

**VERBATIM  
TRANSCRIPT  
ATTACHED  
AFTER  
MEETING  
MINUTES**

# Agenda

*City of Las Vegas*

## PLANNING COMMISSION MEETING

**OCTOBER 28, 1999**

Council Chambers 400 Stewart Avenue

Phone 229-6301

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 September 23, 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.

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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-45-99 - PAIUTE CROSSING AT TULE SPRINGS - W. L. HOMES LIMITED LIABILITY COMPANY - Request for a Tentative Map on property located adjacent to the north side of Racel Street, approximately 1,350 feet east of Durango Drive, R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Size: 38.25 Acres, No. of Lots: 133, Ward 4 (Brown).
- A-2. FM-76-99 - STAMPEDE ESTATES - UNIT 3 - PAULE VALENTINE - Request for a Final Map on property located adjacent to the southwest corner of the intersection of Pioneer Way and Elkhorn Road, U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Size: 9.22 Acres, No. of Lots: 29, Ward 4 (Brown).
- A-3. FM-77-99 - ALTA MIRA (A COMMERCIAL SUBDIVISION) - ALTA MIRA COMMERCIAL LIMITED PARTNERSHIP - Request for a Final Map on property located adjacent to the northeast corner of the intersection of Jones Boulevard and Craig Road, R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Size: 9.18 Acres, No. of Lots: 1, Ward 4 (Brown).
- A-4. FM-78-99 - CENTENNIAL CENTER - UNIT 2 - JOSEPH SCALA - Request for a Final Map on property located adjacent to the southwest corner of US-95 and Centennial Parkway, T-C (Town Center) Zone, Size: 56.07 Acres, No. of Lots: 4, Ward 4 (Brown).
- A-5. RM-9-99 - A PORTION OF SOUTH ADDITION - RANDALL MAINOR, ET AL - Request for a Reversionary Map on property located adjacent to the southeast corner of the Fourth Street and Gass Avenue intersection, C-1 (Limited Commercial) Zone under Resolution of Intent to C-2 (General Commercial), Size: 0.48 Acres, No. of Lots: 1, Ward 1 (McDonald).
- A-6. TM-46-98(1) - COTTONWOOD TERRACE - PN II, INC. - Request for an Extension of Time on an approved Tentative Map on property located adjacent to the northeast corner of the intersection of Town Center Drive and Park Run Drive, PC (Planned Community) Zone, Size: 25.0 Acres, No. of Lots: 98, Ward 2 (L. B. McDonald).
- A-7. A-44-99(A) - HILDA M. WEST IRREVOCABLE TRUST, ET AL - Petition to Annex property generally located adjacent to the southeast corner of the intersection of Regena Avenue and Tenaya Way, containing approximately 16 acres of land, Ward 4 (Brown), APN: 125-27-503, 001, 003 though 006, and 008 though 014

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- A-8.      A-45-99(A) - EAGLE DANCER LIMITED LIABILITY COMPANY - Petition to Annex property generally located on the east side of Valadez Street between Lone Mountain Road and La Madre Way, containing approximately 14.8 acres of land, Ward 4 (Brown), APN: 125-33-802-001, 003 and 004.
- A-9.      U-138-95(5) - SPECTRUM COMMERCIAL, LIMITED - Request for an Extension of Time for an approved Special Use Permit on property located on the southwest corner of Cimarron Road and Farm Road which allowed a MINI-STORAGE FACILITY, R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 125-16-310-002.
- A-10.      U-139-95(5) - SPECTRUM COMMERCIAL, LIMITED - Request for an Extension of Time for an approved Special Use Permit on property located on the southwest corner of Farm Road and Cimarron Road which allowed a TAVERN IN CONJUNCTION WITH A PROPOSED RESTAURANT, R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 125-16-310-002.
- A-11.      U-140-95(5) - SPECTRUM COMMERCIAL, LIMITED - Request for an Extension of Time for an approved Special Use Permit on property located on the southwest corner of Farm Road and Cimarron Road which allowed the OFF-PREMISE SALE OF BEER AND WINE AND GASOLINE SALES IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE, R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 125-16-310-002.
- B.      NON PUBLIC HEARING ITEMS:
- B-1.      Z-100-64(171) - 528 CASINO CENTER TRUST - Request for a Site Development Plan Review on property located at 528 South Casino Center Boulevard FOR A PROPOSED 5,850 SQUARE FOOT, TWO-STORY OFFICE BUILDING, R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial), Size: 0.16 Acres, Ward 1 (McDonald), APN: 139-34-311-048.
- B-2.      Z-6-66(42) - ARAMESH AKHAVAN, ET AL - Request for a Site Development Plan Review on property located adjacent to the north side of West Charleston Boulevard east of Jones Boulevard FOR A PROPOSED 24,160 SQUARE FOOT RETAIL PROJECT, C-1 (Limited Commercial) Zone, Size: 2.12 Acres, Ward 1 (McDonald), APN: 138-36-406-006.
- B-3.      Z-102-86(3) - THREE B'S, INC. - Request for a Site Development Plan Review on property located on the south side of Charleston Boulevard, approximately 550 feet west of Durango Drive FOR A PROPOSED 2,804 SQUARE FOOT DRIVE-THRU RESTAURANT, C-1 (Limited Commercial) Zone, Size: 15.61 Acres, Ward 2 (L. B. McDonald), APN: 163-05-517-002.

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- B-4.      Z-106-87(5) - ALEXANDER-TENAYA PARTNERSHIP - Request for a Site Development Plan Review on property located at 7100 West Alexander Road FOR 104 APARTMENT UNITS (TWO-STORY BUILDINGS) ADDED TO A SITE WITH AN EXISTING 224 UNIT APARTMENT COMPLEX (QUAIL TREE APARTMENTS), R-3 (Medium Density Residential) Zone, Size: 13.06 Acres, Ward 4 (Brown), APN: 138-03-802-002 and 003.
- B-5.      Z-75-90(17) - SPECTRUM COMMERCIAL LIMITED - Request for a Site Development Plan Review on property located adjacent to the southwest corner of the intersection of Farm Road and Cimarron Road FOR A PROPOSED 40,442 SQUARE FOOT COMMERCIAL CENTER WHICH INCLUDES A CONVENIENCE STORE WITH GASOLINE SALES AND THE OFF-PREMISE SALE OF BEER AND WINE, A FAST FOOD RESTAURANT, A RESTAURANT WITH A TAVERN, AND RETAIL SHOPS, R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Size: 5.70 Acres, Ward 4 (Brown), APN: 125-16-310-002.
- B-6.      Z-20-97(21) - CLARK COUNTY RETAIL PROPERTY MANAGEMENT, ET AL - Request for a Site Development Plan Review on property located adjacent to the south side of Kenyon Place approximately 220 feet east of Shadow Lane FOR A PROPOSED 34,780 SQUARE FOOT OFFICE BUILDING (CLARK COUNTY OPERATION CENTER), PD (Planned Development) Zone, Size: 1.6 Acres, Ward 1 (McDonald), APN: 139-33-305-003, 004, 005, 006, 007 and 008.
- B-7.      Z-20-97(22) - CLARK COUNTY HEALTH DISTRICT - Request for a Site Development Plan Review on property located at 625 Shadow Lane FOR A PROPOSED 70,500 SQUARE FOOT 3-STORY MEDICAL OFFICE BUILDING, PD (Planned Development) Zone, Size: 10.96 Acres, Ward 1 (McDonald), APN: 139-33-402-002, 139-33-402-012, and 139-33-305-020.
- B-8.      Z-55-99(1) - HUFF 1993 TRUST, ET AL - Request for a Site Development Plan Review on property located adjacent to the southeast corner of Alta Drive and Decatur Boulevard FOR A PROPOSED 15,332 SQUARE FOOT DRUG STORE (SAV-ON), C-1 (Limited Commercial), P-R (Professional Offices and Parking) and R-1 (Single Family Residential) Zones, Size 1.82 Acres, Ward 1 (McDonald), APN: 139-31-214-033, 139-31-310-001 through 005 and 130 through 133.
- B-9.      Z-56-99(1) - AMERICAN STORES PROPERTIES, INC. - Request for a Site Development Plan Review on property located adjacent to the northwest corner of the intersection of Sahara Avenue and Tenaya Way FOR A PROPOSED 214,300 SQUARE FOOT AUTOMOBILE DEALERSHIP (FLETCHER JONES MERCEDES), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) [PROPOSED C-2 (GENERAL COMMERCIAL) ZONE], Size: 6.17 Acres, Ward 1 (McDonald), APN: 163-03-404-020.
- B-10.      Z-61-99(1) - LV (VEGAS/JONES) LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review on property located adjacent to the west side of Jones Boulevard and the north side of Vegas Drive FOR A PROPOSED 190 UNIT SENIOR CITIZEN APARTMENT DEVELOPMENT, R-E (Residence Estates) and R-1 (Single Family Residential) Zones, PROPOSED R-3 (Medium Density Residential), Size: 8.32 Acres, Ward 4 (Brown), APN: 138-23-801-003.

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- B-11. Z-62-99(1) - NATIONAL CHURCH PROPERTIES - Request for a Site Development Plan Review on property located at 715 North Tonopah Drive FOR A PROPOSED 75 UNIT TWO-STORY SENIOR HOUSING COMPLEX, R-1 (Single Family Residential) Zone proposed zone R-3 (Medium Density Residential), Size: 4.36 Acres, Ward 3 (Reese), APN: 139-29-704-017.
- B-12. Z-65-99(1) - PATRICK AND MARTHA BASH, ET AL - Request for a Site Development Plan Review on property located adjacent to the west side of Losee Road, south of Lake Mead Boulevard FOR A PROPOSED 56,004 SQUARE FOOT INDUSTRIAL CENTER, R-3 (Medium Density Residential) Proposed M (Industrial), Size: 3.24 Acres, Ward 3 (Reese), APN: 139-22-313-001 thru 003 and 139-22-313-017 thru 033.
- B-13. Z-66-99(1) - OWENS EQUITIES LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review on property located at 4093 East Owens Avenue FOR A PROPOSED 96-UNIT APARTMENT COMPLEX, R-E (Residence Estates) Zone [Proposed Zone R-3 (Medium Density Residential), Size: 5.29 Acres, Ward 3 (Reese), APN: 140-30-503-001.
- B-14. SD-28-99 - AMERICAN NEVADA UNION PACIFIC, LIMITED PARTNERSHIP - Request for a Site Development Plan Review on property located adjacent to the northwest corner of the Main Street and Bonneville Avenue intersection FOR A PROPOSED 30,000 SQUARE FOOT TWO-STORY OFFICE BUILDING, C-M (Commercial/ Industrial), M (Industrial) Zone, Size: 3.5 Acres, Ward 1 (McDonald), APN: 139-34-201-011 and 014.
- C. PUBLIC HEARING ITEMS:
- C-1. ABEYANCE - RENOTIFICATION - GPA-24-99 - THE HOWARD HUGHES PROPERTIES, INC. - Request to Amend a portion of the Southwest Sector of the General Plan on property located on the west side of Village Center Circle, north of Golf Center Drive, From: H (High Density Residential), To: SC (Service Commercial) and H (High Density Residential), Ward 2 (L. B. McDonald), APN: 138-19-811-004.
- C-2. ABEYANCE - NOTIFICATION - 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: 138-08-101-020 and 021.
- C-3. ABEYANCE - U-88-99 - CECIL AND IRENE JOHNSON ON BEHALF OF VINCENT DUCROS - Request for a Special Use Permit on property located at 6901 North Jones Boulevard FOR AN EXISTING COMMERCIAL EQUESTRIAN CENTER WHICH INCLUDES HORSE TRAINING, ENGLISH RIDING LESSONS, AND HORSE SHOWS, R-E (Residence Estates) Zone, Ward 4 (Brown), APN: 125-23-601-012, 017 through 020, and 024.
- C-4. VAC-47-99 - GOLDPLATED LIMITED LIABILITY COMPANY - Petition to Vacate a portion of Holmby Avenue generally located south of Charleston Boulevard, east of Jones Boulevard, Ward 1 (McDonald).
- C-5. VAC-48-99 - SHEPHERD HILLS APARTMENTS LIMITED PARTNERSHIP - Petition to Vacate a public easements for sewer facilities generally located within vacated public rights-of-way for Genoa Drive, Mina Way, and Carrara Drive, Ward 3 (Reese).

10/26/99 1:29 PM

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- C-6. U-111-89(2) - PETER AND LINDA MANDAS FAMILY TRUST ON BEHALF OF DONREY OUTDOOR - Required Five Year Review on an approved Special Use Permit on property located at 4301 East Bonanza Road which allowed one 40 foot high, 14 foot x 48 foot off-premise advertising (billboard) sign, C-1 (Limited Commercial) Zone, Ward 3 (Reese), APN: 140-31-501-010.
- C-7. U-141-94(1) - SOUTHLAND CORPORATION ON BEHALF OF VEGAS OUTDOOR - Required Five Year Review on an approved Special Use Permit on property located at 2625 West Sahara Avenue which allowed one 14 foot x 48 foot off-premise advertising (billboard) sign, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 162-08-502-001.
- C-8. U-72-97(2) - LAULE BECKER II ON BEHALF OF FRANK MELAERTS JEWELERS - Required One Year Review on an approved Special Use Permit on property located at 443 South Decatur Boulevard which allowed a class IIIA secondhand jewelry store (Frank Melaerts Jewelers), C-2 (General Commercial) Zone, Ward 1 (McDonald), APN: 139-31-202-003.
- C-9. U-104-99 - HOVSEP AND TUPOU ZANAZANIAN - Request for a Special Use Permit on property located adjacent to the southeast corner of the intersection of Alexander Road and Cimarron Road FOR A PROPOSED CHILD CARE FACILITY, U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], Size: 2.65 Acres, Ward 4 (Brown), APN: 138-09-501-001.
- C-10. U-105-99 - PINI AND PNINA LABOUZ - Request for a Special Use Permit on property located at 1801 South Rainbow Boulevard FOR GASOLINE SALES IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 163-03-703-007.
- C-11. U-106-99 - LM MINI-STORAGE LIMITED PARTNERSHIP - Request for a Special Use Permit on property located approximately 250 feet north of Lake Mead Boulevard, and 300 feet west of Rock Springs Drive FOR A 60 FOOT HIGH COMMUNICATIONS MONOPOLE TO BE LOCATED ON AN EXISTING MINI-STORAGE FACILITY SITE, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 138-22-610-010.
- C-12. U-107-99 - BONANZA/ LAMB BUSINESS PARK ON BEHALF OF BOTANICA FRANCISCO 7 RAYOS - Request for a Special Use Permit on property located at 4550 East Bonanza Road FOR A PSYCHIC ARTS AND SCIENCE BUSINESS IN CONJUNCTION WITH AN EXISTING SPECIALTY SHOP, R-1 (Single Family Residential) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese), APN: 140-29-411-217.
- C-13. U-108-99 - SALIM C. RANA INVESTMENTS CORPORATION ON BEHALF OF MGH TRADING INC. - Request for a Special Use Permit on property located adjacent to the northeast corner of the Lamb Boulevard and Washington Avenue intersection

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FOR THE SALE OF PACKAGED LIQUOR IN CONJUNCTION WITH A PROPOSED SUPERMARKET, R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese), APN: 140-29-202-008.

