

Agenda

City of Las Vegas

PLANNING COMMISSION MEETING

September 9, 1999

Council Chambers

Phone 229-6301

400 Stewart Avenue

TDD 386-9108

<http://www.ci.las-vegas.nv.us>

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COMMISSIONERS

MICHAEL BUCKLEY, CHAIRMAN

CRAIG GALATI, VICE CHAIRMAN

HANK GORDON

MICHAEL MACK

MARILYN MORAN

STEPHEN QUINN

LENI SKAAR

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE

COMMISSIONERS BRIEFING:

5:15 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

It is the intent of the Planning Commission to be briefed by staff and that all items on the agenda shall be available for open discussion during the briefing session. Applicants and other interested parties may be asked for information or presentations by the Planning Commission. Applicants may not participate in the discussion unless at the specific request of the Commission. All interested parties are invited to attend.

CALL TO ORDER:

6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ROLL CALL:

ANNOUNCEMENT:

Satisfaction of Open Meeting Law Requirements

NOTICE:

This meeting has been properly noticed and posted at the following locations:

Clark County Government Center, 500 South Grand Central Parkway
Senior Citizen Center, 450 East Bonanza Road
Clark County Courthouse, 200 East Carson Avenue
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

MINUTES:

Approval of the minutes of the August 12, 1999 Planning Commission Meeting

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

08/27/99 8:49 AM

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A. CONSENT ITEMS:

CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

- A-1. TM-39-99 - TRAILS VILLAGE CENTER SOUTH (A COMMERCIAL SUBDIVISION) - HOWARD HUGHES PROPERTIES, INC. - Request for a Tentative Map on property located on the southwest corner of Village Center Circle and Trailwood Drive, P-C (Planned Community) Zone, Size: 14.43 Acres, No. of Lots: 1, Ward 2 (L.B. McDonald).
- A-2. TM-40-99 - THE ARBORS AT SUMMERLIN VILLAGE 11/12 UNIT 2C, LOT 7 (A COMMERCIAL SUBDIVISION) - HOWARD HUGHES PROPERTIES, INC. - Request for a Tentative Map on property located on the northwest corner of Charleston Boulevard and Pavilion Center Drive, P-C (Planned Community) Zone, Size: 63.98 Acres, No. of Lots: 1, Ward 2 (L.B. McDonald).
- A-3. FM-130-97(1) - AMENDED PLAT OF A PORTION OF SALTCREEK - JOHN LANG HOMES - Request for an Amended Final Map on property located on the southwest corner of Farm Road and Tenaya Way, U (Undeveloped) Zone [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units per Acre), Size: 39.00 Acres, No. of Lots (Amended): 42, Ward 4 (Brown).
- A-4. TM-37-98(1) - INSIGHT AIRCENTER RANCHO (A COMMERCIAL SUBDIVISION) - RANCHO CHEYENNE PROFESSIONAL PLAZA - Request for a one year Extension of Time on an approved Tentative Map on property located on the west side of Rancho Drive, approximately 600 feet south of Cheyenne Avenue, R-E (Residence Estates) and C-2 (General Commercial) Zones under Resolution of Intent to O (Office) and C-M (Commercial/Industrial), Size: 30.22 Acres, No of Lots: 2, Ward 4 (Brown).
- A-5. TM-43-98(1) - MOUNTAIN SPA - MOUNTAIN SPA RESIDENTIAL DEVELOPMENT, LIMITED LIABILITY COMPANY AND MOUNTAIN SPA RESORT DEVELOPMENT, LIMITED LIABILITY COMPANY - Request for a one year Extension of Time on an approved Tentative Map on property located on the northwest corner of Rainbow Boulevard and Grand Teton Drive, C-1 (Limited Commercial) and R-PD3 (Residential Planned Development - 3 Units Per Acre) Zones, Size: 631.5 Acres, No. of Lots: 19, Ward 4 (Brown).
- A-6. A-40-99(A) - FLETCHER, NELSON AND NUNN - Petition to annex property generally located on the northwest corner of Campbell Road and Gilmore Avenue, containing approximately 5 acres of land, Ward 4 (Brown), APN's: 138-08-101-020 and 021.
- A-7. A-41-99(A) - GARY A. BOBBS - Petition to annex property generally located on the north side of Alexander Road between Marla Street and Puli Road, containing approximately 5 acres of land, Ward 4 (Brown), APN: 137-01-401-010.

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B. NON PUBLIC HEARING ITEMS:

- B-1. DB-6-99 - Presentation and discussion of the City of Las Vegas Master Plan (General Plan) rewrite project, and of the recommended Planning Commission appointment to the Steering Committee.
- B-2. ABEYANCE - Z-105-93(6) - RAY & ALMA SCHOOL, LIMITED LIABILITY COMPANY ON BEHALF OF PACIFIC WEST DEVELOPMENT - Request for a Site Development Plan Review on property located on the northeast corner of Craig Road and Tenaya Way FOR A PROPOSED 26,378 SQUARE FOOT RETAIL CENTER, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Size: 5.8 Acres, Ward 4 (Brown), APN: 138-03-611-001.
- B-3. SD-23-99 - MASJID AS-SABUR - Request for a Site Development Plan Review on property located at 711 Morgan Avenue FOR A PROPOSED 5,438 SQUARE FOOT RELIGIOUS FACILITY, R-3 (Medium Density Residential) Zone, Size: 0.32 Acres, Ward 3 (Reese), APN: 139-27-310-012.
- B-4. SD-24-99 - ANGELO AND CATHIE GURRERI - Request for a Site Development Plan Review on property located at 3020 Meade Avenue FOR A FURNITURE SHOWROOM AND WAREHOUSE TO BE LOCATED WITHIN TWO PROPOSED BUILDINGS TOTALING 15,394 SQUARE FEET, M (Industrial) Zone, Size: 0.69 Acres, Ward 1 (McDonald), APN: 162-08-301-020.

C. PUBLIC HEARING ITEMS:

- C-1. ABEYANCE - MSH-3-99 - GILBERT ENTERPRISES - Request to Amend the Master Plan of Streets and Highways to establish the alignment of Durango Drive between Centennial Parkway and Tropical Parkway, Ward 4 (Brown).
- C-2. ABEYANCE - U-80-99 - YMCA ON BEHALF OF SPRINT SPECTRUM - Request for a Special Use Permit on property located at 4141 Meadows Lane FOR A 75 FOOT HIGH CELLULAR TOWER, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 139-31-601-001.
- C-3. ABEYANCE - Z-89-87(4) - COMMUNITY COLLEGE OF SOUTHERN NEVADA - Request for a Site Development Plan Review on property located at 6375 West Charleston Boulevard FOR A PROPOSED SPOTLIGHT ON TOP OF AN EXISTING CLOCK TOWER, C-V (Civic) and R-E (Residence Estates) Zones, Size: 75.82 Acres, Ward 1 (McDonald), APN's: 163-02-501-001, 163-02-601-001 and 163-02-601-003.
- C-4. TM-41-99 - CANYON MEADOWS UNIT 8 - STANPARK CONSTRUCTION COMPANY - Request for a Tentative Map and to allow a perimeter wall with a maximum height of 18.50 feet where 12 feet is the maximum height permitted on property located on the south side of Alexander Road, approximately 650 feet west of Fort Apache Road, U (Undeveloped) Zone [L (Low Density Residential) and ML (Medium-Low Density Residential) General Plan Designations], Size: 5.00 Acres, No. of Lots: 31, Ward 4 (Brown).

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- C-5. VAC-37-99 - AMSTAR HOMES - Petition to vacate a ten foot (10') wide public sewer easement generally located south of Washington Avenue and west of Marion Drive, Ward 3 (Reese).
- C-6. VAC-39-99 - STANPARK CONSTRUCTION COMPANY - Petition to vacate U. S. Government Patent Reservations generally located between Alexander Road and Fox Forest Avenue, west of Fort Apache Road, Ward 4 (Brown).
- C-7. U-91-99 - LUCKY CHAMP, INC. ON BEHALF OF VINAY BAWA - Request for a Special Use Permit on property located at 1420 West Bonanza Road FOR THE OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH A CONVENIENCE STORE, C-M (Commercial/Industrial) Zone, Size: 0.52 Acres, Ward 3 (Reese), APN: 139-28-703-008.
- C-8. U-92-99 - DON & LAURIE HERMAN ON BEHALF OF MARIANNE HILL - Request for a Special Use Permit on property located at 3321 North Buffalo Drive FOR A PROPOSED HYPNOTHERAPY OFFICE, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 138-09-801-023.
- C-9. U-93-99 - RAY & ALMA SCHOOL LIMITED LIABILITY COMPANY ON BEHALF OF THE CW GROUP - Request for a Special Use Permit on property located on the northeast corner of Tenaya Way and Craig Road FOR THE OFF-PREMISE SALE OF LIQUOR IN CONJUNCTION WITH A PROPOSED 17,031 SQUARE FOOT DRUG STORE (RITE AID), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 4 (Brown), APN: 138-03-611-001.
- C-10. U-94-99 - CHEYENNE-DURANGO LIMITED LIABILITY COMPANY ON BEHALF OF DISCOUNT TIRE COMPANY - Request for a Special Use Permit on property located on the east side of Durango Drive, approximately 300 feet north of Cheyenne Avenue, FOR MINOR AUTOMOTIVE REPAIR (DISCOUNT TIRE COMPANY), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 138-09-401-019.
- C-11. Z-24-99(1) - STANPARK CONSTRUCTION COMPANY, INC. - Request for a Site Development Plan Review on property located north of the Alexander Road Alignment, west of the proposed Beltway, FOR A PROPOSED 340 LOT SINGLE FAMILY SUBDIVISION, U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to P-D (Planned Development), Size: 65.00 Acres, Ward 4 (Brown), APN's: 137-01-101-012 through 016, 137-01-201-004, 005, 008 through 010 and 015 through 018.
- C-12. VAC-38-99 - JAMES & PATRICIA RISSLER - Petition to vacate Marietta Avenue between Fairhaven Street and Leonard Lane, Ward 4 (Brown).
- C-13. Z-51-99 - JAMES & PATRICIA RISSLER - Request for a Rezoning on property located on the northwest corner of Vegas Drive and Fairhaven Street, From: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] To: C-1 (Limited Commercial), PROPOSED USE: 6,435 SQUARE FOOT RETAIL/OFFICE BUILDING, Size: 0.54 Acres, Ward 4 (Brown), APN: 138-24-803-023.

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- C-14. Z-52-99 - ALBERT ABRAMS FAMILY TRUST AND SEYMOUR & SYLVIA MATANKY FAMILY TRUST ON BEHALF OF LEE MEKELBURG - Request for a Rezoning on property located on the east side of Durango Drive, approximately 350 feet south of Alexander Road, From: U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] To: R-PD8 (Residential Planned Development - 8 Units per Acre), PROPOSED USE: 76 LOT SINGLE FAMILY SUBDIVISION, Size: 10.71 Acres, Ward 4 (Brown), APN: 138-09-101-007.

- C-15. Z-53-99 - TOMOO OKADA FAMILY TRUST AND TOMOO OKADA REVOCABLE TRUST ON BEHALF OF TECH PLAZA, LIMITED LIABILITY COMPANY - Request for a Rezoning on property located on the southeast corner of Cimarron Road and Via Olivero Avenue, From: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] To: O (Office), PROPOSED USE: A 12,600 SQUARE FOOT ONE STORY OFFICE BUILDING, Size: 1.12 Acres, Ward 1 (McDonald), APN: 163-04-804-006.

D. CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

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AGENDA & MINUTES

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
5:15 PM	
<u>COMMISSIONERS BRIEFING:</u>	
<u>PRESENT:</u>	
Michael Buckley - Chairman Craig Galati - Vice Chairman Michael Mack Marilyn Moran Leni Skaar Stephen Quinn	Andrew Reed, Planning and Development Department, called the Briefing to order at 5:30 P.M.
<u>EXCUSED:</u>	
Hank Gordon	<u>Item Nos. A-1, TM-39-99, and A-2, TM-40-99:</u> Mr. Reed advised the Commissioners that Public Works has amended some of the conditions on these items, so they want to have them pulled off the Consent agenda.
<u>STAFF PRESENT:</u>	Cheri Edelman, Public Works, passed out the amended conditions to the Commissioners and the Clerk.
Tim Chow - Planning & Development Dept. Bob Genzer - Planning & Development Dept. Andrew Reed - Planning & Development Dept. Sue Barton - Planning & Development Dept. Tambri Heyden - Planning & Development Dept. Gary Leobold - Planning & Development Dept. Cheri Edelman - Public Works Rick Schroder - Public Works Steve George - City Attorney's Office Linda Owens - City Clerk's Office	<u>Item No. A-4, TM-37-98(1):</u> Mr. Reed said the applicant has requested this item be held in abeyance until the September 23 rd Planning Commission meeting. Staff has no objection to that request.
	Ms. Edelman added that the applicant has an item going before the City Council on September 15 th that also involves this application.
	<u>Item No. A-6, A-40-99(A):</u> Mr. Reed said the applicant is requesting this item be held in abeyance until the September 23 rd Planning Commission meeting because staff has concerns regarding a Special Use Permit for a child care facility recently approved by Clark County.
	Bob Genzer, Planning and Development, added that the applicant would like to meet with Councilman Larry Brown.
	<u>Item No. B-1, DB-6-99:</u> Mr. Reed said staff will make a presentation on the General Plan rewrite work program.
	Tambri Heyden, Planning and Development, explained that staff will give a presentation at this meeting and recommended the Chairman of the Planning Commission to be the Planning Commission representative to the Steering Committee. There is an error noted on the Chairman's agenda indicating the City Council will take action on this item in the form of an Ordinance. However, this project will just be commencing at the September 15 th City Council meeting. It is anticipated the rewrite will cost \$85,000.

