

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

November 8, 2006

***All Staff Reports and attachments are available on the City's  
Website - [http:// www.cityofnorthlasvegas.com](http://www.cityofnorthlasvegas.com)***

- BRIEFING:** 5:30 P.M., Conference Room, North Las Vegas City Hall,  
2200 Civic Center Drive
- CALL TO ORDER:** 6:01 P.M., Council Chambers, North Las Vegas City Hall,  
2200 Civic Center Drive
- ROLL CALL:** Chairman Angelo Carvalho- Absent  
Vice-Chairman Steve Brown - Present  
Commissioner- Jay Aston - Present  
Commissioner- Jo Cato - Present  
Commissioner Dean Leavitt - Present  
Commissioner Harry Shull - Present  
Commissioner Dilip Trivedi - Present
- STAFF PRESENT:** Jory Stewart, Planning & Zoning Director  
Marc Jordan, Planning Manager  
Robert Eastman, Principal Planner  
Bob Hoyes, Planner  
Nick Vaskov, Deputy City Attorney II  
Bethany Sanchez, Deputy City Attorney II  
Jennifer Doody, PW, Development & Flood Control  
Eric Hawkins, Public Works  
Mike Steele, Fire Department  
Jose Rodriguez, Police Department  
Jo Ann Lawrence, Recording Secretary
- VERIFICATION:** Jo Ann Lawrence, Executive Assistant to the Planning  
Commission
- PLEDGE OF ALLEGIANCE:** Commissioner Dean Leavitt
- WELCOME:** Vice-Chairman Steve Brown

**MINUTES**

• **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING  
OF OCTOBER 11, 2006.**

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**NEW BUSINESS**

1. **ZN-54-06 (27664) VILLAGE CENTER @ CRAIG & ALLEN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP ON BEHALF OF ALLEN VILLAGE LLC AND NAKHJAVANI LIVING TRUST, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT TO AN MUD MIXED USE DEVELOPMENT DISTRICT CONSISTING OF 440 CONDOMINIUMS AND/OR LIVE-WORK RESIDENTIAL UNITS AND 72,300 SQUARE FEET OF COMMERCIAL AREA. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ALLEN LANE AND CRAIG ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-06-701-008, AND 139-06-701-010.**

It was requested by the applicant to continue ZN-54-06 to December 13, 2006.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO DECEMBER 13, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

2. **UN-111-06 (27594) RYAN'S EXPRESS MODULAR OFFICE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RYAN'S EXPRESS TRANSPORTATION ON BEHALF OF 340 SUNPAC LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A MODULAR BUILDING FOR TEMPORARY OFFICE SPACE. THE PROPERTY IS LOCATED AT 1637 WEST BROOKS AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-16-201-007.**

It was requested by the applicant to continue UN-111-06 to December 13, 2006.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO DECEMBER 13, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**Item No. 7 was heard next.**

3. **ZN-53-06 (27610) 5<sup>TH</sup> STREET MARKETPLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY NGA #2 ETAL, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF NORTH FIFTH STREET AND THE 215 BELTWAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-101-003 AND 124-23-101-004.**

The application was presented by Bob Hoyes, Planner who stated the request was to rezone a 22 ½ acre parcel from Ranch Estates to C-2 General Commercial and Staff was recommending approval of ZN-53-06.

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

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

4. **ZN-55-06 (27679) 5<sup>TH</sup> STREET MARKETPLACE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ACACIA PROPERTIES LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN O-L OPEN LAND DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF NORTH FIFTH STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBER IS 124-23-201-002.**

The application was presented by Bob Hoyes, Planner who stated the request was to rezone the subject site from O-L Open Land to C-2 General Commercial and Staff was recommending approval of ZN-55-06.

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

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

5. **SPR-41-06 (27557) 5<sup>TH</sup> STREET MARKETPLACE. AN APPLICATION SUBMITTED BY NGA #2 LLC ETAL, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-E RANCH ESTATES DISTRICT, A C-2 GENERAL COMMERCIAL DISTRICT, AND AN O-L OPEN LAND DISTRICT FOR APPROVAL OF A 650,000 SQUARE FOOT COMMERCIAL COMPLEX. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHEAST CORNER OF NORTH 5<sup>TH</sup> STREET AND DEER SPRINGS WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 124-23-101-003, 124-23-201-001, 124-23-201-002, AND 124-23-101-004.**

The application was presented by Bob Hoyes, Planner who stated, based on the current configuration and design of the site and in light of the North 5<sup>th</sup> Street Transit Corridor Plan, and the anticipated mass transit system along Deer Springs Way, among other things, Staff was recommending SPR-41-06 be continued to allow the applicant time to redesign the site. Staff received a memorandum from the Department of Public Works, who was also recommending the application be continued. The applicant submitted a revised site plan and conditions they would like amended, but the revised conditions were submitted after 4:00 p.m. this afternoon and Staff had not had an opportunity to review the conditions and assess the impact they might have on the development of the site. He explained this was an opportunity for the City to step forward and embrace the North 5<sup>th</sup> Street Transit Corridor Plan and in order to do that, it was essential that the site, at least partially, be developed as a transit oriented development. Mr. Hoyes explained the current design, with the location of the proposed Home Depot, was contradictory to the concept of a transit oriented development and clarified there was a distinct and contradictory term, when saying transit oriented development and auto dependent use; and, in this case, the Home Depot and the major anchor at the northwest corner of the site would be considered auto dependent uses, as opposed to a transit oriented development, which was typically pedestrian friendly. So, with the contradictory layout of the site, as proposed, Staff did not feel it was conducive to a transit oriented development, which Staff felt was essential at this time, to provide an alternative to what typically had been approved in other locations throughout the valley.