- C-14. SV-29-99 - HOWARD HUGHES PROPERTIES, INC. - Request for a Major Modification to the Summerlin Development Plan for Village 1 on property located on the west side of Village Center Circle, north of Golf Center Drive, to change the land use designation FROM: MF3 (Multi Family High Density) TO: VC (Village Center), P-C (Planned Community) Zone, Size: 1.95 Acres, Ward 2 (L. B. McDonald), APN: 138-19-811-004.
- C-15. Z-55-99 - HUFF 1993 TRUST, ET AL - Request for a Rezoning on property located adjacent to the southeast corner of the intersection of Decatur Boulevard and Alta Drive, FROM: C-1 (Limited Commercial), P-R (Professional Office and Parking) and R-1 (Single-Family Residential), TO: C-1 (Limited Commercial), PROPOSED USE: 15,332 SQUARE FOOT DRUG STORE (SAV-ON), Size: 1.82 Acres, Ward 1 (McDonald), APN: 139-31-214-033, 139-31-310-001 through 005 and 130 through 133.
- C-16. VAC-43-99 - HUFF 1983 TRUST, ET AL - Petition to Vacate a portion of Loma Place generally located south of Alta Drive, east of Decatur Boulevard, Ward 1 (McDonald).
- C-17. U-98-99 - HUFF 1993 TRUST, ET AL ON BEHALF OF LAURICH PROPERTIES, INC. - Request for a Special Use Permit on property located adjacent to the southeast corner of the intersection of Decatur Boulevard and Alta Drive FOR THE SALE OF PACKAGED LIQUOR IN CONJUNCTION WITH A PROPOSED 15,332 SQUARE FOOT DRUG STORE (SAV-ON), C-1 (Limited Commercial), P-R (Professional Office and Parking) and R-1 (Single-Family Residential) Zones, Ward 1 (McDonald), APN: 139-31-214-033, 139-31-310-001 through 005 and 130 through 133.
- C-18. Z-56-99 - AMERICAN STORES PROPERTIES, INC. - Request for a Rezoning on property located adjacent to the northwest corner of the Intersection of Sahara Avenue and Tenaya Way FROM: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) TO: C-2 (General Commercial), PROPOSED USE: 214,300 SQUARE FOOT NEW AND USED AUTOMOBILE DEALERSHIP (FLETCHER JONES MERCEDES), Size: 6.17 Acres, Ward 1 (McDonald), APN: 163-03-404-020.
- C-19. U-99-99 - AMERICAN STORES PROPERTIES, INC. ON BEHALF OF FLETCHER JONES IMPORTS - Request for a Special Use Permit on property located adjacent to the northwest corner of the intersection of Sahara Avenue and Tenaya Way FOR A PROPOSED AUTO PAINT AND BODY REPAIR SHOP IN CONJUNCTION WITH A PROPOSED 214,300 SQUARE FOOT AUTOMOBILE DEALERSHIP (FLETCHER JONES MERCEDES), C-1 (Limited Commercial) Zone [PROPOSED C-2 (General Commercial) Zone], Ward 1 (McDonald), APN: 163-03-404-020.
- C-20. Z-58-99 - LAMB OF GOD LUTHERAN CHURCH - Request for a Rezoning on property located adjacent to the north side of Azure Drive approximately 1,345 feet west of Bradley Road FROM: R-E (Residence Estates) TO: R-PD5 (Residential Planned Development - 5 Units Per Acre), PROPOSED USE: 35 LOT SINGLE FAMILY SUBDIVISION, Size 6.88 Acres, Ward 4 (Brown), APN: 125-25-101-003 and 008.

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- C-21. Z-59-99 - ECONOMIC OPPORTUNITY BOARD OF CLARK COUNTY - Request for a Rezoning on property located adjacent to the southeast corner of the intersection of "F" Street and Adams Street, FROM: R-4 (High Density Residential) TO C-V (Civic), PROPOSED USE: ALCOHOL AND DRUG ABUSE TREATMENT CENTER, Size: 0.77 Acres, Ward 3 (Reese), APN: 139-27-210-110 AND 139-27-210-134.
- C-22. Z-60-99 - LYLE BRENNAN - Request for a Rezoning on property located on the north side of O'Bannon Drive, east of Jones Boulevard FROM: R-E (Residence Estates) TO P-R (Professional Office and Parking), PROPOSED USE: 7,437 SQUARE FOOT COMMERCIAL BUILDING, Size: 0.72 Acres, Ward 1 (McDonald), APN: 163-01-304-005.
- C-23. Z-61-99 - LV (VEGAS/JONES) LIMITED LIABILITY COMPANY - Request for a Rezoning on property located adjacent to the west side of Jones Boulevard and the north side of Vegas Drive FROM: R-E (Residence Estates) and R-1 (Single Family Residential) Zones TO: R-3 (Medium Density Residential), PROPOSED USE: 190 UNIT SENIOR CITIZEN APARTMENT DEVELOPMENT, Size: 8.32 Acres, Ward 4 (Brown), APN: 138-23-801-003.
- C-24. Z-62-99 - NATIONAL CHURCH RESIDENCES - Request for a Rezoning on property located at 715 North Tonopah Drive, FROM: R-1 (Single Family Residential) TO: R-3 (Medium Density Residential), PROPOSED USE: 75 UNIT SENIOR HOUSING COMPLEX, Size: 4.36 Acres, Ward 3 (Reese), APN: 139-29-704-017.
- C-25. Z-63-99 - CENTENNIAL 95 LIMITED PARTNERSHIP, ET AL - Request for a Rezoning on property located on the west side of Tenaya Way, north and south of Azure Drive FROM: U (Undeveloped) [R (Rural Density Residential) General Plan Designation] PROPOSED TC (TOWN CENTER)] TO: T-C (Town Center) PROPOSED USE: INCLUDE ADDITIONAL PROPERTY INTO THE TOWN CENTER DEVELOPMENT PLAN, Size: 7.92 Acres, Ward 4 (Brown), APN: 125-27-103-002, 003, 005, 006, 125-27-202-001 and 002.
- C-26. Z-76-98(9) & Z-63-99(1) - CENTENNIAL 95 LIMITED PARTNERSHIP, ET AL - Request for a Site Development Plan Review on property located south of the future Beltway, between Buffalo Drive and Tenaya Way FOR A PROPOSED 353,168 SQUARE FOOT COMMERCIAL DEVELOPMENT INCLUDING AUTO DEALERSHIPS, RETAIL AND RESTAURANTS, U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] PROPOSED TC (Town Center) Designation] PROPOSED ZONE CHANGE TO T-C (TOWN CENTER) AND T-C (Town Center) Zone, Ward 4 (Brown), APN: 125-27-103-001 through 006; 125-27-101-014; 125-27-111-001 through 025; 125-27-112-001 through 176; 125-27-202-001, 002; 125-27-215-001 through 015.
- C-27. Z-64-99 - HEDGES FAMILY LIMITED PARTNERSHIP - Request for a Rezoning on property located at 2001 South Maryland Parkway, FROM: P-R (Professional Office and Parking) Zone TO: N-S (Neighborhood Service) Zone, Size: 0.15 Acres, Ward 3 (Reese), APN: 162-02-410-001.

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C-28. Z-65-99 - PATRICK AND MARTHA BASH, ET AL - Request for a Rezoning on property located adjacent to the west side of Losee Road, south of Lake Mead Boulevard, FROM: R-3 (Medium Density Residential) TO: M (Industrial), Size: 3.24 Acres, Ward 3 (Reese), APN: 139-22-313-001 thru 003 and 139-22-313-017 thru 033.

C-29. Z-66-99 - OWENS EQUITIES LIMITED LIABILITY COMPANY - Request for a Rezoning on property located at 4093 East Owens Avenue, FROM: R-E (Residence Estates) TO: R-3 (Medium Density Residential), PROPOSED USE: 96 UNIT APARTMENT COMPLEX, Size: 5.29 Acres, Ward 3 (REESE), APN: 140-30-503-001.

C-30. Z-67-99 - COREY MORLEY - Request for a Rezoning on property located adjacent to the southeast corner of the Lone Mountain Road and Shaunaber Road intersection, FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: C-1 (Limited Commercial) and R-PD22 (Residential Planned Development - 22 Units Per Acre), Size: 19.04 Acres, Ward 4 (Brown), APN: 137-01-101-005, 006, 007 and 008.

D. DIRECTOR'S BUSINESS:

D-1. ABEYANCE - TA-7-99 - CITY OF LAS VEGAS - Discussion and possible recommendation to amend Title 19A.10 Table 1 - Public or Private School, Junior High, From: 3½ Parking Spaces per classroom To: 2 Parking Spaces per classroom.

E. 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.

# PLANNING COMMISSION

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OCTOBER 28, 1999

*City of Las Vegas*

## AGENDA & MINUTES

Page 1

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

### ITEM

### ACTION

5:15 PM

#### COMMISSIONERS BRIEFING:

##### PRESENT:

Michael Buckley - Chairman  
Craig Galati - Vice Chairman  
Hank Gordon  
Michael Mack  
Marilyn Moran  
Leni Skaar

##### EXCUSED:

Stephen Quinn

##### STAFF PRESENT:

Tim Chow - Planning & Development Dept.  
David Petrovich - Planning & Development Dept.  
Chris Glore - Planning & Development Dept.  
Troy Jeschke - Planning & Development Dept.  
Matt Pinjuv - Planning & Development Dept.  
Chris Edelman - Public Works  
Mark Escobedo - Public Works  
Steve George - City Attorney's Office  
Linda Owens - City Clerk's Office

Chris Glore, Planning and Development Department, called the Briefing to order at 5:30 P.M.

##### Item No. A-1, TM-45-99:

Mr. Glore began by saying that the applicant will request this item be removed from the Consent portion of the agenda. They object to two of staff's conditions.

David Petrovich, Planning and Development, added that it should be determined if the conditions would have a negative impact on the open space.

##### Item No. A-9, U-138-95(5):

Mr. Glore said this item should trail Item No. B-5, Z-75-90(17).

##### Item No. B-2, Z-6-66(42)

Mr. Glore said the applicant disagrees with some of staff's conditions. They want the off-premise sign to stay. This sign pre-dates the Special Use Permit requirements.

##### Item No. B-4, Z-106-87(5):

Mr. Glore stated the applicant will want staff's conditions that are to be done in Phase 2 to be done in Phase 3. Phase 3 could not occur until a Review of Conditions or Rezoning would occur for that site.

##### Item No. B-5, Z-75-90(17):

Mr. Glore said this is a request for a McChevron convenience store, fast food restaurant and gas sales with shared restrooms and soft drink dispensers. There is a condition regarding Residential Adjacency Standards. The building has to be reduced to 15 feet and any additional height will be a parapet for mechanical screening only.

Deputy City Attorney Steve George added that Title 6 indicates selling alcohol or having a gaming license in a McDonald's restaurant is prohibited. There has to be a wall separating the two and a physical door.

Cheri Edelman, Public Works, said there was a condition on the mini storage. They have to commence this project by April of 2000.

Commissioner Gordon suggested having the applicant put up a payment bond in case this is not done in that amount of time.

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### ITEM

### ACTION

#### COMMISSIONERS BRIEFING:

#### Item No. B-6, Z-20-97(21):

Mr. Glore said this item should be held in abeyance until after the City Council acts on a parking Variance.

#### Item No. B-8, Z-55-99(1):

Mr. Glore explained that this item should follow Item Nos. C-15, C-16 and C-17.

Deputy City Attorney George added that the Public Hearing will have to be opened.

#### Item No. B-9, Z-56-99(1):

Mr. Glore said this item should be heard with Item Nos. C-18 and C-19.

#### Item No. B-10, Z-61-99(1):

Mr. Glore stated this item should be heard with Item No. C-23.

#### Item No. B-11, Z-62-99(1):

Mr. Glore advised that this item should be heard with Item No. C-24.

#### Item No. B-12, Z-65-99(1):

Mr. Glore said this item should be heard with Item No. C-28.

Ms. Edelman said the applicant is proposing to eliminate a sidewalk on Gregory. In this case, it would be industrial in use. There is a condition stating if the sidewalk is eliminated that the area should be landscaped and maintained by the applicant and there should be an Encroachment Agreement for the landscaping and private improvements.

Mr. Petrovich added that the Department of Neighborhood Services has expressed opposition to this request. They are concerned that if this is developed as an industrial complex their goal of affordable housing would be hampered.

#### Item No. B-13, Z-66-99(1):

Mr. Glore stated this item should be heard with Item No. C-29. However, these items should be held in abeyance to the 11/18/99 Planning Commission meeting because of a notification error.

#### Item No. B-14, SD-28-99:

Mr. Glore said the applicants have been in discussion with staff on this item. They are concerned about a condition to reduce the size of the building footprint and go up to three stories. They want to work more with staff.

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### ITEM

### ACTION

#### COMMISSIONERS BRIEFING:

#### Item No. C-1, GPA-24-99:

Mr. Glore said this item is related to Item No. C-14, SV-29-99.

Mr. Petrovich advised that just this afternoon it was discovered the General Plan Amendment application is not valid. In the Summerlin area the City has amended its condo standards to comply with the Summerlin standards. The normal City standards are not valid.

#### Item No. C-2, A-40-99(A):

Mr. Glore said staff had a conversation with the applicant's representative this afternoon.

Deputy City Attorney George said this item should be held for two weeks. They need to work out the sewer service. Another alternative is that they could do an Interlocal Agreement.

#### Item No. C-3, U-88-99:

Mr. Glore said this item was abeyed for 60 days because the property owner wanted to obtain legal counsel.

Cheri Edelman said Public Works met with the applicant and his legal counsel. The existing fence on Jones is 13 feet west of the center line. It encroaches into the applicant's property 37 feet. There should be a condition to state that the applicant continue to work with Public Works on the right-of-way.

#### Item No. C-6, U-111-89(2):

Mr. Glore said this item should be abeyed to the 11/18/99 meeting because of a notice error.

#### Item No. C-13, U-108-99:

Mr. Glore pointed out that the notice says "package liquor" and the applicant only wants "beer and wine."

#### Item No. C-21, Z-59-99:

Mr. Glore said this item should be held in abeyance to the 11/18/99 meeting so it can be properly notified.

#### Item Nos. C-25, Z-63-99, and C-26, Z-76-98(9) and Z-63-99(1):

Mr. Glore said these items should be held in abeyance to the 1/27/2000 meeting.

#### Item No. C-29, Z-66-99:

Mr. Glore said this item should be held in abeyance to the 11/18/99 meeting.

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ITEM

ACTION

### COMMISSIONERS BRIEFING:

#### Item No. C-30, Z-67-99:

Mr. Glore said the applicant wants this item held in abeyance, but it's not a written request. It needs to be sent to the City Council on 1/5/2000.

#### Item No. D-1, TA-7-99:

Mr. Glore said this should be held in abeyance to allow staff time to work with the School District.

Mr. Glore adjourned the Briefing at 5:55 P.M.

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### ITEM

### ACTION

**6:00 PM**

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

#### CALL TO ORDER:

6:06 P.M., Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

#### ROLL CALL:

|                   |         |
|-------------------|---------|
| Michael Buckley - | Present |
| Chairman          |         |
| Craig Galati -    | Present |
| Vice Chairman     |         |
| Hank Gordon       | Present |
| Michael Mack      | Present |
| Marilyn Moran     | Present |
| Stephen Quinn     | Excused |
| Leni Skaar        | Present |

#### ANNOUNCEMENT:

Satisfaction of Open Meeting Law Requirements.