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

COMMISSIONERS BRIEFING:

Item No. B-2, Z-105-93(6):

Ms. Edelman explained the building was moved south because of a drainage easement. There are three layers of parking on the site. Public Works is agreeable to the design. There was an issue as to whether there is too much parking in the back of the building.

Item No. C-3, Z-89-87(4):

Mr. Reed announced the applicant is requesting abeyance until the October 14th Planning Commission meeting due to a scheduling conflict.

Item No. C-4, TM-41-99:

Mr. Reed said the applicant has presented revised plans depicting a wall height along the north property line of 12.50 feet where 18.50 feet had previously been shown. Based on the revised plans, staff has no objection to this request.

Mr. Reed adjourned the Briefing at 5:45 P.M.

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
6:00 PM	
ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.	CHAIRMAN BUCKLEY called the meeting to order at 6:00 P.M.
CALL TO ORDER:	STAFF PRESENT:
6:00 P.M., Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.	Tim Chow, Director, Planning and Development Department Bob Genzer, Current Planning Supervisor, Planning and Development Department Andrew Reed, Senior Planner, Planning and Development Department Sue Barton, Planner II, Planning and Development Department Tambri Heyden, Planning Manager, Planning and Development Department Gary Leobold, Comprehensive Planning Senior Planner, Planning and Development Department Jason Allswang, Planning Technician, Planning and Development Department Cheri Edelman, Project Engineer, Public Works Rick Schroder, Engineer, Public Works Steve George, Deputy City Attorney Linda Owens, Deputy City Clerk
ROLL CALL:	
Michael Buckley - Present Chairman	
Craig Galati - Present Vice Chairman	
Hank Gordon Excused	
Michael Mack Present	
Marilyn Moran Present	
Stephen Quinn Present	
Leni Skaar Present	
ANNOUNCEMENT:	
Satisfaction of Open Meeting Law Requirements.	
This meeting has been properly noticed and posted at the following locations:	MR. REED announced this meeting is in compliance with the Open Meeting Law.
Clark County Government Center, 500 South Grand Central Parkway Senior Citizens Center, 450 East Bonanza Road Clark County Courthouse, 200 East Carson Avenue Court Clerk's Office Bulletin Board, City Hall Plaza City Hall Plaza, Special Outside Posting Bulletin Board	
MINUTES:	
Approval of the minutes of the August 12, 1999 Planning Commission Meeting.	Mack - APPROVED Motion carried with Galati and Skaar abstaining from voting because they did not attend the August 12, 1999 meeting. (Gordon excused) Note: Chairman Buckley said he notified the Clerk earlier in the week of three corrections to the minutes, which have since been corrected. In addition, he requested that for future meetings when the Public Hearing is open and no one appears to speak in favor or opposition, the minutes should state: "There was no one present wishing to speak on this item," rather than: "There was no one present to speak in opposition."

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDAED ITEM.

CHAIRMAN BUCKLEY indicated the subdivision items can be appealed by the applicant or aggrieved person or review requested by a member of the City Council.

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
A.	CHAIRMAN BUCKLEY announced that a Consent item may be discussed if a Commission Member or Applicant so desires.
CONSENT ITEMS: CONSENT ITEMS ARE CONSIDERED ROUTINE BY THE PLANNING COMMISSION AND MAY BE ENACTED BY ONE MOTION. HOWEVER, ANY ITEM MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.	
A-1. <u>TM-39-99 - TRAILS VILLAGE CENTER SOUTH (A COMMERCIAL SUBDIVISION) HOWARD HUGHES PROPERTIES, INC.</u> Request for a Tentative Map on property located on the southwest corner of Village Center Circle and Trailwood Drive, P-C (Planned Community) Zone, Size: 14.43 Acres, No. of Lots: 1, Ward 2 (L.B. McDonald). <u>STAFF RECOMMENDATION:</u> APPROVAL, subject to: 1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. 2. Site development to comply with all applicable Summerlin Development and Improvement Standards. 3. Site development to comply with all applicable conditions of approval for Summerlin Village 7 The Trails Unit 1 (Amended) Final Map and all other site-related actions as required by the Department of Public Works.	Moran - APPROVED ITEM NOS. A-1 AND A-2 AS AMENDED, A-3, A-5, AND A-7, SUBJECT TO STAFF'S CONDITIONS Motion carried with Buckley abstaining from voting on Item Nos. A-1, and A-2 because the applicant is a client of his law firm, Item No. A-5 because his law firm represents a lender to Mountain Spa, and Galati abstaining from voting on Item Nos. A-1 and A-2 because the applicant is a client of his architectural firm (Gordon excused) CHAIRMAN BUCKLEY announced this is a Consent item. CHERI EDELMAN, Public Works, added that she has submitted modifications to the conditions of approval to the Planning Commission members and Clerk on Item Nos. A-1 and A-2. The applicant has agreed to the modifications as follows: Condition No. 1: A conceptual Drainage Study shall be submitted to and approved by the Department of Public Works prior to the recordation of a Final Map for this site. A Technical Drainage Study Update shall be submitted to and approved by the DPA prior to the issuance of any building or grading permits. Condition No. 4: Specific design and construction details relating to size, type and/or alignment of future public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Planning Engineer prior to the issuance of permits or the approval of subdivision-related construction plans, whichever may occur first.

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ACTION

TM-39-99 - TRAILS VILLAGE CENTER SOUTH
(A COMMERCIAL SUBDIVISION) HOWARD
HUGHES PROPERTIES, INC.

ELENA ARELLANO, G. C. Wallace Engineering, 1555 South Rainbow Boulevard, appeared to represent the applicant on Item Nos. A-1 and A-2. She concurred to the conditions as modified.

4. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Planning Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

5. Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed.

6. Street names must be provided in accord with the City's Street Naming Regulations.

7. All development is subject to the conditions of City departments and State Subdivision Statutes.

8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

This is final action.

(6:08 - 6:10) 1 - 220

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ITEM	ACTION
A-2. <u>TM-40-99 - THE ARBORS AT SUMMERLIN VILLAGE 11/12 UNIT 2C, LOT 7 (A COMMERCIAL SUBDIVISION) - HOWARD HUGHES PROPERTIES, INC.</u> Request for a Tentative Map on property located on the northwest corner of Charleston Boulevard and Pavilion Center Drive, P-C (Planned Community) Zone, Size: 63.98 Acres, No. of Lots: 1, Ward 2 (L.B. McDonald). <u>STAFF RECOMMENDATION:</u> APPROVAL, subject to: 1. The proposed "Public Utility Easements" (P.U.E.) shall also be shown on the Final Map as "City of Las Vegas Public Sewer Easements" as required by the Department of Public Works. 2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the recordation of a Final Map for this site, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. 3. Site development to comply with all applicable Summerlin Development and Improvement Standards. 4. Site development to comply with all applicable conditions of approval for The Arbors at Summerlin Village 11/12 Unit 2C.	Moran - APPROVED ITEM NOS. A-1 AND A-2 AS AMENDED, A-3, A-5, AND A-7, SUBJECT TO STAFF'S CONDITIONS Motion carried with Buckley abstaining from voting on Item Nos. A-1, and A-2 because the applicant is a client of his law firm, Item No. A-5 because his law firm represents a lender to Mountain Spa, and Galati abstaining from voting on Item Nos. A-1 and A-2 because the applicant is a client of his architectural firm (Gordon excused) CHAIRMAN BUCKLEY announced this is a Consent item. CHERI EDELMAN, Public Works, added that she has submitted modifications to the conditions of approval to the Planning Commission members and Clerk on Item Nos. A-1 and A-2. The applicant has agreed to the modifications as follows: Condition No. 1: Provide public sewer easements for all public sewers servicing this site or passing through this site to service the future village to the west of the proposed Beltway prior to the issuance of any building permits as required by the Department of Public Works. Condition No. 2: Comply with the recommendations of the approved Master Conceptual Drainage Study as required by the Department of Public Works. A Technical Update to the approved Master Drainage Study must be submitted to and approved by the City prior to the issuance of any building permits for this site. Provide and improve all drainageways recommended in the approved drainage plan/study. Condition No. 5: Specific design and construction details relating to size, type and/or alignment of future public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City standards shall be allowed unless specific written approval for such is received from the City Planning Engineer prior to the issuance of permits or the approval of subdivision-related construction plans, whichever may occur first.

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ITEM

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TM-40-99 - THE ARBORS AT SUMMERLIN VILLAGE 11/12 UNIT 2C, LOT 7 (A COMMERCIAL SUBDIVISION) - HOWARD HUGHES PROPERTIES, INC.

ELENA ARELLANO, G. C. Wallace Engineering, 1555 South Rainbow Boulevard, appeared to represent the applicant. She concurred to the conditions as modified.

5. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Planning Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

6. Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map, a new Tentative Map must be filed.

7. Street names must be provided in accord with the City's Street Naming Regulations.

8. All development is subject to the conditions of City departments and State Subdivision Statutes.

9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

This is final action.

(6:08 - 6:10) 1 - 220

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ITEM

ACTION

A-3.

FM-130-97(1) - AMENDED PLAT OF A
PORTION OF SALT CREEK - JOHN LANG
HOMES

Request for an Amended Final Map on property located on the southwest corner of Farm Road and Tenaya Way, U (Undeveloped) Zone [DR (Desert Rural) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units per Acre), Size: 39.00 Acres, No. of Lots (Amended): 42, Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL,
subject to:

1. The Amended Final Map shall comply with all conditions of approval of the original Final Map.

2. Prior to recordation, this amended Final Map must show all required easements and right-of-way dedications, must coincide with the approved drainage plan/study and construction plans, and the Owner's Certificate must make specific reference to all easements and right-of-ways noted/offered for public use as required by the Department of Public Works. Appropriate site visibility restriction easements, if applicable, are also required to be shown on this amended Final Map at all interior intersections, at all perimeter intersections abutting this subdivision site, at all intersections where an interior subdivision street connects with an abutting public street and at all other locations as required by the Traffic Engineer.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

Moran -

APPROVED ITEM NOS. A-1 AND A-2 AS AMENDED, A-3, A-5, AND A-7, SUBJECT TO STAFF'S CONDITIONS

Motion carried with Buckley abstaining from voting on Item Nos. A-1, and A-2 because the applicant is a client of his law firm, Item No. A-5 because his law firm represents a lender to Mountain Spa, and Galati abstaining from voting on Item Nos. A-1 and A-2 because the applicant is a client of his architectural firm
(Gordon excused)

CHAIRMAN BUCKLEY announced this is a Consent item.

This is final action.

(6:08 - 6:10) 1 - 220

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ITEM

ACTION

A-4.

TM-37-98(1) - INSIGHT AIRCENTER RANCHO
(A COMMERCIAL SUBDIVISION) - RANCHO
CHEYENNE PROFESSIONAL PLAZA

Request for a one year Extension of Time on an approved Tentative Map on property located on the west side of Rancho Drive, approximately 600 feet south of Cheyenne Avenue, R-E (Residence Estates) and C-2 (General Commercial) Zones under Resolution of Intent to O (Office) and C-M (Commercial/Industrial), Size: 30.22 Acres, No of Lots: 2, Ward 4 (Brown).

ON SEPTEMBER 7, 1999 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE SEPTEMBER 23, 1999 PLANNING COMMISSION MEETING

Galati -

ABEYANCE TO THE 9/23/99 PLANNING COMMISSION MEETING

Motion carried with Buckley abstaining from voting because his law firm does work for the Becker family (Gordon excused)

ANDREW REED, Planning and Development, stated the applicant has requested this item be held in abeyance until the September 23, 1999 Planning Commission meeting. There is a Site Plan Review that is scheduled for this site at an upcoming City Council meeting.

To be heard by the Planning Commission on 9/23/99.

(6:03 - 6:04) 1 - 81

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ITEM

ACTION

A-5.

TM-43-98(1) - MOUNTAIN SPA - MOUNTAIN SPA RESIDENTIAL DEVELOPMENT, LIMITED LIABILITY COMPANY AND MOUNTAIN SPA RESORT DEVELOPMENT, LIMITED LIABILITY COMPANY

Request for a one year Extension of Time on an approved Tentative Map on property located on the northwest corner of Rainbow Boulevard and Grand Teton Drive, C-1 (Limited Commercial) and R-PD3 (Residential Planned Development - 3 Units Per Acre) Zones, Size: 631.5 Acres, No. of Lots: 19, Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL, subject to:

1. This Tentative Map will expire on August 13, 2000.
2. All required improvements on Rainbow Boulevard shall be constructed concurrent with the first phase of development abutting Rainbow Boulevard. All required improvements on Grand Teton Drive shall commence construction within one year of approval of this action by the Planning Commission. Failure to comply with this condition shall result in this item being reconsidered by the City Council.
3. Original Condition #6 shall be revised to read: As agreed upon in a letter dated February 10, 1998 between the Mountain Spa Development Corporation and the City of Las Vegas, an addendum to the overall Mountain Spa Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the final inspection of any building within the Mountain Spa Development project as required by the Department of Public Works. This addendum shall address changes in access to this site including the impact this site will have to the Durango/95 interchange. Comply with the recommendations in accordance with the

Moran -

APPROVED ITEM NOS. A-1 AND A-2 AS AMENDED, A-3, A-5, AND A-7, SUBJECT TO STAFF'S CONDITIONS

Motion carried with Buckley abstaining from voting on Item Nos. A-1, and A-2 because the applicant is a client of his law firm, Item No. A-5 because his law firm represents a lender to Mountain Spa, and Galati abstaining from voting on Item Nos. A-1 and A-2 because the applicant is a client of his architectural firm

(Gordon excused)

CHAIRMAN BUCKLEY announced this is a Consent item.

