revocable encroachment permit for landscaping within the public right of way is required.
12. The property owner is required to sign a restrictive covenant for utilities.

Commissioner Cato left Chambers at 6:26 p.m.

Ken Horak, Architect, 100 Buckskin Circle, Jarrell, TX 76537 appeared on behalf of the applicant stating he concurred with Staff on the paving requirement and would added it to the plan. With respect to the site and whether or not they have extenuating conditions, on the original PUD approval, the site was shown as a separate site. Also, on the original approval, Condition No. 47 required Montgomery Street to be vacated. That was done in 1997 and his client bought the site in 1998, so the conditions still existed. The site had always been addressed with the idea in mind that Montgomery Street would not exist, in which case the issue would not exist. Apparently, when the Smith's development was approved, the requirement to vacate Montgomery Street was not enforced. They made an attempt last year to make an application to vacate Montgomery Street, at the request of the residential developer behind. The Smith's developer declined to sign off on it unless his client would agree to some very unreasonable concessions as to tenants they would be allowed to have. He was asking for the Commission's approval subject to Staff recommended conditions with the exception of Condition No. 2.

Commissioner Cato returned to Chambers at 6:29 p.m.

Chairman Jay Aston asked if this was a vacation issue or a landscape issue. He asked if the landscape waiver requested was on Montgomery Street. Mr. Horak responded that was correct.

Mason Harvey, 7777 North Rainbow Boulevard #215 stated Montgomery Street dead-end at the northern end of the Smith's Center. They did not realize it was a public street and thought it would be vacated and the plan was done based on that information.

Chairman Aston asked if Montgomery was a private drive, if there would still be a landscape buffer required. Mr. Jordan responded landscaping would be required but not 20 feet. Mr. Mason understood 10 feet would be required.

Randy Cagle of Public Works clarified the vacation issue. He explained the vacation was approved years ago, conditionally. The conditions had not been met and Montgomery would remain a public street; in fact, they were building a portion of it with the Ann Road project.

Clete Kus of Public Works stated Montgomery Street was a cul-de-sac, in essence, that it is an entry into the commercial center. If it met with the Commission's approval, they could double up on the landscaping, make larger box trees, but the extra ten feet severely impacts the street. Chairman Aston asked the minimum lane between the parking stalls. Mr. Kus stated they were depicting 24' in terms of a drive-isle between the two parking lanes and that was the minimum.

Mr. Jordan stated if there was a desire to approve the waiver to the landscaping requirement, rather than deleting Condition No. 2, he suggested it be amended to read: "The site comply with the Commercial Development Standards and Design Guidelines with the exception that a minimum 10 feet of landscaping shall be provided adjacent to Montgomery Street."

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

2. THE SITE COMPLY WITH THE COMMERCIAL DEVELOPMENT STANDARDS AND DESIGN GUIDELINES WITH THE EXCEPTION THAT A MINIMUM 10 FEET OF LANDSCAPING SHALL BE PROVIDED ADJACENT TO MONTGOMERY STREET.

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. 4 was heard next.

6. VN-11-06 (24909) BROOKSPARK II WAREHOUSES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEIL R. AND ANN C. DUTSON, PROPERTY OWNERS, FOR A VARIANCE IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A 21-FOOT-HIGH WALL AND FENCE (15-FOOT-HIGH RETAINING WALL AND 6-FOOT-HIGH CHAIN LINK FENCE), WHERE 12 FEET IS THE MAXIMUM HEIGHT ALLOWED. THE PROPERTY IS LOCATED AT 2934 BROOKSPARK DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-15-615-007.

The application was presented by Marc Jordan, Planning Manager who stated the application was a request for a variance for a 21 foot high wall and fence where 12 feet was the maximum height on property located at 2934 Brookspark Drive. The ordinance allowed a 12 foot high retaining wall in industrial areas and the applicant was proposing to increase an existing 10 foot high wall to 15 feet and it would be a retaining wall and then add a 6 foot high chain link fence on top of that; so, there would be an overall height of 21 feet. According to the application, the property slopes from the west to the east and in order for the applicant to utilize that area in the back for storage, would need to increase the retaining wall an additional five feet. Staff has no objection to the variance and in regards to the chain link fence, because there was a storage yard on the east side of the wall, there would be no requirements for actual screening between two storage yards. Staff recommends approval of VN-11-06 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 with the exception that
2. The overall retaining wall shall not exceed fifteen (15) feet in height.
3. A six (6) foot chain link fence may be added to the top of the retaining wall.

Neil Dutson, 548 Radwick Drive, Las Vegas, NV 89110 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

7. **VN-12-06 (24910) BROOKSPARK II WAREHOUSES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NEIL R. AND ANN C. DUTSON, PROPERTY OWNERS, FOR A VARIANCE IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A 21-FOOT-HIGH WALL AND FENCE (15-FOOT-HIGH RETAINING WALL AND 6-FOOT-HIGH CHAIN LINK FENCE), WHERE 12 FEET IS THE MAXIMUM HEIGHT ALLOWED. THE PROPERTY IS LOCATED AT 2926 BROOKSPARK DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-15-615-008.**

Comments were carried forward from Item No. 6, VN-11-06.

The application was presented by Marc Jordan, Planning Manager who stated the application was a request for a variance for a 21 foot high wall and fence where 12 feet was the maximum height on property located at 2934 Brookspark Drive. The ordinance allowed a 12 foot high retaining wall in industrial areas and the applicant was proposing to increase an existing 10 foot high wall to 15 feet and it would be a retaining wall and then add a 6 foot high chain link fence on top of that; so, there would be an overall height of 21 feet. According to the application, the property slopes from the west to the east and in order for the applicant to utilize that area in the back for storage, would need to increase the retaining wall an additional five feet. Staff has no objection to the variance and in regards to the chain link fence, because there was a storage yard on the east side of the wall, there would be no requirements for actual screening between two storage yards. Staff recommends approval of VN-12-06 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 with the exception that
2. The overall retaining wall shall not exceed fifteen (15) feet in height.
3. A six (6) foot chain link fence may be added to the top of the retaining wall.

Neil Dutson, 548 Radwick Drive, Las Vegas, NV 89110 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

8. **VAC-05-06 (24860) WASHBURN/BRUCE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, PROPERTY OWNER, TO VACATE A 30-FOOT-WIDE PORTION OF ROSADA WAY COMMENCING AT HAROLD STREET AND EXTENDING WEST APPROXIMATELY 300 FEET. THE ASSESSOR'S PARCEL NUMBER IS 124-35-701-005.**

The application was presented by Marc Jordan, Planning Manager who stated the application was submitted by Richmond American Homes to vacate a portion of Rosada Way commencing at Harold Street and proceeding west approximately 300 feet. The item was previously approved; however, there was a condition that required them to vacate it or record it within a year from the date of approval. Apparently, that expiration date is coming up and the applicant indicated they would not be able to fulfill that condition and applied for a new vacation. Staff was recommending approval of VAC-05-06 subject to the following condition:

1. The vacation must record concurrently with the final map. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.

Greg Michelin, 6757 W. Charleston Boulevard, Suite B, Las Vegas, NV 89146 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITION

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

9. **VN-09-06 (24857) DONNA DEER SPRINGS 1C & 2B (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CENTEX HOMES, PROPERTY OWNER, FOR A VARIANCE IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 15-FOOT-HIGH WALL (9-FOOT-HIGH RETAINING WALL AND 6-FOOT-HIGH SCREEN WALL), WHERE A 12-FOOT-HIGH WALL IS THE MAXIMUM ALLOWED. THE PROPERTY IS LOCATED AT 6552 THRU 6612 JOHNNY LOVE LANE, 6545 BAILEY TESS COURT, 6404 THRU 6412 AMANDA MICHELLE LANE, AND 6436 AUSTIN MOORE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-314-022 THRU -027, 124-23-813-003, 124-23-813-027 THRU -029, AND 124-23-814-001.**

The application was presented by Terence Capers, Planner, who stated the application was submitted by Centex Homes for a variance to allow a 15 foot high wall where 12 feet was allowed. The wall would be a nine foot retaining wall with a six foot screen wall on top and would affect 11 lots. The site was designed prior to the frontal design of the channel grades and, as a result, the wall height is necessary for screening the property against the drainage channel. Staff was recommending approval of VN-09-06 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 with the exception that
2. The overall height of the wall shall not exceed fifteen (15) feet for parcels 124-23-341-022 thru 124-23-341-027, 124-23-813-003, 124-23-813-027 thru 124-23-813-029 and 124-23-814-001.
3. The portion of the wall facing the channel shall be decorative, including the retaining wall.

Brent Wilson, Orion Engineering & Surveying, 7391 Prairie Falcon Road, Las Vegas, NV appeared on behalf of the applicant stating they concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED 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

10. **AMP-11-06 (24929) WESTLAND RETAIL CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY WESTLAND ENTERPRISES ON BEHALF OF FRED KAVLI, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF INDUSTRIAL TO REGIONAL COMMERCIAL. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-703-006.**

Item Nos. 10 and 11 were presented together.

The application was presented by Terence Capers, Planner, who stated AMP-11-06 was an Amendment to the Comprehensive Plan from Industrial to Regional Commercial and ZN19-06 was to reclassify property from M-2, General Industrial, to C-2, General Commercial. The property was once commercial and was rezoned to industrial and now the applicant was requesting to rezone and change the amendment to the three acres adjacent to Pecos Road, to Commercial. Staff is recommending approval of AMP-11-06.

Michael Hall, 1801 Solar Drive #20, Oxnard, CA 93030 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

11. **ZN-19-06 (24930) WESTLAND RETAIL CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY WESTLAND ENTERPRISES ON BEHALF OF FRED KAVLI, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-703-006.**

Item Nos. 10 and 11 were presented together.

The application was presented by Terence Capers, Planner, who stated AMP-11-06 was an Amendment to the Comprehensive Plan from Industrial to Regional Commercial and ZN19-06 was to reclassify property from M-2, General Industrial, to C-2, General Commercial. The property was once commercial and was rezoned to industrial and now the applicant was requesting to rezone and change the amendment to the three acres adjacent to Pecos Road, to Commercial. Staff is recommending approval of ZN-19-06.

Michael Hall, 1801 Solar Drive #20, Oxnard, CA 93030 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

12. **AMP-13-06 (24944) INTERNATIONAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO MDR MEDIUM DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 1885 FEET NORTH OF GOWAN ROAD AND APPROXIMATELY 1340 FEET EAST OF VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-07-510-064.**

Chairman Jay Aston stated he would be abstaining as the company he worked for was in the process of purchasing the property and turned the meeting over to Vice-Chairman Jo Cato.

Chairman Jay Aston left Chambers at 6:45 p.m.

Item Nos. 12 and 13 were presented together.

The application was presented by Terence Capers, Planner, who stated AMP-13-06 was a request to amend the Comprehensive Plan from Low Density Residential to Medium Density Residential and ZN-20-06 was a request to reclassify the property from R-1 single-family residential to R-2 two-family residential. The applications were in regards to a remnant parcel within the development. The applicant purchased the property and was incorporating it into their R-2 development. It was in compliance with the ordinance and Staff was recommending approval of AMP-13-06.