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

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 September 23, 1999 Planning Commission Meeting.

CHAIRMAN BUCKLEY called the meeting to order at 6:06 P.M.

#### STAFF PRESENT:

Tim Chow, Director,  
Planning and Development Department  
David Petrovich, Planning Supervisor,  
Planning and Development Department  
Chris Glore, Senior Planner,  
Planning and Development Department  
Matt Pinjuv, Planner II,  
Planning and Development Department  
Troy Jeschke, Planner I,  
Planning and Development Department  
Jason Allswang, Planning Technician,  
Planning and Development Department  
Cheri Edelman, Project Engineer,  
Public Works  
Mark Escobedo, Project Engineer,  
Public Works  
Steve George, Deputy City Attorney  
Linda Owens, Deputy City Clerk

MR. GLORE announced this meeting is in compliance with the Open Meeting Law.

Galati -

#### APPROVED

Motion carried with Gordon abstaining from voting because he had not attended the meeting.  
(Quinn excused)

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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 a review requested by a member of the City Council.

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### ITEM

### ACTION

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-45-99 - PAIUTE CROSSING AT TULE SPRINGS - W. L. HOMES LIMITED LIABILITY COMPANY

Request for a Tentative Map on property located adjacent to the north side of Racel Street, approximately 1,350 feet east of Durango Drive, R-E (Residence Estates) Zone under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Size: 38.25 Acres, No. of Lots: 133, Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL, subject to:

1. The setbacks for all lots within this development shall be as follows: twenty (20) feet in the front, eighteen (18) feet in the rear, five (5) feet on each side, and fifteen (15) feet on the corner-side.

2. The northernmost street shown as Buffalo Clan Circle and Hawk Clan Circle in the subdivision shall be redesigned as a through street forming a loop configuration.

3. The streets shown as Eagle Clan Circle and Owl Clan Circle shall be shortened in length to provide more open space.

CHAIRMAN BUCKLEY STATED CONSENT ITEMS MAY BE DISCUSSED IF A COMMISSION MEMBER OR APPLICANT SO DESIRES.

Galati -

**APPROVED ITEM NOS. A-2 THROUGH A-6 AND A-8, SUBJECT TO STAFF'S CONDITIONS.**

Unanimous

(Quinn excused)

CHAIRMAN BUCKLEY announced when the Consent items were brought forward on the agenda that Item Nos. A-1, TM-45-99, and A-9, U-138-95(5), have been requested to be taken off the Consent portion of the agenda.

COMMISSIONER SKAAR also requested Item Nos. A-7, A-44-99(A), A-10, U-139-95(5), and A-11, U-140-95(5), be taken off the Consent calendar.

\*\*\*\*\*

CHAIRMAN BUCKLEY announced after the remainder of the Consent items were voted on that Item No. A-1 would then be discussed.

TROY JESCHKE, Planning and Development, stated this request is for a 133 lot single family residential subdivision. The minimum lot size is 8,125 square feet and has an overall project density of 3.48 units per acre. This development currently meets the open space requirement for the R-PD development standards. However, staff has concerns about the circulation of the street network. The two northernmost cul-de-sacs should be combined into a through street. Also, the interior cul-de-sacs should be shortened in order to provide extra open space. Staff recommended approval.

SHERRY CARLSON, WL Homes, L.L.C., 1601 South Rainbow Boulevard, Suite #160, appeared to represent the application. When they initially started the zoning on this property, they had requested the open space requirements be reduced. However, in working with the homeowners, they

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### ITEM

### ACTION

TM-45-99 - PAIUTE CROSSING AT TULE SPRINGS - W. L. HOMES LIMITED LIABILITY COMPANY

4. Condition #9 of Zoning Action Z-31-99 shall be revised to read as follows: Provide a public sewer stub at the north edge of this site at a location acceptable to the City Planning Engineer. Additionally, if public sewer does not exist in Racel Street at the time of development of this site, construct public sewer in Racel Street to the west edge of this site. 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 off-site public sewer easements necessary to connect this site to the existing public sewer system (if any) have been granted to the City.

5. The proposed private entry drive shall be gated and shall be designed, located and constructed in accordance with City Standard Drawing #222a as required by the Department of Public Works.

6. Site development to comply with all applicable Conditions of Approval for Z-31-99.

7. 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.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

decided not to request a reduction in the open space. They have optimized the open space with a view corridor through the park area and trying to create a neighborhood atmosphere with the cul-de-sacs. They have spoken with the Fire Department and they have no problem with the cul-de-sacs in the back as far as access.

COMMISSIONER SKAAR noted that on the northeast portion, south of the second east/west street, the second lot in, and the other street is where the entrance comes in off Racel, second lot to the east, there seems to be a noticeable change in elevations. She wondered how a house can be placed on those lots with such big grade changes. She also asked the change in elevation from the west to the east end of this property. She asked what volume of water will be flowing through the drainage easements.

MS. CARLSON replied that the grades will be altered. The change in grade will be minimized as much as possible because they do not want to install retaining walls. She was unaware of the volume of water through the drainage easements. They are in the process of working on their drainage study, which will be completed by the time the Final Map is submitted. They have met the Fire Department requirements.

MR. JESCHKE said the overall change in elevations is approximately 40 feet in the northwest corner down to the southeast corner.

VICE CHAIRMAN GALATI asked staff why they felt the street should go through.

CHRIS GLORE, Planning and Development, answered that the cul-de-sac bulbs are quite small. Staff would like the two cul-de-sacs at the northern portion of this site to be connected in order to facilitate better access for vehicles through the site by eliminating the need for persons traveling from the west side to the east side and having to drive back to the southern portion of this site in order to get from one side to the other. Staff did not feel that would negatively affect the open space being proposed. The cul-de-sac bulbs in the center should be pulled out of the open space.

VICE CHAIRMAN GALATI thought there should be a more continuous circulation.

MS. CARLSON agreed to Condition No. 3.

(6:27) 1 - 635

(6:30 - 6:40) 1 - 748

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### ITEM

### ACTION

A-2.

FM-76-99 - STAMPEDE ESTATES - UNIT 3 -  
PAUL E. VALENTINE

Request for a Final Map on property located adjacent to the southwest corner of the intersection of Pioneer Way and Elkhorn Road, U (Undeveloped) - Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units Per Acre), Size: 9.22 Acres, No. of Lots: 29, Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL,  
subject to:

1. The Final Map (FM-76-99) shall be in conformance with the approved Tentative Map (TM-21-99).
2. Site development to comply with all previous Conditions of Approval for the Stampede Estates Tentative Map.
3. Prior to recordation, this 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 sight visibility restriction easements, if applicable, are also required to be shown on this 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

Galati -

**APPROVED ITEM NOS. A-2 THROUGH A-6 AND A-8,  
SUBJECT TO STAFF'S CONDITIONS.**

**Unanimous**

**(Quinn excused)**

CHAIRMAN BUCKLEY announced when the Consent items were brought forward on the agenda that Item Nos. A-1, TM-45-99, and A-9, U-138-95(5), have been requested to be taken off the Consent portion of the agenda.

COMMISSION SKAAR also requested Item Nos. A-7, A-44-99(A), A-10, U-139-95(5), and A-11, U-140-95(5), be taken off the Consent calendar.

**This is final action.**

(6:27 - 6:30) 1 - 635

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### ITEM

### ACTION

A-3.

FM-77-99 - ALTA MIRA (A COMMERCIAL  
SUBDIVISION) - ALTA MIRA COMMERCIAL  
LIMITED PARTNERSHIP

Request for a Final Map on property located adjacent to the northeast corner of the intersection of Jones Boulevard and Craig Road, R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Size: 9.18 Acres, No. of Lots: 1, Ward 4 (Brown).

STAFF RECOMMENDATION: APPROVAL,  
subject to:

1. The Final Map (FM-77-99) shall be in conformance with the approved Tentative Map (TM-24-99).
2. Site development to comply with all previous Conditions of Approval for the Alta Mira Commercial Subdivision Tentative Map.
3. Prior to recordation, this 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 sight visibility restriction easements, if applicable, are also required to be shown on this 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. Also, as necessary, all easements relating to the placement of or access to Traffic Control devices located outside of public right-of-way shall be shown on this Final Map prior to recordation.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

Galati -

**APPROVED ITEM NOS. A-2 THROUGH A-6 AND A-8,  
SUBJECT TO STAFF'S CONDITIONS.**

Unanimous

(Quinn excused)

CHAIRMAN BUCKLEY announced when the Consent items were brought forward on the agenda that Item Nos. A-1, TM-45-99, and A-9, U-138-95(5), have been requested to be taken off the Consent portion of the agenda.

COMMISSION SKAAR also requested Item Nos. A-7, A-44-99(A), A-10, U-139-95(5), and A-11, U-140-95(5), be taken off the Consent calendar.

**This is final action.**

(6:27 - 6:30) 1 - 635

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### ITEM

### ACTION

A-4.

**FM-78-99 - CENTENNIAL CENTER - UNIT 2 -  
JOSEPH SCALA**

Request for a Final Map on property located adjacent to the southwest corner of US-95 and Centennial Parkway, T-C (Town Center) Zone, Size: 56.07 Acres, No. of Lots: 4, Ward 4 (Brown).

**STAFF RECOMMENDATION:** APPROVAL, subject to:

1. The Final Map (FM-78-99) shall be in conformance with the approved Tentative Map (TM-66-98).

2. The Final Map for Centennial Centre Unit #1 shall record concurrently with the recordation of this Final Map, unless otherwise allowed by the City Planning Engineer, as required by the Department of Public Works.

3. Site development to comply with all previous Conditions of Approval for the Centennial Centre Tentative Map.

4. Prior to recordation, this 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 sight visibility restriction easements, if applicable, are also required to be shown on this 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. Also, as necessary, all easements relating to the placement of or access to Traffic Control devices located outside of public right-of-way shall be shown on this Final Map prior to recordation.

**NOTICES MAILED:** N/A  
**APPROVALS:** 0  
**PROTESTS:** 0

**Galati -**

**APPROVED ITEM NOS. A-2 THROUGH A-6 AND A-8, SUBJECT TO STAFF'S CONDITIONS.**

**Unanimous  
(Quinn excused)**

CHAIRMAN BUCKLEY announced when the Consent items were brought forward on the agenda that Item Nos. A-1, TM-45-99, and A-9, U-138-95(5), have been requested to be taken off the Consent portion of the agenda.

COMMISSION SKAAR also requested Item Nos. A-7, A-44-99(A), A-10, U-139-95(5), and A-11, U-140-95(5), be taken off the Consent calendar.

**This is final action.**

(6:27 - 6:30) 1 - 635

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### ITEM

### ACTION

A-5.

RM-9-99 - A PORTION OF SOUTH ADDITION  
- RANDALL MAINOR, ET AL

Request for a Reversionary Map on property located adjacent to the southeast corner of the Fourth Street and Gass Avenue intersection, C-1 (Limited Commercial) Zone under Resolution of Intent to C-2 (General Commercial), Size: 0.48 Acres, No. of Lots: 1, Ward 1 (McDonald).

STAFF RECOMMENDATION: APPROVAL,  
subject to:

1. This Reversionary Map (RM-9-99) shall record prior to the issuance of any building permits.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

Galati -

**APPROVED ITEM NOS. A-2 THROUGH A-6 AND A-8,  
SUBJECT TO STAFF'S CONDITIONS.**

**Unanimous  
(Quinn excused)**

CHAIRMAN BUCKLEY announced when the Consent items were brought forward on the agenda that Item Nos. A-1, TM-45-99, and A-9, U-138-95(5), have been requested to be taken off the Consent portion of the agenda.

COMMISSION SKAAR also requested Item Nos. A-7, A-44-99(A), A-10, U-139-95(5), and A-11, U-140-95(5), be taken off the Consent calendar.

**This is final action.**

(6:27 - 6:30) 1 - 635

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### ITEM

### ACTION

A-6.

TM-46-98(1) - COTTONWOOD TERRACE -  
PN II, INC.

Request for an Extension of Time on an approved Tentative Map on property located adjacent to the northeast corner of the intersection of Town Center Drive and Park Run Drive, PC (Planned Community) Zone, Size: 25.0 Acres, No. of Lots: 98, Ward 2 (L. B. McDonald).

STAFF RECOMMENDATION: APPROVAL,  
subject to:

1. This Tentative Map shall expire on November 5, 2000.

2. Conformance to all applicable conditions of Cottonwood Terrace Tentative Map (TM-46-98).

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

Galati -

**APPROVED ITEM NOS. A-2 THROUGH A-6 AND A-8,  
SUBJECT TO STAFF'S CONDITIONS.**

**Unanimous**

**(Quinn excused)**

CHAIRMAN BUCKLEY announced when the Consent items were brought forward on the agenda that Item Nos. A-1, TM-45-99, and A-9, U-138-95(5), have been requested to be taken off the Consent portion of the agenda.

COMMISSION SKAAR also requested Item Nos. A-7, A-44-99(A), A-10, U-139-95(5), and A-11, U-140-95(5), be taken off the Consent calendar.

**This is final action.**

(6:27 - 6:30) 1 - 635

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### ITEM

### ACTION

A-7.

A-44-99(A) - HILDA M. WEST IRREVOCABLE TRUST, ET AL

Petition to Annex property generally located adjacent to the southeast corner of the intersection of Regena Avenue and Tenaya Way, containing approximately 16 acres of land, Ward 4 (Brown), APN's: 125-27-503, 001, 003 though 006, and 008 though 014

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

Galati -  
**APPROVED**  
Unanimous  
(Quinn excused)

TROY JESCHKE, Planning and Development, stated this request is to annex 12 parcels containing approximately 16 acres of land. It is bordered by existing City limits to the west. The applicant's justification letter states this Annexation is necessary because the property owners would like to connect to City water and sewer services. This property will come into the City as U (Undeveloped - R (Rural Density). Staff recommended approval.

TODD TESKE, Veltman Consulting, 2801 North Tenaya Way, Suite B., appeared to represent the application.

COMMISSIONER SKAAR commented that this property is directly west of the eight acres where the GPA was denied to be brought into the Town Center. Directly east is Taylor's Ranch House. All the parcels to the south are a minimum of one acre. This Annexation will cut off this County island to the south where every house has animals. It is the applicant's right to be annexed into the City, but the portion along Rio Vista will not be looked at favorably if they apply for a Rezoning of eight units to the acre.

MR. TESKE responded that he understood COMMISSIONER SKAAR'S comments.

This item will be forwarded to the City Council in Ordinance form.

(6:40 - 6:43) 1 - 1072

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### ITEM

### ACTION

A-8.

A-45-99(A) - EAGLE DANCER LIMITED  
LIABILITY COMPANY

Petition to Annex property generally located on the east side of Valadez Street between Lone Mountain Road and La Madre Way, containing approximately 14.8 acres of land, Ward 4 (Brown), APN's: 125-33-802-001, 003 and 004.

STAFF RECOMMENDATION: APPROVAL

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

Galati -

**APPROVED ITEM NOS. A-2 THROUGH A-6 AND A-8,  
SUBJECT TO STAFF'S CONDITIONS.**

**Unanimous**

**(Quinn excused)**

CHAIRMAN BUCKLEY announced when the Consent items were brought forward on the agenda that Item Nos. A-1, TM-45-99, and A-9, U-138-95(5), have been requested to be taken off the Consent portion of the agenda.