This is final action.

(6:08 - 6:10) 1 - 220

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ITEM

ACTION

TM-43-98(1) - MOUNTAIN SPA - MOUNTAIN SPA RESIDENTIAL DEVELOPMENT, LIMITED LIABILITY COMPANY AND MOUNTAIN SPA RESORT DEVELOPMENT, LIMITED LIABILITY COMPANY

APPROVED

approved update. No recommendation of the approved update to the overall Mountain Spa Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

4. Comply with all other conditions of approval for the Mountain Spa Tentative Map and all other site-related actions as required by the Department of Public Works.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

A-6.

A-40-99(A) - FLETCHER, NELSON AND NUNN

Petition to annex property generally located on the northwest corner of Campbell Road and Gilmore Avenue, containing approximately 5 acres of land, Ward 4 (Brown), APN's: 138-08-101-020 and 021.

THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE SEPTEMBER 23, 1999 PLANNING COMMISSION MEETING.

Galati -

ABEYANCE TO THE 9/23/99 PLANNING COMMISSION MEETING

Unanimous

(Gordon excused)

ANDREW REED, Planning and Development, stated the applicant would like this application held in abeyance in order to be able to meet with staff. Staff has concerns regarding a Special Use Permit for a child care facility on this site that was recently approved by the County Commission.

CARL UNGER, Terra West Realty, 2685 South Rainbow Boulevard, #212, appeared to represent the applicant. He agreed to having this item held in abeyance.

To be heard by the Planning Commission on 9/23/99.

(6:04 - 6:05) 1 - 114

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ITEM

ACTION

A-7.

A-41-99(A) - GARY A. BOBBS

Petition to annex property generally located on the north side of Alexander Road between Marla Street and Puli Road, containing approximately 5 acres of land, Ward 4 (Brown), APN: 137-01-401-010.

STAFF RECOMMENDATION: APPROVAL.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

Moran -

APPROVED ITEM NOS. A-1 AND A-2 AS AMENDED, A-3, A-5, AND A-7, SUBJECT TO STAFF'S CONDITIONS

Motion carried with Buckley abstaining from voting on Item Nos. A-1, and A-2 because the applicant is a client of his law firm, Item No. A-5 because his law firm represents a lender to Mountain Spa, and Galati abstaining from voting on Item Nos. A-1 and A-2 because the applicant is a client of his architectural firm (Gordon excused)

CHAIRMAN BUCKLEY announced this is a Consent item.

This item will be forwarded to the City Council as a new Bill (Ordinance).

(6:08 - 6:10) 1 - 220

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ITEM	ACTION
B. <u>NON PUBLIC HEARING ITEMS:</u>	
B-1. <u>DB-6-99:</u> Presentation and discussion of the City of Las Vegas Master Plan (General Plan) rewrite project, and of the recommended Planning Commission appointment to the Steering Committee.	TAMBRI HEYDEN, Planning and Development, noted there is an error on the Chairman's agenda that indicates this City of Las Vegas Master Plan (General Plan) work program presentation will be forwarded to the City Council in the form of an Ordinance. The presentation that will be given at this meeting will also be given to the City Council at their September 15, 1999 meeting as a kick-off to the project. This is a proposal and work program for the City's new Master Plan, which will be called Las Vegas 2020. It will represent a long-term vision for the city over the next twenty years. Historically, the Plan has been referred to as the General Plan. State law references the document as the City's Master Plan. Henceforth, the term "Master Plan" will be used for this document. Since 1957 the City of Las Vegas has been engaged in long-range planning. The areas that can be improved are: downtown housing and shopping, older neighborhoods, quality of life, parks, and roadway and transit systems. These areas can only be improved if long-range planning is linked and coordinated with a capital improvement program and annual expenditures, if it better projects growth and encourages urban growth areas, if it identifies land use conflicts created over time and incorporates policies for concentration of certain types of land uses in various areas, if long-range planning addresses recent State law changes regarding rural preservation areas and includes land use recommendations, if it improves accountability to our residents restoring public trust and adding predictability, and if it's based on a work program or process that builds consensus within the community. This project should commence at this time because conserving land extends the build-out date and allows growth to occur over a longer period of time. The sooner this project gets started, the City's position is better in acquiring BLM land. Starting now will also save money on capital improvement expenditures and enhance the City's tax base. It will also technically support the development of a new impact fee program.

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ACTION

DB-6-99:

The Southern Nevada Regional Planning Coalition has been given a deadline of March 1, 2001 to prepare a policy plan. Starting at this time it makes this City's Plan a forerunner to the Southern Nevada Regional Planning Coalition process.

Lastly, there is a public safety element, housing element, and parks element that is currently in process, so this Master Plan will pull those elements together that are in process and act as a capstone policy document.

The proposal involves a nine month time frame. It will be a project that is prepared and managed by City staff with limited consultant assistance for two technical tasks; one is a GIS Model and the other is a Community Impact Survey.

The project will cost approximately \$85,000, money which is in the Planning and Development Department's budget for this year.

This process also proposes public and political input at key points in the process. Given the team created, there will be a flexible and responsive approach to public input.

The work program includes bringing together a Technical Committee that will comprise City departments and outside agencies which provide services to residents. It will also provide staff with technical information and background during the research and development stage of the project.

There will also be a Steering Committee formed and appointed by the City Council. It will be comprised of community, business, social and political interests. It will serve as a blue ribbon or oversight committee providing policy decisions to staff throughout the process. Staff would like to recommend the Chairman of the Planning Commission to be appointed to this committee to represent the Planning Commission.

Public outreach is very important to this proposal and includes preparation of a Community Image Survey. This survey will be a compilation of approximately 80 slides illustrating build-out scenario choices. It will be presented on a specially dedicated WEB site and citizens of the city can view those slides and select their choice for the build-out picture of the city. For those persons who do not have access to a WEB site or to a computer, this information will be presented at two public hearings at the beginning of the process. It will also be available in different languages.

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ACTION

DB-6-99:

At the end of the process there will be at least one Town Hall meeting per Ward. Subsequently, there will be public hearings at the Planning Commission and City Council.

The schedule for the Master Plan is divided into three phases: First is the Plan, Research and Development phase, which will conclude in January. The second phase, which will conclude in April, is the Plan Review and Revision stage, and the third phase, which will culminate in the end of June of 2000, is the Adoption phase.

The Planning Commission has been targeted for input at this meeting, again in February when the Draft Plan is prepared, and then in April after the Town Hall meetings have been held. In addition, there will be updates at the Quarterly Workshops.

In Phase One, there will be a GIS model built. It will be very sophisticated and able to evaluate the effects of modifying the pace of development in different parts of the city based on certain criteria. There will also be research and analysis of the existing conditions, inventory and staff will generate scenarios for the various build-out options. During this phase, the Technical and Steering Committees will meet for the first time. The Community Image Survey will be put together and made available on the WEB site, and the Draft Plan package will be written.

In Phase Two, through the WEB site and slide shows at public meetings, the preferred scenarios will be identified and tested through the GIS model to determine the financial feasibility of each of those scenarios. At this stage, the Technical Steering Committee, City Manager's Office, and City Council will review the Draft Plan. At the end of Phase Two, the Town Hall meetings will be held.

In Phase Three, the Planning Commission will review the product, public hearings will be held, the Plan will be revised, and the City Manager's Office and City Council members will review the Plan. Public Hearings will be held and public input provided with staff revising the Plan based on the public input. Finally, there will be approval of the Plan.

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ACTION

DB-6-99:

In conclusion, it will be a new Plan that brings together new State law changes, identifies land use conflicts, is accountable to residents, builds consensus, links with capital improvements, and recommends urban growth zones that will yield a brighter future for the City of Las Vegas and its residents.

COMMISSIONER MORAN was impressed with the proposed Plan.

COMMISSIONER QUINN asked to have the GIS system explained.

GARY LEOBOLD, Planning and Development, explained that the GIS (Geobase Information System) model is a mathematical approach that enables the City to predict the build-out under the current zoning and land use designations. The GIS model can take a different evaluation of how development might occur. For example, if there is growth downtown and around town centers, values can be reassigned on a grid that has thousands of squares across the city for development and there can be different build-out models. Through that a test can be conducted for financial efficiencies, etc.

VICE CHAIRMAN GALATI was pleased to hear there will be a proposal for downtown housing because he felt that will greatly enhance the revitalization of the downtown. He was also encouraged to hear of the community planning approach. He asked if there will be ways included in the Plan to deal with some of the economic issues within downtown that are prohibiting development in terms of parcelizations, assemblage of sites, etc.

MR. LEOBOLD responded that the Steering Committee will be requested to provide thoughts in those areas. Secondly, this is a capstone Plan, so it will provide a link between some of the other elements, one being the Downtown Plan 2005, which is already being worked on.

VICE CHAIRMAN GALATI also suggested that there be ways where there can be a transition in the Plan as changes take place. There will be a need to have some dysfunctional uses together.

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ACTION

DB-6-99:

COMMISSIONER MACK commended MS. HEYDEN and MR. LEOPOLD on their efforts so far. He asked if the City has chosen a consultant to assist with this process and how a consultant is chosen.

MS. HEYDEN answered that the total cost for consultants will not exceed \$85,000. There are two tasks the City wants to farm out: One is the GIS model and one is the Community Image Survey. Depending upon the dollar amount of those tasks, if it's under \$25,000, staff can review different consultant proposals and hire the consultant through contract negotiations with approval of the City Manager's Office and City Attorney's Office. The City has been talking to various consultants on both of those tasks and probably within the next two or three weeks have it narrowed down as to whom to select.

CHAIRMAN BUCKLEY accepted appointment to the Steering Committee.

(6:10 - 6:26) 1 - 298

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ITEM

ACTION

B-2.

**ABEYANCE - Z-105-93(6) - RAY & ALMA
SCHOOL, LIMITED LIABILITY COMPANY ON
BEHALF OF PACIFIC WEST DEVELOPMENT**

Request for a Site Development Plan Review on property located on the northeast corner of Craig Road and Tenaya Way FOR A PROPOSED 26,378 SQUARE FOOT RETAIL CENTER, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Size: 5.8 Acres, Ward 4 (Brown), APN: 138-03-611-001.

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Prior to the issuance of building permits, submit for approval a revised landscape plan depicting an 8 foot wide landscaping planter with 24 inch box trees spaced a maximum of 30 linear feet on-center adjacent to the east development line. Also, one 24 inch box tree for every six proposed parking spaces, which can be located in minimum 5 foot wide landscaping fingers or in adjacent landscaping planters, in the parking areas directly adjacent to the east and west sides of the proposed building.
2. Provide verification of the shared access and parking agreement to the Planning and Development Department prior to the issuance of building permits.
3. All development shall be in conformance with the Site Development Plan and building elevations.
4. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

Galati -

APPROVED, SUBJECT TO STAFF'S CONDITIONS, AND ADDITIONAL CONDITIONS OF HANDICAPPED PARKING BE DISBURSED ALONG THE FRONT OF THE BUILDING, ARTICULATION OF THE WEST ELEVATION CONTINUED DOWN THE BALANCE OF THAT ELEVATION, AND APPLICANT DEVISE A SAFE PASSAGE FROM THE REAR PARKING AREA TO THE FRONT OF THE BUILDING

**Unanimous
(Gordon excused)**

SUE BARTON, Planning and Development, stated this item was held in abeyance from the August 12, 1999 meeting because there was no applicant representation. Access to the site is provided by two driveways from Craig Road and two from Tenaya Way. This is part of a larger commercial project with shared access and shared parking. The elevations show a one-story cement plaster building with an alternating roof design. This use is compatible with current and future uses as projected by the General Plan.

Staff is concerned about the location of the parking spaces. Approximately 27% of the parking spaces are located behind the retail center. The City standard only requires a maximum of 10% in that area. However, as a condition for zoning approval from Z-105-93(6), there was a condition that required more parking to be located behind the specific flood control site. Under those circumstances, staff has no problem with the layout of the parking area.

Secondly, staff is concerned about the landscaping against the east development line. The eastern area of the site is to remain unimproved, so there is a request that the applicant provide an 8 foot wide landscape planter with 24 inch box trees located a minimum distance of 30 feet on center adjacent to the east development line, as shown on the site plan.

Staff recommended approval, subject to the conditions.

MARK MIKELSON, MCG Architects, 205 East Warm Springs Road, appeared to represent the applicant. He concurred with staff's conditions.

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ABEYANCE - Z-105-93(6) - RAY & ALMA
SCHOOL, LIMITED LIABILITY COMPANY ON
BEHALF OF PACIFIC WEST DEVELOPMENT

5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

6. All City Code requirements and design standards of all City departments must be satisfied.

7. Dedicate appropriate right-of-way, as determined by the Traffic Engineer, on Tenaya Way for a dedicated right turn lane into the southern driveway servicing this site in accordance with Standard Drawing #201.1 as required by the Department of Public Works.

8. Construct appropriate improvements to provide a dedicated right turn lane into the southern driveway servicing this site from Tenaya Way, in a configuration acceptable to the Traffic Engineer, concurrent with development of this site as required by the Department of Public Works.

9. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities as required by the Department of Public Works.

10. Meet with the Traffic Engineering Representative in Land Development for assistance in the redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

COMMISSIONER QUINN requested that the handicapped parking spaces be split so they are more accessible across the front of the building.