**Jennifer Lazovich of Kummer, Kaempfer, Bonner, Renshaw & Ferrario, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, NV 89109** appeared on behalf of the applicant stating the site was 65 acres and they were seeking a zone change to C-2. She explained there were two different centers, because Dorrell Lane went through the center of the site and they had met and worked with Staff and were unable to come to an agreement on the design of the site. On one of the original plans, there were a number of drive thrus located in the area along North 5<sup>th</sup> Street and in an effort to try to satisfy some of Staff's concerns about the center being transit oriented, the site plan was revised to remove some of the drive thrus, with the exception of the potential pharmacy site, from North 5<sup>th</sup> Street and Deer Springs Way and also added more features along Dorrell Lane to try to give it more

of a pedestrian feel by using stamped concrete or something similar, so you could create entrances into certain places and obvious crossings between the areas south and north of Dorrell Lane. The bus rapid transit (BRT) would turn and go east on Deer Springs Way and with that, Staff said they needed to have transit and pedestrian oriented retail components, because it blended in with the BRT; so, they added pedestrian areas and created some separation, so that if you were walking along Deer Springs, you would not have to walk all the way to a main vehicular entrance to get into the center. They also created more of an entrance into the center from Deer Springs and tried to make it more entrance friendly with smaller retail stores. Staff also asked that the areas between retail four and five and retail six and seven to be widened for pedestrian reasons; so, if you were a pedestrian walking along Deer Springs, you would not have to walk along the driveway to get into the shops and restaurants, and you could actually cut through the building and have some type of pedestrian access that would not interfere with the vehicles coming into the center from Deer Springs. When developing the site, they tried to achieve some of the principles Staff wanted; but, they disagree on the location of Home Depot. The location of Home Depot was south of Dorrell Lane, and north of Dorrell, adjacent to the Beltway, there was another large retail tenant being proposed. Ms. Lazovich stated she was not a professional on the reasons why retailers liked to place certain buildings in certain areas, but through a process of pro-emulation, it was determined Home Depot was located at the best possible area. She stated they took Staff's suggestion and attempted to move it north of Dorrell Lane, but there was a drainage channel running through the site where no structures could be located. From the developers standpoint, when they tried to move the location of Home Depot, part of the building, including the garden center, encroached onto the drainage easement which made it impossible to relocate it. Even if it were only the garden center portion of Home Depot which encroached onto the drainage easement, if something were to happen and they had to tear into the drainage easement to fix it, a significant portion of the retail floor area would not be usable. Also, with Home Depot and the other large retailer, the parking would overlap. It was also suggested Home Depot could be moved against North 5<sup>th</sup> Street, taking it out of the south half of Dorrell Lane. That was also considered, but from their scaling, it did not fit and there would not be enough parking. Ms. Lazovich stated they had incorporated the Regional Trail into the center and it was located on the south side of Dorrell Lane and came up to North 5<sup>th</sup> Street and the plan was that it would eventually go over North 5<sup>th</sup> Street and tie into the Conservation Transfer Area (CTA) area. There were two waiver requests. The Regional Trail on the south side was 30 feet wide and because Dorrell Lane was considered a public street, the North Las Vegas Code states there must be 20 feet of landscaping on either side of a public street. If there was 20 feet of landscaping in addition to the 30 feet on the south side of Dorrell Lane, there would be a large amount of landscaping on that side; so, they were proposing to reduce the landscaping from 20 feet to 10 feet, so there would still be 40 feet of landscaping but part of it would be a hard scape because it had to fit in with the trail. On the north side of Dorrell Lane, they were asking for the same waiver to reduce the landscaping from 20 feet to 10 feet with the idea that they believed, since they provided all of the landscaping on the

south side, the 10 feet was sufficient on the north side. The other waiver request was for the perimeter landscaping. There are two areas located behind Home Depot, one was an area 24 feet long and the other was an area 140 feet long and due to operational issues, they were requesting to reduce the perimeter landscaping to 10 feet and were proposing to double the amount of trees in those two areas so there would still be a net effect of a perimeter landscape buffer. Ms. Lazovich also stated the applicant wanted a traffic light at the intersection of North 5<sup>th</sup> Street and Dorrell Lane. They had talked to Public Works about the issue but were not in agreement. She felt the light was important because Dorrell went all the way through and continued east into the Olympia Master Planned project and also continued west and was a viable street. Olympia applied for an Amendment to the Master Plan of Streets and Highways which removed Donna Street from the plan, so it no longer existed north of Deer Springs Way. Dorrell Lane could also act as a secondary frontage road to the Beltway. Ms. Lazovich stated she had provided Staff with a copy of the conditions with requested amendments, which relate to the verbatim conditions contained in the Staff Report, with amendments shown in red. She explained the amendments dealt with the traffic light at Dorrell Lane and North 5<sup>th</sup> Street and the location of the Home Depot. Ms. Lazovich explained on Condition No. 5 she deleted the language that referred to redesigning the site because the condition would have allowed Staff to require them to redesign the site the way they wanted it to be, which they are not able to do. She deleted the language that referred to that but acknowledged they were not asking for any special use permits at this time, but realized if they do request a special use permit, there would be a public hearing. She asked for Condition No. 10 to be deleted, which related to directing the applicant to move Home Depot north of Dorrell Lane, and Condition No. 11 to be deleted, which dealt with the location of the transit stop, as their last conversation with Public Works Department was that they were contemplating having the transit stop located in the median because there was no space on that site plan that had been approved south of Deer Springs Way. In the new Condition No. 10, which stated no parking or drive isles were allowed between any building and Deer Springs, was because Staff wanted to be sure there was as many buildings as possible adjacent to the streets to support the Transit Oriented Development design. They allow for an exception on the proposed pharmacy. They also asked for an exception in the area located behind Retail 3, which was where the truck turnaround would be for the retailers. In the New Condition No. 11, which dealt with the final cross section of Dorrell Lane with the trail, they agreed with the fact that they needed to meet with the Planning and Zoning Department, Public Works Department, and Parks and Recreation Department to determine how that would look. On the new Condition No. 14, the condition summarized some of the elevation consistency Staff wanted to see throughout the center. They were agreeing to provide those items, but were not sure if it was appropriate on every building, but on buildings within the list of items, they would include those design guidelines. The comment about fabric or metal was added for the awnings. Staff was asking for fabric awnings, but with the wind and sun in the area, sometimes they did not hold up, so they were asking for the option of metal awnings. Condition No. 16 would allow the requested waivers. She asked that the old Condition No. 19 be deleted as they were going to comply with the Commercial