COMMISSION SKAAR also requested Item Nos. A-7, A-44-99(A), A-10, U-139-95(5), and A-11, U-140-95(5), be taken off the Consent calendar.

**This is final action.**

(6:27 - 6:30) 1 - 635

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### ITEM

### ACTION

A-9.

U-138-95(5) - SPECTRUM COMMERCIAL, LIMITED

Request for an Extension of Time for an approved Special Use Permit on property located on the southwest corner of Cimarron Road and Farm Road which allowed A MINI-STORAGE FACILITY, R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 125-16-310-002.

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

1. If this Special Use Permit is not exercised within one year after the date of approval of this Extension of Time, this Special Use Permit shall be void unless another Extension of Time has been granted.

2. All City Code requirements and all City departments' design standards shall be met.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

**GALATI - DENIED**  
Unanimous  
(Quinn excused)

MATT PINJUV, Planning and Development, stated this item is related to Item Nos. A-10, A-11 and B-5. The way this development is proposed it does not indicate that the mini-storage is going to be constructed and has been replaced with the retail buildings. Staff recommended denial.

JON ATHEY, 4534 West Hacienda, appeared to represent the application.

VICE CHAIRMAN GALATI asked why staff is recommending denial.

MR. GLORE answered that the mini storage is more traditionally an industrial use rather than a commercial use and serves no particular demand from a residential neighborhood so it can be located anywhere. The mini storage was originally approved prior to the approval of Elkhorn Springs which entails more than 1,300 single family homes. It would be more appropriate to develop this site to serve that residential neighborhood.

COMMISSIONER MACK said at the two meetings he attended the residents preferred a retail mixed use rather than a mini storage.

MR. ATHEY added that there wasn't an overwhelming objection either way from the residents.

COMMISSIONER GORDON felt the retail is needed more than a mini storage.

**NOTE:** See Item Nos. A-10, A-11, and B-5 for further discussion.

**This is final action.**

(8:01 - 8:05) 2 - 810

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### ITEM

### ACTION

A-10.

U-139-95(5) - SPECTRUM COMMERCIAL, LIMITED

Request for an Extension of Time for an approved Special Use Permit on property located on the southwest corner of Farm Road and Cimarron Road which allowed a TAVERN IN CONJUNCTION WITH A PROPOSED RESTAURANT, R-E (Residence Estates ) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 125-16-310-002.

STAFF RECOMMENDATION: APPROVAL, subject to:

1. If this Special Use Permit is not exercised within one year after the date of approval of this Extension of Time, this Special Use Permit shall be void unless another Extension of Time has been granted.

2. All City Code requirements and all City departments' design standards shall be met.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

**Galati - DENIED**

**Motion carried with Gordon voting "No." (Quinn excused)**

NOTE: There was a previous motion by Gordon for Approval, subject to staff's conditions, that did not carry with Galati, Buckley, Mack, Moran, and Skaar voting "No" and Quinn excused.

\*\*\*\*\*

MATT PINJUV, Planning and Development, stated this item is related to Item Nos. A-9, A-11 and B-5. Staff would recommend approval of this application.

VICE CHAIRMAN GALATI did not feel this tavern is any longer appropriate on this site. At the time it was approved it was prior to Town Center being developed when there were no goods and services in this area. There will be taverns and restaurants in Town Center.

JON ATHEY, 4534 West Hacienda, appeared to represent the application. The homeowners wanted the restaurant and tavern in their neighborhood.

WILLIAM MARION, 6655 West Sahara, Suite B-200, appeared to represent the application. The homeowners like this project, but wanted to see a few changes in regard to the location of the tavern and landscaping.

COMMISSIONER SKAAR commented that prior to Town Center and prior to changes in the direction the City wanted to go to curtail these types of uses, this was approved, but the way development has occurred, this site would be more acceptable as a supper club.

NOTE: See Item Nos. A-9, A-11, and B-5 for further discussion.

**This is final action.**

(8:01- 8:05) 2 - 810

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### ITEM

### ACTION

A-11.

U-140-95(5) - SPECTRUM COMMERCIAL, LIMITED

Request for an Extension of Time for an approved Special Use Permit on property located on the southwest corner of Farm Road and Cimarron Road which allowed the OFF-PREMISE SALE OF BEER AND WINE AND GASOLINE SALES IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE, R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 125-16-310-002.

STAFF RECOMMENDATION: APPROVAL, subject to:

1. If this Special Use Permit is not exercised within one year after the date of approval of this Extension of Time, this Special Use Permit shall be void unless another Extension of Time has been granted.

2. All City Code requirements and all City departments' design standards shall be met.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

Galati -

**DENIED**

Motion carried with Gordon and Skaar voting "No."  
(Quinn excused)

MATT PINJUV, Planning and Development, stated this item is related to Item Nos. A-9, A-10, and B-5. Staff would recommend approval of this application.

JON ATHEY, 4534 West Hacienda, appeared to represent the application.

COMMISSIONER SKAAR commented that there is a possibility that gasoline sales may still be appropriate at another location in this area.

**NOTE: See Item Nos. A-9, A-10, and B-5 for further discussion.**

**This is final action.**

(8:09 - 8:11) 2 -1070

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### ITEM

### ACTION

B.

B-1.

#### NON PUBLIC HEARING ITEMS:

#### Z-100-64(171) - 528 CASINO CENTER TRUST

Request for a Site Development Plan Review on property located at 528 South Casino Center Boulevard FOR A PROPOSED 5,850 SQUARE FOOT, TWO-STORY OFFICE BUILDING, R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial), Size: 0.16 Acres, Ward 1 (McDonald), APN: 139-34-311-048.

STAFF RECOMMENDATION: APPROVAL, subject to:

1. A plan for off-site parking, acceptable to the Planning Director, shall be submitted to and approved by the Planning and Development Department prior to issuance of any building or grading permit permits. Compliance with the recommendations of the approved off-site parking plan shall be reflected in any construction plans or the issuance of any permits prior to occupancy of the site.
2. The landscape plan shall be revised depict a minimum of three 24-inch box trees along Casino Center Boulevard and a minimum of seven 24-inch box trees along Bonneville Avenue. Minimum five-foot wide planters shall also be depicted within the property boundary at the driveway entrance off of Bonneville Avenue. A Reversionary Map to revert the underlying lots to average shall record prior to the issuance of any permits for this site as required by the Department of Public Works.
3. Dedicate a 10 foot radius on the northwest corner of Casino Center Boulevard and Bonneville Avenue prior to the issuance of any permits as required by the Department of Public Works.

Skaar -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS AND ADDITIONAL CONDITION THAT DURABLE ROOFING MATERIAL BE USED.**

Motion carried with Galati and Moran voting "No."  
(Quinn excused)

CHRIS GLORE, Planning and Development, stated this project is a site within the Las Vegas Redevelopment area, Office/Civic district. This is consistent with the Redevelopment Plan land use designation. It would encourage development of other properties to office and retail uses. This project will have to be supplemented by parking off-site per requirements of Title 19A.10.010. Landscaping will be in a ten foot wide planter along Bonneville Avenue frontage and a seven foot wide planter along Casino Center frontage. The landscaping plan will need to be revised to add the required trees in landscape planters. Staff recommended approval, subject to the conditions.

RICHARD HATE, Tiberti-Blood, Inc., 2575 South Cimarron Road, appeared to represent the applicant. He concurred with staff's conditions.

COMMISSIONER GORDON noted that the parking being required is 20 spaces and what is being provided is seven spaces.

CHAIRMAN BUCKLEY responded that is the reason for Condition No. 1 requiring an off-site parking agreement.

MR. GLORE explained that the parking has to be within 300 feet of the property. If the parking requirements are not met, the applicant would have to revise their project to a plan to accommodate the required parking on-site or apply for a Variance.

CHERI EDELMAN, Public Works, clarified that in **Condition No. 2 the last sentence regarding the Reversionary Map should be a separate condition.**

DAVID PETROVICH, Planning and Development, added that if the parking requirements are not met, the applicant would not be able to obtain the required permits.

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### ITEM

### ACTION

#### Z-100-64(171) - 528 CASINO CENTER TRUST

4. Construct a handicap ramp on the northwest corner of Casino Center Boulevard and Bonneville Avenue concurrent with development of this site as required by the Department of Public Works.

5. Remove all substandard public street and alley improvements and unused driveway cuts, 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.

6. 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.

COMMISSIONER SKAAR asked what type of material will be used for the pitched roof facade.

MR. HATE responded that it will be asphalt shingles.

COMMISSIONER GORDON commented that the architecture is aesthetically pleasing and will be an addition to Casino Center Boulevard. He suggested the applicant contact the Redevelopment Agency for parking assistance.

VICE CHAIRMAN GALATI wondered about the wood siding and asphalt shingles because that would be high maintenance. He did not feel this is what is being looked at for the downtown area.

MR. HATE responded that the applicant has developed a previous project a block to the north that had a similar concept and they wanted to stay in the same theme.

COMMISSIONER SKAAR made a motion for approval with an additional condition requiring durable roofing (tile, slate, standing seam metal, etc.).

MR. HATE concurred with the additional roofing condition.

To be heard by the City Council on 12/1/99.

(6:43 - 6:52) 1 - 1200

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### ITEM

### ACTION

#### Z-100-64(171) - 528 CASINO CENTER TRUST

#### APPROVED

7. A Traffic Impact Analysis shall 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 participate in a reasonable alternative mutually acceptable to the applicant and 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.

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### ITEM

### ACTION

#### Z-100-64(171) - 528 CASINO CENTER TRUST

APPROVED

8. Landscape and maintain all unimproved right-of-way on Casino Center Boulevard and Bonneville Avenue adjacent to this site as required by the Department of Public Works.

9. Submit an Encroachment Agreement for all landscaping and private improvements located in the Casino Center Boulevard and Bonneville Avenue public right-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

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### ITEM

### ACTION

B-2.

Z-6-66(42) - ARAMESH AKHAVAN, ET AL.

Request for a Site Development Plan Review on property located adjacent to the north side of West Charleston Boulevard, east of Jones Boulevard, FOR A PROPOSED 24,160 SQUARE FOOT RETAIL PROJECT, C-1 (Limited Commercial) Zone, Size: 2.12 Acres, Ward 1 (McDonald), APN: 138-36-406-006.

STAFF RECOMMENDATION: APPROVAL, subject to:

1. The site plan and parking layout shall be revised to depict the required handicap accessible spaces and to meet Las Vegas Municipal Code Title 19A parking and loading requirements.
2. The site plan and parking layout shall be revised to provide one (1) landscape island for every six (6) parking spaces.
3. The site plan shall be revised to provide two on-site loading spaces adjacent to the two retail buildings.
4. The landscape plan shall be revised to depict a fifteen (15) foot wide landscape buffer with a minimum of ten (10) 24-inch box trees along the Charleston Boulevard frontage.
5. The landscape plan shall be revised to depict an eight (8) foot wide landscape buffer along the side and rear of the site with a minimum of twenty-seven (27) 24-inch box trees along the side and rear landscape planters.
6. The proposed elevations shall be revised to depict side and rear facade detailing more consistent with the front elevations, including arches or columns.

Gordon -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS, AND ADDITIONAL CONDITIONS OF DOUBLE SIZE TRASH ENCLOSURE INSTALLED NORTH OF THE PAD BUILDING AT THE WEST END AND CONDITION NO. 8 AMENDED THAT IN THE EVENT THE LEASE WITH THE SIGN COMPANY PRECLUDES ITS CANCELLATION THAT THIS ITEM BE BROUGHT BACK TO THE PLANNING COMMISSION.**

**Unanimous  
(Quinn excused)**

TROY JESCHKE, Planning and Development, stated access to this site will be from two driveways on Charleston Boulevard. No interior access is depicted to the adjacent commercial sites on the east and west. Landscaping is depicted within a ten foot wide planter along Charleston Boulevard with minimal landscaping along the east and west property lines. A ten foot wide planter is proposed along the north property line. The landscaping is insufficient and should be revised to conform with the Urban Design Guidelines and Standards. Staff notes there is an off-premise advertising sign on the southeast corner of the site and is requesting removal within 60 days. The elevations depict a stucco facade with columns and horizontal elements to provide contrasting design. The elevations depict gable roofs with concrete tile roofing. Staff recommended approval, subject to the conditions.

PAUL ROHANI, 3305 Spring Mountain, appeared to represent the applicant. He concurred with staff's conditions. However, he objected to arches or columns in the rear of the building since they would not be visible.

MR. GLORE responded that the intent of Condition No. 6 is to enhance the rear of the main building, as well as the pad. That portion of the building will abut single family residential development and staff felt that the appearance of the rear of the building should be compatible or at least use some elements that are the same theme as in the front elevations.

MR. ROHANI explained that in the back of this property are apartments, not single family homes. To put in columns will cost about \$100,000.

VICE CHAIRMAN GALATI said staff is suggesting that the building needs to be consistent with some type of detailing in the rear. He thought that could be worked out with staff.

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### ITEM

### ACTION

#### Z-6-66(42) - ARAMESH AKHAVAN, ET AL

7. Signage along the Charleston Boulevard frontage shall be limited to one monument sign, not to exceed fifteen (15) feet in height and 150 square feet in sign face area, identifying the retail center and its tenants adjacent to the main entrance at Charleston Boulevard. Wall signage throughout the retail center should be uniform in size and appearance.

8. The off-premise advertising (billboard) sign shall be removed within sixty (60) days.

9. All mechanical equipment shall be fully screened in view from adjacent streets.

10. All exterior lighting shall meet the standards of LVCM Section 19A.08.060(C).

11. Parking lot lighting standards shall be no more than twenty-five (25) feet in height and shall utilize 'shoe-box' fixtures to prevent glare to off-site locations.

12. Construct all incomplete half-street improvements (sidewalk) on Charleston Boulevard adjacent to this site as required by the Department of Public Works.

13. Remove all substandard public street improvements 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.

14. 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.

MR. ROHANI said they want it made clear as to how the back elevation will be so when they go to the Building Department for permits they will not have any problems. He objected to removing the sign within sixty days. They have a ten year lease with the sign company.

COMMISSIONER GORDON felt the lease may indicate that the sign has to be removed if it is required by the City.

MR. ROHANI responded that he agrees to Condition No. 8 as long as their lease will allow removal of the sign within sixty days.

COMMISSIONER GORDON was concerned about only having one trash enclosure at the east end of the property.

MR. ROHANI said there are no trash enclosures planned for the pad. However, they can eliminate one parking space and replace it with a trash enclosure.

COMMISSIONER GORDON suggested that a condition be added that two trash enclosures be added, one at the west end abutting the pad building and one on the west end close to the shop building.

MR. ROHANI accepted that additional condition.

**This is final action.**

(6:52 - 7:04) 1 - 1535

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### ITEM

### ACTION

#### Z-6-66(42) - ARAMESH AKHAVAN, ET AL

#### APPROVED

15. A Traffic Impact Analysis shall 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 specifically address the possible need for the relocation of the proposed driveways, or the possible need for modifying the existing median islands on Charleston Boulevard. 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. 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.