Robert Flaxa, 8925 West Russell Road, Suite 200, Las Vegas, NV 89148 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Vice-Chairman Cato closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Chairman Aston

13. **ZN-20-06 (24937) INTERNATIONAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS GENERALLY LOCATED APPROXIMATELY 1885 FEET NORTH OF GOWAN ROAD AND APPROXIMATELY 1340 FEET EAST OF VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-07-510-064.**

Chairman Jay Aston stated he would be abstaining as the company he worked for was in the process of purchasing the property and turned the meeting over to Vice-Chairman Jo Cato.

Item Nos. 12 and 13 were presented together.

The application was presented by Terence Capers, Planner, who stated AMP-13-06 was a request to amend the Comprehensive Plan from Low Density Residential to Medium Density Residential and ZN-20-06 was a request to reclassify the property from R-1 single-family residential to R-2 two-family residential. The applications were in regards to a remnant parcel within the development. The applicant purchased the property and was incorporating it into their R-2 development. It was in compliance with the ordinance and Staff was recommending approval of ZN-20-06.

Robert Flaxa, 8925 West Russell Road, Suite 200, Las Vegas, NV 89148 appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

Vice-Chairman Cato closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Chairman Aston

14. **T-1250 (24957) INTERNATIONAL VILLAGE. AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA LLC ON BEHALF OF ZOMACK 1, LLC, DNAL 3, LLC AND 5440 W. SAHARA, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW 157 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF GOWAN ROAD AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-501-006, 139-07-510-026 THRU 030, 139-07-510-035 THRU 040, 139-07-510-043 & 044, 139-07-510-046 & 047, 139-07-510-054 THRU 060, 139-07-510-065, 139-07-603-001, 139-07-610-044 THRU 052, 139-07-610-056 THRU 066.**

Item Nos. 14 and 15 were presented together.

The application was presented by Terence Capers, Planner who stated T-1250 was the tentative map to divide the parcels into 157 single-family detached homes. The application was in compliance with the original ordinance, PUD, ZN-87-05 and the FDP-03-06 was the associated application. Staff was recommending approval of T-1250 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 the final development plan shall comply with all conditions of approval of ZN-87-05; and the Planned Unit Development zoning requirements.
3. This tentative map shall comply with the Single Family Development Standards, including but not limited to the following:
 - a. Ten (10) feet of corner/side lot landscaping (which may include sidewalk) shall be provided adjacent to all local streets.
4. The setbacks for this tentative map shall be consistent with the R-1, Single Family Residential District.
5. The minimum residential lot size for this tentative map shall be 4,500 square feet.
6. This tentative map shall not exceed 157 dwelling units.
7. All required open space areas shall be labeled as common elements and be maintained by the homeowners association.

8. A minimum of 2.6 acres of open space shall be provided with a minimum dimension of twenty (20) feet on a side or chord of an arc.
9. End walls shall be owned and maintained by the homeowners association.
10. The developer shall disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
11. The property owner is required to file a large lot subdivision map and a master infrastructure plan.
12. A merger and resubdivision parcel map must be filed and recorded to ensure that no parcels become landlocked.
13. If VAC-04-06 is not approved, this application will become null and void.
14. The following full street improvements will need to be constructed with this development:
 - a. Buckthorn
 - b. Autumn America
 - c. Trillium Bay
 - d. Nerine Pass
 - e. Firefox
 - f. Hazel Park
15. Buckthorn Drive shall be constructed from Valley Drive to the project limits.
16. Buckthorn Drive, from Valley Drive to the intersection of Austin Bay, may be required to be designed and constructed per the *City of North Las Vegas 60' Standard Street Section with Offset Sidewalk*, or other street geometrics that include landscaping on both sides of the street, as approved by the Department of Public Works. The applicant shall acquire a Revocable Encroachment Permit for the maintenance of the landscape within the right-of-way. The vacation request shall be modified accordingly.
17. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
18. That a final development plan for this development shall be reviewed and approved by the Planning Commission prior to recording a final map.

Robert Flaxa, 8925 West Russell Road, Suite 200, Las Vegas, NV 89148 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: Vice-Chairman Cato, Commissioners Leavitt, Shull, Brown, Trivedi, and Carvalho

NAYS: None

ABSTAIN: Chairman Aston

15. **FDP-03-06 (24954) INTERNATIONAL VILLAGE. AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA INC. ON BEHALF OF ZOMACK 1, LLC, DNAL 3, LLC AND 5440 W. SAHARA, PROPERTY OWNERS, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT, CONSISTING OF 157 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF GOWAN ROAD AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-501-005, 139-07-501-029, 139-07-501-030, THRU 036, 139-07-501-047 THRU 054, 139-07-601-010, 139-07-603-001, 139-07-610-071, THRU 139-07-610-085 AND 139-07-610-088.**

Item Nos. 14 and 15 were presented together.

The application was presented by Terence Capers, Planner who stated T-1250 was the tentative map to divide the parcels into 157 single-family detached homes. The application was in compliance with the original ordinance, PUD, ZN-87-05 and the FDP-03-06 was the associated application. Staff was recommending approval of FDP-03-06 subject to the following conditions listed in revised memo dated April 12, 2006:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. That the final development plan shall comply with all conditions of approval of Ordinance 2221 (ZN-87-05), and Tentative Map (T-1250);
3. The property owner is required to file a large lot subdivision map and a master infrastructure plan.
4. A merger and resubdivision parcel map must be filed and recorded to ensure that no parcels become landlocked.
5. If VAC-04-06 is not approved, this application will become null and void.
6. The following full street improvements will need to be constructed with this development:
 - a. Buckthorn
 - b. Autumn America
 - c. Trillium Bay
 - d. Nerine Pass
 - e. Firefox
 - f. Hazel Park

7. Buckthorn Drive shall be constructed from Valley Drive to the project limits.
8. Buckthorn Drive, from Valley Drive to the intersection of Austin Bay, may be required to be designed and constructed per the *City of North Las Vegas 60' Standard Street Section with Offset Sidewalk*, or other street geometrics that include landscaping on both sides of the street, as approved by the Department of Public Works. The applicant shall acquire a Revocable Encroachment Permit for the maintenance of the landscape within the right-of-way. The vacation request shall be modified accordingly.
9. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
10. As a minimum the following amenities shall be provided within the open space areas, subject to review and approval by the Parks and Recreation Department:
 - a. Circuitous lighted paths
 - b. A minimum of 20 24-inch box trees per acre
 - c. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
 - d. At least one large open space area for group / organized play
 - e. Two large (25') group shade area with tables, **trash receptacles**.
 - f. 1 small (20') shade area with tables, **trash receptacles** and BBQ grills.
 - g. Splash pad with EPDM resilient fall protection.
 - h. Picnic tables and barbecue grills
 - j. Benches spaced along park pathways
 - k. Exercise stations along circuitous lighted paths.
 - l. Dog stations along path.
 - m. Details of amenities to be provided

Robert Flaxa, 8925 West Russell Road, Suite 200, Las Vegas, NV 89148 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: Vice-Chairman Cato, Commissioners Leavitt, Shull, Brown, Trivedi, and Carvalho

NAYS: None

ABSTAIN: Chairman Aston

16. **T-1249 (24960) INTERNATIONAL VILLAGE. AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA, LLC ON BEHALF OF ZOMACK 1, LLC, DNAL 3, LLC AND 5440 W. SAHARA, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN R-2 MULTIFAMILY RESIDENTIAL DISTRICT TO ALLOW 179 UNITS OF MULTIFAMILY DWELLINGS. THE PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF GOWAN ROAD AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-501-006, 139-07-510-026 THRU 030, 139-07-510-035 THRU 040, 139-07-510-043 & 044, 139-07-510-046 & 047, 139-07-510-054 THRU 060, 139-07-510-065, 139-07-603-001, 139-07-610-044 THRU 052, 139-07-610-056 THRU 066.**

Item Nos. 16 and 17 were presented together.

The application was presented by Terence Capers, Planner who stated T-1249 was the tentative map to divide the parcels into a 179 townhome residential subdivision and SPR-14-06 was the site plan review for the development. Staff was recommending approval of T-1249 subject to the following conditions as listed in the revised memo dated April 12, 2006:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. If applications AMP-13-06, ZN-20-06, or VAC-04-06 is not approved, this application will become null and void.
3. This tentative map shall comply with the Multi-Family Development Standards and Design Guidelines, including but not limited to the following:
 - a. 1.64 acres of open space (400 square feet per unit)
4. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
5. Additional street improvements along Valley Drive and Allen Lane may be required.
6. Hazel Park shall be constructed from Valley Drive to the project limits.
7. Landscaping shall be provided on both sides of Hazel Park. A dimension of thirty (30) feet, as measured from back of curb to back of curb may be permitted for the entrance street; "No Parking" signs shall be posted. The remaining thirty (30) feet of right-of-way shall be used evenly, for the streetscape, and shall include a five (5) foot sidewalk on both sides of the street.

8. Curb extensions, or other traffic calming devices, may be required.
9. A revocable encroachment permit is required for all landscaping within the public right of way.
10. All landscaping, including that which is within the right-of-way, shall be maintained by the Home Owners Association.
11. If red, painted curb is required, it shall be maintained by the Home Owners Association.
12. 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.
13. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e., telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
14. This project shall be mapped as condominiums.
15. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
16. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
17. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
18. All common elements shall be labeled and are to be maintained by the Home Owners Association.
19. The property owner is required to file a large lot subdivision map and a master infrastructure plan.
20. A merger and resubdivision parcel map shall be filed and recorded to ensure that parcels are not inadvertently land locked.
21. Approval of a drainage study is required prior to submittal of the civil improvement plans.

22. 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.
23. Approval of a traffic study is required prior to submittal of the civil improvement plans.
24. 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.
25. Proposed residential driveway slopes shall not exceed twelve percent (12%).
26. Fire access lanes shall be designed in accordance with the Fire Code requirements.
27. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
28. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
29. Dead-end fire access lanes exceeding 150 in length shall be designed in accordance with the Fire Code.
30. As a minimum the following amenities shall be provided within the open space areas, subject to review and approval by the Parks and Recreation Department:
 - a. Circuitous lighted paths
 - b. A minimum of 20 24-inch box trees per acre
 - c. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
 - d. At least one large open space area for group / organized play
 - e. One large group shade area with tables, trash receptacles.
 - f. 3 small shade areas with tables, trash receptacles and BBQ grills.
 - g. Splash pad with EPDM resilient fall protection.
 - h. 7 Picnic tables and barbecue grills

- l. Benches spaced along park pathways
- j. Exercise stations along circuitous lighted paths.
- k. Dog stations along path.
- l. Details of amenities to be provided

Robert Flaxa, 8925 West Russell Road, Suite 200, Las Vegas, NV 89148 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: Vice-Chairman Cato, Commissioners Leavitt, Shull, Brown, Trivedi, and Carvalho

NAYS: None

ABSTAIN: Chairman Aston

ACTION: RECONSIDER T-1249

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Chairman Aston

Vice-Chairman Cato asked Staff to read the amended condition into the record.

Randy Cagle of Public Works read Condition No. 14 as follows: "This project shall be mapped as a common interest community."