Guidelines, which require a minimum of eight feet of hard scape rather than providing wheel stops. The New Condition No. 25 would specifically allow the applicant to install the traffic light at Dorrell Lane and North 5<sup>th</sup> Street. The new Condition No. 35 was removing Donna Street, as it no longer existed. The final change was on the new Condition No. 38, which would allow a traffic signal at Dorrell Lane and North 5<sup>th</sup> Street but any other traffic signals would require a traffic study.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown closed the Public Hearing.

Commissioner Jay Aston stated he understood the developer wanting to have the box stores on the site and with Dorrell Lane going through the site and the constraints of the drainage easement, he did not have a problem with the easterly portion of the site and he liked what was started with the retail area on Deer Springs Way. It was a start on what was wanted for the North 5<sup>th</sup> Street corridor but there were some holes along North 5<sup>th</sup> Street. He stated the retail area did appear to have the feeling of a walkable community and suggested the southwest portion of the site be redesigned to give the feel of a walkable community. Commissioner Aston felt it was necessary to have a traffic signal at Deer Springs Way and North 5<sup>th</sup> Street and asked when the application was submitted. Ms. Lazovich responded the AMP and the zone change had been in the system for approximately six months, but this was the first time the site plan had been reviewed by the Planning Commission. The original site plan contemplated a PUD because they were attempting mixed use. When they met with Staff, they were not aware that south of Deer Springs, a 35 acre traditional commercial site was approved, with no mixed use and was more vehicular dependent. They were going to put in some residential, but the market took a turn and the residential developer got nervous and backed out. The commercial developer laid out something he felt would work and understanding what was approved south of Deer Springs and understanding that it was North 5<sup>th</sup> Street, Deer Springs, and the Beltway, she felt it lent itself to a vehicular commercial center, just by the nature of where it was located and by certain things that had happened in the past.

Commissioner Jo Cato asked why the request for the traffic light was not supported. Eric Hawkins of Public Works stated from a traffic standpoint, that the location of a traffic signal should not be decided at the Planning Commission, but should be decided based on safety and engineering judgement, and not based on the developer's convenience. He explained North 5<sup>th</sup> Street was supposed to be a limited access corridor where there were fewer traffic signals on the corridor.

Jory Stewart, Planning & Zoning Director added there were stipulations of how close a traffic signal could be to a beltway interchange and asked if Dorrell Lane would be too close to the 215 Beltway. Mr. Hawkins responded it could be too close; they typically liked the

signals to be approximately one half mile, especially from a beltway as it could create congestion on North 5<sup>th</sup> Street.

Commissioner Dean Leavitt asked Staff if North 5<sup>th</sup> Street was going to be a limited access, as it was futile to have Dorrell Lane be a dedicated street, if they were not going to allow traffic safe access across North 5<sup>th</sup> Street. Mr. Hawkins responded all access on North 5<sup>th</sup> Street was supposed to be right-in right-out; there should not be any left turns or thru movements. Commissioner Leavitt asked what the driving force was to have the developer provide Dorrell Lane, as the site was redesigned to facilitate that request.

Commissioner Dilip Trivedi stated the proposed amendments to the conditions presented by the applicant were too much to digest when presented at the meeting and asked Staff what they felt about the proposed amendments. Mr. Hoyes responded when looking at the proposed amendment to Condition No. 5, Staff could provide some additional language to achieve the applicant's objective for clarity and also achieve Staff's objective to not obligate the City to specific uses for special uses. Staff had not had an opportunity to review the proposed amendments and typically when applications were reviewed, they were discussed by the entire Staff, so there was more input than just from one planner. Commissioner Trivedi stated he was not convinced the proposed site plan was ideal for the location and was not convinced Home Depot was ideally located. He also did not want to see the truck turnaround on Deer Springs Way where they were trying to have a pedestrian friendly environment and did not want the loading docks to be visible from the park. He suggested the application be continued.

Commissioner Jo Cato asked the applicant which location the City was suggesting Home Depot be moved to. Ms. Lazovich responded there were two options referenced in the Staff Report. The first option was too close to the drainage channel and the second area suggested did not work because there would not be enough parking. Commissioner Cato asked who the tenant was for the other box store. Ms. Lazovich stated it was not confirmed. Commissioner Cato asked if it was auto dependent. Ms. Lazovich responded it was. She stated the reason for that was that certain tenants pull in the volume of customers, which then drives more retail leasing because there are certain retailers that like to go next to Home Depot and other large retailers drive certain tenants; so, from a strategic standpoint from the experts, they understand there is a method to why they are doing that. Because the public street is going through the site, it was essentially two different projects. They were trying to anchor each side of the site with a tenant that would draw the smaller retail. She explained they tried to get on the same page with Staff but were not able to and are not able to redesign the site as suggested by Staff.