MR. MIKELSON felt the suggestion for the handicapped parking spaces would appear to be doable.

COMMISSIONER SKAAR asked if the west elevation of the building will be facing Tenaya Way and the decoration can be brought down that side of the building; otherwise, that will be a large blank space. On the east side there is more decorative element than on the west side. Also, she wondered if there is an arcade or just a flat design on the side of the building.

MR. MIKELSON agreed to mirror the architectural treatment on the west side to match the east side. The side of the building is scored plaster, not an arcade. There is a small amount of overhanging to give the building some shadow and relief.

VICE CHAIRMAN GALATI felt there will be a lot of parking in the back. He was concerned that there will be a safe passage for customers that park in the back and avoid the loading area.

MR. MIKELSON responded that the tenants will not require loading. However, there will be trucks making deliveries, but it's all one grade. The applicant would prefer more parking in the front, but this site is restricted due to drainage issues. They could provide some striping of the asphalt and a sidewalk on the east and west ends.

This is final action.

(6:26 - 6:36) 1 - 820

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ACTION

ABEYANCE - Z-105-93(6) - RAY & ALMA
SCHOOL, LIMITED LIABILITY COMPANY ON
BEHALF OF PACIFIC WEST DEVELOPMENT

APPROVED

11. Site development to comply with all applicable conditions of approval for the Craig/Tenaya Commercial Subdivision, Rezoning Application Z-105-93, the recently approved Master Site Development Plan Review Z-105-93(3), and all other site-related actions as required by the Department of Public Works.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

13. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet to provide for transportation hazards.

14. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

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ITEM

ACTION

B-3.

SD-23-99 - MASJID AS-SABUR

Request for a Site Development Plan Review on property located at 711 Morgan Avenue FOR A PROPOSED 5,438 SQUARE FOOT RELIGIOUS FACILITY, R-3 (Medium Density Residential) Zone, Size: 0.32 Acres, Ward 3 (Reese), APN: 139-27-310-012.

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Prior to the issuance of a building permit, owners of the parking lot area and the religious facilities located at 711 Morgan Avenue and 820 H Street, must execute a parking agreement to the satisfaction of the City Attorney.
2. Prior to the issuance of a building permit submit a revised site plan to the Planning and Development Department depicting conformance to the Code requirements for parking space dimensions.
3. Prior to the issuance of a building permit submit a revised landscape plan to the Planning and Development Department depicting the landscape planters containing 24 inch box trees located a maximum distance of 30 linear feet on-center within the landscape planter adjacent to the east property line.
4. Remove all substandard public street and alley improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards prior to occupancy of this site as required by the Department of Public Works.
5. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

Mack -

APPROVED, SUBJECT TO STAFF'S CONDITIONS

Unanimous

(Gordon excused)

SUE BARTON, Planning and Development, stated there is currently a religious facility located on this site that the applicant is proposing to demolish and replace with the proposed structure. There will be shared parking with a church at 820 "H" Street to the south of the site. Access to the parking area is provided by two driveways from McWilliams Avenue.

The proposed use is compatible and continues to be in harmony with the surrounding area and future land uses. The use has a Special Use Permit.

In regard to the shared parking arrangement, the Code has two requirements. The first requirement is that the two uses generate traffic at different times. Staff has been assured in writing that that will take place. Secondly, the Code requires that the two religious facilities execute a parking agreement to the satisfaction of the City Attorney.

In regard to the landscaping adjacent to the east property line, staff is requesting 24 inch box trees be placed there at a distance of 30 feet on center. The applicant is willing to comply with that requirement.

Staff recommended approval, subject to the conditions.

RAFIG NADIR ALI, 711 Morgan Avenue, appeared to represent the applicant. He concurred with staff's conditions.

MELVIN GREEN, Melvin Green Architect, Ltd., 3001 West Spring Mountain Road, Suite 2, appeared to represent the applicant. He also concurred with staff's conditions.

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ACTION

SD-23-99 - MASJID AS-SABUR

6. Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements (including sidewalks, streetlighting, and permanent paving) on McWilliams Avenue adjacent to this site as required by the Department of Public Works.

7. Site development to comply with all applicable conditions of approval for U-86-96 and all other site-related actions as required by the Department of Public Works.

8. All development shall be in conformance with the plot plan and building elevations, as amended by the above conditions.

9. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.

10. All City Code requirements and design standards of all City departments must be satisfied.

11. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply shall be installed and shall be functioning prior to construction of any combustible structures.

COMMISSIONER SKAAR asked if there is a stain glass window under the roll-up door.

MR. GREEN replied that it is not a roll-up door, but scored stucco with an arch. It is architectural treatment of the inside that is brought to the outside. The mosque has been in existence for approximately ten years.

This is final action.

(6:36 - 6:40) 1 - 1170

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ACTION

SD-23-99 - MASJID AS-SABUR

APPROVED

13. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

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ACTION

B-4.

SD-24-99 - ANGELO AND CATHIE GURRERI

Request for a Site Development Plan Review on property located at 3020 Meade Avenue FOR A FURNITURE SHOWROOM AND WAREHOUSE TO BE LOCATED WITHIN TWO PROPOSED BUILDINGS TOTALING 15,394 SQUARE FEET, M (Industrial) Zone, Size: 0.69 Acres, Ward 1 (McDonald), APN: 162-08-301-020

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Prior to the issuance of building permits, submit for review by the Planning and Development Department a revised landscape plan depicting a minimum 8 foot wide landscape planter, with 24 inch box trees located 30 linear feet on-center, adjacent to the 65 foot separation distance located between the buildings adjacent to the west property line. Additionally, a minimum 7 foot wide landscape planter, with 24 inch box trees located 30 linear feet on-center, is required adjacent to the east property line in the northern 50 feet of the site.
2. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities as required by the Department of Public Works.
3. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new or modifications to existing driveways shall be designed, located and constructed to meet the intent of Standard Drawing #224 as required by the Department of Public Works.

Galati -

APPROVED, SUBJECT TO STAFF'S CONDITIONS AND CONDITION NO. 1 AMENDED TO STATE: PRIOR TO THE ISSUANCE OF BUILDING PERMITS, SUBMIT FOR REVIEW BY THE PLANNING AND DEVELOPMENT DEPARTMENT A REVISED LANDSCAPE PLAN DEPICTING A MINIMUM 7 FOOT WIDE LANDSCAPE PLANTER, WITH 24 INCH BOX TREES LOCATED 30 LINEAR FEET ON-CENTER, ADJACENT TO THE EAST PROPERTY LINE IN THE NORTHERN 50 FEET OF THE SITE

**Unanimous
(Gordon excused)**

SUE BARTON, Planning and Development, stated the Board of Zoning Adjustment heard a request for a zero setback on the rear and side property lines that was approved as final action.

Access to this site is provided by one driveway from Meade Avenue. The proposed number of parking spaces are the required amount.

This use is in harmony and compatible with the existing surrounding uses and those projected by the General Plan.

The only issue staff has is related to the landscaping. The applicant is requesting a waiver of the landscaping requirement adjacent to the north, east and west property lines because of the narrowness of the lot. There are site constraints that necessitate an alternative design. Staff would like to propose that in the northeastern corner of the site a 7 foot wide landscape planter be provided in the northernmost 50 feet adjacent to the east property line. Also, landscaping should be provided in-between the buildings with 8 foot wide planters and 24 inch box trees 30 feet on center.

Staff recommended approval, subject to the conditions.

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ACTION

SD-24-99 - ANGELO AND CATHIE GURRERI

4. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such moneys shall be contributed prior to the issuance of any permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of submitting a Traffic Impact Analysis, the applicant may contribute \$1,000.00 to partially fund a traffic signal system at the intersection of Meade Avenue and Rancho Drive prior to the issuance of building or off-site permits as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The City reserves the right to utilize the contributed traffic signal moneys for the installation of traffic signals at any other intersection within this general vicinity which is impacted by this development and which has a more immediate need for signalization.

NED COLE, 3801 Robar Street, appeared to represent the applicants. This is an industrial area. They are proposing to have landscaping 15 to 20 feet deep where it faces Meade Avenue, which is more than the adjacent businesses. This property has an existing mini warehouse facility adjacent to the property line. It would be difficult to see landscaping in the back of the building, except for the persons using the showroom and warehouse. There will be trucks maneuvering on the property, so with the landscaping as required by staff, it makes it difficult to utilize the property the way they had intended.

ANGELO GURRERI appeared to represent the application.

BOB GENZER, Planning and Development, responded that staff was unaware of the two roll-up doors. He agreed that that area cannot be seen from the street, so staff would have no objection to deleting the condition that would require that landscaping. However, staff would like a small strip of landscaping placed in the back, but that does not have to be a specific condition. Staff will be willing to work with the applicant on the landscaping.

MR. COLE said the applicant has large potted planters that he would like to set around in the back.

COMMISSIONER QUINN asked if the office/warehouse in Building 2 will be used for customers or just for employees.

MR. COLE explained that at the present time the applicant does not need that building so it will be available for separate tenant use.

COMMISSIONER QUINN requested that there be a handicapped space in either Space 23 or 24 just for that one building or one handicapped parking space for Building 1 and one for Building 2.

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SD-24-99 - ANGELO AND CATHIE GURRERI

MR. COLE said they would be willing to accommodate the handicapped parking spaces if at all possible.

BOB GENZER, Planning and Development, requested Condition No. 1 be amended as follows: Prior to the issuance of building permits, submit for review by the Planning and Development Department a revised landscape plan depicting a minimum 7 foot wide landscape planter, with 24 inch box trees located 30 linear feet on-center, adjacent to the east property line in the northern 50 feet of the site.

This is final action.

(6:40 - 6:49) 1 - 1320

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APPROVED

5. All development shall be in conformance with the plot plan and building elevations.

6 Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

7. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.

8. All City Code requirements and design standards of all City departments must be satisfied.

9. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply shall be installed and shall be functioning prior to construction of any combustible structures.

11. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

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ACTION

C.

PUBLIC HEARING ITEMS:

C-1.

ABEYANCE - MSH-3-99 - GILBERT ENTERPRISES

Request to Amend the Master Plan of Streets and Highways to establish the alignment of Durango Drive between Centennial Parkway and Tropical Parkway, Ward 4 (Brown).

NOTICES MAILED: 215 (8/26/99 PC)

APPROVALS: 0

PROTESTS: 1 (9/9/99 PC)

CONCERNS: 4 (9/9/99 PC)

STAFF RECOMMENDATION: APPROVAL of the "S" Curve Alignment, subject to:

1. Upon development additional rights-of-way for dedicated right turn lanes, dual left turn lanes and/or appropriate transition elements shall be required at the discretion of the Traffic Engineer as required by the Department of Public Works.

2. An appropriate public sewer easement shall be retained over the existing sewer line in the Durango Drive alignment and shall be incorporated into future development plans for the area as required by the Department of Public Works.

3. City Staff shall be empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City of Las Vegas requirements are still complied with and the intent of the submitted Master Plan of Streets and Highways Amendment, as hereby modified, is not changed.

Mack -

APPROVED "S" CURVE ALIGNMENT, SUBJECT TO STAFF'S CONDITIONS

**Unanimous
(Gordon excused)**

ANDREW REED, Planning and Development, stated that proposed alignments for a roadway connection have been considered in the past by the staffs of Clark County and City of Las Vegas. This request will identify an alignment to be adopted. Staff recommended approval of the "S" curve alignment, subject to the conditions.

DEPUTY CITY ATTORNEY STEVE GEORGE explained that as a result of the Planning Commission's action at the last meeting, the Commission is limited to the review of the "S" curve.

CHERI EDELMAN, Public Works, added that a decision as to whether there will be a willing buyer/willing seller policy was sent to a sub-committee at the Regional Transportation Commission meeting today.

CHAIRMAN BUCKLEY declared the Public Hearing open.

MICHELLE WARE, 8590 West Regena Avenue, appeared as a concerned citizen. She requested that a decision be made at this meeting on this issue.

There were three citizens in the audience that were concerned about this alignment.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

COMMISSIONER MACK said the Planning Commission was hoping the Regional Transportation Commission would make a decision on this alignment at their meeting today. However, every effort is being made to move forward on this issue. He plans to meet with the residents in the community in the next few weeks to discuss alternative plans that might be able to speed up the process.

The City Council will set a date for a Public Hearing on this item at their 10/6/99 meeting. The Public Hearing will be heard by the City Council on 10/20/99.

(6:49 - 6:54) 1 - 1650

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ACTION

C-2.

ABEYANCE - U-80-99 - YMCA ON BEHALF OF SPRINT SPECTRUM

Request for a Special Use Permit on property located at 4141 Meadows Lane FOR A 75 FOOT HIGH CELLULAR TOWER, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 139-31-601-001.

NOTICES MAILED: 181 (8/12/99 PC)

APPROVALS: 0

PROTESTS: 0

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

1. Aesthetically enhance the appearance of the tower, as required by the Planning and Development Department.
2. The tower shall be painted Desert Tan.
3. The wireless communications tower and equipment pad must be enclosed by a secure six foot high block wall.
4. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.
5. All development shall be in conformance with the site plan and elevation.
6. All City Code requirements and design standards of all City departments must be satisfied.
7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Mack -

APPROVED, SUBJECT TO STAFF'S CONDITIONS, AND ADDITIONAL CONDITIONS THAT APPLICANT WORK WITH STAFF ON CAMOUFLAGING THE TOWER AND MAXIMUM HEIGHT BE 55 FEET

Motion carried with Moran voting "No," Buckley abstaining from voting because his law firm provides legal service for Sprint Spectrum and Quinn abstaining from voting because of his relationship with the YMCA (Gordon excused)

SUE BARTON, Planning and Development, stated this item was held in abeyance from the August 12, 1999 Planning Commission meeting so that a related Variance request could be heard.