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 14 AMENDED AS FOLLOWS:

- 14. THIS PROJECT SHALL BE MAPPED AS A COMMON INTEREST
COMMUNITY.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Chairman Aston

17. **SPR-14-06 (24961) INTERNATIONAL VILLAGE. AN APPLICATION SUBMITTED BY RYLAND HOMES NEVADA INC. ON BEHALF OF ZOMACK 1, LLC, DNAL 3, LLC AND 5440 W. SAHARA, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-2 MULTIFAMILY RESIDENTIAL DISTRICT TO ALLOW 179 SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED ON THE NORTHEAST CORNER OF GOWAN ROAD AND VALLEY DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-07-501-006, 139-07-510-026 THRU 030, 139-07-510-035 THRU 040, 139-07-510-043 & 044, 139-07-510-046 & 047, 139-07-510-054 THRU 060, 139-07-510-065, 139-07-603-001, 139-07-610-044 THRU 052, 139-07-610-056 THRU 066.**

Item Nos. 16 and 17 were presented together.

The application was presented by Terence Capers, Planner who stated T-1249 was the tentative map to divide the parcels into a 179 townhome residential subdivision and SPR-14-06 was the site plan review for the development. Staff was recommending approval of SPR-14-06 subject to the following conditions as listed in the revised memo dated April 12, 2006:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. If applications AMP-13-06, ZN-20-06, or VAC-04-06 is not approved, this application will become null and void.
3. This site plan shall comply with all conditions of approval for T-1249.
4. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
5. Additional street improvements along Valley Drive and Allen Lane may be required.
6. Hazel Park shall be constructed from Valley Drive to the project limits.
7. Landscaping shall be provided on both sides of Hazel Park. A dimension of thirty (30) feet, as measured from back of curb to back of curb may be permitted for the entrance street; "No Parking" signs shall be posted. The remaining thirty (30) feet of right-of-way shall be used evenly, for the streetscape, and shall include a five (5) foot sidewalk on both sides of the street.

8. Curb extensions, or other traffic calming devices, may be required.
9. A revocable encroachment permit is required for all landscaping within the public right of way.
10. All landscaping, including that which is within the right-of-way, shall be maintained by the Home Owners Association.
11. If red, painted curb is required, it shall be maintained by the Home Owners Association.
12. 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.
13. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e., telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
14. This project shall be mapped as condominiums.
15. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
16. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
17. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
18. All common elements shall be labeled and are to be maintained by the Home Owners Association.
19. The property owner is required to file a large lot subdivision map and a master infrastructure plan.
20. A merger and resubdivision parcel map shall be filed and recorded to ensure that parcels are not inadvertently land locked.
21. Approval of a drainage study is required prior to submittal of the civil improvement plans.

22. 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.
23. Approval of a traffic study is required prior to submittal of the civil improvement plans.
24. 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.
25. Proposed residential driveway slopes shall not exceed twelve percent (12%).
26. Fire access lanes shall be designed in accordance with the Fire Code requirements.
27. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
28. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
29. Dead-end fire access lanes exceeding 150 in length shall be designed in accordance with the Fire Code.
30. As a minimum the following amenities shall be provided within the open space areas, subject to review and approval by the Parks and Recreation Department:
 - a. Circuitous lighted paths
 - b. A minimum of 20 24-inch box trees per acre
 - c. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
 - d. At least one large open space area for group / organized play
 - e. One large group shade area with tables, trash receptacles.
 - f. 3 small shade areas with tables, trash receptacles and BBQ grills.

- g. Splash pad with EPDM resilient fall protection.
- h. 7 Picnic tables and barbecue grills
- l. Benches spaced along park pathways
- j. Exercise stations along circuitous lighted paths.
- k. Dog stations along path.
- l. Details of amenities to be provided

Robert Flaxa, 8925 West Russell Road, Suite 200, Las Vegas, NV 89148 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: Vice-Chairman Cato, Commissioners Leavitt, Shull, Brown, Trivedi, and Carvalho

NAYS: None

ABSTAIN: Chairman Aston

Chairman Jay Aston returned to Chambers at 6:55 p.m.

Item No. 20 was heard next.

ACTION: RECONSIDER SPR-14-06

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Chairman Aston

Vice-Chairman Cato asked Staff to read the amended condition into the record.

Randy Cagle of Public Works read Condition No. 14 as follows: "This project shall be mapped as a common interest community."

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 14 AMENDED AS FOLLOWS:

14. THIS PROJECT SHALL BE MAPPED AS A COMMON INTEREST
COMMUNITY.

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: Chairman Aston

Chairman Aston returned to Chambers at 7:05 p.m.

Item No. 25 was heard next.

18. **AMP-15-06 (24934) PECOS & WASHBURN TOWNHOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RONALD BURES DEVELOPMENT, LLC ON BEHALF OF THE BRESLER FAMILY TRUST ET AL AND RONALD BURES DEVELOPMENT, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LIGHT INDUSTRIAL AND INDUSTRIAL TO HDR HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF PECOS ROAD AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-31-301-001, 123-31-301-002, 123-31-301-003, 123-31-301-004, 123-31-301-006 AND 123-31-301-011.**

Item Nos. 18 and 19 were presented together

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating one of the property owners wished to withdraw the application for AMP-15-06. He stated there had not been communication between the two property owners, but one of them was present and wanted to withdraw the application, but he felt it was better to continue the application to give the property owners time to resolve the issue privately and a withdrawal letter could be issued at a later date.

Chairman Jay Aston asked Staff how they felt.

Deputy City Attorney Nick Vaskov responded the item could be continued and if a subsequent letter for withdrawal was received, the item could be withdrawn at that time.

Mr. Garcia stated the application could be continued for 30 days and if the legitimate owners of the property provide a letter of withdrawal, it could be handled at that time.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO MAY 10, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

19. **ZN-23-06 (24933) PECOS & WASHBURN TOWNHOMES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RONALD BURES DEVELOPMENT, LLC ON BEHALF OF THE BRESLER FAMILY TRUST ET AL AND RONALD BURES DEVELOPMENT, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF PECOS ROAD AND WASHBURN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-31-301-001, 123-31-301-002, 123-31-301-003, 123-31-301-004, 123-31-301-006 AND 123-31-301-011.**

Item Nos. 18 and 19 were presented together

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating one of the property owners wished to withdraw the application for AMP-15-06. He stated there had not been communication between the two property owners, but one of them was present and wanted to withdraw the application, but he felt it was better to continue the application to give the property owners time to resolve the issue privately and a withdrawal letter could be issued at a later date.

Chairman Jay Aston asked Staff how they felt.

Deputy City Attorney Nick Vaskov responded the item could be continued and if a subsequent letter for withdrawal was received, the item could be withdrawn at that time.

Mr. Garcia stated the application could be continued for 30 days and if the legitimate owners of the property provide a letter of withdrawal, it could be handled at that time.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO MAY 10, 2006

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. 27 was heard next.

20. **ZN-18-06 (24901) PICERNE @ CENTENNIAL & N. 5TH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT CORPORATION ON BEHALF OF PT CORPORATION AND NORTH 5TH CENTENNIAL-1, LLC, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-4 HIGH DENSITY RESIDENTIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF NORTH FIFTH STREET AND CENTENNIAL PARKWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-503-001, 124-27-503-007, 124-27-503-008 AND 124-27-503-009.**

The application was presented by Robert Eastman Principal Planner who stated the application was for a request to change the zoning from a C-1 Neighborhood Commercial District to an R-4 High Density Residential District for a 12 ½ acre site at the southwest corner of North Fifth Street and Centennial Parkway. The Comprehensive Plan showed the site as very high density residential and it was on a high traffic way adjacent to North Fifth Street and was supported by the Comprehensive Plan and the underlying land uses. The recommendation for approval was if ZN-96-05 was withdrawn. ZN-96-05 was withdrawn; therefore, Staff was recommending approval of ZN-18-06.

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

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

Chairman Aston closed the Public Hearing.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

21. **AMP-12-06 (24931) REGENA & GOLDFIELD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAND BARON INVESTMENTS ON BEHALF OF SHERRIL L. & CLAUDE J. WINEGARD, JR., RANDY G. & SHARON A. BURDICK, AND CATHY T. CUELLAR, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MHDR MEDIUM HIGH DENSITY RESIDENTIAL TO VHDR VERY HIGH DENSITY RESIDENTIAL. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-503-002, 124-27-503-003, AND 124-27-503-004.**

Item Nos. 21 and 22 were presented together.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who stated AMP-12-06 was a request to amend the Comprehensive Plan from Medium High Density Residential to Very High Density Residential and ZN-21-06 was a request to rezone from R-E Ranch Estates to R-4 High Density Residential District. The property was at the northeast corner of Regena Avenue and Goldfield Street. Originally, in the Staff Report, Staff had recommended denial; however, based upon the information received, that the applicant had acquired the remaining parcel to the east of the site, with this application and the following items, AMP-14-06 and ZN-22-06, that the five parcels are now under one ownership, Staff believed all five lots would be incorporated with the previous application; therefore, Staff was recommending approval of AMP-12-06.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating this property was to the south of the property in the application submitted by Picerne Development, ZN-18-06, and would be incorporated with the Picerne Development, with whom they were in contract with to acquire the property and they now have all of the property assembled to square off the project that Picerne had in the area to the immediate south 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

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

22. **ZN-21-06 (24939) REGENA & GOLDFIELD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAND BARON INVESTMENTS ON BEHALF OF SHERRIL & CLAUDE J. WINEGARD, JR., RANDY G. & SHARON A. BURDICK, AND CATHY T. CUELLAR, PROPERTY OWNERS, 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 NORTHEAST CORNER OF REGENA AVENUE AND GOLDFIELD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-503-002, 124-27-503-003, AND 124-27-503-004.**

Item Nos. 21 and 22 were presented together.

The application was presented by Robert Eastman, Principal Planner on behalf of Staff who stated AMP-12-06 was a request to amend the Comprehensive Plan from Medium High Density Residential to Very High Density Residential and ZN-21-06 was a request to rezone from R-E Ranch Estates to R-4 High Density Residential District. The property was at the northeast corner of Regena Avenue and Goldfield Street. Originally, in the Staff Report, Staff had recommended denial; however, based upon the information received that the applicant had acquired the remaining parcel to the east of the site, with this application and the following items, AMP-14-06 and ZN-22-06, that the five parcels are now under one ownership, Staff believed all five lots would be incorporated with the previous application; therefore, Staff was recommending approval of ZN-21-06.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant stating this property was to the south of the property in the application submitted by Picerne Development, ZN-18-06, and would be incorporated with the Picerne Development, with whom they were in contract with to acquire the property and they now have all of the property assembled to square off the project that Picerne had in the area to the immediate south 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

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

23. **AMP-14-06 (24945) REGENA & GOLDFIELD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAND BARON INVESTMENTS ON BEHALF OF REGENA NORTH, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MHDR MEDIUM HIGH DENSITY RESIDENTIAL TO VHDR VERY HIGH DENSITY RESIDENTIAL. THE PROPERTY IS GENERALLY LOCATED NORTH OF REGENA AVENUE AND APPROXIMATELY 460 FEET WEST OF NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-503-006.**

Item Nos. 23 and 24 were presented together.