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### ITEM

### ACTION

Z-6-66(42) - ARAMESH AKHAVAN, ET AL

**APPROVED**

16. A Drainage Plan and Technical Drainage Study shall 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.

17. Obtain an Occupancy Permit for all landscaping and private improvements (driveways) in the Charleston Boulevard public right-of-way adjacent to this site as required by the Department of Public Works.

18. Site development to comply with all applicable Conditions of Approval for Z-6-66 and all other subsequent site-related actions as required by the Department of Public Works.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

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### ITEM

### ACTION

B-3.

Z-102-86(3) - THREE B'S, INC.

Request for a Site Development Plan Review on property located on the south side of Charleston Boulevard, approximately 550 feet west of Durango Drive, FOR A PROPOSED 2,804 SQUARE FOOT DRIVE-THRU RESTAURANT, C-1 (Limited Commercial) Zone, Size: 15.61 Acres, Ward 2 (L. B. McDonald), APN: 163-05-517-002.

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Signage along the Charleston Boulevard frontage shall be limited to one monument sign identifying the tenant adjacent to the main entrance at Charleston Boulevard. Wall signage throughout the site should be uniform in size and appearance.
2. The landscaping provided on this site shall match in number and type shown on the conceptual landscape plan provided as part of the larger request.
3. All mechanical equipment shall be fully screened in view from adjacent streets.
4. All exterior lighting shall meet the standards of LVCM Section 19A.08.060(C).
5. Parking lot lighting standards shall be no more than 25 feet in height and shall utilize 'shoe-box' fixtures to prevent glare to off-site locations.
6. The applicant shall submit revised elevations with tan colored stucco and red colored tile roof.
7. Remove all substandard public street improvements, if any, adjacent to this site along Charleston Boulevard and replace with new improvements meeting current City Standards concurrent with on-site development activities as required by the Department of Public Works.

Galati -  
**ABEYANCE INDEFINITELY**  
Unanimous  
(Quinn excused)

TROY JESCHKE, Planning and Development, stated access to this site is provided by two driveways, one on Charleston Boulevard and one on an interior drive connecting the adjacent commercial development. Landscaping will be within a 15 foot wide landscape planter along Charleston Boulevard and a ten foot wide landscape planter is depicted along both sides of the property and in the rear. All interior planters will incorporate 24 inch box trees 20 feet on center. The submitted elevations depict a white stucco building with reddish colored fascia to provide contrasting elements. The facades also include gray shingles on a modified mansard style roof. Staff recommended approval, subject to the conditions.

JEFF LOOKER, Looker and Hunt Architects, 1270 East Broadway, #210, Tempe, Arizona, appeared to represent the applicant. This will be a Jack-In-the-Box restaurant.

CHERI EDELMAN, Public Works, said some of the conditions were placed into the Staff Report late so the applicant's representative may not have all the conditions. She suggested trailing this item so staff can review the conditions with Mr. Looker.

CHAIRMAN BUCKLEY announced this item would be trailed until later in the meeting.

\*\*\*\*\*

CHAIRMAN BUCKLEY brought this item forward after Item No. B-4.

MR. LOOKER said that Condition Nos. 8, 11 and 12 relate to new driveways. There are three driveways existing. They will not be installing a new driveway. After discussing with staff they agreed to match the colors of the Walgreen's store next door with tan stucco and red tile roofing.

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### ITEM

### ACTION

#### Z-102-86(3) - THREE B'S, INC.

8. If not already provided by the Master Developer, construct the full-width of the westerly driveway accessing this site from Charleston Boulevard and appropriate on-site paving to allow two-way traffic circulation prior to occupancy of this site as required by the Department of Public Works.

9. Comply with the previously approved Traffic Impact Analysis for the overall commercial site; appropriate contributions for this site's proportionate share of the required contributions for traffic signal mitigation shall be paid prior to the issuance of permits for this site, unless already provided by the Master Developer as required by the Department of Public Works.

10. Per the intent of a commercial subdivision, this pad shall have perpetual common access to all driveways connecting this site to the abutting streets as required by the Department of Public Works.

11. 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. The additional driveway proposed on Charleston Boulevard shall receive N.D.O.T. (Nevada Department of Transportation) approval prior to the issuance of grading, building or off-site permits, whichever may occur first.

CHERI EDELMAN, Public Works, added that there are only three driveways approved on this site along Charleston. Condition No. 10 requests access to all the pad sites. If there are four driveways proposed and NDOT has not approved all four that they all need to be approved by them. Public Works wants to make sure there is a driveway servicing this site. She requested the conditions to remain as indicated and was willing to continue working with the applicant. There is a condition stating this is a commercial subdivision having inter-site access with all the pad sites.

COMMISSIONER SKAAR was concerned that there is no large development coming in because at the present time there are individual pads and cars getting to them through dirt creating a lot of dust. Something needs to stop vehicles from using the rear driveway when there is no paving, such as fencing, boulders, etc.

MR. GLORE responded that staff would prefer an overall plan for the site.

MR. LOOKER added that Jack-In-The-Box likes to be in a shopping center.

COMMISSIONER GORDON thought the seller of the entire site should submit an overall master plan for the center. The marketplace dictates development of shopping centers. Perhaps there could be a barrier between the dirt area and the developed area.

MR. LOOKER felt that putting in temporary barriers are usually not aesthetically pleasing. He would be willing to work with staff on that issue.

VICE CHAIRMAN GALATI felt there needs to be a shopping center, not just pads. If there are too many pads it is difficult to see the center.

DAVID PETROVICH, Planning and Development, explained this site only has one owner. An overall conceptual site plan should be submitted with the future applications so staff can address certain issues.

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### ITEM

### ACTION

#### Z-102-86(3) - THREE B'S, INC.

12. Submit an application for an Occupancy Permit for all landscaping and private improvements (driveways) in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits as required by the Department of Public Works.

13. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

14. 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.

15. Site development to comply with all applicable conditions of approval for Zoning Application Z-102-86, the Charleston Durango Shopping Center Commercial Subdivision and all other subsequent site-related actions as required by the Department of Public Works.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

COMMISSIONER SKAAR was also concerned about there being a continuity of architecture. It will be difficult to tell a shopping center developer that his center has to look like Jack-In-The-Box or one of the other pads.

MR. GLORE felt it would not be appropriate to require this applicant to submit a conceptual plan for the rest of the project. The Planning Commission could go on notice that any future applications for this site would have to be accompanied by a plan for the entire site.

VICE CHAIRMAN GALATI felt this application is pre-mature without having a development plan for the entire center. He then made a motion for abeyance indefinitely.

(7:04 - 7:06)

(7:13 - 7:33) 1 - 2430

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### ITEM

### ACTION

B-4.

Z-106-87(5) - ALEXANDER-TENAYA  
PARTNERSHIP

Request for a Site Development Plan Review on property located at 7100 West Alexander Road FOR 104 APARTMENT UNITS (TWO-STORY BUILDINGS) ADDED TO A SITE WITH AN EXISTING 224 UNIT APARTMENT COMPLEX (QUAIL TREE APARTMENTS), R-3 (Medium Density Residential) Zone, Size: 13.06 Acres, Ward 4 (Brown), APN's: 138-03-802-002 and 003.

STAFF RECOMMENDATION: APPROVAL,  
subject to:

1. The applicant shall submit a revised site plan depicting a maximum of three hundred twenty-eight (328) units on the site as required by Condition #2 of Z-106-87.
2. The applicant shall submit a revised site plan depicting one more parking space for a total of three hundred seventy-five (375) parking spaces.
3. The applicant shall submit a revised landscape plan depicting a minimum six (6) foot wide landscape buffer along the east property line with a minimum of one (1) 24-inch box tree provided for every thirty (30) linear feet of planter or another method that conforms to the Las Vegas Urban Design Guidelines and Standards.
4. The applicant shall submit a revised landscape plan depicting and a minimum six (6) foot wide landscape buffer along the north property line with a minimum of one (1) 24-inch box tree provided for every thirty (30) linear feet of planter.
5. The applicant shall submit a revised landscape plan that conforms to Section 19A.12.030H which limits the amount of turf to 30% of the total landscapable area for Phase II.

Skaar -

**ABEYANCE TO THE 11/18/99 PLANNING COMMISSION MEETING TO ALLOW RE-NOTIFICATION OF A LANDSCAPING WAIVER.**

Motion carried with Buckley abstaining from voting because the applicant is a client of his law firm, Gordon abstaining because he is purchasing property from the Beckers, and Moran abstaining from voting.  
(Quinn excused)

TROY JESCHKE, Planning and Development, stated this project is proposed on the remainder of this site with an existing apartment complex built on part of the property. The submitted site plan depicts an L shape property, bounded by Alexander Road to the south and U.S.95 to the east. Site access is depicted by one existing driveway on Alexander Road. There are a total of 328 units depicted on this site. A pre-existing condition from the original zoning case limits the number of units to 328. Landscaping will be within a 6 to 30 foot wide landscape buffer along the east side of the property adjacent to a 90 foot wide drainage easement that will be constructed. Elevations for the proposed buildings depict two tone beige colored stucco and brown colored concrete tile roofs. All the buildings will be two stories. Staff recommended approval, subject to the conditions.

ERNIE BECKER, JR., 50 South Jones Boulevard, Suite #100, appeared to represent the application. When they started this project in the early '90's, the City would only approve 224 units because the property was located in a flood area. They have come to an agreement with the State Highway Department that they will build a temporary drainage ditch over 90 feet of the State's property and this property. The State will pay for part of the cost. He wanted to proceed with this project while the drainage structure existed and then come back at a later date when the infrastructures were put in. A new west wall can be built at that time and a hole within the NDOT right-of-way and the eastern edge of this property. Therefore, he requested a lesser amount of landscaping at this time and in the future to meet the landscaping requirements.

MR. GLORE responded that if Condition No. 3 was stricken, this item would have to be re-posted with a specific request to waive the landscaping requirements.

**To be heard by the Planning Commission on 11/18/99.**

(7:06 - 7:13) 1 - 2116

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### ITEM

### ACTION

Z-106-87(5) - ALEXANDER-TENAYA  
PARTNERSHIP

**ABEYANCE**

6. 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.

7. 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. This site lies within the recently approved Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Restudy area.

8. An update to the previously approved Traffic Impact Analysis, or other information acceptable to the City Traffic Engineer, 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 as required by the Department of Public Works.

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### ITEM

### ACTION

Z-106-87(5) - ALEXANDER-TENAYA  
PARTNERSHIP

**ABEYANCE**

9. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-106-87 and all subsequent site-related actions as required by the Department of Public Works.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

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### ITEM

### ACTION

B-5.

#### Z-75-90(17) - SPECTRUM COMMERCIAL LIMITED

Request for a Site Development Plan Review on property located adjacent to the southwest corner of the intersection of Farm Road and Cimarron Road FOR A-PROPOSED 40,442 SQUARE FOOT COMMERCIAL CENTER WHICH INCLUDES A CONVENIENCE STORE WITH GASOLINE SALES AND THE OFF-PREMISE SALE OF BEER AND WINE, A FAST FOOD RESTAURANT, A RESTAURANT WITH A TAVERN, AND RETAIL SHOPS, R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Size: 5.70 Acres, Ward 4 (Brown), APN: 125-16-310-002.

STAFF RECOMMENDATION: APPROVAL, subject to:

1. The proposed retail building along the south and west property lines shall be reduced to 15 feet in height in order to comply with the Residential Adjacency Standards as required by the Planning and Development Department.
2. The east and west elevations of the gas pump islands' canopy shall be revised, to the approval of the Planning and Development Department staff, to depict facade vertical articulation to reduce the appearance of a single unrelieved surface.
3. The rear elevations of the two retail buildings shall be revised to depict facade articulation consistent with the depicted front building elevations.
4. Provide proof of appropriate ingress/egress easements for the proposed driveways across the common area adjacent to this site prior to the recordation of a Final Map or prior to the issuance of any permits for any driveways accessing Cimarron Road as required by the Department of Public Works.

**Galati - DENIED**  
**Unanimous**  
**(Quinn excused)**

MATT PINJUV, Planning and Development, stated this item is related to Item Nos. A-9, A-10, and A-11. Access to this site is from two driveways on Farm Road and two on Cimarron Road. Parking is located throughout the site and has 24 foot wide drive aisles. The convenience store is located on the northeast portion of this site with gas pumps near the street intersection. The floor plan for the convenience store indicates a fast food restaurant, but no specific use is identified. A fast food pad is located south of the convenience store, a tavern and restaurant are shown on a stand-alone pad on the northwest corner of the site with retail shops predominantly along the south portion of the site.

Landscaping is around the perimeter of the site and planters along Farm and Cimarron in the parking lot and west and south property lines.

Building elevations depict cement plaster exteriors with standing seam metal roofs and tower features on each building. All the buildings are one story with a maximum height of 30 feet for the tower features.

The site plan meets the Zoning Code and Urban Design Standards. However, the retail building does not meet the Residential Adjacency Standards. Staff has a condition requiring the building adjacent to the residences to the west and east be reduced in height to 15 feet or a 3 to 1 proximity slope be maintained.

JON ATHEY, 4534 West Hacienda Avenue, appeared to represent the application. He objected to staff's setbacks and height of buildings. The building has a 14 foot 6 inch height. There is a standing seam metal parapet around the front and back of the building which raises the height of the building to 20 feet 2 inches. The extra five and a half feet on the roof screens the mechanical equipment. It was felt that is a better solution than moving the building an additional 40 feet.

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### ITEM

### ACTION

#### Z-75-90(17) - SPECTRUM COMMERCIAL LIMITED

5. Grant a traffic signal chord easement located behind the 25 foot radius on the southwest corner of Cimarron Road and Farm Road prior to the issuance of any permits or concurrent with the recordation of a Final Map for this site as required by the Department of Public Works.

6. In accordance with condition of approval #3 of the Cimarron Road and Farm Road Commercial Tentative Map (TM-11-99), construct half-street improvements on Farm Road adjacent to this site and construct all incomplete half-street improvements on Cimarron Road 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. Construction of required improvements on Farm Road shall commence by April 2000; failure to comply with this requirement shall result in this item being reconsidered by the City Council.

7. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway 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.

MR. GLORE responded that Title 19 has a provision that roof parapets are exempt from the 15 foot height limit so the Residential Adjacency Standards do not apply.

COMMISSIONER SKAAR noted that Condition No. 1 could therefore be deleted.

MR. ATHEY objected to Condition No. 6 whereby the improvements should commence by April 2000. He requested that condition be amended to have the improvements commence prior to the expiration of the Use Permits required.

CHERI EDELMAN, Public Works, responded that the applicant's were already given a one year extension. This would be the second extension. There is a new policy in the northwest whereby the sawtooths are being eliminated. The applicants are being required to construct their off-sites within one year.

KEVIN KEEFE, Spectrum Commercial Limited, 185 East Reno Avenue, Suite B-7, owner of property, said they have already paved a half-street section on Farm Road to meet the requirements of the current Use Permits.

RICHARD SMEDLEY, Development Services of Nevada, 4270 South Decatur Boulevard, Suite A110A, commented that they are in the process of doing the improvement plans for that portion of Farm Road that would include curb, gutter and sidewalk. April 2000 will not be enough time to get the plans completed, technical drainage study, traffic study done and approved and permits obtained. They would like to have a year from this date to commence the improvements.

MS. EDELMAN responded that they have put in temporary paving and did not include sidewalk, curb, gutter or streetlights.

COMMISSIONER GORDON suggested having the applicant post a bond for the improvements.