The original request was to construct a 75 foot high wireless communications tower in a 775 square foot lease area located in the southern portion of the site, adjacent to the southeast corner of the YMCA building, with equipment boxes located adjacent to it.

This use is not compatible with the surrounding neighborhood because there are all single family residences located to the south of this site.

Staff is trying to promote co-locating on existing monopoles. The applicant has been conducting negotiations with the Water District and recommending those negotiations. Alternatively, the applicant might want to look into putting a stealth antenna or small tower in the Meadows Mall, which is close to the subject site.

This item was held at the Board of Zoning Adjustment meeting this past Tuesday evening. That issue was Residential Adjacency Standards. The original 75 foot high tower would be required to be 225 feet away from the residential property line and it is only proposed to be 148 feet. At that hearing the applicant submitted a revised elevation to show a 55 foot tall tower, which would only require it to be 165 feet away from the residential property line. That item was approved at a 55 foot height and will be considered by the City Council on October 20th. Even though the applicant has amended the height of the tower, staff is still recommending denial.

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ABEYANCE - U-80-99 - YMCA ON BEHALF
OF SPRINT SPECTRUM

CHRIS WENER, Spectrum Surveying and Engineering, 3002 Rigel Avenue, appeared to represent Sprint PCS. Basically this is a wireless facility at the YMCA south of the Meadows Mall and west of the Water District facility.

Initially, they proposed a 75 foot tower with the traditional antenna arrays. After receiving the recommendations from staff for the Variance setback requirements, the facility was redesigned to minimize the impact of it visually, as well as to minimize the amount that it would fall out of the setback requirements. This site is 148 feet from the south property line. The tower has been taken down to 55 feet. Staff suggested using a stealth technology or some type of camouflaging. He proposed the use of bi-polar antennas. That would mean that rather than having four antennas per triangle on the tower, there would just be one antenna. The disadvantage would be that it couldn't take the same number of calls and is not conducive to co-locating. However, it has a smaller visual impact. The top of the pole is 22 inches in diameter and the bottom of the pole is 24 inches in diameter. There are certain areas in Las Vegas where these poles have been erected and a flag situated on them so they have the appearance of a flagpole. Without the flag it provides less visual impact, but they would be willing to place a flag on it.

Another concern of staff is siting the facility on the existing AT&T tower located at the Water District. Sprint PCS, as well as others, have been working with the Water District for over two years to mount antennas on that pole. Sprint PCS originally had an agreement with the Nevada Power Company to place their tower in the Power Company substation at Valley View and Alta. The Water District is the underlying leaseholder of that property. The Water District refused Sprint PCS's application. They filed a co-location with AT&T, who agreed to allow Sprint PCS to place their antennas on the tower, but again, the Water District, being the underlying leaseholder, refused. The Water District has bigger plans for that property and are trying to get AT&T to remove their tower.

There was another situation where AAT received approval for a Use Permit for another tower directly adjacent to the AT&T tower on the Water District property. Sprint had the agreement with AAT to place their antennas on that pole, but they could not finalize their agreement with the Water District so that site fell through, even though AAT had acquired a Use Permit.

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ABEYANCE - U-80-99 - YMCA ON BEHALF
OF SPRINT SPECTRUM

Sprint approached COUNCILMAN McDONALD to obtain his assistance on this situation with the Water District, but his position was that he didn't want to approach them until this item will be heard by the City Council.

MR. WENER concluded by saying that the rent will go to the YMCA, which will be a benefit to the community.

VICE CHAIRMAN GALATI declared the Public Hearing open.

There was no one present wishing to speak on this item.

VICE CHAIRMAN GALATI declared the Public Hearing closed.

COMMISSIONER MACK said he has asked staff to work on an Ordinance and to try to locate public facilities where the towers can be erected, such as fire stations, libraries, etc., where the City could reap the benefit of the stealth tower leases. There should not be so many towers in Las Vegas, just major towers for co-locating.

MR. WENER said the cellular tower industry is willing to work with staff on an Ordinance. They are trying to co-locate wherever possible. The County has an Ordinance that was passed eight or nine months ago that was used as a model for the City Ordinance, but the City wanted to make significant changes to it, so through the process it never materialized.

COMMISSIONER MACK felt the YMCA could put advertising on the tower and attract more persons to utilize their facility.

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OF SPRINT SPECTRUM

COMMISSIONER MORAN felt there is a lot of vacant land in the area that is owned by public facilities where the tower could be placed.

MR. WENER explained that the land north of Alta along U.S. 295 is Water District property. They have approached the School District where there are high schools to be able to mount antennas on stadium lights. The School District replied that if a private user is allowed on public land, it has to go through a bidding process.

DEPUTY CITY ATTORNEY STEVE GEORGE felt it would be under the discretion of the underlying property owner as to whether they would allow the applicant to come in with a contract to put a tower on their property. The item on this agenda is a Special Use Permit to determine whether this property would be appropriate for a cellular tower and the associated impacts on this request. The main reason the prior Ordinance did not materialize was the distance separation between residential uses and the cell towers.

VICE CHAIRMAN GALATI said he is aware of the fact that the Water District property north of Alta is part of the Las Vegas Springs, but south of Alta there is available land.

The City Council will set a date for a Public Hearing on this item at their 10/6/99 meeting. The Public Hearing will be heard by the City Council on 10/20/99.

(6:54 - 7:12) 1 - 1836

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ITEM

ACTION

C-3.

ABEYANCE - Z-89-87(4) - COMMUNITY
COLLEGE OF SOUTHERN NEVADA

Request for a Site Development Plan Review on property located at 6375 West Charleston Boulevard FOR A PROPOSED SPOTLIGHT ON TOP OF AN EXISTING CLOCK TOWER, C-V (Civic) and R-E (Residence Estates) Zones, Size: 75.82 Acres, Ward 1 (McDonald), APN's: 163-02-501-001, 163-02-601-001 and 163-02-601-003.

ON SEPTEMBER 8, 1999, THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE OCTOBER 14, 1999 PLANNING COMMISSION MEETING.

Galati -

ABEYANCE TO THE 10/14/99 PLANNING COMMISSION MEETING

Unanimous

(Gordon excused)

ANDREW REED, Planning and Development, stated that due to a scheduling conflict the applicant has requested this item be held in abeyance until the October 14, 1999 Planning Commission meeting.

There was no one present to represent the application.

CHAIRMAN BUCKLEY declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

To be heard by the Planning Commission on 10/14/99.

(6:05 - 6:06) 1 - 140

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ACTION

C-4.

**TM-41-99 - CANYON MEADOWS UNIT 8 -
STANPARK CONSTRUCTION COMPANY**

Request for a Tentative Map and to allow a perimeter wall with a maximum height of 18.50 feet where 12 feet is the maximum height permitted on property located on the south side of Alexander Road, approximately 650 feet west of Fort Apache Road, U (Undeveloped) Zone [L (Low Density Residential) and ML (Medium-Low Density Residential) General Plan Designations], Size: 5.12 Acres, No. of Lots: 31, Ward 4 (Brown).

NOTICES MAILED: 41

APPROVALS: 1

PROTESTS: 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

1. The maximum wall height, including retaining walls, shall be 12.50 feet.
2. Grant a minimum 20 foot wide public sewer easement over the existing public sewer line in the southeast portion of this site. No buildings or other permanent structures shall be allowed to encroach into this easement area as required by the Department of Public Works. Alternatively, if a plan to relocate the existing public sewer line is submitted to and approved by the City Planning Engineer, then appropriate public sewer easements shall be provided over those areas of the relocated public sewer line not within existing public right-of-way, and a Vacation application may be submitted to eliminate the existing easement obtained by Declaration of Utilization for public sewer use at the southeast edge of this site.

Galati -

APPROVED, SUBJECT TO STAFF'S CONDITIONS

Unanimous

(Gordon excused)

SUE BARTON, Planning and Development, stated staff has received a revised plan from the applicant. The original plan showed an 18.50 foot high wall, which is 6.50 feet higher than the Code permits. The revised plan shows a 12.50 foot high wall. There is a related case on this agenda, C-6, VAC-39-99, which is a request to vacate Government Patent Reservations on the site. This map is in conformance with the associated zoning case and subject to the revised elevation of a 12.50 foot high wall. Staff recommended approval, subject to the conditions.

RICK MAGNESS, VTN-Nevada, 2727 South Rainbow Boulevard, appeared to represent Stanpark Homes. They were able to lower the wall by working out an easement that goes through to Alexander. The highest point is 12.50 feet along Alexander, so there will not be an impact to the adjacent homes. They are within the 12.00 foot height except along Alexander. They have worked with COUNCILMAN LARRY BROWN on this request. MR. MAGNESS accepted the conditions on Item Nos. C-4 and C-6.

CHAIRMAN BUCKLEY declared the Public Hearing open.

MICHAEL HARDIN, 4013 Chieftain Street, appeared in favor. He wants to have this property developed so there will not be so much trash dumped on it. However, he objected to the height of the wall. The walls in the area range from 6 to 10 feet. The density should be the same as what is existing in the area. Along El Capitan and Ann Roads there is a 3 foot retainer wall and then a 6 to 10 foot walking path and then a tall wall.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

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TM-41-99 - CANYON MEADOWS UNIT 8 -
STANPARK CONSTRUCTION COMPANY

3. The submitted Drainage Plan and Technical Drainage Study must be accepted by the Department of Public Works prior to the recordation of a Final Map for this site as required by the Department of Public Works.

4. Site development to comply with all applicable conditions of approval for Z-44-99 and all other site-related actions.

5. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Planning Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

6. Approval of the Tentative Map shall be for no more than twelve (12) months. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within twelve (12) months of the approval of the Tentative Map or if an Extension of Time is not approved, a new Tentative Map must be filed.

7. Street names must be provided in accord with the City's Street Naming Regulations.

8. All development is subject to the conditions of City departments and State Subdivision Statutes.

9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

RICK MAGNESS appeared in rebuttal. The same materials will be used for the block wall as those all along Alexander Road since it's the same developer. In the interior along the east and west it will be at 12.00 feet or less. There are about 2.5 lots that will have a 12.50 foot high wall. The height of the wall along Copper Bay will be from 10.00 to 10.50 feet high. To the west is Unit 7, which is being completed.

This is final action.

(7:12 - 7:21) 1 - 2650

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ACTION

C-5.

VAC-37-99 - AMSTAR HOMES

Petition to vacate a ten foot (10') wide public sewer easement generally located south of Washington Avenue and west of Marion Drive, Ward 3 (Reese).

NOTICES MAILED: 394

APPROVALS: 0

PROTESTS: 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

1. The Petition of Vacation shall be amended to exclude those portions of the sewer easement lying east of the west line of the Marion Drive right-of-way, north of Arrowroot Avenue as required by the Department of Public Works.

2. Meet with the Collection Systems Planning Section of the Department of Public Works to establish an alternative public sewer access route to service the existing parcel to the west of this site prior to recordation of an Order of Vacation for this sewer easement as required by the Department of Public Works. Appropriate public sewer easements for the agreed upon alternate route shall be granted to the City prior to or concurrent with the recordation of an Order of Vacation as required by the Department of Public Works.

3. All development shall be in conformance with code requirements and design standards of all City departments.

Quinn -

APPROVED, SUBJECT TO STAFF'S CONDITIONS

Unanimous

(Gordon excused)

ANDREW REED, Planning and Development, stated the applicant has indicated this Vacation is necessary to allow for the development of a single family residential subdivision. The Department of Public Works indicates that the City has no further interest in this public sewer easement. Staff recommended approval, subject to the conditions.

RICK MAGNESS, VTN-Nevada, 2727 South Rainbow Boulevard, appeared to represent the applicant. He concurred with staff's conditions.

CHAIRMAN BUCKLEY declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

The City Council will set a date for a Public Hearing on this item at their 10/6/99 meeting. The Public Hearing will be heard by the City Council on 10/20/99.

(7:21 - 7:22) 1 - 3118

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VAC-37-99 - AMSTAR HOMES

APPROVED

4. The Order of Vacation shall not be recorded until all of the above conditions have been met. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed.

5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
C-6. <u>VAC-39-99 - STANPARK CONSTRUCTION COMPANY</u> Petition to vacate U. S. Government Patent Reservations generally located between Alexander Road and Fox Forest Avenue, west of Fort Apache Road, Ward 4 (Brown). <u>NOTICES MAILED:</u> 9 <u>APPROVALS:</u> 0 <u>PROTESTS:</u> 0 <u>STAFF RECOMMENDATION:</u> APPROVAL, subject to: 1. The Vacation application shall be revised to exclude that portion of the existing patent easements subject to the Declaration of Utilization for public sewer purposes along the southeast edge of this site as required by the Department of Public Works. The application shall be further revised to include that area outside of the curve where Fox Forest Avenue turns into Chieftan Street. The legal description shall also be revised to include only the north 33 feet (rather than 50 feet), which is the extent of the existing patent easement. 2. All improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation as required by the Department of Public Works. 3. Development of these sites shall comply with all applicable conditions of approval for the Canyon Meadows Unit 8 subdivision. 4. All development shall be in conformance with code requirements and design standards of all City departments.	Galati - APPROVED, SUBJECT TO STAFF'S CONDITIONS Unanimous (Gordon excused) RICK MAGNESS, VTN-Nevada, 2727 South Rainbow Boulevard, appeared to represent Stanpark Homes. They have worked with COUNCILMAN LARRY BROWN on this request. MR. MAGNESS accepted the conditions on Item Nos. C-4 and C-6. CHAIRMAN BUCKLEY declared the Public Hearing open. There was no one present wishing to speak on this item. CHAIRMAN BUCKLEY declared the Public Hearing closed. NOTE: See Item No. C-4, TM-41-99, for further discussion. The City Council will set a date for a Public Hearing on this item at their 10/6/99 meeting. The Public Hearing will be heard by the City Council on 10/20/99. (7:14 - 7:21) 1 - 2734

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ITEM

ACTION

VAC-39-99 - STANPARK CONSTRUCTION
COMPANY

APPROVED

5. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that Condition #2 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

6. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

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ITEM

ACTION

C-7.