The application was presented by Robert Eastman, Principal Planner who stated this was one lot of the five existing lots. The three lots to the west were just approved, and this lot was also adjacent to the Picerne Development, which would leave one lot between this lot and the one that was just heard. Staff was recommending approval of AMP-14-06 to allow this lot to be incorporated with the other parcels.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant and asked that his comments from Item Nos. 21 and 22 be incorporated. They are as follows:

Mr. Garcia stated this property was to the south of the property in the application submitted by Picerne Development, ZN-18-06, and would be incorporated with the Picerne Development, with whom they were in contract with to acquire the property and they now have all of the property assembled to square off the project that Picerne had in the area to the immediate south 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

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

24. **ZN-22-06 (24950) REGENA & GOLDFIELD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY LAND BARON INVESTMENTS ON BEHALF OF REGENA NORTH, 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 GENERALLY LOCATED NORTH OF REGENA AVENUE AND APPROXIMATELY 460 FEET WEST OF NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-503-006.**

Item Nos. 23 and 24 were presented together.

The application was presented by Robert Eastman, Principal Planner who stated this was one lot of the five existing lots. The three lots to the west were just approved, and this lot was also adjacent to the Picerne Development, which would leave one lot between this lot and the one that was just heard. Staff was recommending approval of ZN-22-06 to allow this lot to be incorporated with the other parcels.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014 appeared on behalf of the applicant and asked that his comments from Item Nos. 21 and 22 be incorporated. They are as follows:

Mr. Garcia stated this property was to the south of the property in the application submitted by Picerne Development, ZN-18-06, and would be incorporated with the Picerne Development, with whom they were in contract with to acquire the property and they now have all of the property assembled to square off the project that Picerne had in the area to the immediate south 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

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

Randy Cagle of Public Works asked the Planning Commission to reconsider Item Nos. 16 and 17, as there was a condition that needed to be amended on both items. Mr. Cagle stated the condition stated the project should be mapped as condominiums and that was not Staff's intention and asked that it be changed to read: "it should be mapped as a common interest community."

Nick Vaskov, Deputy City Attorney stated a separate motion to reconsider each item would be appropriate.

Chairman Jay Aston abstained and turned the meeting over to Vice-Chairman Jo Cato.

Chairman Aston left Chambers at 7:00 p.m.

Went back to Item No. 16 for reconsideration.

25. UN-19-06 (24572) 2258 STATZ STREET (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAVID VIEYRA AND MIREYA GASPAR, PROPERTY OWNERS, FOR A USE PERMIT IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A SINGLE-FAMILY DWELLING. THE PROPERTY IS LOCATED AT 2258 STATZ STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-24-110-296.

The application was presented by Robert Eastman, Principal Planner who stated the application was for a special use permit to allow a single-family residential home to be in the R-3 Multi-family Residential District. This is an existing home located at 2258 Statz Street. The applicant is proposing to add a 600 square foot addition onto their home; therefore, they are required to be in compliance with the zoning code and design standards. The applicant is also asking for a waiver to allow asphalt shingles to be installed on the roof instead of the concrete tile that would normally be required in the design standards. In general, Staff was in support of the use permit and the addition to the home made it more livable and was an improvement to the community; however, regarding the waiver request, there were other roofing materials for Class A type roofing materials that were light in weight, so the current roof trusses would be able to support them; therefore, Staff was not in support of the waiver request. The roofs of the neighboring properties were a mix of asphalt tile and concrete tile. Staff felt a roofing material that was similar in appearance to concrete tile was appropriate; therefore, Staff was recommending approval of UN-19-06 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes, ordinances and the Single-Family Design Guidelines including but not limited to:
 - a. That the body and trim finish and roof materials of the dwelling unit shall be beige, tans, earth tones, warm pastels or neutral colors indigenous to the Las Vegas Valley and its surrounds, or from the southwest region; and
 - b. If the waiver is not granted, concrete or clay tile, or other Class A Type roofing materials of a similar appearance to concrete or clay tile, shall be used on all sloped roofs. Any area of a roof which utilizes a flat roof design shall incorporate a parapet wall or cornice element on all sides of the area; and
 - c. Mechanical equipment such as air conditioning units and satellite dishes shall be concealed from view of public streets and neighboring properties by dense landscaping, a wall equal to the height of the mechanical equipment being screened and of similar material and design to surrounding walls, or be located behind private yard walls. All exterior air conditioning units shall be ground mounted; and

- d. All sides of a dwelling shall have recessed windows, entrance doors, or pop-outs or other architectural detailing around windows, entrance doors, sliding glass doors and garage doors.
2. If VN-10-06 is not approved, applicant will be required to meet the minimum side setback in an R-3, Multi-family Residential District of 10 feet on the south side of the property.

Mireya Gaspar, 2258 Statz Street, North Las Vegas, NV 89030 stated she concurred with Staff recommendation.

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

Chairman Aston closed the Public Hearing.

Chairman Aston asked the applicant if she was aware Staff was not recommending the waiver of the roof tile.

Ms. Gaspar responded she was aware Staff was not recommending the waiver request.

Commissioner Angelo Carvalho stated he understood the Design Guidelines but did not have a problem with asphalt shingles, given the area where the home was located.

Mr. Eastman stated Condition No. 1.b should be deleted in its entirety to allow the waiver of the roofing materials.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 1.B

MOTION: Commissioner Carvalho

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

26. VN-10-06 (24899) 2258 STATZ STREET (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DAVID VIEYRA AND MIREYA GASPAR, PROPERTY OWNERS, FOR A VARIANCE IN AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO ALLOW A 5-FOOT SIDE YARD SETBACK, WHERE 10 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 2258 STATZ STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-24-110-296.

The application was presented by Robert Eastman, Principal Planner who stated this was an application for a variance to allow a side set-back of 5 ½ feet in the R-3 Multi-family Residential District for the home at 2258 Statz Street. A zoning ordinance amendment to allow a five foot set-back for a single-family home in the R-3 was currently pending City Council consideration and the Planning Commission recommended approval of that zoning ordinance amendment. Staff feels a five foot setback was appropriate for a single-family home; therefore, Staff was recommending approval of VN-10-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That VN-10-06 is site specific and non-transferable; and
3. That VN-10-06 is only for an addition to a single-family home and no other uses; and
4. That this structure meets the required maximum encroachment into side yard setbacks of three (3) feet for eaves.

Mireya Gaspar, 2258 Statz Street, North Las Vegas, NV 89030 stated 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 SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Carvalho

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

Item No. 28 was heard next.

27. **UN-30-06 (24953) CRAIG & DECATUR CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ZNA FOODS ON BEHALF OF MOHAMMAD RAZZAQUE, PROPERTY OWNER, FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD RESTAURANT WITH A DRIVE-THRU. THE PROPERTY IS GENERALLY LOCATED NORTH OF CRAIG ROAD AND APPROXIMATELY 500 FEET EAST OF DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-06-215-024.**

It was requested by the applicant to continue UN-30-06 to April 26, 2006.

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

Chairman Aston stated the Public Hearing would remain open.

ACTION: CONTINUED TO APRIL 26, 2006

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. 31 was heard next.

28. UN-27-06 (24898) 3040 N. SIMMONS, BLDG. C (PUBLIC HEARING). AN APPLICATION SUBMITTED BY JUMPZONE, LLC ON BEHALF OF SOUTH TECH SIMMONS 3040C, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN INDOOR RECREATIONAL FACILITY (TRAMPOLINES AND INFLATABLE UNITS). THE PROPERTY IS LOCATED AT 3040 NORTH SIMMONS STREET, BUILDING C. THE ASSESSOR'S PARCEL NUMBER IS 139-17-510-044.

The application was presented by Marc Jordan, Planning Manager who stated the application was for a special use permit that would allow an indoor recreational facility that would consist of trampolines and inflatable units on property located at 3040 North Simmons Street in Building "C," Unit 100. Staff was recommending approval of UN-27-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That UN-27-06 is site-specific and non-transferable; and
3. That all associated activities take place within the building; and
4. That outdoor displays are only allowed if properly permitted by the City; and
5. That the occupancy of the facility shall not exceed 36 customers, unless a parking study, and a reciprocal parking agreement if necessary, are reviewed and approved by the Traffic Division. A copy of any/all approved parking agreement(s) shall be provided by the applicant to the Planning & Zoning Department for placement within the appropriate file(s); and
6. That a minimum one parking stall be provided for every four (4) customers; and
7. That the facility shall not exceed 8,560 square feet in size.
8. The applicant must abide by all conditions of the approved traffic study including the cost participation for traffic signals. The cost participation for this project is now past due. For additional information contact Sonya Spears, Management Analyst, at 633-1975.

Tiesha Moore, 5912 Kane Holly Street, Las Vegas, NV 89130 stated 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 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

29. **UN-28-02 (24905) NWC I-215 & I-15 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BELTWAY I-15, LLC AND JV PROPERTIES, LLC, PROPERTY OWNERS, FOR AN EXTENSION OF TIME ON AN APPROVED USE PERMIT FOR A HOTEL / CASINO / GAMING FACILITY IN A C-2 GENERAL COMMERCIAL DISTRICT (10-YEAR EXTENSION REQUESTED). THE PROPERTY IS GENERALLY LOCATED NORTH OF THE INTERSECTION OF I-15 AND I-215. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-101-003, 123-28-101-004, 123-28-101-005 AND 123-28-101-006.**

The application was presented by Marc Jordan, Planning Manager who stated the application was a request for an extension of time for a casino that was originally approved by the Commission on April 10, 2002 and then two years later the Commission granted a two year extension of time on April 14, 2004. The applicant has requested a 10 year extension of time; however, because of the ordinance, extensions of time are only considered for the length of time of the use permit, which, in this case, it was for two years; therefore, Staff could only recommend a two year extension of time. Staff was recommending approval of UN-28-02 subject to the following conditions with the deletion of Condition No. 1.

1. That the development of this site shall comply with all previously approved conditions for GED-01-02. Where there is a conflict with the conditions stated herein, the more restrictive shall apply; and
2. That, unless otherwise approved through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
3. That the development of this site shall be in compliance with the Commercial Development Standards and Design Guidelines; and
4. That the site plan and building elevations contained herein shall be considered "conceptual" and will require modifications to be in compliance with all applicable codes, ordinances and conditions; and
5. That, if the desired building height exceeds 60 feet, then a separate special use permit shall be considered independently of this request; and
6. That a phasing plan shall be submitted by the applicant, and reviewed and approved by staff prior to submittal of the civil improvement plans; and
7. That all perimeter landscaping be installed with the first phase of development; and

8. Semi-truck and Recreational Vehicle (RV) parking shall be provided on-site with reasonable access to the nearest signalized intersection or direct access route to/from the freeway system; and
9. That subsequent expansion or additions to the use shall be subject to Planning Commission review and approval (Standard Condition # 10); and
10. That the use permit is site-specific and non-transferable (Standard Condition # 12); and
11. That technical design comments will be made at the time development plans are submitted (Standard Condition # 27); and
12. Approval of a traffic study is required prior to submittal of the civil improvement plans.
13. A master transportation plan with modeling containing 20-year projections will be required prior to submittal of the civil improvement plans.
14. The civil improvement plans for the project shall include schedule 40 PVC fiber optic along Centennial Parkway and Christy Lane
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. The easterly driveway on Centennial Parkway shall be located midblock, approximately 660 feet from the intersection of Christy Lane, for full access, otherwise, the driveway shall be right in/right out.
17. The westerly driveway on Centennial Parkway shall meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130 and will be restricted to right-in/right-out.
18. The developer is required to construct a raised median within Centennial Parkway. The median shall be constructed per *Clark County Area Uniform Standard Drawing* numbers 218 and 219 "A" type island curb. The median shall be landscaped via encroachment permit; maintenance of the landscaping will be the responsibility of the developer and at the expense of the developer. Additional landscaping may be required within the Christy Lane right-of-way. The landscape plan shall be subject to review and approval of the Department of Public Works.

19. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
20. North Belt Road shall be changed to Centennial Parkway.
21. Appropriate mapping is required to consolidate the parcels. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of map approval. Conformance may require modifications to the site.
22. That UN-28-02 shall expire April 10, 2008.

Stephanie Allen of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th 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 SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 1

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

30. UN-28-06 (24900) PROJECT #1496 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CLARK COUNTY SCHOOL DISTRICT ON BEHALF OF THE SCHOOL BOARD OF TRUSTEES, PROPERTY OWNER, FOR A USE PERMIT IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO ALLOW AN ELEMENTARY SCHOOL. THE PROPERTY IS GENERALLY LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 400 FEET NORTH OF GOWAN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-10-201-010.

The application was presented by Marc Jordan, Planning Manager who stated the application was submitted by Clark County School District for a special use permit for a new elementary school located east of Commerce Street approximately 400 feet north of Gowan Road. The property is approximately 12 acres in size. In reviewing the application, Staff was recommending some changes to the design of the site that would warrant a recommendation for continuance. Specifically, Staff is recommending the design of the site be flipped, so the parking would be located adjacent to Commerce Street. In addition, the applicant shows an area called "future development," approximately 1.36 acres. Staff does not know how that site would be developed, as it was not large enough for residential development, so Staff was recommending the site plan be amended to incorporate that area into the school site. Furthermore, there is a new street on the south side, Sparrow Gull Court, that Public Works indicated needs to be 60 feet in width and also needs to be located entirely on the site where the school is proposed. In order for it to be located on the property line, where both property owners have to dedicate streets, it would have to be shown on the Master Plan, or added to the Master Plan of Streets and Highways. Adjacent to the northerly property line, the applicant shows a drive lane and there is only about five feet of landscaping and Staff recommends the landscape width be increased to approximately 20 feet to provide a landscape buffer between that drive lane and the existing residences on the north side. There are also other issues that would be minor regarding increasing some of the landscaping adjacent to the rights-of-way but, with all of the items, primarily the first two items discussed, would be major changes to the site plan; therefore, Staff is recommending that UN-28-06 be continued to allow the applicant time to redesign the site.

Guy Corrado, 4212 Eucalyptus, Las Vegas, NV 89121 and Domingo Cambiero, Domingo Cambiero Architects, the principal architect, appeared on behalf of the applicant. Mr. Corrado explained the urgency to complete the project on time as they were trying to provide relief of the overcrowding of Wilhelm Elementary School. He explained the architect and the School District put the parking where they did to avoid the corner where there was a lot of industrial traffic. They held a neighborhood meeting two weeks ago and none of the neighbors were in attendance. Mr. Cambiero stated the important issue was whether or not the Commission was willing to leave the design as indicated or would insist on flipping it. They were ready to submit drainage studies, traffic studies and after those approvals, the off-site improvements. There would be some minor changes

necessary on the off-site improvements; however, if they were to flip the property, they would not be able to open for the 2007/2008 school year. It was suggested by Public Works that schools not face an 80 foot right-of-way due to the school zone. Elementary schools blend in a neighborhood with the main entrance being within the development and it encouraged children to walk to school rather than being driven to school. He also believed that if the school faced Commerce Street, it would be a hazard to the children walking on Commerce Street. He also requested that in as much as Sparrow Gull was going to be fully developed on School District property and not actually burden the neighbor to the south, that they maintain the same width of Sparrow Gull to the west and continue a 48 foot right-of-way. Other issues were minor and they could work those out with Staff as they relate to landscaping and the like. The big question was whether the school could be built as indicated on the site plan.

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

Chairman Aston closed the Public Hearing.

Chairman Aston asked if the property that was noted for "future development" was for the School District to develop at a future date or if it would be sold. Mr. Corrado responded when they met with Staff, Mr. Fred Smith of the School District, was in attendance, and they talked about doing something with that property with the North Las Vegas Parks & Recreation Department. Chairman Aston asked if the park that was shown on the site plan, was fenced. Mr. Cambiero responded the school had a chain link fence around the perimeter, so they could keep children from running into the street. Chairman Aston asked if they were agreeable to having Sparrow Gull Court completely on School District property. Mr. Cambiero responded they were. Chairman Aston asked if there would be an application for a site plan review. Marc Jordan, Planning Manager responded the site plan was being considered with the use permit. Chairman Aston asked if that was Staff's concern, that adjustments be made before the use permit was approved. Mr. Jordan stated, that in addition to the adjustment for the right-of-way, since it would be a 60 foot street, there was a landscaping requirement adjacent to 60 foot streets that was not shown on the plan and that would also be something that would need to be added and that would be on the south side of Sparrow Gull as 60 foot rights-of-way require 15 feet of landscaping, which may include the sidewalk, so you were looking for a net of 10 feet of landscaping and that would need to be shown on the plan. Chairman Aston stated with the School District expressing the urgency for the project to move forward, if the Commission desired approval with the site plan left as it was, then a continuance would not be for a long period time. Mr. Jordan responded there were conditions listed and if it was the Commission's desire for approval, some conditions would need to be amended; however, if the applicant were going to revise the site plan, he would need to defer to them to see how much time they needed to revise the site plan. Also, for the record, regarding the 1.3

acre site, he talked to a representative from the Parks & Recreation Department and they indicated the Parks & Recreation Department had no desire to have that area as a future park as it did not meet the minimum acreage for their needs.

Commissioner Dean Leavitt stated with respect to flipping the school site and impacting the traffic flow on Commerce Street, the City of North Las Vegas had revised school zones with signage that stated that the school zone is in effect when children were present, so the impact, as far as slowing down traffic, was mitigated considerably. There might be a communication glitch with respect to the 1.36 acres. The Parks & Recreation Department might be interested if they entered into an opportunity to be able to use the full playground during off-school time. Mr. Cambiero stated he understood the grass areas were always open to the public. Commissioner Leavitt stated if the Parks & Recreation Department entered into an agreement, then there would be a shared use maintenance concept, so those arrangements would have to be spelled out. Mr. Cambiero stated in the past when there had been an adjacent park, there would be still a fence on the School District property, with gates that were closed during school hours. Commissioner Leavitt asked if it was the School District's intent to dedicate the 1.36 acres to the City of North Las Vegas and if it was going to be maintained by the School District and stated there were questions that had to be asked and needed to be answered. Mr. Corrado stated the subject was just brought up yesterday and he was hesitant to bring it up before the Commission because he did not want to be premature about it and agreed the questions needed to be answered. He stated if they had the approval of the Commission to accept the site plan as it was, they would make every effort to do whatever else needed to be done in order to move forward with the project. Commissioner Leavitt stated he would not vote to approve the application as it was for various reasons and that was why Staff had recommended the application be continued.

Mr. Cambiero explained they needed to know whether the Commission wanted the site plan flipped, so they knew what needed to be worked on, because if they had to flip the school, they would be starting from scratch. Commissioner Leavitt stated he was okay with the site plan as it was but wanted the landscape issues and the issue with the 1.36 acres addressed. Mr. Cambiero stated they were pinched along the north and south property line, so adding the 1.36 acres would not solve the challenge in working out the details along the north and south property line. The School District has been water conscious and only developed ball fields to the minimum requirements according to the education standards.

Commissioner Harry Shull stated he did not have a problem with the layout but did have a problem leaving the 1.3 acres at the end blank. He indicated the 1.3 acres was not large enough to be developed and was afraid there would be a nice ballpark and a dirt field sitting there as an eyesore.

Commissioner Steve Brown asked how long the School District had owned the property.

Mr. Corrado responded the School District had owned it since November of last year. Commissioner Brown agreed with Commissioners Leavitt and Shull and he liked the idea of the school emptying into a residential neighborhood, especially if it was zoned so children could walk to the school instead of having to cross Commerce Street and some of the other busy streets, but would like to see the small problems worked out and would move for a continuance.

Commissioner Dilip Trivedi stated he agreed that the parking lot did not belong on Commerce Street and asked if aligning the school with Sparrow Gull Court would alleviate the problem, making it due east/west instead of at a slight angle. He felt the 1.3 acres should be incorporated into the play areas.

Vice-Chairman Jo Cato stated she agreed with the other Commissioners about the future development of the 1.36 acres and would support the application if it was incorporated with the other playground that was there.

Mr. Corrado asked, since this was a complex application, if they could ask for a vote on the flipping of the school site and then talk about the park and he could go back to his department and ask about developing the 1.3 acres into a playground. Chairman Aston responded that was not possible.

Chairman Aston stated it seemed to be the consensus of the Commission that they would like to see a continuance so the minor details could be resolved.

Mr. Jordan stated if it was the Commission's desire for approval, even though Staff recommended continuance, the biggest reason was for the flipping of the site and since it seemed there was a consensus for the basic design to be left as it was, Staff could draft some conditions to address the minor issues.

There was a break in proceeding to allow Staff time to make amendments to conditions.

There was a break in proceedings at 7:50 p.m.

The proceedings reconvened at 8:00 p.m.

Chairman Aston asked Staff if they had revised conditions and if they could be read into the record.

Robert Eastman, Principal Planner stated Condition No. 2.a would read: "Landscaped areas, which may include sidewalks, at least twenty-five (25') in width from back of curb to any parking lot along Sparrow Gull Court and Shadow Tree Lane." Condition No. 2.b would read: "That single score precision block, if used, shall only be used as a six foot (6')

wainscoting accent.” Condition No. 2.c would read: “That a minimum ten feet (10') of landscaping shall be provided along the northern property line. This ten foot (10') landscaped area shall be planted with 24" box trees planted 15' on center.

Mr. Jordan stated Condition No. 3 would be deleted, Condition No. 6 would be amended to read: “That the future development 1.36 acres” be eliminated and incorporated into the site;” Condition No. 7 would be amended to read: “That a minimum fifty feet (50.00') be maintained between the northern property line and any permanent or temporary structures, including but not limited to “portable” classrooms;” Condition No. 11.b would be amended to read: “Sparrow Gull Court, and associated spandrels (48)”; Condition No. 12 would be deleted and Condition No. 19 would be deleted. Mr. Jordan also reminded the Commission, if the application were approved, it would be forwarded to City Council for final consideration.

Chairman Aston asked the applicant if they agreed with the amended conditions. Mr. Corrado responded he concurred with Staff’s amended conditions.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 3, 12, AND 19 DELETED AND CONDITION NOS. 2.A, 2.B, 2.C 6, 7, AND 11.B AMENDED TO READ:

- 2.A. LANDSCAPED AREAS (WHICH MAY INCLUDE SIDEWALKS) AT LEAST TWENTY-FIVE FEET (25') IN WIDTH FROM BACK OF CURB TO ANY PARKING LOT ALONG SPARROW GULL COURT AND SHADOW TREE LANE.
- 2.B. THAT SINGLE-SCORE PRECISION BLOCK, IF USED, SHALL ONLY BE USED AS A SIX FOOT (6') WAINSCOTING ACCENT.
- 2.C. THAT A MINIMUM TEN FEET (10') OF LANDSCAPING SHALL BE PROVIDED ALONG THE NORTHERN PROPERTY LINE. THIS TEN FOOT (10') LANDSCAPED AREA SHALL BE PLANTED WITH 24" BOX TREES PLANTED 15' ON CENTER.
- 6. THAT THE “FUTURE DEVELOPMENT 1.36 ACRES” BE ELIMINATED AND INCORPORATED INTO THE SITE.
- 7. THAT A MINIMUM FIFTY FEET (50.00') BE MAINTAINED BETWEEN THE NORTHERN PROPERTY LINE AND ANY PERMANENT OR TEMPORARY STRUCTURES, INCLUDING BUT NOT LIMITED TO “PORTABLE” CLASSROOMS.