MS. EDELMAN said those bonds are typically collected at the time of approval of the construction drawings.

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### ACTION

#### Z-75-90(17) - SPECTRUM COMMERCIAL LIMITED

8. 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 monies 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 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. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of 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.

COMMISSIONER MACK said he attended two homeowners meetings regarding this request. He commended the developers for working with the neighborhood.

VICE CHAIRMAN GALATI disagreed with staff's interpretation of the section in Title 19. It was not intended to mean parapets, but actual screens that would be put up to screen the equipment.

COMMISSIONER SKAAR was concerned about the trash dumpster and loading dock for the convenience store because they are on the opposite side of the drive-through lane. The loading docks for the commercial center are located two complete rows of parking plus two landscaping buffers away from the commercial development. Persons entering off Farm Road have to go between parking stalls where they will have to back out from the bar and restaurant in order to get to the in-line retail shops.

MR. ATHEY responded that it is difficult to find a large enough area to have a loading zone that is big enough for a truck to get into. It doesn't fit in a standard parking space so it doesn't lay out well on the inside of the drive-through.

COMMISSIONER SKAAR said that from her experience when the loading area is far away the internal drive aisle between the handicapped spaces and the parking west of that is where a truck will stop. Now no one can get in and out of the parking spaces to go to the convenience store and fast food restaurant. In addition, the handicapped parking should be close to the front door, not in the back.

MR. ATHEY said the fast food restaurant has an entrance where the handicapped parking is located. He was concerned that if the parking was relocated that there would be a problem of the vehicles backing into each other. They are the owner, developer and operator of these businesses. He is willing to work with staff on the loading zone. He explained the site development plan.

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### ITEM

### ACTION

#### Z-75-90(17) - SPECTRUM COMMERCIAL LIMITED

9. 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. 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 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.

10. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-75-90, Special Use Permits U-139-95 & U-140-95, the Cimarron Road and Farm Road Commercial Center (Commercial Subdivision) and all other subsequent site-related actions.

11. All development shall be in conformance with the site development plan and building elevations as amended by the above conditions.

12. 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.

COMMISSIONER MACK was concerned about having a loud speaker associated with the fast food restaurant.

MR. ATHEY said they will have state-of-the-art speakers that keep the noise at the lowest possible decibels. They have screened the speakers with foliage and a retail building between the residential area.

COMMISSIONER SKAAR asked the seating capacity for the fast food restaurant in conjunction with the convenience store. She also asked how the opening between the restaurant and convenience store will be blocked off. She wondered where the restrooms will be located.

MR. ATHEY said there will be approximately 32 seats in the fast food restaurant. The opening will be a storefront type window double door or a pull down mail type grate.

DEPUTY CITY ATTORNEY STEVE GEORGE advised that the pull down type grate is prohibited between convenience stores and fast food restaurants under the City's Code. The location of the restrooms will not satisfy the Code.

VICE CHAIRMAN GALATI was concerned about the traffic circulation on the site.

KEVIN KEEFE commented that they don't want to lose any entitlements for this property.

COMMISSIONER SKAAR was concerned about the drive-through, location of dumpsters and handicapped parking spaces.

VICE CHAIRMAN GALATI suggested holding this item in abeyance so the site plan can be revised.

COMMISSIONER GORDON did not think this item should be held in abeyance.

**NOTE: See Item Nos. A-9, A-10, and A-11, for further discussion.**

**This is final action.**

(7:33 - 8:13) 1 - 3470

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### ITEM

### ACTION

#### Z-75-90(17) - SPECTRUM COMMERCIAL LIMITED

DENIED

13. 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.

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

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

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.

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.

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

19. 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-6.

Z-20-97(21) - CLARK COUNTY RETAIL  
PROPERTY MANAGEMENT, ET AL

Request for a Site Development Plan Review on property located adjacent to the south side of Kenyon Place, approximately 220 feet east of Shadow Lane, FOR A PROPOSED 34,780 SQUARE FOOT OFFICE BUILDING (CLARK COUNTY OPERATION CENTER), PD (Planned Development) Zone, Size: 1.6 Acres, Ward 1 (McDonald), APN's: 139-33-305-003, 004, 005, 006, 007 and 008.

**Galati -  
ABEYANCE INDEFINITELY  
Unanimous  
(Quinn excused)**

CHRIS GLORE, Planning and Development, stated the applicant has requested abeyance indefinitely on this item to give time for the City Council to vote on a related item.

DONALD BARTON, Clark County Real Property Management Division of General Services, appeared to represent the application.

CHAIRMAN BUCKLEY announced this item should be held in abeyance pending a parking Variance approval by the City Council.

(6:09 - 6:12) 1 - 80

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### ITEM

### ACTION

B-7.

Z-20-97(22) - CLARK COUNTY HEALTH DISTRICT

Request for a Site Development Plan Review on property located at 625 Shadow Lane FOR A PROPOSED 70,500 SQUARE FOOT 3-STORY MEDICAL OFFICE BUILDING, PD (Planned Development) Zone, Size: 10.96 Acres, Ward 1 (McDonald), APN's: 139-33-402-002, 139-33-402-012, and 139-33-305-020.

STAFF RECOMMENDATION: APPROVAL, subject to:

1. The landscape plan shall be revised to depict the following: 1) a landscape planter of at least ten feet in width along the Pinto Lane site frontage; 2) landscape planter 'fingers' of at least eight feet in width, and each with at least one 24 inch box tree, for each eight parking spaces; 3) landscape planters of at least five feet in width at the end of each parking row; and 4) a landscape strip of at least three feet in width in front of any single parking rows.
2. All mechanical equipment shall be fully screened from public view along all adjacent streets.
3. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).
4. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and shields to prevent glare to off-site locations.
5. Landscaping and a permanent underground sprinkler system shall be installed 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.

Gordon -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS, WITH CONDITION NO. 4 AMENDED AS STATED BY STAFF.**

**Motion carried with Galati abstaining from voting because his architectural firm is the architect on this project.**

**(Quinn excused)**

CHRIS GLORE, Planning and Development, stated this project is for a site within the Las Vegas Medical District. This office will be consistent with the Medical District plan. It will enhance the surrounding area and may set a higher standard of design for this block. The project will require a revised landscape plan to meet the requirements of the Medical District Planned Development Standards, including revising the width of the street frontage landscape planters and provision of parking lot fingers with trees. Staff recommended approval, subject to the conditions.

DENISE COOK, Lucchesi-Galati Architects, 500 Pilot Road, Suite A, appeared to represent the application. She asked if the parking lot lighting standards are applicable to existing lighting or just new lighting. If new lighting standards, should they all be at the same height because the existing lighting is higher than 20 feet?

MR. GLORE responded that those standards are intended to be applicable to new lighting standards that will be added. That would depend on the height of the existing lighting and how much variation between the existing height and new lighting.

MS. COOK said the existing lighting is approximately 30 feet high.

MR. GLORE responded that 30 feet would be an excessive height in a neighborhood that has residential uses.

COMMISSIONER GORDON suggested increasing the candle power.

MS. COOK was concerned about having an awkward flow of lighting throughout the site. Most of the lighting will be located on the building and possibly along Pinto Lane.

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### ACTION

#### Z-20-97(22) - CLARK COUNTY HEALTH DISTRICT

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

7. Dedicate a 15 foot radius on the southeast corner of Shadow Lane and Pinto Lane prior to the issuance of any permits as required by the Department of Public Works.

8. Coordinate with the Department of Public Works to determine the final disposition of the existing right-of-way at the southwest corner of Parcel 139-33-402-002 prior to the issuance of any permits for this site. Additional public street dedication or Vacation applications may be required.

9. Construct all incomplete half-street improvements (sidewalk) on Pinto Lane and Desert Lane adjacent to this site as required by the Department of Public Works. Also, construct a handicap ramp on the southeast corner of Pinto Lane and Shadow Lane prior to occupancy of this site as required by the Department of Public Works.

10. Remove all substandard public street improvements and 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.

11. Provide a copy of a recorded Joint Access and Parking Agreement between the three parcels comprising this overall site prior to the issuance of any permits as required by the Department of Public Works.

COMMISSIONER MORAN felt the lighting along Pinto Lane should be consistent.

MR. GLORE suggested that an amendment could be made to Condition No. 4 as follows: **"Parking lot lighting standards shall be no more than 20 feet in height except along Pinto Lane frontage and shall utilize 'shoe-box' fixtures and shields to prevent glare to off-site locations."**

MS. COOK accepted that amended condition.

**This is final action.**

(8:13 - 8:21) 2 - 1240

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### ITEM

### ACTION

#### Z-20-97(22) - CLARK COUNTY HEALTH DISTRICT

APPROVED

12. Grant pedestrian walkway easements for all public sidewalks not located within public right-of-way as required by the Department of Public Works.

13. 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.

14. A Drainage Plan and Technical Drainage Study shall 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.

15. Site development to comply with all applicable conditions of approval for Z-20-97 and all other subsequent 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

B-8.

Z-55-99(1) - HUFF 1993 TRUST, ET AL

Request for a Site Development Plan Review on property located adjacent to the southeast corner of Alta Drive and Decatur Boulevard FOR A PROPOSED 15,332 SQUARE FOOT DRUG STORE (SAV-ON), C-1 (Limited Commercial), P-R (Professional Offices and Parking) and R-1 (Single Family Residential) Zones, Size 1.82 Acres, Ward 1 (McDonald), APN's: 139-31-214-033, 139-31-310-001 through 005 and 130 through 133.

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

1. The site plan shall be revised to depict two loading spaces per the dimensional requirements of Section 19A.10.020(D).
2. The landscape plan shall be amended to depict 36 inch high berms within the 15 foot landscape planters along the entire Decatur Boulevard and Alta Drive frontages. In addition, the planter along the south and east sides shall be widened to at least 15 feet in width, and shall retain 24-inch box trees planted a minimum of 20 feet on-center, to enhance buffering of residential neighbors.
3. The elevations shall be revised to depict vertical elements such as columns or pillars, and all four elevations should provide comparable facade detailing.
4. The site plan shall be revised to depict a solid masonry wall, of at least ten feet in height, along the length of both freight loading spaces. The wall shall match the exterior facade of the main building in materials and colors.
5. The site plan shall be revised to depict one vehicular access driveways off of Alta Drive, and one access driveway off of Decatur Boulevard.

Skaar -  
DENIED

Motion carried with Gordon abstaining from voting.  
(Quinn excused)

CHRIS GLORE, Planning and Development, stated this item is related to Item Nos. C-15, C-16, C-17 on this agenda, and GPA-28-99, which the Planning Commission recommended denial at their 10/21/99 meeting. The proposed drug store is too intense of a use adjacent to the single family residential neighborhood. If this request is approved, there is a condition that solid masonry walls are to be around the freight loading area to reduce noise levels. There is another condition recommending widening of landscaping planters to 15 feet along interior site boundaries to provide more of a physical buffer between the two uses. The elevations have unarticulated wall areas with minimal window openings and no vertical elements to provide an interesting facade. The wall signage has numerous messages, which is too excessive. Staff recommended denial.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, appeared to represented the applicant. A portion of this site is already zoned C-1. There are uses on this site that are immediately adjacent to residential uses. On the corner is a Philly Steakout. This area could use some redevelopment. With an appropriate design, this is a good project. There will not be any trucks making deliveries next to residential properties. There will be substantial landscape buffers. The building is set back as far as possible to meet the appropriate parking requirements. Vacating Lorna Place will avoid cut-through traffic. This will be a Sav-On Drug store.

**NOTE: See GPA-28-99 in the 10/21/99 minutes that is incorporated into this item by reference and Item Nos. C-15, C-16 and C-17 in these minutes for related discussion.**

**To be heard by the City Council on 12/1/99.**

(8:21 - 8:48) 2 - 1510

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### ITEM

### ACTION

#### Z-55-99(1) - HUFF 1993 TRUST, ET AL

**DENIED**

6. Free-standing signage shall be limited to one monument sign, with a maximum height of eight feet, adjacent to the main entrance at Decatur Boulevard. The sign shall utilize materials and colors reflecting the commercial buildings.

7. Exterior wall signage shall be limited to the store name only. Any wall signage on the east and south elevations shall be non-illuminated.

8. The existing off-premise sign (billboard) shall be removed, and no off-premise advertising shall be permitted on this site.

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

10. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).

11. Parking lot lighting standards shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.

12. Landscaping and a permanent underground sprinkler system shall be installed 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.

13. 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.

14. The applicant shall have constructed a six foot high decorative block wall, with at least 20 percent contrasting materials, along the entire east and south property boundaries.

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ITEM

ACTION

Z-55-99(1) - HUFF 1993 TRUST, ET AL

DENIED

15. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-55-99 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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### ITEM

### ACTION

B-9.

Z-56-99(1) - AMERICAN STORES  
PROPERTIES, INC.

Request for a Site Development Plan Review on property located adjacent to the northwest corner of the intersection of Sahara Avenue and Tenaya Way FOR A PROPOSED 214,300 SQUARE FOOT AUTOMOBILE DEALERSHIP (FLETCHER JONES MERCEDES), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) [PROPOSED C-2 (GENERAL COMMERCIAL) ZONE], Size: 6.17 Acres, Ward 1 (McDonald), APN: 163-03-404-020.

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

1. The landscape plan shall be revised to depict minimum 15 foot wide landscape planters along the entire Sahara Avenue, Tenaya Way and Via Olivero Avenue street frontages. In addition, the landscape plan should be revised to depict trees of a minimum 24-inch box size planted at least 20 feet on-center within planters on all three street frontages. The proposed site plan depicts a relatively large commercial site with parking lots visible from the adjacent streets. In order to soften the view of parking lots, the landscape plan should be amended to depict 36 inch high berms within the landscape planters along the entire frontages

2. Any wall signage on the north side of the building, facing residences, shall be non-illuminated. A maximum of one monument sign shall be allowed, in a location along Sahara Avenue and at a height where the sign is not visible from the residences north of the site.

3. Free-standing signage shall be limited to one monument sign, with a maximum height of eight feet, adjacent to the intersection of Tenaya Way and Sahara Avenue. The sign shall utilize materials and colors reflecting the commercial buildings.

Skaar -  
DENIED

Motion carried with Galati abstaining from voting because the Catholic Diocese is a client of his architectural firm and Gordon abstaining from voting because the law firm that represents this application is also the firm that handles the legal work for his business.  
(Quinn excused)

CHRIS GLORE, Planning and Development, stated this item is related to Item Nos. C-18 and C-19. Staff has several concerns with this site plan. The main access into the customer and service areas will be off Tenaya Way. That traffic will impact surrounding local streets. It is a three-story building. If this is approved, staff would like to have the landscape planters widened along street frontages. In addition, staff objects to any illuminated signage and no visible signage to the north. Staff recommended denial.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, appeared to represent the applicant. The site plan has been revised. There will not be a body and paint shop on this site so the Special Use Permit can be withdrawn. There will not be any service access on Tenaya Way, it will come off Sahara Avenue. The service bays are significantly set back from Sahara and Via Olivero. Along Via Olivero and Tenaya will be a meandering eight foot high block wall. There will be substantial landscape buffering and decorative paving along Sahara and Tenaya.

ERNEST FREGGIARO, Catholic Diocese, 4588 Coachman Circle, appeared in protest. The use is their main concern. He read a letter from Father Joseph Anthony of St. Joseph, Husband of Mary, Church, which stated their opposition.