U-91-99 - LUCKY CHAMP, INC. ON BEHALF
OF VINAY BAWA

Request for a Special Use Permit on property located at 1420 West Bonanza Road FOR THE OFF-PREMISE SALE OF BEER AND WINE IN CONJUNCTION WITH A CONVENIENCE STORE, C-M (Commercial/Industrial) Zone, Size: 0.52 Acres, Ward 3 (Reese), APN: 139-28-703-008.

NOTICES MAILED: 41

APPROVALS: 0

PROTESTS: 0

STAFF RECOMMENDATION: APPROVAL,
subject to:

1. If this Special Use Permit is not exercised within one (1) year after the approval, the Special Use Permit shall be void unless an Extension of Time is granted.
2. The sale of individual containers of any size of beer, wine coolers, or screw cap wine is prohibited.
3. Prior to the issuance of building permits submit for approval by the Planning and Development Department a revised landscape plan depicting 8 foot wide landscape planters with 24 inch box trees located a minimum distance of 30 linear feet on-center adjacent to the north and east property lines. Excluded from this requirement are the areas currently occupied by the trash enclosure in the northwest corner of the site, and the handicap accessible space located to the southeast of the existing convenience store.
4. Approval of this request does not constitute approval of a liquor license.

Galati -

APPROVED, SUBJECT TO STAFF'S CONDITIONS

Unanimous

(Gordon excused)

SUE BARTON, Planning and Development, stated the applicant would like to remodel an existing convenience store that is currently not being used and be able to sell off-premise beer and wine. There is sufficient parking being proposed for the site. Staff does not have any concerns with the use. It is compatible with the surrounding uses. This use complies with the Code requirements for a liquor establishment, including the distance separation requirements.

However, staff has a concern with the landscaping. There should be an 8 foot wide landscape planter with 24 inch box trees 30 feet on center adjacent to the north and east property lines. There are a couple of areas that should be excluded from that requirement where the trash enclosures are located and where the handicapped parking space is located on the southeast corner of the convenience store.

Staff recommended approval, subject to the conditions.

VINAY BAWA appeared to represent the application. He was concerned about Condition No. 2. There are two stores in the immediate area, AM/PM and Day and Night, that sell single containers.

CHAIRMAN BUCKLEY replied that Condition No. 2 is a standard condition applied to all sales of beer and wine in conjunction with a convenience store.

COMMISSIONER SKAAR commented that the stores mentioned by the applicant had received their permits a long time ago prior to that condition being placed on convenience stores. COUNCILMAN REESE stated that condition in Ward 3 and it is mandatory in his Ward for approval of the off-premise sale of beer and wine in conjunction with a convenience store.

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ITEM

ACTION

U-91-99 - LUCKY CHAMP, INC. ON BEHALF
OF VINAY BAWA

5. Conformance to all applicable requirements of Title 6 of the Municipal Code.

6. All City Code requirements and design standards of all City departments must be satisfied.

7. Dedicate an additional 10 feet of right-of-way adjacent to this site for Bonanza Road, 10 feet for Martin Luther King Boulevard, and a 54 foot radius at the northeast corner of Bonanza Road and Martin Luther King Boulevard prior to the issuance of any permits as required by the Department of Public Works. No reconstruction of the existing curb in conjunction with the dedication is required at this time. The requirement for the corner radius dedication may be reduced, or substituted with a Traffic Signal Chord easement, if the applicant submits information acceptable to Staff that shows a portion of any existing private permanent signage or other private improvement is located on or over the area being requested for dedication.

8. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new driveways or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

9. Landscape and maintain all unimproved rights-of-way on Bonanza Road and Martin Luther King Boulevard adjacent to this site as required by the Department of Public Works.

CHAIRMAN BUCKLEY declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

COMMISSIONER QUINN asked staff if this condition will be imposed on the large grocery stores applying for the off-premise sale of beer and wine, since it is imposed on the smaller establishments.

BOB GENZER, Planning and Development, answered that staff has not received that direction from the City Council.

COMMISSIONER SKAAR said that the big grocery stores offer a larger variety of groceries that are to be taken home. Oftentimes persons only buy beer and/or wine at a convenience store.

DEPUTY CITY ATTORNEY STEVE GEORGE added that there have been negative impacts associated with the sale of single containers at convenience stores such as loitering, trash debris, broken bottles, etc., which has not been experienced at the bigger establishments. Problem areas have experienced greater impacts than other areas.

VICE CHAIRMAN GALATI asked the applicant if he agrees to additional landscaping along the north and east property lines as requested by staff.

MR. BAWA responded that he agreed to putting in that additional landscaping.

The City Council will set a date for a Public Hearing on this item at their 10/6/99 meeting. The Public Hearing will be heard by the City Council on 10/20/99.

(7:22 - 7:30) 1 - 3186

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ITEM

ACTION

U-91-99 - LUCKY CHAMP, INC. ON BEHALF
OF VINAY BAWA

APPROVED

10. Submit an application for an Occupancy Permit and/or obtain an Encroachment Agreement for all landscaping and private improvements in the Bonanza Road and Martin Luther King public rights-of-way adjacent to this site prior to the issuance of any permits as required by the Department of Public Works.

11. Site development to comply with all applicable conditions of approval for Z-100-94 and all other site-related actions as required by the Department of Public Works.

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM	ACTION
C-8. <u>U-92-99 - DON & LAURIE HERMAN ON BEHALF OF MARIANNE HILL</u> Request for a Special Use Permit on property located at 3321 North Buffalo Drive FOR A PROPOSED HYPNOTHERAPY OFFICE, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 138-09-801-023. <u>NOTICES MAILED:</u> 111 <u>APPROVALS:</u> 0 <u>PROTESTS:</u> 0 <u>STAFF RECOMMENDATION:</u> APPROVAL, subject to: 1. This approval does not constitute approval of a business license. 2. All City Code requirements and design standards of all City departments must be satisfied.	Mack - APPROVED, SUBJECT TO STAFF'S CONDITIONS Unanimous (Gordon excused) SUE BARTON, Planning and Development, stated this use will be located within an existing office building that has access from Buffalo Drive. It is on the eastern portion of the site. There is sufficient parking located on the north and west of the building. This use can be conducted in a manner that is compatible with existing and surrounding land uses. Staff recommended approval, subject to the two conditions. MARIANNE HILL, 6356 West Viking Road, appeared to represent the application. She concurred with the conditions. CHAIRMAN BUCKLEY declared the Public Hearing open. There was no one present wishing to speak on this item. CHAIRMAN BUCKLEY declared the Public Hearing closed. VICE CHAIRMAN GALATI asked the applicant if she would primarily deal with the other uses on the site, or if it is a stand alone use. MS. HILL replied that it will be a drive-to use, but she will be working in conjunction with the nursing home behind the building, as well as offering her service to the doctors and dentist in the building and a surgical center that will be located across the parking lot. The City Council will set a date for a Public Hearing on this item at their 10/6/99 meeting. The Public Hearing will be heard by the City Council on 10/20/99. (7:30 - 7:32) 2 - 20

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ITEM	ACTION
C-9.	
<u>U-93-99 - RAY & ALMA SCHOOL LIMITED LIABILITY COMPANY ON BEHALF OF THE CW GROUP</u>	Skaar - APPROVED, SUBJECT TO STAFF'S CONDITIONS Unanimous (Gordon excused)
Request for a Special Use Permit on property located on the northeast corner of Tenaya Way and Craig Road FOR THE OFF-PREMISE SALE OF LIQUOR IN CONJUNCTION WITH A PROPOSED 17,031 SQUARE FOOT DRUG STORE (RITE AID), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 4 (Brown), APN: 138-03-611-001.	ANDREW REED, Planning and Development, stated a Rite-Aid drug store will be constructed adjacent to the northeast corner of Craig Road and Tenaya Way. Access is provided by one driveway to each of the adjacent streets. Landscaping will be provided along the street frontages and in planters adjacent to the building. The site plan is in conformance with the conditions of approval for Z-105-93(3), which was a site plan approved by the City Council in May of 1998. The use is compatible with existing and future surrounding land uses. There are no churches, schools, child care facilities or parks within 400 feet of the property. The subject site is physically suited for the type of land use being proposed. Staff recommended approval, subject to the conditions.
<u>NOTICES MAILED:</u> 319	
<u>APPROVALS:</u> 0	
<u>PROTESTS:</u> 0	
<u>STAFF RECOMMENDATION:</u> APPROVAL, subject to:	JIM CHILDS, CW Group, 2680 Chandler Avenue, Suite 5, appeared to represent the application. He concurred with staff's conditions.
1. There shall be no alcoholic beverages sold from the drive-thru window.	CHAIRMAN BUCKLEY declared the Public Hearing open. There was no one present wishing to speak on this item.
2. If this Special Use Permit is not exercised within one year after approval, the Special Use Permit shall be void unless an Extension of Time is granted.	CHAIRMAN BUCKLEY declared the Public Hearing closed.
3. Approval of this request does not constitute approval of a liquor license.	VICE CHAIRMAN GALATI felt this area will probably not experience loitering as in other parts of the valley.
4. Conformance to the conditions of approval of Z-105-93 and Z-105-93 (3).	COMMISSIONER QUINN felt different requirements are being imposed on certain classes of people and neighborhoods.
5. All City Code requirements and design standards of all City departments must be satisfied.	CHAIRMAN BUCKLEY thought there is more pedestrian access at Bonanza and Martin L. King than at Tenaya and Craig. COMMISSIONER MORAN felt the statute should be revised as far as single containers. It is unknown whether there will be loitering, etc. at the new drug stores.

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ACTION

U-93-99 - RAY & ALMA SCHOOL LIMITED
LIABILITY COMPANY ON BEHALF OF THE CW
GROUP

VICE CHAIRMAN GALATI felt if the statute were revised he would support having no sale of single cans or bottles at all in specific establishments.

The City Council will set a date for a Public Hearing on this item at their 10/6/99 meeting. The Public Hearing will be heard by the City Council on 10/20/99.

(7:32 - 7:38) 2 - 90

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

C-10.

U-94-99 - CHEYENNE-DURANGO LIMITED
LIABILITY COMPANY ON BEHALF OF
DISCOUNT TIRE COMPANY

Request for a Special Use Permit on property located on the east side of Durango Drive, approximately 300 feet north of Cheyenne Avenue, FOR MINOR AUTOMOTIVE REPAIR (DISCOUNT TIRE COMPANY), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 138-09-401-019.

NOTICES MAILED: 39

APPROVALS: 0

PROTESTS: 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. If this Special Use Permit is not exercised within one year after approval, the Special Use Permit shall be void unless an Extension of Time is granted.
2. Site development to comply with all applicable conditions of approval for Zoning Application Z-7-94, the Northshore Plaza Commercial Subdivision and all other subsequent site-related actions as required by the Department of Public Works.
3. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

Skaar -

APPROVED, SUBJECT TO STAFF'S CONDITIONS AND AN ADDITIONAL CONDITION LIMITING THE HOURS OF OPERATION FROM 7:00 A.M. TO 9:00 P.M. AND NO SUNDAY HOURS

Unanimous
(Gordon excused)

ANDREW REED, Planning and Development, stated access to this site will be provided by a driveway to Durango Drive. Landscaping will be provided along all the property lines. The elevations depict a stucco exterior with a concrete tile roof over the customer entrance and a flat roof over the remainder of the structure. The proposed use is compatible with existing and future surrounding land uses. The subject site is physically suited for the type of land use being proposed. Staff recommended approval, subject to the conditions.

JEFF PIERCE, Architectural Resource Team, 411 North Central, Phoenix, Arizona, appeared to represent Discount Tire Company. He concurred with staff's conditions. He asked for clarification of Condition No. 15 because he wondered if the access should be from the sidewalk on Durango into the site, versus the standard accessible pathway from the handicapped parking space into the store.

MR. REED said that is a standard condition indicating the applicant has to comply with all ADA requirements. The Department of Building and Safety will need to see the route from the sidewalk to the store.

MYLA YAHHAUS, 5430 West Sahara Avenue, appeared to represent Discount Tire Company. This store is only for the retail sale of tires and installation, no automotive repair.

CHAIRMAN BUCKLEY declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

COMMISSIONER SKAAR asked the hours of operation because of the apartments to the north.

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ITEM

ACTION

U-94-99 - CHEYENNE-DURANGO LIMITED
LIABILITY COMPANY ON BEHALF OF
DISCOUNT TIRE COMPANY

4. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways as recommended in the approved drainage plan/study.

5. Coordinate with the Collections Systems Planning Section of the Department of Public Works to determine appropriate public sewer connection routes to service this site prior to the submittal of any construction drawings. Comply with the recommendations of the Collections Systems Planning Section. All public sewer lines and/or sewer easements needed to connect this site to the public sewer system shall be in place prior to occupancy of this site as required by the Department of Public Works.