Ms. Stewart stated it was her understanding that Dorrell Lane was not a configuration that was required other than what was shown on the Master Plan of Streets and Highways. The Master Plan of Streets and Highways reserves a right-of-way until it was reconfigured. If there was a request for a vacation and a traffic study was showing that the traffic could be

routed adequately in another direction to another place, for example, if Dorrell Lane just curved and connected to the first entrance, Deer Springs east of North 5<sup>th</sup> Street between the buildings that were on the very south side of the site plan. There was a light at that intersection and it also could route to the northern area also. The point was, that it was very difficult to make the decision at the Planning Commission Meeting. There must first be a proposal and then the traffic engineers could review it; but, there had never been a proposal to vacate Dorrell Lane and she agreed it was complicated now because of the vacation of Donna Street to the east but it was not impossible to have that right-of-way go south rather than west, to connect to Dorrell going west. It would have to be evaluated and must be requested by the applicant. Those types of details could be considered on the site plan, but, trying to decide it at this meeting was very difficult. The proposed amended conditions were received late this afternoon and Staff had not had time to review them with the other City departments to evaluate changes that were significant and be able to report the findings to the Planning Commission. Also, it was a disservice to the Planning Commission to be bypassed in a chance to review the application and to be able to express their feelings regarding the plan. If the application just went forward from here, input from the Commission would not be considered at the Council level. Staff appreciates the Commission's observations and would like to have them included in the Site Plan Review as the application goes forward.

Ms. Lazovich explained throughout the valley there were streets that had been cut off half-way through. You get to a point when you think, what were they thinking when they did that. You have an opportunity to continue Dorrell Lane all the way through from Clayton Avenue. She explained the intent was not to be disrespectful to Staff or the Planning Commission in suggesting alternative conditions but she did not want to have the fact that the conditions were given to Staff before the meeting used against her in this hearing. She did not want to bring up the requested amendments to the conditions without anybody seeing what they looked like and understood Staff might not have had a chance to review them, but they were on points that could not be agreed on. The amendment related to the location of Home Depot and the traffic light at Dorrell Lane. She was not sure if she would continue the application, or that it would change from the way it was and that was the reason she tried to give the conditions, so they could be potentially considered. Commissioner Aston raised a point about things along North 5<sup>th</sup> Street and she could make the representation that if for some reason the application goes to City Council from this point, they would consider it, but could not say whether they would make that change.

Vice-Chairman Steve Brown asked if the Home Depot Representative was present. Ms. Lazovich responded he was.

Marc Jordan, Planning Manager stated the City Traffic Engineer, Carlton Urban was here and would like to speak about some of the issues.

Carlton Urban, Transportation Services Administrator or City Traffic Engineer for the City of North Las Vegas stated he was concerned about Commissioner Leavitt's comment regarding the road design of Dorrell Lane. He did not think Staff directed the applicant how to design that roadway. The concept for the North 5<sup>th</sup> Corridor was an eight lane facility, three travel lanes in either direction and a bus lane, making up the fourth lane. The concept shows a median all the way to Deer Springs, which is the first stopping point. The North 5<sup>th</sup> Corridor is a planned super arterial to carry north/south traffic with volume. By including stopping points such as Dorrell along the corridor could really be disadvantageous to the Olympia Development, etc. carrying traffic north/south through the City of North Las Vegas.

Vice-Chairman Brown stated he understood North 5<sup>th</sup> Street was a corridor up to Deer Springs Way, at which time the corridor turned east, which meant north of Deer Springs they were no longer on the North 5<sup>th</sup> Corridor; therefore, a stop light would not interfere with the North 5<sup>th</sup> Corridor at that point. He was not sure where the City was standing on that and asked why a traffic light could not go in and another issue he had was regardless of whether, as retailer going in there or not, even if it was housing, you brought Dorrell Lane into North 5<sup>th</sup> Street, it would not be easy to cross. The realignment was made at the request of somebody, either Staff or City Council, to bring it down where they did and it was being connected to go to the other side and he felt it needed a light and asked how the applicant would get a traffic light if it was not given with this application. Mr. Urban responded the access at Deer Springs would be a right-in right-out movement, which would prohibit crossing four lanes of traffic and making a left turn out of their facility. He had been in several North 5<sup>th</sup> Street meetings, to carry traffic in the City as the city grows at a rapid pace, to carry future developments north of 215 was going to be very critical and that was why the limited stopping points had been planned in several North 5<sup>th</sup> Street concepts. Vice-Chairman Brown stated he agreed with that for everything south of Deer Springs. Mr. Urban stated there would be a traffic light at the Beltway. Vice-Chairman Brown asked if someone were living just north of Dorrell Lane and wanted to get on the Beltway, how they would do it and stated they would have to turn right, cross four lanes of traffic and then make a u-turn to go back to the Beltway because the City did not want a traffic light.

Director Stewart explained Mr. Urban was the traffic engineer and should be given the time to evaluate the development in the context of what was coming down the North 5<sup>th</sup> Street Corridor from the north, which was potentially a population of 50 thousand, associated with the Olympia development and the main corridor for the Olympia development from that east parcel of Olympia was North 5<sup>th</sup> Street, because they do not have the Clayton Overpass, unless the City builds it. Vice-Chairman Brown wanted it on record that he would like to make sure this developer has an option somewhere along the line to discuss with the City of North Las Vegas putting a light at Dorrell Lane and North 5<sup>th</sup> Street. Director Stewart was not suggesting they would not have that option, it just needed to be associated with a traffic study and it needed to be evaluated by traffic engineers.