- 11.B. 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. SHADOW TREE STREET (48')
 - B. SPARROW GULL COURT, AND ASSOCIATED SPANDRELS. (48')

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. 32 was heard next.

31. **SPR-15-06 (24955) CENTENNIAL & UPRR. AN APPLICATION SUBMITTED BY OMEGA DEVELOPMENT ON BEHALF OF CENTENNIAL LAMB LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT TO ALLOW 360 CONDOMINIUM UNITS. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND UPRR. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-101-008 AND 123-29-501-001.**

It was requested by the applicant to continue SPR-15-06 to April 26, 2006.

ACTION: CONTINUED TO APRIL 26, 2006

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. 39 was heard next.

32. SPR-13-06 (24927) ALIANTE PARCEL 35. AN APPLICATION SUBMITTED BY AMERICAN NEVADA CORPORATION ON BEHALF OF NVE P 35 LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN MPC C-2 MASTER PLANNED COMMUNITY GENERAL COMMERCIAL DISTRICT TO ALLOW MIXED-USE OF COMMERCIAL AND RESIDENTIAL DEVELOPMENT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ALIANTE PARKWAY AND ELKHORN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-20-113-001.

The application was presented by Robert Eastman, Principal Planner who stated the application was for a site plan review for a mixed use 181 unit multi-family with a 10,000 square foot commercial retail center located on parcel 35 in the Aliante Master Planned Community. He indicated Parcel 35 was across Aliante Parkway from the proposed casino site. The applicant was proposing a mix of 181 residential units split into buildings that contain between four and six units per building. Each unit would contain parking garages for the residential homeowners, guest parking for the residences located in parallel parking spaces throughout the site. The additional commercial development is located at one corner of the site and has its own dedicated parking, both in a surface parking lot in the development and angled parking off of the entrance. The parking for the commercial is shared with the recreational center for the residences, the site contains multiple walking paths through the site to the commercial and to the linear park connection this parcel has. In general, the project is in compliance with the Aliante Development Agreement; therefore Staff is recommending approval of SPR-13-06 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 including but not limited to the Aliante Development Agreement and Aliante Design Standards.
2. Approval of a drainage study that conforms to the Overall Master Conceptual Drainage Study is required.
3. Clark County concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
4. The applicant shall submit a traffic study update for review and approval.
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 property owner is required to sign a restrictive covenant for utilities.
7. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
8. Appropriate subdivision and/or parcel mapping is required to create parcels of differing land uses. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
9. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
10. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
11. Building 35 should be located closer to Aliante Parkway to provide additional landscaped open space within the development.
12. Parallel parking spaces located between buildings 21 & 30; 22 & 29; and 23 & 26 should be split to allow a continuous walkway through the site.
13. Two parallel parking spaces between buildings 22 & 20 adjacent to the beltway should be removed as they are not functional.
14. Two angled parking spaces closest to the recreation center should be removed and replaced with additional landscaped open space and connectivity to the central park area.
15. Pedestrian walkways shall connect all primary building entrances to one another. These walkways shall also connect all on-site common areas, parking areas, commercial areas and recreational facilities.
16. Where a pedestrian walkway crosses a street, driveway, or parking area, the crosswalk shall be clearly marked with contrasting paving material. Painted or thermo-plastic striping or stamped asphalt shall be considered acceptable materials.
17. All walkways shall provide direct pedestrian connectivity to the Aliante Linear Park, and perimeter streets. Direct connectivity between the commercial retail center and the perimeter street is required.

18. Access to the linear park shall conform to the Aliante Design Standards.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 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-1247 (24915) ALIANTE PARCEL 35. AN APPLICATION SUBMITTED BY AMERICAN NEVADA CORPORATION ON BEHALF OF NVE P 35 LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN MPC C-2 MASTER PLANNED COMMUNITY GENERAL COMMERCIAL DISTRICT TO ALLOW 182 UNITS OF CONDOMINIUMS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ALIANTE PARKWAY AND ELKHORN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-20-113-001.

The application was presented by Robert Eastman, Principal Planner who stated continuance was recommended to allow the applicant to submit a tentative map that was more in conformance for mapping purposes according to the City Surveyor; however, from conversations with the applicant, the tentative map submitted is correct in that their lots lines for their building, that they submitted is actually the way their development intends to be built. Additionally, there were some concerns that the tentative map needed to be changed to split out the commercial development from the rest of the multi-family development; however, the Development Agreement amendment approved in January allows the mixed use development to be considered as one tentative map; therefore, if it is the Commission's desire to approve T-1247, Condition No. 10 would be deleted. Staff's original recommended conditions are as follows:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances including but not limited to the Aliante Development Agreement and Aliante Design Standards.
2. This development shall be mapped as condominiums.
3. Approval of a drainage study that conforms to the Overall Master Conceptual Drainage Study is required.
4. Clark County concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
5. The applicant shall submit a traffic study update for review and approval.
6. 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.
7. The property owner is required to sign a restrictive covenant for utilities.

8. Building numbering shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
9. Appropriate subdivision and/or parcel mapping is required to create parcels of differing land uses. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
10. The commercial lot shall be removed from this tentative map.
11. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
12. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
13. Building 35 should be located closer to Aliante Parkway to provide additional landscaped open space within the development.
14. Parallel parking spaces located between buildings 21 & 30; 22 & 29; and 23 & 26 should be split to allow a continuous walkway through the site.
15. Two parallel parking spaces between buildings 22 & 20 adjacent to the beltway should be removed as they are not functional.
16. Two angled parking spaces closest to the recreation center should be removed and replaced with additional landscaped open space and connectivity to the central park area.
17. Pedestrian walkways shall connect all primary building entrances to one another. These walkways shall also connect all on-site common areas, parking areas, commercial areas and recreational facilities.
18. Where a pedestrian walkway crosses a street, driveway, or parking area, the crosswalk shall be clearly marked with contrasting paving material. Painted or thermo-plastic striping or stamped asphalt shall be considered acceptable materials.
19. All walkways shall provide direct pedestrian connectivity to the Aliante Linear Park, and perimeter streets. Direct connectivity between the commercial retail center and the perimeter street is required.

20. Access to the linear park shall conform to the Aliante Design Standards.

Bob Gronauer of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant stating one of the issues with Public Works on the tentative map was that the map that was submitted showed lines how the floor plans were separated. Nothing on the site plan as shown, will be substantially changed, except the lines need to be more clear on the map and he believed that could be done when they come back with the conforming tentative map and asked for the Commission's approval.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
THE DELETION OF CONDITION NO. 10

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

34. SPR-12-06 (24904) BERG CORPORATE COMPLEX. AN APPLICATION SUBMITTED BY DENNY HAN ON BEHALF OF AVIATION 30 WEST LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW MULTIPLE COMMERCIAL OFFICE BUILDINGS ON 10 ACRES. THE PROPERTY IS LOCATED APPROXIMATELY 530 FEET NORTH OF CRAIG ROAD AND EAST OF BERG STREET. THE ASSESSOR'S PARCEL NUMBER IS 139-01-201-020.

The application was presented by Marc Jordan, Planning Manager who stated the application was for a site plan review to develop an office industrial park located on the east side of Berg Street approximately 600 feet north of Craig Road and is zoned M-2. The applicant is proposing to build five buildings that would be approximately a total of 17,000 square feet. In reviewing the site, Staff noted some changes to the site plan that would need to be made, primarily complying with the landscaping requirements next to Berg Street. Apparently, some areas are 15' in width where 20' is required due to the parking lot. Staff also noted there were areas within the parking lot that do not contain the required landscape islands. Trash enclosures are not identified on the site. It appears the applicant is complying with the foundation landscaping but it was based on the site plan and Staff could not determine if it was being complied with; however, Staff considers those items to be minor and could be reviewed at the time the building permit was filed for, so Staff was recommending approval of SPR-12-06 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Industrial Development Standards and Design Guidelines, including but not limited to the following:
 - a. providing sidewalks and landscaping (or a suitable alternative) along any facade featuring a customer entrance and along any facade featuring a customer entrance which exits into a parking area or travel lane.
 - b. providing a sufficient number of trash enclosures to serve the development. Said trash enclosures shall be designed to match the buildings in design and materials, including roofs, and shall be located away or screened from Berg Street.
 - c. providing ADA-compliant pedestrian access from Berg Street to each of the primary customer entrances of each building. Said access way shall not be in-lieu of any required landscaping.

- d. providing ADA-compliant pedestrian access from each building to the centrally-located pedestrian plaza area.
 - e. providing clearly delineated pedestrian access ways within the site by use of pavers and/or stamped colored concrete.
 - f. providing bicycle parking facilities based on one parking space per 12,500 square feet of building space, or portion thereof. Said bicycle parking facilities shall not interfere with any required landscaping or pedestrian access ways.
 - g. providing a minimum 20 feet of landscaping between all parking areas and the Berg Street right-of-way. Said landscape area shall include a berm or decorative wall measuring three feet (3.00') in height, as measured from the finished floor elevation of the abutting parking area.
 - h. providing a six-foot (6.00') landscape strip between every other row of head-to-head parking.
 - i. providing one six-foot (6.00') landscape island at each end of all rows of parking, plus one six-foot (6.00') landscape island within each row of parking for every 15, or portion thereof, parking stalls in a row. Each landscape island shall be provided with one 24-inch box tree and a sufficient number of shrubs to provide a minimum 60% ground coverage (not including tree canopies) within two years.
 - j. providing additional architectural details to the partial north elevations (Sheet A5.6) and the east elevation (Sheet A5.7) of Building "A".
3. That a phasing plan be submitted to the Planning and Zoning Department prior to application of any building permits.
 4. That no more than 161,400 square feet of strictly office space be developed.
 5. That a centrally-located pedestrian plaza area be provided, as indicated on the site plan, and said plaza area shall be a minimum 5,000 square feet in size.
 6. A shade structure, designed to match the buildings, shall be provided within the pedestrian plaza area.

7. All of the pedestrian plaza area shall be constructed prior to the issuance of the building permit for the fourth building.
8. That the 15,000-square-foot single-story warehouse be constructed in conjunction with Building "A".
9. That the development of this site substantially comply with the submitted elevations and site plan, unless otherwise mentioned herein.
10. Fire access lanes shall be located in accordance with Fire Code requirements.
11. Fire access lanes shall be designed in accordance with Fire Code requirements.
12. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
13. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.
14. Approval of a drainage study is required prior to submittal of the civil improvement plans.
15. 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.
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. Approval of a traffic study is required prior to submittal of the civil improvement plans.
18. The property owner is required to grant a roadway easement for commercial driveway(s).
19. The property owner is required to sign a restrictive covenant for utilities.
20. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.