**There were 4 persons in the audience in protest.**

GENE LENARDO, 6300 Blair Way, appeared in protest. He is a parishioner of the church.

ATTORNEY FIORENTINO said he has been trying to set up a meeting with the Bishop and Father Joseph Anthony. He feels this use will be compatible with the area and it does not have gaming or liquor. Car dealerships are closed in the evenings and on Sundays.

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### ITEM

### ACTION

Z-56-99(1) - AMERICAN STORES  
PROPERTIES, INC.

4. The existing off-premise sign (billboard) shall be removed, and no off-premise advertising shall be permitted on this site.

5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

6. All exterior lighting shall meet the standards of LVMC Section 19A.08.060 (C).

7. Parking lot lighting standards shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.

8. Landscaping and a permanent underground sprinkler system shall be installed 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.

9. 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.

10. The applicant shall have constructed a six foot high decorative block wall, with at least 20 percent contrasting materials, around the entire service parking area.

COMMISSIONER SKAAR said there are very few uses that are not open at night and Sundays. She was concerned that this will cross Tenaya Way. Perhaps this dealership could go across Sahara where there are other car dealerships.

**NOTE: See GPA-29-99 in the 10/21/99 minutes that is incorporated into this item by reference and Item Nos. C-18 and C-19 in these minutes for related discussion.**

**This is final action.**

(8:48 - 9:07) 2 - 2655  
RECESS

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### ITEM

### ACTION

Z-56-99(1) - AMERICAN STORES  
PROPERTIES, INC.

DENIED

11. 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. No parking or deliveries to this site shall be permitted in the public street right-of-way. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works. The proposed driveway on Tenaya Way shall be opposite or offset a minimum distance of 220 feet unless otherwise specifically allowed in writing by the Traffic Engineer.

12. 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. The Traffic Impact Analysis shall also address the on-site circulation of delivery vehicles and provide turning templates for the largest vehicle expected to service this site. It shall also propose a test drive route and shall propose specific methods to mitigate any adverse impacts to the surrounding residential neighborhoods. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site

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### ITEM

### ACTION

Z-56-99(1) - AMERICAN STORES  
PROPERTIES, INC.

**DENIED**

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. 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.

13. Site development to comply with all applicable conditions of approval for Z-56-99 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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### ITEM

### ACTION

B-10.

Z-61-99(1) - LV (VEGAS/JONES) LIMITED  
LIABILITY COMPANY

Request for a Site Development Plan Review on property located adjacent to the west side of Jones Boulevard and the north side of Vegas Drive FOR A PROPOSED 190 UNIT SENIOR CITIZEN APARTMENT DEVELOPMENT, R-E (Residence Estates) and R-1 (Single Family Residential) Zones, PROPOSED R-3 (Medium Density Residential), Size: 8.32 Acres, Ward 4 (Brown), APN: 138-23-801-003.

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

1. The landscape plan shall be revised to depict trees of a minimum 24-inch box size planted at least 20 feet on-center within all planters.
2. The Applicant shall restrict the minimum age of all tenants to 55 years, unless an approval to change the age restriction is granted by the City Council.
3. All building plans shall be redesigned to depict at least one elevator in each two-story building.
4. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
5. All exterior lighting shall meet the standards of LVMC Section 19A.08.060 (C).
6. Parking lot lighting standards shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.

Moran -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS, AS MODIFIED BY APPLICANT'S CONDITIONS AND CONDITION NO. 3 DELETED.**

**Motion carried with Gordon abstaining from voting because the law firm that represents this application is also the firm that handles the legal work for his business and Mack not voting.**

**(Quinn excused)**

CHRIS GLORE, Planning and Development, stated this item is related to Item No. C-23 on this agenda and GPA-40-99 on the 10/21/99 meeting agenda. The request for rezoning would change the current zoning from R-1 (Single Family Residential) to R-3 (Multi-Family Residential) within an area that has single family and multi-family residential. However, the zoning will represent double the density of the existing adjacent multi-family development, which is in an R-PD10 zone. It would also result in spot zoning and there are no other R-3 properties adjacent to this site. There are conditions to revise the landscaping plan to include planting of additional trees. He requested Condition No. 2 be amended as follows: "The Applicant shall restrict the minimum age of all tenants to 55 years, under covenant attached to the property for a period of not less than 25 years, unless an approval to change the age restriction is granted by the City Council." Staff is also requiring at least one elevator in each building. Staff recommended denial.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, appeared to represent USA Properties. The applicant has been working with the neighborhood. The two story elements will be 26.5 feet and 19.5 feet.

He requested Condition No. 1 be amended as follows: "Applicant to construct a 30 foot wide landscape buffer along the west property line and a 15 foot wide buffer along the north property line. Both buffers shall contain 24-inch box Mondell pines at least 20 feet on center. The Mondell pines shall be set back a minimum of 15 feet from the west property line, and 7 feet from the north property line."

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### ITEM

### ACTION

#### Z-61-99(1) - LV (VEGAS/JONES) LIMITED LIABILITY COMPANY

7. Landscaping and a permanent underground sprinkler system shall be installed 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 prior to occupancy, whichever occurs first.

9. The applicant shall meet with all abutting property owners regarding construction of a six foot high decorative block wall, with at least 20 percent contrasting materials, around the entire west and north property boundaries. Where the existing block wall is determined to be structurally unsound, the applicant shall have the wall re-built to match the new wall in material type and colors.

10. Site development to comply with all applicable conditions of approval for Z-61-99 as required by the Department of Public Works.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

Condition No. 2, should be moved to Item No. C-23, which is the Zone change, and amend it to read as follows: "Conformance to the site plan dated October 21, 1999."

He requested Condition No. 3 be deleted. These are not senior assisted facilities and the residents will be able to get up and down stairs. Requiring an elevator will make the project unfeasible.

He requested Condition No. 9 be amended as follows: "Applicant to construct a 6 foot high decorative block wall along the north and west property lines. Where permitted by adjacent landowners, the wall shall replace the existing wall."

He requested adding the following conditions:

- a. "The secondary project entrance on Vegas Drive shall be right-in/out only and gated. Tenants, emergency and service vehicles shall access the entrance via remote control. Public access shall be restricted."
- b. "The northern most access point on Jones Boulevard shall be used for emergency vehicles only."
- c. "To the extent possible, the applicant shall enter into an agreement with Silver State Disposal Service to have the trash picked up between the hours of 1:00 p.m. and 9:00 p.m."

MR. GLORE disagreed with deleting Condition No. 3 because that makes the project more amenable for senior citizens. Without the elevators, it represents a typical apartment development. He objected to replacing Condition No. 9 with new language because that eliminates a consistent design throughout the project and undermines replacement of any structurally unsound portions of the wall.

CHERI EDELMAN, Public Works, requested the applicant to work with the Traffic Engineering staff on the driveways to make sure there are no stacking problems.

**NOTE: See GPA-40-99 in the 10/21/99 minutes that is incorporated into this item by reference and Item No. C-23 in these minutes for related discussion.**

**This is final action.**

(9:21 - 9:50) 3 - 430

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### ITEM

### ACTION

B-11.

Z-62-99(1) - NATIONAL CHURCH PROPERTIES

Request for a Site Development Plan Review on property located at 715 North Tonopah Drive FOR A PROPOSED 75 UNIT TWO-STORY SENIOR HOUSING COMPLEX, R-1 (Single Family Residential) Zone, Proposed Zone R-3 (Medium Density Residential), Size: 4.36 Acres, Ward 3 (Reese), APN: 139-29-704-017.

STAFF RECOMMENDATION: APPROVAL, subject to:

1. The applicant shall revise the site plan/landscape plan to provide a minimum six (6) foot wide landscape buffer along the north and south property lines with 24-inch box trees at a rate of one (1) tree for every thirty (30) linear feet of planter.
2. The applicant shall revise the site plan/landscape plan to provide a minimum of ten (10) 24 inch box trees at a rate of one (1) tree for every thirty (30) linear feet of planter along the east (front) property line.
3. All mechanical equipment, air conditioners and trash areas shall be fully screened in view from the abutting streets.
4. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).
5. Parking lot lighting standards shall be no more than twenty-five (25) feet in height and shall utilize 'shoe-box' fixtures and downward-directed lighting.
6. Landscaping and a permanent underground sprinkler system shall be installed 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.

Skaar -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS, AND ADDITIONAL CONDITION REQUIRING ROOFING BE COMPRISED OF DURABLE MATERIAL OTHER THAN ASPHALT SHINGLES.**

**Motion carried with Galati abstaining from voting because he is on the Board of Directors of the Southern Nevada Housing Corporation which is involved with this project. (Quinn excused)**

CHAIRMAN BUCKLEY brought this item forward after Item No. C-20. This item is related to GPA-36-99 that was on the 10/21/99 Planning Commission meeting agenda.

MATT PINJUV, Planning and Development, stated this item is related to GPA-36-99 that was recommended for approval at the 10/21/99 meeting. The landscaping along the north and south sides of the site depict a planter that is only 3 feet wide. Staff recommended a condition that the landscaping along those property lines be increased to a minimum of 6 feet, which would bring it into compliance with the Urban Design Guidelines and Standards. Staff recommended approval, subject to the conditions.

GEORGE CEKALIS, 2655 South Rainbow Boulevard, appeared to represent the applicant. He concurred with staff's conditions. They will increase the landscape buffer from 3 to 6 feet on the north and south property lines.

COMMISSIONER SKAAR said she was concerned with the use of asphalt shingles. The City is trying to curtail any future developments having that type of shingles. This is a buffer between the Budget Suites and the townhouses to the north. Budget Suites were required to install tile roofing. She requested some type of durable roofing.

MR. CEKALIS responded that this project is a 100% grant from Congress so the funds are limited. He will know next week about the financing for this project.

COMMISSIONER SKAAR objected to waiving the asphalt shingles.

MR. CEKALIS said they will pursue other City funds.

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### ITEM

### ACTION

Z-62-99(1) - NATIONAL CHURCH  
PROPERTIES

7. The applicant shall have constructed a six (6) foot high decorative block wall, with at least twenty (20) percent contrasting materials.

8. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-62-99 and all other site-related actions as required by the Department of Public Works.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

**NOTE: See GPA-36-99 in the 10/21/99 minutes that is incorporated into this item by reference and Item No. C-24 in these minutes for related discussion.**

**This is final action.**

**(9:53 - 10:00) 3 - 1570**

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### ITEM

### ACTION

B-12.

Z-65-99(1) - PATRICK AND MARTHA BASH, ET AL

Request for a Site Development Plan Review on property located adjacent to the west side of Losee Road, south of Lake Mead Boulevard, FOR A PROPOSED 56,004 SQUARE FOOT INDUSTRIAL CENTER, R-3 (Medium Density Residential) Proposed M (Industrial), Size: 3.24 Acres, Ward 3 (Reese), APN's: 139-22-313-001 thru 003 and 139-22-313-017 thru 033.

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

1. Approval of and conformance to the conditions of approval for Rezoning Z-65-99.
2. The applicant must submit a revised site plan and building elevations that conform to the City of Las Vegas Zoning Code and Urban design Guidelines and Standards prior to any development on this site as required by the Planning and Development Department.
3. Coordinate with the City Surveyor to determine whether appropriate Reversionary Maps and/or Subdivision Maps are needed for this site; if required, such maps shall be submitted and recorded prior to the issuance of any building permits for this site as required by the Department of Public Works.
4. All street improvements on Losee Road shall meet the approval of the City of North Las Vegas as required by the Department of Public Works.
5. If sidewalk is eliminated from the south side of Gregory Street as proposed, such area shall be landscaped and maintained by the applicant and an encroachment agreement shall be submitted for all landscaping and private improvements in the Gregory Street public right-of-way as required by the Department of Public Works.

Gordon -  
**DENIED**  
Unanimous  
(Quinn excused)

CHAIRMAN BUCKLEY stated this item is related to GPA-32-99 on the 10/21/99 Planning Commission meeting and Item C-28 on this agenda.

MATT PINJUV, Planning and Development, stated this item is related to GPA-32-99 which was recommended for denial at the 10/21/99 meeting and Item No. C-28 on this agenda. This building is not consistent with the residential uses in the area because of the concrete tilt-up construction. Additionally, there are some deficiencies in regard to the minimum required setbacks in the M zone which require a 50 foot setback from the right-of-way line along Gregory. Adequate landscaping is not provided. Staff recommended denial.

JIM THOMPSON, JR., 3316 Wild Blossom, appeared to represent the application. This project will act as a buffer. In addition, the site plan is inaccurate because it was just revised this week to meet North Las Vegas' requirements. They cannot meet the 50 foot setback. They will probably abandon three properties because there will be enough parking on-site.

DORIS REMBERT, 312 Mike Circle, appeared to state after the vote was posted that there should be a neighborhood meeting with the applicant because a lot of the neighbors do not understand this request.

**NOTE: See GPA-32-99 in the 10/21/99 minutes that is incorporated into this item by reference and Item No. C-28 in these minutes for related discussion.**

**To be heard by the City Council on 12/1/99.**

(10:00 - 10:12) 3 - 1860

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### ITEM

### ACTION

Z-65-99(1) - PATRICK AND MARTHA BASH,  
ET AL

**DENIED**

6. Remove all substandard public street improvements and unused driveway cuts on Gregory Street, Elliot Avenue and Lake Mead Boulevard adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site as required by the Department of Public Works. If sidewalk is waived, construct handicap ramps where the sidewalk terminates and across the street where the sidewalk will remain.

7. 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. The proposed driveway accessing Lake Mead Boulevard shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

8. 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 any map further subdividing 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 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

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### ITEM

### ACTION

Z-65-99(1) - PATRICK AND MARTHA BASH,  
ET AL

**DENIED**

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 participate in a reasonable alternative mutually acceptable to the applicant and 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.

9. 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.

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### ITEM

### ACTION

Z-65-99(1) - PATRICK AND MARTHA BASH,  
ET AL

DENIED

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. For non-residential developments, 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. 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.

15. 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.

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

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### ACTION

Z-65-99(1) - PATRICK AND MARTHA BASH,  
ET AL

**DENIED**

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.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

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### ITEM

### ACTION

B-13.

Z-66-99(1) - OWENS EQUITIES LIMITED  
LIABILITY COMPANY

Request for a Site Development Plan Review on property located at 4093 East Owens Avenue FOR A PROPOSED 96-UNIT APARTMENT COMPLEX, R-E (Residence Estates) Zone, Proposed Zone R-3 (Medium Density Residential), Size: 5.29 Acres, Ward 3 (Reese), APN: 140-30-503-001.

**STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE NOVEMBER 18, 1999 PLANNING COMMISSION MEETING DUE TO A NOTIFICATION ERROR.**

Galati -

**ABEYANCE TO THE 11/18/99 PLANNING COMMISSION MEETING.**

**Unanimous**

**(Quinn excused)**

CHRIS GLORE, Planning and Development, stated there is a companion item, C-29 - Z-66-99, and both items should be held in abeyance to the 11/18/99 Planning Commission meeting due to a notification error.

No one was present to represent the application.

**To be heard by the Planning Commission on 11/18/99.**

(6:12 - 6:15) 1 - 155

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### ITEM

### ACTION

B-14.