Nick Vaskov, Deputy City Attorney explained Staff's condition as proposed does not prevent a traffic light going in where the applicant requested, it says they do not want to guarantee it at this time. They want to see the traffic study, they want the Commission to support the notion that a traffic light needs to be there and maybe that might be very easy for them; but, they do not know at this point. Vice-Chairman Brown asked if the applicant has a traffic study that supports the light, if it meant it would be given to them. Deputy City Attorney Vaskov responded the City Traffic Engineer would certainly be bound by generally accepted engineering practices when making his decision; so, to the extent that any decision he made would be unreasonable, that would be a problem for the City, so they have to support it engineering wise and if they can do that, he thought the Traffic Engineering Department would be okay with that, but the applicant needed to make the showing.

**Jeff Hardman, Real Estate Manager for Home Depot, 3800 West Chapman, Orange, CA 92532** appeared on behalf of Home Depot. Vice-Chairman Brown asked why Home Depot usually has a light by their stores. Mr. Hardman stated the majority of the time it was because the location provides for it, a major intersection, an in-line major section line. They choose to be at those locations for purposes of making sure customers can easily get in and out. Vice-Chairman Brown asked the applicant if it would adversely affect them if there was no a light at Dorrell Lane. Mr. Hardman responded without looking at a traffic study to see the facts, he would say, based on his experience, they would ask customers to do some pretty unusual things they would not normally do.

Commissioner Dilip Trivedi asked the applicant if they would be willing to continue the application and if so, for how long. Ms. Lazovich stated she was not in a position to continue the application. Commissioner Trivedi asked if she was asking for a yes or no vote. Ms. Lazovich responded that was correct. Commissioner Trivedi stated he would like to see the application held to allow the applicant to work with Staff to relocate Home Depot if possible.

**ACTION: CONTINUED TO DECEMBER 13, 2006**

**MOTION: Commissioner Trivedi**

**SECOND: Commissioner Aston**

**AYES: Commissioners Aston and Trivedi**

**NAYS: Vice-Chairman Brown, Commissioners Leavitt, Shull, and Cato**

**ABSTAIN: None**

The motion failed.

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

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

The motion failed.

ACTION: DENIED

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

6. **VAC-21-06 (27630) ROME AND PALMER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY COLONIAL PROPERTIES TRUST ON BEHALF OF CELEBRATE PROPERTIES LLC, PROPERTY OWNER, TO VACATE DENNIS WOLFE STREET COMMENCING AT QUANTAS STREET AND PROCEEDING EAST APPROXIMATELY 340 FEET; ADDITIONALLY, VACATE QUANTAS STREET COMMENCING AT DENNIS WOLFE STREET AND PROCEEDING NORTH APPROXIMATELY 640 FEET ENDING AT ROME BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 124-24-801-002, 124-24-801-003, 124-24-801-004, AND 124-24-801-005.**

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

Commissioner Shull left Chambers at 7:08 p.m.

The application was presented by Marc Jordan, Planning Manager who stated the property on both sides of the street was currently zoned R-3 Multi-Family. The applicant has filed a site plan review that would be on the November 21, 2006 Planning Commission Agenda. The vacation would facilitate that development and Staff had no objection and was recommending approval of VAC-21-06 with the following condition:

1. The vacation must record concurrently with the merger and resubdivision parcel map. Should the Order of Vacation not record within two years from the approval date, the vacation shall be deemed null and void.

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

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: Commissioner Shull

**Item No. 8 was heard next.**

7. **UN-112-06 (27611) SO. NV WOMEN'S CORRECTIONAL CENTER (PUBLIC HEARING). AN APPLICATION SUBMITTED BY KGA ARCHITECTURE IN CARE OF DARCEY WENZEL ON BEHALF OF THE STATE OF NEVADA DIVISION OF LANDS, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW AN EXPANSION OF THE SOUTHERN NEVADA WOMEN'S CORRECTIONAL CENTER. THE PROPERTY IS LOCATED AT 4370 SMILEY ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-32-201-001.**

It was requested by the applicant to continue UN-112-06 to December 13, 2006.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO DECEMBER 13, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Shull

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

NAYS: None

ABSTAIN: None

**Item No. 11 2 was heard next.**

8. **FDP-14-06 (27631) TWILIGHT AT NORTH RANCH. AN APPLICATION SUBMITTED BY D.R. HORTON, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 95 SINGLE FAMILY DWELLINGS. THE PROPERTY IS GENERALLY LOCATED SOUTHEAST OF GOLDFIELD STREET AND DORRELL LANE. THE ASSESSOR'S PARCEL NUMBER IS 124-22-601-006.**

Commissioner Harry Shull returned to chambers at 7:12 p.m.

The application was presented by Marc Jordan, Planning Manager who stated the applicant was approved for 95 single family homes on the property and would all have a minimum lot size of 4500 square feet. The final development plan indicated there were four two story models proposed for the development and each model would have four elevations. Landscaping plans had been submitted that were in compliance with ordinance requirements. The proposed final development plan was consistent with the approval of the PUD and tentative map. Staff was recommending approval of FDP-14-06 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.
2. That the final development plan shall comply with all conditions of approval of ZN-44-05 and T-1184.
3. The development shall comply with the Single-Family Design Guidelines.
4. The installation of fire sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.

**Allen Whittington of Slater Hanifan, 5740 South Arville Street #216, Las Vegas, NV 89118** appeared on behalf of the applicant stating he concurred with Staff recommendation.