6. All development shall be in conformance with the site plan and building elevations.

7. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

JEFF STEVENS, 8961 West Sahara Avenue, appeared to represent Discount Tire Company. The hours of operation will be 8:30 A.M. to 6:00 P.M. during the week and 8:30 A.M. to 5:00 P.M. on Saturdays. They would not be willing to accept a condition limiting the hours of operation. There are no cars left outside.

MR. PIERCE added that more trees could be planted along the access point to buffer this facility from the multi-family.

COMMISSIONER SKAAR wanted to make sure that there would not be anyone at the facility late at night. She suggested a condition limiting the hours of operation from 7:00 A.M. to 9:00 P.M. and no Sunday hours.

MR. STEVENS said he would accept the additional condition limiting the hours of operation after COMMISSIONER SKAAR extended the hours in her motion.

The City Council will set a date for a Public Hearing on this item at their 10/6/99 meeting. The Public Hearing will be heard by the City Council on 10/20/99.

(7:38 - 7:44) 2 - 250

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ITEM	ACTION
C-10.	Skaar - APPROVED, SUBJECT TO STAFF'S CONDITIONS AND AN ADDITIONAL CONDITION LIMITING THE HOURS OF OPERATION FROM 7:00 A.M. TO 9:00 P.M. AND NO SUNDAY HOURS Unanimous (Gordon excused) ANDREW REED, Planning and Development, stated access to this site will be provided by a driveway to Durango Drive. Landscaping will be provided along all the property lines. The elevations depict a stucco exterior with a concrete tile roof over the customer entrance and a flat roof over the remainder of the structure. The proposed use is compatible with existing and future surrounding land uses. The subject site is physically suited for the type of land use being proposed. Staff recommended approval, subject to the conditions. JEFF PIERCE, Architectural Resource Team, 411 North Central, Phoenix, Arizona, appeared to represent Discount Tire Company. He concurred with staff's conditions. He asked for clarification of Condition No. 15 because he wondered if the access should be from the sidewalk on Durango into the site, versus the standard accessible pathway from the handicapped parking space into the store. MR. REED said that is a standard condition indicating the applicant has to comply with all ADA requirements. The Department of Building and Safety will need to see the route from the sidewalk to the store. MYLA YAHAUS, 5430 West Sahara Avenue, appeared to represent Discount Tire Company. This store is only for the retail sale of tires and installation, no automotive repair. CHAIRMAN BUCKLEY declared the Public Hearing open. There was no one present wishing to speak on this item. CHAIRMAN BUCKLEY declared the Public Hearing closed. COMMISSIONER SKAAR asked the hours of operation because of the apartments to the north.
<u>U-94-99 - CHEYENNE-DURANGO LIMITED LIABILITY COMPANY ON BEHALF OF DISCOUNT TIRE COMPANY</u> Request for a Special Use Permit on property located on the east side of Durango Drive, approximately 300 feet north of Cheyenne Avenue, FOR MINOR AUTOMOTIVE REPAIR (DISCOUNT TIRE COMPANY), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 138-09-401-019. <u>NOTICES MAILED:</u> 39 <u>APPROVALS:</u> 0 <u>PROTESTS:</u> 0 <u>STAFF RECOMMENDATION:</u> APPROVAL, subject to: 1. If this Special Use Permit is not exercised within one year after approval, the Special Use Permit shall be void unless an Extension of Time is granted. 2. Site development to comply with all applicable conditions of approval for Zoning Application Z-7-94, the Northshore Plaza Commercial Subdivision and all other subsequent site-related actions as required by the Department of Public Works. 3. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.	

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ACTION

U-94-99 - CHEYENNE-DURANGO LIMITED
LIABILITY COMPANY ON BEHALF OF
DISCOUNT TIRE COMPANY

4. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways as recommended in the approved drainage plan/study.

5. Coordinate with the Collections Systems Planning Section of the Department of Public Works to determine appropriate public sewer connection routes to service this site prior to the submittal of any construction drawings. Comply with the recommendations of the Collections Systems Planning Section. All public sewer lines and/or sewer easements needed to connect this site to the public sewer system shall be in place prior to occupancy of this site as required by the Department of Public Works.

6. All development shall be in conformance with the site plan and building elevations.

7. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

JEFF STEVENS, 8961 West Sahara Avenue, appeared to represent Discount Tire Company. The hours of operation will be 8:30 A.M. to 6:00 P.M. during the week and 8:30 A.M. to 5:00 P.M. on Saturdays. They would not be willing to accept a condition limiting the hours of operation. There are no cars left outside.

MR. PIERCE added that more trees could be planted along the access point to buffer this facility from the multi-family.

COMMISSIONER SKAAR wanted to make sure that there would not be anyone at the facility late at night. She suggested a condition limiting the hours of operation from 7:00 A.M. to 9:00 P.M. and no Sunday hours.

MR. STEVENS said he would accept the additional condition limiting the hours of operation after COMMISSIONER SKAAR extended the hours in her motion.

The City Council will set a date for a Public Hearing on this item at their 10/6/99 meeting. The Public Hearing will be heard by the City Council on 10/20/99.

(7:38 - 7:44) 2 - 250

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ACTION

ITEM

U-94-99 - CHEYENNE-DURANGO LIMITED
LIABILITY COMPANY ON BEHALF OF
DISCOUNT TIRE COMPANY

APPROVED

9. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

10. All City Code requirements and design standards of all City departments must be satisfied.

11. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.

12. Remove all substandard public street improvements and all unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City standards prior to occupancy of this site as required by the Department of Public Works.

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

14. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet to provide for transportation hazards.

15. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

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ITEM	ACTION
C-12.	
<u>VAC-38-99 - JAMES & PATRICIA RISSLER</u> Petition to vacate Marietta Avenue between Fairhaven Street and Leonard Lane, Ward 4 (Brown). <u>NOTICES MAILED:</u> 4 <u>APPROVALS:</u> 0 <u>PROTESTS:</u> 0 <u>STAFF RECOMMENDATION:</u> APPROVAL, subject to: 1. A Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved drainage plan/study. <i>The Drainage Study required by Z-51-99 may be used to satisfy this condition.</i> 2. All public improvements, if any, adjacent to and in conflict with this Vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation as required by the Department of Public Works. 3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required. 4. All development shall be in conformance with code requirements and design standards of all City departments.	Galati - APPROVED, SUBJECT TO STAFF'S CONDITIONS Unanimous (Gordon excused) ANDREW REED, Planning and Development, stated this portion of Marietta Avenue is currently unimproved. Approval of this request would not eliminate public street access to any abutting parcel. This would facilitate development of the east parcel. Staff recommended approval, subject to the conditions. DENNIS RUSK, Architect, 3960 East Patrick Lane, Suite 203, appeared to represent the applicant. He concurred with staff's conditions. CHAIRMAN BUCKLEY declared the Public Hearing open. There was no one present wishing to speak on this item. CHAIRMAN BUCKLEY declared the Public Hearing closed. The City Council will set a date for a Public Hearing on this item at their 10/6/99 meeting. The Public Hearing will be heard by the City Council on 10/20/99. (7:44 - 7:49) 2 - 464

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

VAC-38-99 - JAMES & PATRICIA RISSLER

APPROVED

5. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #2 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the Vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all Vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Commission, then approval will terminate and a new petition must be submitted.

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ITEM

ACTION

C-13.

Z-51-99 - JAMES & PATRICIA RISSLER

Request for a Rezoning on property located on the northwest corner of Vegas Drive and Fairhaven Street, From: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] To: C-1 (Limited Commercial), PROPOSED USE: 6,435 SQUARE FOOT RETAIL/OFFICE BUILDING, Size: 0.54 Acres, Ward 4 (Brown), APN:-138-24-803-023.

NOTICES MAILED: 101

APPROVALS: 0

PROTESTS: 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. A revised site plan, indicating that there shall be no access to Fairhaven Street from this site, shall be submitted to the Planning Department for review and approval
2. The building exterior shall be aesthetically enhanced as required by the Planning and Development Department.
3. Vacation Application VAC-38-99 (or similar action), must record prior to the issuance of any grading or building permits, whichever may occur first, overlying any part of the area to be vacated as required by the Department of Public Works.
4. Construct half-street improvements on Fairhaven Street and construct all incomplete half-street improvements on Vegas Drive adjacent to this site concurrent with development of this site as required by the Department of Public Works.

Galati -

APPROVED, SUBJECT TO STAFF'S CONDITIONS

Unanimous

(Gordon excused)

ANDREW REED, Planning and Development, stated the site plan indicates a single story retail office building being proposed for the south portion of this site. Ingress to the site is provided by a driveway to Fairhaven Street on the north portion of the site with egress via a second driveway to the south. Landscaping is provided within a 20 foot wide planter along Vegas Drive, a 15 foot wide planter along Fairhaven Street, with minimum 8 foot wide planters along the north and west property lines and within the parking lot. The elevations indicate the structure will have a white stucco exterior with a red tile roof.

This site is designated SC (Service Commercial) on the Southwest Sector Map of the General Plan. The proposed Rezoning to C-1 is in conformance with that designation and compatible with the existing zoning immediately to the east and west and shopping center to the south.

Staff has reviewed the approval of the C-1 of the parcel immediately to the east of the subject site on the northeast corner of Vegas and Fairhaven. At that meeting, based on concerns raised by surrounding property owners, access to Fairhaven was prohibited. Staff feels it would be appropriate to place the same condition on the subject site. That will require a substantial redesign of the site and an Administrative Site Development Plan Review will be required. The site will need to be flipped with the building in the north portion and the parking lot in the south, so that access can be taken from Vegas Drive. Staff also has concerns with the blank uninteresting appearance of the building exterior. The applicant said they will propose aesthetic enhancements for the building after a tenant has been determined. Staff has added a condition that addresses that issue.

Staff recommended approval, subject to the conditions.

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ACTION

Z-51-99 - JAMES & PATRICIA RISSLER

5. Construct a public sewer line in Fairhaven Street adjacent to this site and extending 5 feet north of the northern edge of this site prior to the construction of hard surfacing on Fairhaven Street as required by the Department of Public Works.

6. Meet with the Traffic Engineer for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved

DENNIS RUSK, Architect, 3960 East Patrick Lane, Suite 203, appeared to represent the applicant. He concurred with staff's conditions.

CHAIRMAN BUCKLEY declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

To be heard by the City Council on 10/20/99.

(7:44 - 7:49) 2 - 464

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ACTION

Z-51-99 - JAMES & PATRICIA RISSLER

APPROVED

Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may contribute \$1,000.00 for neighborhood traffic mitigation prior to the issuance of building or off-site permits, whichever may occur first, as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The City reserves the right to utilize the contributed traffic monies for the installation of traffic signals at any intersection within this general vicinity which is impacted by this development.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site if allowed by the Planning Engineer.

9. A Resolution of Intent with a 12 month time limit.

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ACTION

Z-51-99 - JAMES & PATRICIA RISSLER

APPROVED

10. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

11. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

12. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

13. All City Code requirements and design standards of all City departments must be satisfied.

14. All damage to the existing street improvements resulting from this development must be repaired as required by the Department of Public Works.

15. Remove all substandard public street improvements and all unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City standards prior to occupancy of this site as required by the Department of Public Works.

16. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

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ITEM

ACTION

Z-51-99 - JAMES & PATRICIA RISSLER

APPROVED

17. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet to provide for transportation hazards.

18. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Planning and Development Department. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

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ACTION

ITEM

-14.

Z-52-99 - ALBERT ABRAMS FAMILY TRUST
AND SEYMOUR & SYLVIA MATANKY FAMILY
TRUST ON BEHALF OF LEE MEKELBURG

Request for a Rezoning on property located on the east side of Durango Drive, approximately 350 feet south of Alexander Road, From: U (Undeveloped) Zone [ML (Medium-Low Density Residential) General Plan Designation] To: R-PD8 (Residential Planned Development - 8 Units per Acre), PROPOSED USE: 76 LOT SINGLE FAMILY SUBDIVISION, Size: 10.71 Acres, Ward 4 (Brown), APN: 138-09-101-007.

NOTICES MAILED: 334

APPROVALS: 0

PROTESTS: 6

STAFF RECOMMENDATION: APPROVAL,
subject to:

1. The proposed linear park feature shall be open to public access for pedestrian or bicycle use; no obstructions shall be constructed restricting such access. This trail should be constructed by the developer with the first phase of development and privately maintained by a Homeowner's Association. Coordinate with the Nevada Power Company to determine if any other access restrictions exist and if so provide a letter to the City indicating such.
2. The applicant shall obtain a letter from the Nevada Power Company indicating approval of the parking spaces proposed to be located within the power line easement.
3. The proposed site plan shall be revised to show only one vehicular crossing of the "linear park" feature running diagonally through this site, in order to minimize potential vehicle/pedestrian conflicts. In addition, such access point shall be posted with signage indicating Pedestrian Crossings as required by the Department of Public Works.

Quinn -
ABEYANCE TO THE 10/14/99 PLANNING COMMISSION MEETING

Unanimous
(Gordon excused)

ANDREW REED, Planning and Development, stated access to this subdivision will be via a gated private drive to Durango Drive. Circulation through the subdivision will be provided by 40 foot wide private drives. The garages of the proposed development dwellings will be located in the rear portion of the lots with access to be provided by 24 foot wide alleys that connect to the private drives. Landscaping is provided within a 6 foot wide planter along Durango Drive and within an open space area in a 100 foot wide power line easement that diagonally bisects the property. A walking trail is shown within the easement. The elevations depict two story structures with stucco exteriors.