Denny Han, 235 West Brooks Avenue, North Las Vegas, NV 89030 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

35. **SPR-17-06 (24856) CRAIG COMMERCE CENTER, PHASE 2. AN APPLICATION SUBMITTED BY SUNBELT ENTERPRISES ON BEHALF OF FRED KAVLI, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW 117,722 SQUARE FEET FOR OFFICES, WAREHOUSES AND MANUFACTURING. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CORPORATE CENTER DRIVE AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBER IS 139-01-703-006.**

The application was presented by Terence Capers, Planner who stated the application was for approval of a major site plan to develop an industrial park. The adjacent property to the east and fronting Pecos Boulevard was previously approved through a site plan review, SPR-34-02 and the current application is a continuation of the development. There are two buildings totaling 117,722 square feet in which 40 percent will be used as office and the remaining 60 percent will be used for warehouse and manufacturing. The building elevations submitted depict concrete tilt up structures with flat roofs and decorative metal accents. It appears the proposed site is in compliance with the Industrial Development Standards and Design Guidelines; therefore, Staff is recommending approval of SPR-17-06 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development shall be in compliance with the Industrial Development Standards and Design Guidelines.
3. That at least one location for an on-site interconnected drive aisle be provided between the subject site and the undeveloped 1.61±-acre site to the southwest.
4. That the development of this site be in substantial compliance with the submitted elevations and site plan.
5. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
6. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.

7. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
8. Approval of a drainage study is required prior to submittal of the civil improvement plans.
9. NDOT concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
10. Approval of a traffic study is required prior to submittal of the civil improvement plans.
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. Appropriate subdivision and/or parcel mapping is required to create the parcel(s) as proposed. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
14. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.

Michael Hall, 1801 Solar Drive #250, Oxnard, CA 93030 appeared on behalf of the applicant offering clarification on Condition No. 3 but, other than that he concurred with Staff recommendation. Mr. Hall stated condition No. 3 contemplated a drive isle between a relatively small sliver of land, at one point a 1.6 acre piece, and a contiguous parcel. They were mapping for a lot line adjustment to combine the two sites and agreed that, in the future, if a drive isle was indicated, it would provide when the property was developed.

Marc Jordan, Planning Manager stated Condition No. 3 could be amended to add the language, "or as otherwise approved by Staff" at the end.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 3 AMENDED TO READ:

3. THAT AT LEAST ONE LOCATION FOR AN ON-SITE INTERCONNECTED DRIVE AISLE BE PROVIDED BETWEEN THE SUBJECT SITE AND THE UNDEVELOPED 1.61± ACRE SITE TO THE SOUTHWEST, OR AS OTHERWISE APPROVED BY STAFF.

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-1248 (24911) DECATUR/RANCH HOUSE. AN APPLICATION SUBMITTED BY PULTE HOMES ON BEHALF OF BERMUDA AND BOULEVARD LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-2 GENERAL COMMERCIAL DISTRICT (PROPOSED TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT) TO ALLOW 147 UNITS OF TOWNHOUSES. THE PROPERTY IS LOCATED ON THE NORTHWEST CORNER OF RANCH HOUSE ROAD AND SAN MATEO STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-30-101-009.**

The application was presented by Terence Capers, Planner who stated the application was for approval of a multi-family tentative map consisting of 147 units. In the original Staff Report, Staff was recommending continuance of the application due to deficiencies with the site plan in regards to setbacks and road dedications. Since that time, the applicant has submitted a revised site plan which has been approved by all departments and Staff is now recommending approval of T-1248 subject to the following conditions with Condition No. 12 amended to read: "The applicant must apply for vacation of a portion of Ranch House Road; additionally, the vacation shall record concurrently with the final map. Should the subject vacation be denied, that portion of Ranch House Road shall be incorporated into the site plan and constructed with the development:"

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. T-1248 shall comply with all conditions of Ordinance Number 2253 (ZN-04-06). Where there is a conflict with the conditions stated herein, the more restrictive shall apply.
3. This planned unit development shall not exceed 147 dwelling units.
4. A final development plan is required for (each phase of) this development. Said final development plan(s) shall be reviewed and approved by the Planning Commission prior to submittal of any final maps.
5. The private patio area for lot #61 shall be a minimum 80 square feet and shall be reconfigured so as to maintain a minimum 10-foot separation from the perimeter wall along the north side of the development.

6. In accordance with Condition #6(j) of the PUD, trash enclosures are required unless the applicant provides evidence that individual waste collection will be provided by Republic Services. Said evidence shall be provided in conjunction with the Final Development Plan application. If it is determined that Republic Services will not provide individual waste collection, then trash enclosures will be required, this map would be amended accordingly and subject to Planning Commission approval.
7. In accordance with Condition #7 of the PUD, the tentative map is required to identify landscape areas on each side of each garage entrance. Said landscape areas shall be identified on the Final Map as "Common Elements to Be Owned and Maintained by the Homeowners' Association." Specific planting materials, including tree and shrub sizes and varieties, shall be identified on the Final Development Plan. Said planting areas shall be irrigated through a system owned and maintained by the Homeowners' Association.
8. All internal pedestrian access routes and paths shall provide access to each amenity within the development. No access route or path shall end at a drive aisle. All access routes and paths shall be ADA-compliant and shall be clearly delineated by the use of stamped and dyed concrete, including but not limited to all drive aisle crossings. A fully-connected pedestrian network shall be identified on the Final Development Plan.
9. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e., telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
10. The developer is required to construct a raised median within Decatur Boulevard. The median shall be constructed per *Clark County Area Uniform Standard Drawing* numbers 218 PCC and 219 "A" type island curb.
11. The development shall be mapped as condominiums.
12. The applicant must apply for a vacation of a portion of Ranch House Road; additionally the vacation shall record concurrently with final map. Should the subject vacation be denied, this application shall become null and void.
13. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
14. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.

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

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH
CONDITION NO. 12 AMENDED TO READ:

12. THE APPLICANT MUST APPLY FOR VACATION OF A PORTION OF RANCH HOUSE ROAD; ADDITIONALLY, THE VACATION SHALL RECORD CONCURRENTLY WITH THE FINAL MAP. SHOULD THE SUBJECT VACATION BE DENIED, THAT PORTION OF RANCH HOUSE ROAD SHALL BE INCORPORATED INTO THE SITE PLAN AND CONSTRUCTED WITH THE DEVELOPMENT.

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

OLD BUSINESS

37. **UN-13-06 (24290) ANN & LOSEE MONOPALM (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CINGULAR WIRELESS ON BEHALF OF ANN LOSEE PAD, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A TELECOMMUNICATIONS TOWER (80-FOOT MONOPALM) WITH A RESIDENTIAL SETBACK OF 100 FEET ON THE WESTERN SIDE AND 115 FEET ON THE SOUTHERN SIDE, WHERE 200 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-802-010. (CONTINUED FEBRUARY 22 AND MARCH 8, 2006)**

The application was presented by Terence Capers, Planner who stated the application was for approval of an 80 foot monopalm. The applicant is requesting a waiver of the reduction in the setback required for the monopalm in relationship to the adjacent residential property. Staff was recommending denial of UN-13-06. The applicant submitted an affidavit showing their attempt to relocate the tower to a more suitable property. If the Commission desired approval, the following conditions were recommended:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The height of the tower shall not exceed 80 feet.
3. That the applicant shall provide a tower with a stealth design (i.e. pine tree or palm tree).
4. The tower shall maintain the following minimum setbacks from a residential property line:
 - a. Approximately 100 feet from the residential property line to the east; and
 - b. Approximately 115 feet from the residential property line to the west.

John Wright, 3763 Howard Hughes Parkway, Las Vegas, NV 89109 appeared on behalf of the applicant stating they performed a search dating back to June, 2005 attempting to find a location for the facility. He pointed out several current sites. They pursued locating at several sites but were unable to secure them. They are at the current location because the architect of the center did not like the choice for the original location, so they came up

with two alternatives. The first alternative was to eliminate a couple of parking spaces for the tower and equipment and the second option was to put the facility in a single parking space. The second choice allowed a better co-location facility because another carrier would need ground space for their equipment. There was another carrier interested in the location, so he anticipated a co-location in the near future. He asked for the Commission's approval and concurred with Staff recommended conditions.

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 Carvalho

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

NAYS: None

ABSTAIN: None

38. **UN-14-06 (24458) SUSHI WOW (PUBLIC HEARING). AN APPLICATION SUBMITTED BY AMY YU 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 ANN ROAD AND SIMMONS STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-32-113-002. (CONTINUED MARCH 8, 2006)**

The application was presented by Robert Eastman, Principal Planner who stated the applicant had submitted a floor plan showing they were in compliance with Title 5 requirements, specifically, that they could support 45 customers inside the location. They also submitted their survey showing they were outside of the 400 foot separation requirements from any school, church, park, or daycare facility. Commissioner Leavitt had asked the applicant to have a Crime Prevention Through Environmental Design (CPTED) analysis, which was done; therefore it appeared all concerns brought up at the March 8, 2006 Planning Commission meeting had been met, so Staff was recommending approval of UN-14-06 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. The size of the establishment shall not exceed 1,300 square feet.
6. 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.

Amy Yu, Sushi Wow, 5585 Simmons Street, North Las Vegas, NV 89031 asked if she had to resubmit the requested information in Condition Nos. 4 and 6. Mr. Eastman responded she did not, as she had already met those conditions.

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 Brown

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

Item No. 41 was heard next.

39. **T-1243 (24456) CENTENNIAL ESTATES. AN APPLICATION SUBMITTED BY STANDARD PACIFIC HOMES ON BEHALF OF STANDARD PACIFIC LAS VEGAS INC., PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT AND A C-1, NEIGHBORHOOD COMMERCIAL (PROPOSED PROPERTY RECLASSIFICATION TO THE R-2, TWO-FAMILY RESIDENTIAL DISTRICT) CONSISTING OF TRIPLEXES (189 UNITS). THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND DONNA STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-23-401-002. (CONTINUED MARCH 8, 2006)**

It was requested by the applicant to continue T-1243 to May 10, 2006.

ACTION: CONTINUED TO MAY 10, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Carvalho

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

NAYS: None

ABSTAIN: None

40. **SPR-10-06 (24698) DECATUR & TROPICAL. AN APPLICATION SUBMITTED BY WORLDMARK INC. ON BEHALF OF DECATUR TROPIC LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-2 GENERAL COMMERCIAL DISTRICT TO WAIVE THE STANDARD OF TWO OF THE BUILDING ORIENTATIONS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF RICE AVENUE AND DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-30-204-001, 124-30-204-002 AND A PORTION OF 124-30-204-005. (CONTINUED MARCH 22, 2006)**

It was requested by the applicant to continue SPR-10-06 to May 10, 2006.

ACTION: CONTINUED TO MAY 10, 2006

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. 1 was heard next.