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

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Shull**

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

**NAYS: None**

**ABSTAIN: None**

**9. FDP-15-06 (27632) NORTH RANCH COURT AND NORTH RANCH SQUARE. AN APPLICATION SUBMITTED BY D.R. HORTON, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF 312 TRIPLEX UNITS AND 122 DUPLEX UNITS. THE PROPERTY IS GENERALLY LOCATED NORTHEAST OF GOLDFIELD STREET AND DORRELL LANE. THE ASSESSOR'S PARCEL NUMBER IS 124-22-501-013.**

The application was presented by Marc Jordan, Planning Manager who stated the development consisted of 122 duplex unit and 312 triplex units. The applicant indicated there were two models for the multi-family, which was called The Court and they would have two elevations available for each and there were three two family models with two elevations for the area that was called The Square. The application was consistent with the approval of the tentative map and the PUD. Staff was recommending approval of FDP-15-06 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 the perimeter landscaping area along North 5<sup>th</sup> Street.
2. That the final development plan shall comply with all conditions of approval of ZN-43-05 and T-1183.
3. The item must comply with the latest North 5<sup>th</sup> Street cross sections.
4. Per the 2002 NEC Code, Article 110, Table 110.26(A)(1), the minimum clear distance in front of the electrical panel box shall be three (3) feet.
5. The applicant must provide verification of lot drainage per City of North Las Vegas, standard FHA type A drainage system.
6. Per the 2000 UMC, Section 305.0, the minimum accessibility working space shall not be less than 30 inches.
7. The installation of fire sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.

**Allen Whittington of Slater Hanifan, 5740 South Arville Street #216, Las Vegas, NV 89118** appeared on behalf of the applicant stating he met with Staff regarding the drainage on the product in The Square. The product was a patio home and they submitted a

drainage study per staff recommendation and received approval from Staff and asked for Condition No. 5 to be deleted as they had met the standard for drainage on the product.

Jennifer Doody of Public Works stated all of the sites were being drained to the front, so it was Type A, it was just not the standard Type A, so they had already complied with the condition so it did not need to be deleted.

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

**MOTION:** Commissioner Leavitt

**SECOND:** Commissioner Aston

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

**NAYS:** None

**ABSTAIN:** None

**10. SPR-42-06 (27621) OPERATING ENGINEERS BLD. R1, R2 & S3. AN APPLICATION SUBMITTED BY HOGLE-IRELAND INC. ON BEHALF OF OPERATING ENGINEERS TRUST FUNDS, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN M-2 GENERAL INDUSTRIAL DISTRICT FOR APPROVAL OF THREE (3) OFFICE/WAREHOUSE BUILDINGS. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-36-711-001.**

The application was presented by Robert Eastman, Principal Planner who stated the application was consistent with the development standards and Staff was recommending approval of SPR-42-06 subject to the 13 conditions listed in the revised memorandum dated November 8, 2006 as follows:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The development shall be in compliance with the Industrial Development Standards including, but not limited to:
  - a. Providing the required parking lot landscaping; and
  - b. Providing a decorative wall or landscaped berm, with a minimum height of 3'6" above the finished grade at the rear of the setback area.
3. The applicant shall meet all parking requirements.
4. Approval of a drainage study is required prior to submittal 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. The property owner is required to sign a restrictive covenant for utilities.
7. 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.
8. Approval of a traffic study is required prior to submittal of the civil improvement plans.

9. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Washburn Road and Pecos Road.
10. 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.
11. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
12. The public street geometrics, width of over-pave and minimum acceptable thickness of the pavement sections will be determined by the Department of Public Works.
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 boundaries.

**Deirdre McCollister of Hogle-Ireland, Inc., 4280 Latham Street, Suite C, Riverside, CA 92501** appeared on behalf of the applicant stating she concurred with Staff recommendation.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

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

11. **T-1280 (27582) REBEL OIL @ LAKE MEAD. AN APPLICATION SUBMITTED BY REBEL OIL COMPANY INC., PROPERTY OWNER, FOR A TENTATIVE MAP REVIEW IN AN RA/CR REDEVELOPMENT AREA/COMMERCIAL RETAIL SUBDISTRICT FOR ONE (1) COMMERCIAL LOT. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHWEST CORNER OF LAKE MEAD BOULEVARD AND PECOS ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 139 24-610-263, 139 24-610-264, 139 24-610-265, 139 24-610-266, 139 24-610-267, 139 24-610-268, AND 139 24-610-269.**

ACTION: WITHDRAWN

12. **FDP-13-06 (27636) ANN 5<sup>TH</sup> MARKETPLACE. AN APPLICATION SUBMITTED BY DOLORES CORDERO ON BEHALF OF ANN 5<sup>TH</sup> MARKET PLACE LLC, PROPERTY OWNER, FOR A FINAL DEVELOPMENT PLAN REVIEW IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A TWO (2) BUILDING COMMERCIAL DEVELOPMENT. THE PROPERTY IS GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND NORTH 5<sup>TH</sup> STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-34-502-007.**

It was requested by the applicant to continue FDP-13-06 to January 10, 2007.