The Northwest Sector Map has designated the subject property as Medium Low Density Residential, which allows densities ranging from 5.6 to 8.0 dwelling units per acre. This proposal conforms to that land use designation and is compatible with existing land uses in the area and those proposed by the General Plan. The submitted site plan includes a walking trail within the power line easement similar to that within subdivisions to the south. In order to insure that all the walking paths in the area can be connected, staff has added a condition requiring the trail within the subject site to be open and not fenced off. Additionally, staff has added a condition requiring the applicant to obtain permission from the Nevada Power Company in order to locate parking spaces within the easement.

Staff recommended approval, subject to the conditions.

CAMERON HILLSTEAD, 4795 Sandhill Road, appeared to represent the applicant. He concurred with staff's conditions.

CHAIRMAN BUCKLEY declared the Public Hearing open.

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ACTION

Z-52-99 - ALBERT ABRAMS FAMILY TRUST
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TRUST ON BEHALF OF LEE MEKELBURG

8. The proposed gated entrance shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

9. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

10. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

11. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such moneys shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard

CAROL SFERRA, Cimarron/Gowan Homeowners Association, 8313 Spring Arts Avenue, appeared in protest. She felt the developer should have contacted the Homeowners Association. This will affect the traffic and schools.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

CAMERON HILLSTEAD appeared in rebuttal. This is a planned gated community. The only vehicular access will be off Durango Drive. This project will not contribute any traffic to Woodland Prairie Avenue. They plan to meet all of the City requirements. On the west side of this property is compact lots and to the south and east is R-PD7. This request is for R-PD8 with a density of 7.1 units per acre.

LEE MEKELBURG appeared to represent the developer, Albert Abrams Family Trust. They were unaware of any negative responses to this proposal until today, so they did not attempt to meet with the residents in the area. The developer purchased the property because they planned to have a project similar to the surrounding densities with affordable small homes. They knew a park would have to be made out of the easement. They have given the City the drainage easement which comprised approximately a half acre. The area is master planned for this type of development. This project is separated from the protestants by a two and a half acre site.

CHERI EDELMAN, Public Works, noted that the drainage easement is City right-of-way. Therefore, she requested that the developer grant the City an encroachment agreement and landscaping to improve that area.

COMMISSIONER MACK asked why the applicant is requesting R-PD7, rather than R-PD8. He thought the developer should have met with the residents.

MS. MEKELBURG said the design of the project is basically an R-PD7. They did not meet with the residents because they didn't think anyone had a concern with this project.

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Z-52-99 - ALBERT ABRAMS FAMILY TRUST
AND SEYMOUR & SYLVIA MATANKY FAMILY
TRUST ON BEHALF OF LEE MEKELBURG

Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, the applicant may contribute \$16,065.00 to partially fund a traffic signal system at the intersection of Alexander Road and Durango Drive prior to the issuance of building or off-site permits or the recordation of a Final Map for this site as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The City reserves the right to utilize the contributed traffic signal moneys for the installation of traffic signals at any other intersection within this general vicinity which is impacted by this development and which has a more immediate need for signalization.

12. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the recordation of a Final Map for this site as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute moneys for the construction of neighborhood or local drainage

BOB GENZER, Planning and Development, added that if this item is recommended for approval, the application could be amended to R-PD7.

VICE CHAIRMAN GALATI asked the applicant if they own the undeveloped property to the east.

MS. MEKELBURG answered that they do not own that property.

VICE CHAIRMAN GALATI noted that these lots are half the size of those across the street. He felt the lots in this proposal are too small. This project is too dense for this area, even though the zoning classification seems to be appropriate, but the design does not fit. This could be redesigned and then the developer and neighborhood could meet. Perhaps parts of this site could be more dense than other parts. He felt this should be held in abeyance.

MR. HILLSTEAD responded that this property has severe limitations because of the easement.

COMMISSIONER QUINN asked if this is held in abeyance at this meeting whether it could still be heard by the City Council on October 20th as it was originally scheduled.

MR. GENZER said it would be difficult for staff to provide the appropriate backup for the City Council hearing in a timely manner.

COMMISSIONER MACK wondered if a condition could be placed on this application that the applicant would have to meet with the residents prior to October 20th.

DEPUTY CITY ATTORNEY GEORGE said that would be an unenforceable condition.

MS. MEKELBURG stated the applicant will have no problem in meeting with the neighbors.

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TRUST ON BEHALF OF LEE MEKELBURG

improvements. The amount of such moneys shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site if allowed by the Planning Engineer.

13. A Homeowner's Association shall be established to maintain all perimeter walls, private drives, landscaping and common areas created with this development.

14. The design and layout of all on-site private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.

15. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Planning Engineer or the Planning Commission prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

CHAIRMAN BUCKLEY thought a problem with holding this item in abeyance for two weeks is that there needs to be a substantial redesign of the project. This project needs to take into account the density.

COMMISSIONER SKAAR pointed out that they have to give up unbuildable acreage because of the drainage channel and power easement. Because of that situation, the size of the lots is being intensified by having private drives and alleyways which require more paving. A rear access is appealing from the street because the garage is not seen. However, when looking at the south portion of this project, there are small landscape planters along the rear of the houses that are on Gilmore Avenue. Then there is nothing but roof tops and asphalt until the power easement.

MR. HILLSTEAD said they would prefer having this item held in abeyance for 30 days.

MR. GENZER said the 30-day abeyance means the applicant will have to meet with the neighbors, make design changes, and allow staff two weeks to review those changes. Otherwise, staff may have to request an additional abeyance if there is not enough time to review the revised plan.

To be heard by the City Council on 10/20/99.

(7:49 - 8:24) 2 - 620

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ITEM

ACTION

Z-52-99 - ALBERT ABRAMS FAMILY TRUST
AND SEYMOUR & SYLVIA MATANKY FAMILY
TRUST ON BEHALF OF LEE MEKELBURG

ABEYANCE to 10/14/99

16. A Resolution of Intent with a 12 month time limit.

17. All development shall be in conformance with the site plan and building elevations.

18. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or prior to occupancy, whichever occurs first.

19. All City Code requirements and design standards of all City departments must be satisfied.

20. Remove all substandard public street improvements and all unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City standards prior to occupancy of this site as required by the Department of Public Works.

21. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

22. Where new water mains are extended along streets and fire hydrants are not needed for protection of structures, hydrants shall be spaced at a maximum distance of 1,000 feet to provide for transportation hazards.

23. Fence heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.

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ITEM	ACTION
C-15.	Z-53-99 - TOMOO OKADA FAMILY TRUST AND TOMOO OKADA REVOCABLE TRUST ON BEHALF OF TECH PLAZA, LIMITED LIABILITY COMPANY Request for a Rezoning on property located on the southeast corner of Cimarron Road and Via Olivero Avenue, From: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] To: O (Office), PROPOSED USE: A 12,600 SQUARE FOOT ONE STORY OFFICE BUILDING, Size: 1.12 Acres, Ward 1 (McDonald), APN: 163-04-804-006. <u>NOTICES MAILED:</u> 1777 <u>APPROVALS:</u> 1 <u>PROTESTS:</u> 4 <u>STAFF RECOMMENDATION:</u> APPROVAL, subject to: 1. Prior to the issuance of any tenant improvement building permits, business licenses, or certificates of occupancy, a parking analysis is required to be reviewed by the Planning and Development Department. 2. Prior to the issuance of any building permits submit a revised landscaping plan depicting an 8 foot wide landscape planter adjacent to the east property line, instead of the proposed 5 foot wide planter, to the Planning and Development Department for review. 3. Construct a nominal 8 foot high decorative block wall, set back 10 feet from Via Olivero Avenue, with 24 inch box trees located a minimum of 30 linear feet on-center in the bermed landscaping planter adjacent to Via Olivero Avenue, as required by the Planning and Development Department.
	Galati - APPROVED, SUBJECT TO STAFF'S CONDITIONS, WITH CONDITION NO. 2 AMENDED TO A FIVE FOOT WIDE LANDSCAPE PLANTER, AND CONDITION NO. 3 AMENDED TO INDICATE AN AGREEMENT TO BE REACHED BETWEEN STAFF AND APPLICANT ON THE HEIGHT OF THE WALL PRIOR TO THE CITY COUNCIL MEETING Unanimous (Gordon excused) SUE BARTON, Planning and Development, stated access to this site is proposed via one driveway from Cimarron Road. The structure will be located in the central and northern portions of the site with parking to the south and east of the building. The applicant is proposing minimum 20 foot wide driveways within the circulation space. There will be four separate units. This site is designated SC (Service Commercial) on the Southwest Sector Map, which allows a C-1 (Limited Commercial) land use designation. There are properties to the south and east which are zoned C-1. This use is compatible with existing and future surrounding land uses. Staff has concerns with the site plan: 1. Fifty-nine parking spaces are being proposed. If all those units were to be used professionally, only 42 parking spaces would be required. If medical uses were in those four suites, then 60 parking spaces would be required. A parking analysis will need to be provided to staff after each tenant comes into the complex. Three handicapped parking spaces are required if there would be medical uses. Two handicapped spaces are being proposed at this time. 2. An 8 foot high decorative block wall set back 10 feet from Via Olivero Avenue is being requested by staff. That would provide consistency with the land use to the east. 3. A sidewalk should be provided along Via Olivero Avenue.

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ACTION

Z-53-99 - TOMOO OKADA FAMILY TRUST
AND TOMOO OKADA REVOCABLE TRUST ON
BEHALF OF TECH PLAZA, LIMITED LIABILITY
COMPANY

4. Direct vehicular access to Via Olivero shall be prohibited.

5. There shall be no sidewalk constructed along the south side of Via Olivero Avenue.

6. Construct half-street improvements including appropriate overpaving (if legally able) on Via Olivero Avenue adjacent to this site concurrent with development of this site as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.

7. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities as required by the Department of Public Works.

8. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on-site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

4. A 5 foot wide landscape planter is being proposed adjacent to the east property line. There are some drainage concerns, so staff discussed this with Public Works, who have confirmed that an 8 foot wide landscape planter could be provided.

Staff recommended approval, subject to the conditions.

KEN HORAK, Ken Horak & Associates, appeared to represent the owner and applicant. When this site was originally subdivided, a drainage easement was incorporated. In addition, there is a transformer and pad. Therefore, he objected to staff's request for an 8 foot wide landscape planter. In addition, the adjacent office building was not required to install any landscaping, but they do have a 20 foot wide planter in the front with a few plants in it and parking directly to the rear wall with overflow parking on the applicant's site. Farther down the street there is very little landscaping. They will provide the wall and 8 foot planter along the south property line adjacent to the existing office building site. The new office building on the corner of Buffalo and Via Olivero was required to install a wall from 6 feet down to 2 feet and their planter is only set back 5 feet. Farther down Via Olivero the residential walls are along the street. By putting walls on the other side of the street, it would create a walled alleyway. The applicant feels that their landscaped yard area of approximately 20 feet is going to be more attractive than an 8 foot high wall.

CHAIRMAN BUCKLEY declared the Public Hearing open.

There was no one present wishing to speak on this item.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

BOB GENZER, Planning and Development, said staff would not object to amending Condition No. 2 to a 5 foot wide landscape planter.

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ITEM

ACTION

Z-53-99 - TOMOO OKADA FAMILY TRUST
AND TOMOO OKADA REVOCABLE TRUST ON
BEHALF OF TECH PLAZA, LIMITED LIABILITY
COMPANY

9. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may contribute \$1,500.00 for neighborhood traffic mitigation prior to the issuance of building or off-site permits, whichever may occur first, as required by the Department of Public Works. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. The City reserves the right to utilize the contributed traffic monies for the installation of traffic signals at any intersection within this general vicinity which is impacted by this development.

CHAIRMAN BUCKLEY referred to Condition No. 3 by stating that the City has spent a lot of time and public meetings to have the walls and landscaping be acceptable to the homeowners in the area. There was a consensus that a specific landscape and buffer area be developed along the south side of Via Olivero.

MR. GENZER commented that staff will review the height of the wall to determine whether it should be 6 or 8 feet high prior to the City Council hearing. The setback for the landscaping has been consistent at 10 feet in this area, except at the corner of Buffalo and Via Olivero.

CHAIRMAN BUCKLEY commended staff on Condition No. 1 because oftentimes there are insufficient parking spaces after the tenants have taken occupancy of their offices.

To be heard by the City Council on 10/20/99.

(8:24 - 8:37) 2 - 1870

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

Z-53-99 - TOMOO OKADA FAMILY TRUST
AND TOMOO OKADA REVOCABLE TRUST ON
BEHALF OF TECH PLAZA, LIMITED LIABILITY
COMPANY

APPROVED

10. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, whichever may occur first, as required by the Department of Public Works. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved drainage plan/study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved drainage plan/study concurrent with development of this site if allowed by the Planning Engineer.

11. A Resolution of Intent.

12. All development shall be in conformance with the Site Development plan and building elevations.

13. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. For non-residential developments, failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

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COMPANY

APPROVED

14. A landscaping plan must be submitted prior to or at the same time application is made for a building permit or license, or prior to occupancy, whichever occurs first.

15. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single family development).

16. All City Code requirements and design standards of all City departments must be satisfied.

17. Provide plans showing accessible exterior routes from public transportation stops, accessible parking, passenger loading zones and public sidewalks to the accessible building entrance(s) with submittal of plans for building permits as required by the Department of Building and Safety. Accessible routes shall have running slopes and cross slopes in accordance with the applicable code.

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ACTION

D.

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

There was no one present wishing to speak under this portion of the agenda.

ADJOURNMENT:

There being no further business to come before the City Planning Commission, the meeting adjourned at 8:37 P.M.

PLANNING AND DEVELOPMENT DEPARTMENT


ANDREW REED, SENIOR PLANNER

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