41. **T-1242 (24461) RANCHO MIRAGE UNIT 3. AN APPLICATION SUBMITTED BY CORNERSTONE PRINCIPLES INC., PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 49 UNITS OF SINGLE FAMILY DWELLINGS. THE PROPERTY IS LOCATED NORTH OF ANN ROAD AND APPROXIMATELY 1130 FEET WEST OF COMMERCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-27-401-011, 124-27-401-012, 124-27-401-013, 124-27-410-051, 124-27-410-052, 124-27-410-054, 124-27-410-055, 124-27-410-056, 124-27-410-058, 124-27-410-087 AND 124-27-410-088. (CONTINUED MARCH 8 AND 22, 2006)**

The application was presented by Robert Eastman, Principal Planner who stated the application was continued to allow the applicant time to submit revisions. The applicant submitted a revised tentative map; however, there are still concerns with the development. Specifically, this is a PUD known as Rancho Mirage. It is a remnant parcel that was left; however, it is still governed by the ordinance that was approved with the original PUD. With that, there was a condition that required 10 feet of landscaping and a five foot sidewalk located along the perimeter streets. The parcel to the east was providing landscaping and as that tentative map required, this would provide a nice transition from that development into the rest of the Rancho Mirage Development. Additionally, the other concerns involved easements to the site, emergency access easement, utility easements, requiring that they be common elements and identified on the tentative map as such and landscaped when appropriate, most notably when there is a pedestrian access easement that would require landscaping. Also, there are some small common elements that need to be placed and landscaping requirements for lots adjacent to streets. Under normal circumstances, these issues could be relatively minor, because of the odd shape of the parcel and the property that needs to be given for landscaping, Staff feels a continuance is warranted to meet the requirements of the conditions that would require major redesign of the site and Staff feels it would be more appropriate for the Board to be able to review those revisions when they are complete. If, however, the Commission desires approval, the following conditions are recommended:

1. That unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That the development of this site be in compliance with all conditions of Ordinance Number 1599 (ZN-64-98). If there is a conflict between those conditions and the conditions stated herein, the more restrictive shall apply; and
3. That the maximum number of dwelling units permitted within this portion of the development be 49, provided all conditions mentioned herein are satisfied. As a result of demonstrating compliance with all conditions mentioned herein, the total number of lots may be less than 49; and

4. The minimum lot size shall be 4,500 square feet with a minimum lot width of 45.00 feet; and
5. That all conditions mentioned herein be satisfied prior to submittal of any conforming tentative map; and
6. That noise attenuation measures be incorporated into the design and construction of each dwelling to reduce exterior-to-interior noise levels by 65 dB; and
7. That prospective home owners shall sign a written notice declaring knowledge of the existence of Nellis Air Force Base whereby this property is located within the 65-70 dB DNL Noise Contour as listed in the latest Nellis AFB Air Installation Compatible Use Zone (AICUZ) Report; and
8. That the tentative map be revised to show a minimum ten feet (10.00') of landscaping, which may include the sidewalk, adjacent to all interior corner side lots. Said corner side lot landscape areas shall be identified on the conforming tentative and final maps as "Common Elements" and shall be owned and maintained by the homeowners' association; and
9. Any emergency access location shall also be a pedestrian access and shall be identified on the civil improvement plans, conforming tentative and final maps as a "Common Element". The use of landscape/grass pavers to facilitate emergency access may be allowed in-lieu of traditional landscaping.
10. All pedestrian access locations shall be landscaped and provided with ADA-compliant meandering sidewalks and appropriate lighting; and
11. That all landscape areas, open spaces and easements shall be labeled as "COMMON ELEMENTS TO BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION"; and
12. Turning radii along the fire access lane(s) shall be designed in accordance with the Fire Code; and
13. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code; and
14. That a second means of Fire Department apparatus access onto Shimmering Sands Avenue be provided; and
15. That a final development plan for this portion of the development be reviewed and approved by the Planning Commission prior to submittal of any conforming tentative map; and

16. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development; and
17. That, unless otherwise stipulated herein, this development be in compliance with the Single Family Development Standards and Design Guidelines; and
18. That prospective home owners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm; and
19. That the setbacks for this development comply with Section 17.20.040.F (Single-Family Residential District [R-1]) of the Zoning Ordinance; and
20. That the perimeter walls be owned and maintained by the homeowners' association; and
21. That the developer disclose to prospective home buyers that landscape areas adjacent to corner side yards and rear yards are reserved exclusively for landscaping; and
22. That, prior to a final inspection of any dwelling unit, bollards shall be installed to prohibit vehicles from leaving Copper Sun Court and entering the park. The bollards shall be properly reviewed, approved and permitted prior to installation and shall be properly inspected prior to the first final inspection of any dwelling unit; and
23. That the usable open space requirements for this phase of the development be waived, provided that the future home owners for this development participate in their fair share of ownership and/or maintenance of the 3.90±-acre Rancho Mirage Park (i.e., Common Area Lot A of Rancho Mirage, Unit 1); and
24. Bollards shall be placed within the pedestrian accessway between lots #29 and #30 to prevent vehicles from traversing the pedestrian accessway. Bollards shall be appropriately spaced and identified on the civil improvement plans; and
25. That the applicant submit a Conforming Tentative Map to the Department of Public Works prior to submittal of any civil improvement plans or final maps. The Conforming Tentative Map shall identify all required emergency accesses, pedestrian accesses and Common Elements, and shall demonstrate compliance with all conditions mentioned herein; and

26. The applicant shall provide plot plans for Lots #1, #36 and #37 to demonstrate how the lots will be developed in compliance with the requirements set forth in the Municipal Code and as stated herein. Said plot plans shall be provided prior to approval of any final maps; and
27. The decorative wall design for this development shall be consistent with that of the adjacent development to the east, Ventana at Sierra Montana; and
28. Lots 36 and 49 must be revised to comply with the *City of North Las Vegas Municipal Code* section 16.20.02.B which states: "The side lines of lots shall be approximately at right angles to the street upon which the lot faces, or approximately radial if the street is curved." Compliance may require modifications to the current layout resulting in fewer lots.
29. Side lot easement(s) must conform to *City of North Las Vegas Municipal Code* 17.24.210.D.4.a.
30. 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.
31. The preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
32. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
33. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
34. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road.
35. A minimum ten feet (10.00') of landscaping, which may include a sidewalk, shall be provided between Lots #2, #3, #4, #5 and the cul-de-sac at the south end of Copper Sun Court. The landscape area shall be identified on the conforming tentative and final maps as a "Common Element" and shall be owned and maintained by the homeowners' association.

Mark Bangan of L.R. Nelson, 6765 West Russell Road, Suite 200, Las Vegas, NV 89118 appeared on behalf of the applicant stating they submitted a revised plan. The revised plan showed the six foot landscape areas to be maintained by individual property owners. They would need landscape easements and would want the individual property

owners to be responsible for the landscaping so it did not encumber the rest of the Homeowners Association. They added the emergency access through the 25 foot drainage easement and he spoke with James Frater of the Fire Department and he was agreeable to that. They added five foot by five foot landscape areas along Ann Road for the tree wells, which they had agreed to at the last meeting. Mr. Bangan stated he did not feel a continuance was warranted, as if there were any other issues, they could be worked out with Staff administratively and asked for the Commission's Approval.

Chairman Jay Aston asked when the revised map was submitted to Staff. Mr. Bangan stated it was submitted three weeks ago. Mr. Eastman stated the revised tentative map was the first one in the revised memorandum.

Chairman Aston stated the only major concern was the street scape on Ann Road and asked if there was a better transition than tree wells.

Commissioner Dean Leavitt stated the reason the tree wells were requested, was due to the odd shape of the parcel.

Chairman Aston asked the applicant if they had reviewed the recommended conditions in the revised memo dated April 12, 2006.

Tom Parsons of Cornerstone, the applicant, asked which conditions had been changed since the original March 8, 2006 conditions.

Commissioner Steve Brown stated he did not care for tree wells and suggested if tree wells were approved, they not put trees in them, but possibly use Italian Cypress. He had previous experience with trees breaking up block walls and nobody taking responsibility for fixing the problem. He suggested continuing the landscaping along Ann road with what was already there, the same as lot nos. 72,73 and 74.

Mr. Bangan explained they were looking for a solution to transition from the old development, which was a solid perimeter wall, to an area with more landscaping off of Ann Road and the tree wells was a compromise to add some amount of greenery to break up the continuation of the wall.

Commissioner Leavitt reminded the Commission this was an in-fill project and Staff was looking at developing an in-fill ordinance with Design Standards and he supported Commissioner Brown's suggestion.

Commissioner Harry Shull stated this was an unusual shaped property and the problem with lots nos. 43 through 48 was that they were only 100 feet deep and if you take ten feet away from them, you don't get the minimum lot size, so they were constricted by the dimensions of the property and that was why they were leaning toward the tree wells to allow the transition, as it was better than nothing.

Chairman Aston asked if there was a homeowners association. Mr. Bangan stated the title report received with the property, showed there were CC & R's attached to the property that required it to be annexed into the existing master association. Chairman Aston, stated if it was part of the existing homeowners association, this development should match the existing development, so the tree wells, corner landscaping and street scape could be eliminated.

Mr. Eastman stated the following changes would be made to the conditions:

Condition No. 2 would be amended by deleting the second sentence and adding "with the exception that landscaping will not be required along Ann Road" to the first sentence; Condition No. 8 would be amended to change the wording, "owned and maintained by the homeowners' association" to "privately maintained by the homeowner;" Condition No. 11 would be amended to read: "pedestrian easements and utility easements shall be labeled as COMMON ELEMENTS TO BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION;" Condition No. 23 would be deleted; and Condition No. 20 would be deleted."

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 20 AND 23 DELETED AND CONDITION NOS. 2, 8 AND 11 AMENDED TO READ:

2. THAT THE DEVELOPMENT OF THIS SITE BE IN COMPLIANCE WITH ALL CONDITIONS OF ORDINANCE NUMBER 1599 (ZN-64-98) WITH THE EXCEPTION THAT LANDSCAPING WILL NOT BE REQUIRED ALONG ANN ROAD; AND
8. THAT THE TENTATIVE MAP BE REVISED TO SHOW A MINIMUM TEN FEET (10.00') OF LANDSCAPING, WHICH MAY INCLUDE THE SIDEWALK, ADJACENT TO ALL INTERIOR CORNER SIDE LOTS. SAID CORNER SIDE LOT LANDSCAPE AREAS SHALL BE IDENTIFIED ON THE CONFORMING TENTATIVE AND FINAL MAPS AS "LANDSCAPE EASEMENT" AND SHALL BE PRIVATELY MAINTAINED BY THE HOMEOWNER; AND
11. EASEMENTS SHALL BE LABELED AS "COMMON ELEMENTS TO BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION"; AND

MOTION: Commissioner Shull

SECOND: Commissioner Carvalho

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 & Zoning Director Jory Stewart reminded the Commission there was a Joint City Council and Planning Commission Meeting on Monday, April 17, 2006 at 6:00 p.m. at the North Las Vegas Justice Facility and on Wednesday, April 19, 2006 at 4:30 p.m. there will be a Special City Council Meeting regarding the Olympia Development Agreement.

Deputy City Attorney Nick Vaskov introduced Amy Mondragon, Legal Clerk in the City Attorney's Office.

CHAIRMAN'S BUSINESS

Commissioner Dean Leavitt handed out the Crime Prevention Through Environmental Design (CPTED) Analysis on the Sushi Wow Restaurant and thanked Jo Preston for her work.

ADJOURNMENT

The meeting adjourned at 9:09 p.m.

APPROVED: May 10, 2006

/s/ Jay Aston
Jay Aston, Chairman

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