ACTION: CONTINUED TO JANUARY 10, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**OLD BUSINESS**

13. **UN-44-06 (25818) ALEXANDER & MLK (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GHASSAN SHAMOUN, ON BEHALF OF ZUHAIR ZORA AND GHASSAN SHAMOUN, PROPERTY OWNERS, FOR A USE PERMIT IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED C-1 NEIGHBORHOOD COMMERCIAL DISTRICT) TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT 4009 NORTH MARTIN LUTHER KING BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-04-410-011. (CONTINUED JUNE 14, 2006)**

It was requested by the applicant to continue UN-44-06 to February 28, 2007.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO FEBRUARY 28, 2007

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

14. **UN-106-06 (27381) ARCO AM/PM (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BP WEST COAST PRODUCTS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT 2000 EAST CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-805-001. (CONTINUED OCTOBER 11, 2006)**

It was requested by the applicant to continue UN-106-06 to December 13, 2006.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO DECEMBER 13, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

**Item No. 17 was heard next.**

15. **AMP-41-06 (27316) AZURE AND LINN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MARK LEFKOWITZ ON BEHALF OF LINN AZURE, LLC, NORTH LYNN, LLC, I-15 EXPOSURE, LLC, AND GRAVITY FIGHTERS, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO REMOVE AZURE AVENUE BETWEEN LINN LANE AND BONNIE LANE; AND TO REMOVE LINN LANE COMMENCING 410 FEET NORTH OF REISS LANE AND PROCEEDING NORTH TO AZURE AVENUE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-601-005, 123-28-601-003, 123-28-601-006, AND 123-28-601-010. (CONTINUED OCTOBER 11, 2006)**

The application was presented by Robert Eastman, Principal Planner who stated Staff was not in support of the Amendment to the Master Plan of Streets and Highways as they felt development in that area was just occurring and abandoning or vacating the street at this time was premature until development was further along. Additionally, the right-of-way was needed for drainage and utilities for that region of the City; therefore, Staff was recommending that AMP-41-06 be denied.

**Chris Kroft of DRC Engineering, 7180 Dean Martin Drive #800, Las Vegas, NV 89118** appeared on behalf of the applicant stating they felt they had a good reason to vacate that portion of right-of-way. Basically, I-15 cut it off from the north, so the road did not go anywhere and the property owner to the west would like to get 30 feet of his property back and put in a cul-de-sac bulb. The other adjoining property owner would like to subdivide his property and the area would be merged into one parcel, so it would make for a more developable property.

Commissioner Jay Aston asked if there was a written request from the property owners showing they agreed with the request to amend the Master Plan of Streets and Highways. Mr. Kroft stated the neighborhood meeting was held and there was no participation from the adjoining property owners who were noticed. He indicated the applicant controlled the interest in 16 of the 44 properties that were noticed in the area. Commissioner Aston asked if the large triangular parcel would still have access on Bonnie Lane. Mr. Kroft responded it would have access on Azure Avenue and the Azure alignment would carry through in front of the Sysco Building. A knuckle was being proposed at Azure Avenue and Bonnie Lane to turn the traffic to the south. Commissioner Aston confirmed no property would be landlocked by the proposal. Mr. Kroft indicated that was correct and that was the purpose for the cul-de-sac bulb on the end. Commissioner Aston asked Staff if all of the surrounding property owners agreed with the amendment, if Staff's position would still be denial. Jennifer Doody of Public Works responded the recommendation would still be denial as the corridors were needed for utility lines and there was a water line proposed to be running down Azure Lane and in addition, eliminating Linn Lane at the requested

location and putting in a cul-de-sac exceeded the requirements for cul-de-sac length. The cul-de-sac length was greater than 500 feet, approximately 650 feet long.

Mr. Kroft stated the alignment of Reiss Lane and Linn Lane was 330 feet and the cul-de-sac would not exceed the 500 foot limitation. The water line issue, would come down Azure Lane, down Bonnie Lane and then across and make the connections.

Commissioner Aston stated he agreed with Staff recommendation, unless there was a cause to believe a continuance would not allow him to meet with Staff to work something out and whether or not that would include any kind of letter from the adjoining property owner of the triangular parcel. He asked Ms. Doody if the application were continued, if there was a possibility of coming to an agreement with the applicant on the vacation. Ms. Doody responded there was a possibility and she also knew there were a couple of applications in for Reiss Lane to be vacated. She explained the Master Plan of Streets and Highways was put together to provide circulation for traffic in the area and also provided corridors for utilities and drainage.

Mr. Kroft agreed to continue the application.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown stated the Public Hearing would remain open.

**ACTION:** CONTINUED TO NOVEMBER 21, 2006

**MOTION:** Commissioner Aston

**SECOND:** Commissioner Leavitt

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

**NAYS:** None

**ABSTAIN:** None

16. **VAC-14-06 (26515) AZURE/LINN (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MARK LEFKOWITZ, ON BEHALF OF LINN AZURE, LLC, I-15 EXPOSURE LLC, GRAVITY FIGHTERS, LLC, AND NORTH LYNN, LLC, PROPERTY OWNERS, TO VACATE THE SOUTHERLY PORTION OF AZURE AVENUE BETWEEN LINN LANE AND BONNIE LANE; TO VACATE LINN LANE COMMENCING 1,352 FEET NORTH OF TROPICAL PARKWAY AND PROCEEDING NORTH APPROXIMATELY 275 FEET; AND TO VACATE THE WESTERLY PORTION OF LINN LANE COMMENCING AT AZURE AVENUE AND PROCEEDING NORTH APPROXIMATELY 100 FEET. THE ASSESSOR'S PARCEL NUMBERS ARE 123-28-501-010, 123-28-601-003, 123-28-601-005 AND 123-28-601-006. (CONTINUED JULY 26, SEPTEMBER 13, AND OCTOBER 11, 2006)**

It was requested by the applicant to continue VAC-14-06 to November 21, 2006.

Vice-Chairman Steve Brown opened the Public Hearing. There was no public participation.

Vice-Chairman Brown stated the Public Hearing would remain open.

ACTION: CONTINUED TO NOVEMBER 21, 2006

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

**Item No. 18 was heard next.**

17. **T-1276 (27063) MONTE VERDE. AN APPLICATION SUBMITTED BY CENTENNIAL LAMB, LLC, PROPERTY OWNER, FOR A TENTATIVE MAP IN AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT CONSISTING OF 536 MULTI-FAMILY UNITS. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND NOVAK STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 123-29-501-001, 123-29-101-008, 123-29-101-011, 123-29-101-011, 123-29-101-012, 123-290101-013. (CONTINUED SEPTEMBER 13 AND OCTOBER 11, 2006)**

It was requested by the applicant to continue T-1276 to November 21, 2006.

ACTION: CONTINUED TO NOVEMBER 21, 2006

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

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

18. **T-1279 (27495) ANN & MT HOOD INDUSTRIAL. AN APPLICATION SUBMITTED BY BECKER REALTY ON BEHALF OF ANN MT. HOOD LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN O-L OPEN LAND DISTRICT TO ALLOW A ONE (1) LOT INDUSTRIAL PARK. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF MT. HOOD AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-001. (CONTINUED OCTOBER 25, 2006)**

The application was presented by Bob Hoyes, Planner who stated Staff was recommending approval of T-1279 subject to 24 conditions listed in the Staff Report with Condition No. 24 amended to read: "The Sanitary Sewer for the subject project shall tie into the existing 21" sanitary sewer main approximately located in the intersection of Washburn Road and Donovan Way unless otherwise approved by the Director of the Utilities Department." The original 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.
2. That the tentative map is null and void if ZN-52-06 is not approved;
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. The drainage facility, constructed with the Centennial/Mt. Hood project, shall be extended through this site.
6. The Utility Services shown on the Tentative Map are incorrect. Future submittals must show the correct service provider.
7. Right-of-way dedication for a CAT bus turn-out is required on Mt. Hood Street near Ann Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
8. The property owner is required to grant a roadway easement for commercial driveway(s).

9. The property owner is required to sign a restrictive covenant for utilities.
10. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
11. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
12. All off-site improvements must be completed prior to final inspection of the first building.
13. 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. El Campo Grande Avenue
  - b. Mt. Hood Street
  - c. Ann Road
14. The street sections shown are inaccurate. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
15. The ROW for El Campo Grande Ave is incorrect. The correct ROW should be 80'.
16. The ROW for Ann Road is incorrect. The correct ROW should be 80'.
17. The applicant must submit an application to vacate 10' from Ann Road.
18. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
19. 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.
20. Approval of a traffic study is required prior to submittal of the civil improvement plans.
21. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road, El Campo Grande Ave, and Mt. Hood St.

22. 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 will require modifications to the site.
23. Must comply with all conditions submitted by the Southern Nevada Health District including but not limited to:
  - a. Written verification from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the **Tentative Map** or plan has been approved with regard to water pollution and sewage disposal in accordance with the Nevada Water Pollution Control Law.
  - b. The Fire Protection Water lines will adhere to the UDACS separation requirements of subsections 2.20.01, 2.19, and 2.04 as nonpotable water lines (i.e. 6' minimum horizontal separation and 6" minimum vertical separation from potable water lines).
  - c.. Separation of the Fire Water lines from the storm and sanitary lines (i.e. 5' - 6' minimum horizontal separation) should be maintained in order to protect the offsite potable water after the backflow prevention device.
  - d. A letter from the appropriate sewer agency stating that service from the existing system of community sewerage will be extended to the subdivision and the community facility for treatment will not be caused to exceed its capacity and the discharge permit requirements by this added service or that the facility will be expanded to provide for the added service.
  - e. A letter from the appropriate water utility stating that it will supply water for domestic and fire protection purposes, that the system has the necessary facilities to treat water to meet the standards of the Water Supply Regulations Part 1, and that the capacity is available to meet the demands upon the system.
  - f. Written verification from the Division of Environmental Protection of the State Department of Conservation and Natural Resources that the **Final Map** or plan has been approved with regard to water pollution and sewage disposal in accordance with the Nevada Water Pollution Control Law.
24. The sanitary sewer for the subject project shall tie into the existing 21" sanitary sewer main approximately located in the intersection of Washburn Road and Donovan Way.

**Lazell Preator, Baughman & Turner Engineering, 1210 Hinson Street, Las Vegas, NV 89102** appeared on behalf of the applicant stating he concurred with Staff recommendation. He noted Becker Realty was no longer the applicant, but the applicant was one of the members of the Becker Realty Company and they were in the process of getting that corrected before it went to City Council.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH  
CONDITION NO. 24 AMENDED TO READ:

24. THE SANITARY SEWER FOR THE SUBJECT PROJECT SHALL TIE INTO THE EXISTING 21" SANITARY SEWER MAIN APPROXIMATELY LOCATED IN THE INTERSECTION OF WASHBURN ROAD AND DONOVAN WAY UNLESS OTHERWISE APPROVED BY THE DIRECTOR OF THE UTILITIES DEPARTMENT.

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

19. **T-1278 (27488) ENGLESTAD INDUSTRIAL. AN APPLICATION SUBMITTED BY BBANDJ, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2 GENERAL INDUSTRIAL DISTRICT FOR AN INDUSTRIAL PARK. THE PROPERTY IS LOCATED APPROXIMATELY 200 FEET SOUTHEAST OF THE CORNER OF COLTON AVENUE AND ENGLESTAD STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 139-10-410-003, 139-10-410-004, 139-10-410-0019, 139-10-410-020, AND 139-10-410-021. (CONTINUED OCTOBER 25, 2006)**

ACTION: WITHDRAWN

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

**PUBLIC FORUM**

There was no public participation.

**DIRECTOR'S BUSINESS**

There was no report given.

**CHAIRMAN'S BUSINESS**

There was no report given.

**ADJOURNMENT**

The meeting adjourned at 7:30 p.m.

APPROVED: December 13, 2006

/s/ Angelo Carvalho  
Angelo Carvalho, Chairman

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