**SD-28-99 - AMERICAN NEVADA UNION  
PACIFIC, LIMITED PARTNERSHIP**

Request for a Site Development Plan Review on property located adjacent to the northwest corner of the Main Street and Bonneville Avenue intersection FOR A PROPOSED 30,000 SQUARE FOOT TWO-STORY OFFICE BUILDING, C-M (Commercial/Industrial), M (Industrial) Zone, Size: 3.5 Acres, Ward 1 (McDonald), APN's: 139-34-201-011 and 014.

**STAFF RECOMMENDATION:** APPROVAL, subject to the following:

1. The building plan shall be re-designed to depict a maximum footprint of approximately 20,000 square feet, and the proposed 30,000 square feet of office space designed to be located on a reduced second floor and partial third floor.
2. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
3. All exterior lighting shall meet the standards of LVMC Section 19A.08.060(C).
4. Landscaping and a permanent underground sprinkler system shall be installed 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.
5. A landscaping plan shall be submitted prior to or at the same time application is made for a building permit, or prior to occupancy, whichever occurs first.

Gordon -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**

Motion carried with Buckley abstaining from voting because the applicant is a client of his law firm and Galati abstaining from voting because the applicant is a client of his architectural firm and Moran abstaining from voting because she owns property in the area.

(Quinn excused)

CHRIS GLORE, Planning and Development, stated this project is within the Redevelopment core district. The office use will be consistent with the Redevelopment Plan Use designation. It will differ from the industrial use predominant in the surrounding area. It could encourage development of other office and related support retail service uses in the surrounding area. Condition No. 1 recommends redesign of the building footprint. Subsequent to the preparation of the Staff Report, an alternative condition has been proposed that instead of revising the building footprint it would entail a revision of the building facade so that more articulation was apparent. That would be subject to approval by staff. Staff recommended approval, subject to the conditions.

GENE CIPPARONE, 10525 Vista Sarrento Parkway, San Diego, California, appeared to represent the applicant. They plan to meet with staff to further articulate the building. He asked for clarification of Condition No. 7.

CHERI EDELMAN, Public Works, explained the reason for Condition No. 7 is that the Master Plan of Streets and Highways Amendment shows Main Street as a 90 foot right-of-way and the 10 feet is an additional right-of-way that is required for the right turn lane, for a total of 15 feet.

MR. CIPPARONE felt that would require modification of the footprint. The tenant is a federal agency that requires a lot of security. They have to install a right turn lane along their property which will affect the turn signal on the corner when it was only 10 feet, as well as a large retaining wall along Main and Bonneville. Perhaps there is a middle ground that can be reached.

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### ACTION

SD-28-99 - AMERICAN NEVADA UNION  
PACIFIC, LIMITED PARTNERSHIP

6. The applicant shall have constructed a six foot high wrought iron fence, painted to match the building walls and with at least 20 percent contrasting materials consisting of pilasters or some other material approved by Planning and Development Department staff, along the entire property perimeter.

7. Dedicate an additional 5 feet of right-of-way for a total half-street width of 45 feet on Main Street adjacent to this site, including appropriate radii at the northwest corner of Main Street and Bonneville Avenue, prior to the issuance of any permits as required by the Department of Public Works.

8. If this site is intended to be subdivided and sold, appropriate Reversionary and/or parcel maps will need to be submitted to the City and recorded prior to the sale as required by the Department of Public Works.

9. Remove all substandard public street improvements and unused driveway cuts, 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 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.

MS. EDELMAN said 10 feet will be required at this time, but the additional 5 feet would be required because Main Street is only built to 80 feet. That is just for future widening.

MR. CIPPARONE added that they have extended their setbacks beyond those required by the City for security reasons. This is an agency that requires a lot of separation from the public.

COMMISSIONER SKAAR noted in the Staff Report where it indicates building characteristics and another statement is that appropriate measures are taken to secure and protect the public health, safety and general welfare. It also states that the proposed office use will be regulated by federal standards for use and storage of potentially hazardous materials and wastes if laboratory operations occur on site and will not create a hazard to the public health, safety or welfare. She asked what is being stored.

MR. CIPPARONE replied that nothing is being stored. This is being done because of what occurred at the federal building in Oklahoma. This will be a complete office use. There will be less than 100 employees in this building and no members of the public.

**This is final action.**

(10:12 - 10:23)

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### ITEM

### ACTION

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PACIFIC, LIMITED PARTNERSHIP

**APPROVED**

11. If the rolling gate proposed is to be electrically opened and closed or if it is to remain fully opened during normal business hours, the gate may be placed immediately behind the street right-of-way line (i.e., on the private property side of where the sidewalk is located). If the entry gate is to be manually opened and closed, the gate shall be set back a sufficient distance (a minimum of 18 feet) to allow a vehicle to pull completely out of the public street right-of-way before parking to manually operate the gate as required by the Department of Public Works. The installation of either swing gates or rolling gates are acceptable as long as no part of the gates, either in the opened or closed position, intrude into the public right-of-way.

12. A Traffic Impact Analysis shall 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

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### ITEM

### ACTION

SD-28-99 - AMERICAN NEVADA UNION  
PACIFIC, LIMITED PARTNERSHIP

**APPROVED**

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 participate in a reasonable alternative mutually acceptable to the applicant and 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.

13. A Drainage Plan and Technical Drainage Study shall 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.

NOTICES MAILED: N/A

APPROVALS: 0

PROTESTS: 0

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### ITEM

### ACTION

C.

C-1:

#### PUBLIC HEARING ITEMS:

ABEYANCE - RENOTIFICATION - GPA-24-99  
- THE HOWARD HUGHES PROPERTIES, INC.

Request to Amend a portion of the Southwest Sector of the General Plan on property located on the west side of Village Center Circle, north of Golf Center Drive, From: H (High Density Residential), To: SC (Service Commercial) and H (High Density Residential), Ward 2 (L. B. McDonald), APN: 138-19-811-004.

NOTICES MAILED: 88 10/28/99 PC  
88 10/21/99 QPC

APPROVALS: 0

PROTESTS: 1 Speaker (10/28/99 PC)  
1 Letter (10/28/99 PC)  
32 Petition (10/28/99 PC)

STAFF RECOMMENDATION: APPROVAL of SC ( Service Commercial ) only in accord with the applicant's intent, as expressed at the neighborhood meeting, to use the site for offices and commercial child care.

Mack -

#### **ABEYANCE TO THE 11/18/99 PLANNING COMMISSION MEETING.**

Motion carried with Buckley abstaining from voting because the applicant is a client of his law firm, Galati abstaining from voting because the applicant is a client of his architectural firm, and Gordon abstaining from voting because the law firm that represents this application is also the firm that handles the legal work for his business. (Quinn excused)

COMMISSIONER MORAN stated this item relates to Item No. C-14.

MATT PINJUV, Planning and Development, stated that it is staff's opinion that the applicant will request an abeyance of this item.

CHARLES KUBOT, Howard Hughes Properties, appeared to represent the application. He requested an abeyance to the 11/18/99 meeting. There are concerns expressed by the neighbors.

COMMISSIONER MORAN declared the Public Hearing open.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, appeared to represent the neighborhood. They would like to have this item held in abeyance.

SALLY BIGLER, Eagle Hills, 1905 Redbird Drive, appeared to submit a petition with 32 signatures and one letter in opposition. They want this item held in abeyance so they will be able to ascertain exactly what is being planned for this property.

COMMISSIONER MORAN declared the Public Hearing closed.

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### ITEM

### ACTION

ABEYANCE - RENOTIFICATION - GPA-24-99  
- THE HOWARD HUGHES PROPERTIES, INC.

MR. KUBOT appeared in rebuttal. They want to continue working with the neighborhood.

COMMISSIONER MORAN felt there are misconceptions with the neighbors as to what can be constructed on this property.

COMMISSIONER MACK said the neighbors have been under the impression that this will be a high end apartment complex.

**NOTE:** See Item No. C-14, SV-29-99, for further discussion.

**To be heard by the Planning Commission on 11/18/99.**

(10:23 - 10:32) 3 - 2894

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### ITEM

### ACTION

C-2.

**ABEYANCE - NOTIFICATION - 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.

**NOTICES MAILED:**        240  
                                     N/A 9/23/99 PC

**APPROVALS:**            0 10/28/99 PC  
                                     4 9/23/99 PC

**PROTESTS:**            0 10/28/99 PC  
                                     0 9/23/99 PC

**STAFF RECOMMENDATION:**    APPROVAL,  
subject to:

1. Any Clark County development approvals granted for this site, including but not limited to Rezonings or Special Use Permits, will not be accepted by the City of Las Vegas upon Annexation. If a child care facility is proposed for this site, the applicant is hereby notified that a Special Use Permit application must be filed in compliance with the City of Las Vegas Zoning Code (Title 19A), and that if said Special Use Permit is denied by the City Council, then a child care facility cannot be constructed on this site.

**Galati -  
ABEYANCE TO 11/18/99 PLANNING COMMISSION  
MEETING.**

**Unanimous  
(Quinn excused)**

CHRIS GLORE, Planning and Development, stated staff would like to have this item abeyed for two weeks in order to allow the applicant and staff time to work on the recommendations.

CHAIRMAN BUCKLEY read a letter from Carl Unger of Terra West Realty requesting this item be withdrawn from the agenda.

VICE CHAIRMAN GALATI suggested this item be held in abeyance to ascertain whether the applicant would like to withdraw this application.

**To be heard by the Planning Commission on 11/18/99.**

(6:15 - 6:18) 1 - 250

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### ITEM

### ACTION

C-3.

ABEYANCE - U-88-99 - CECIL AND IRENE JOHNSON ON BEHALF OF VINCENT DUCROS

Request for a Special Use Permit on property located at 6901 North Jones Boulevard FOR AN EXISTING COMMERCIAL EQUESTRIAN CENTER WHICH INCLUDES HORSE TRAINING, ENGLISH RIDING LESSONS, AND HORSE SHOWS, R-E (Residence Estates) Zone, Ward 4 (Brown), APN's: 125-23-601-012, 017 through 020, and 024.

NOTICES MAILED: 50

APPROVALS: 1

PROTESTS: 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. This use shall be reviewed in five years at which time the City Council may require the use to cease.
2. A limit of one-hundred (100) horses at any one commercial show shall be adhered to so as not to create a parking problem with more trailers and tow vehicles than the site can accommodate.
3. Dedicate fifty (50) feet of right-of-way adjacent to this site for Jones Boulevard where such does not exist, forty (40) feet for Deer Springs Way, and a fifty-four (54) foot radius for the northwest corner of Deer Springs Way and Jones Boulevard within thirty (30) days of approval of this action by the City Council as required by the Department of Public Works; failure to comply with this condition shall result in this item being reconsidered by the City Council.

Skaar -

APPROVED, SUBJECT TO STAFF'S CONDITIONS, WITH CONDITION NO. 3 AMENDED TO INDICATE THE APPLICANT IS TO WORK WITH PUBLIC WORKS TO DETERMINE THE APPROPRIATE RIGHT-OF-WAY DEDICATIONS ON JONES AND DEER SPRINGS THAT WOULD BE SUFFICIENT TO ACCOMMODATE FOUR LANES OF TRAVEL, SIDEWALK, CURB AND GUTTER ON THE EAST SIDE OF JONES. SUCH RIGHT-OF-WAY DEDICATED WITHIN 30 DAYS OF APPROVAL OF THIS ACTION BY THE CITY COUNCIL AS REQUESTED BY THE DEPARTMENT OF PUBLIC WORKS. FAILURE TO COMPLY WITH THIS CONDITION SHALL RESULT IN THIS ITEM BEING RECONSIDERED BY THE CITY COUNCIL.

Unanimous  
(Quinn excused)

TROY JESCHKE, Planning and Development, stated this item was abeyed from the 8/26/99 Planning Commission meeting. This facility has been in operation for a number of years. Staff finds this use can be conducted in a manner that is compatible and physically suitable for the surrounding area. Therefore, the continuation of this use will not be a detriment to the surrounding area and staff recommends approval, subject to the conditions.

CECIL JOHNSON, 6901 North Jones Boulevard, appeared to represent the application. Since the last meeting he obtained counsel and then met with the City. He thought all the matters were resolved. There was a matter of limited dedication of the right-of-way that it was not to exceed 3 feet on Jones.

CHERI EDELMAN, Public Works, responded that 3 feet was discussed, but it was not absolutely resolved because there had not been a survey at the time. The City Surveyor then went to the property to locate the existing fence in comparison to the center line of Jones Boulevard. It is about 14 feet west of the center of Jones. A minimum of 3 feet is needed to accommodate that situation. She cannot override the Master Plan of Streets and Highways.

MR. JOHNSON felt it is possible this can be worked out.

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### ITEM

### ACTION

ABEYANCE - U-88-99 - CECIL AND IRENE  
JOHNSON ON BEHALF OF VINCENT DUCROS

4. Sign and record a Covenant Running with Land agreement for the possible future installation of half-street improvements (including curb and gutter, sidewalks, streetlighting, permanent paving and possibly fire hydrants and sewers) on Jones Boulevard and Deer Springs Way adjacent to this site for those portions of Jones Boulevard and Deer Springs Way for those areas not previously covered by City of Las Vegas Parcel Maps PM-25-93 and PM-26-93 within thirty (30) days of approval of this action by the City Council as required by the Department of Public Works; failure to comply with this condition shall result in this item being reconsidered by the City Council.

5. Submit an Encroachment Agreement for all private improvements such as the existing fence located in the Jones Boulevard and Deer Springs Way public right-of-way adjacent to this site within thirty (30) days of approval of this action by the City Council as required by the Department of Public Works; failure to comply with this condition shall result in this item being reconsidered by the City Council.

6. If this Special Use Permit is not exercised within one year after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.

7. All City Code requirements and all City departments' design standards shall be met.

COMMISSIONER SKAAR felt the amount of feet required cannot be resolved at this meeting. Perhaps the applicant's attorney should review this application with the City Attorney.

MR. JOHNSON said the equestrian event planned in November can be deferred. The survey showed he had 7 or 8 feet to his benefit.

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.

VINCENT DUCROS appeared to represent the application. They have an event the last week of November.

**The City Council will set a date for a Public Hearing on this item at their 11/17/99 meeting. The Public Hearing will be heard by the City Council on 12/15/99.**

(10:32 - 10:51) 3 - 3380

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### ITEM

### ACTION

C-4.

VAC-47-99 - GOLDPLATED LIMITED  
LIABILITY COMPANY

Petition to Vacate a portion of Holmby Avenue generally located south of Charleston Boulevard, east of Jones Boulevard, Ward 1 (McDonald).

NOTICES MAILED: 5

APPROVALS: 0

PROTESTS: 0

STAFF RECOMMENDATION: APPROVAL,  
subject to:

1. Conformance to the applicable conditions of approval for Rezoning Z-29-91 and Site Development Plan Review Z-29-91(1).

2. Prior to or concurrent with the recordation of an Order of Vacation for this application, dedicate or obtain dedication of those portions of Holmby Avenue and Redrock Street needed for the termination of each street in a cul-de-sac meeting current City standards as required by the Department of Public Works. Alternatively, in lieu of obtaining dedication at this time, the applicant may submit to the Department of Public Works notarized letters from the abutting property owners indicating they have no objection to the proposed Vacation and will accept the future obligation of dedication of such cul-de-sac rights-of-way. This Vacation application shall be modified as necessary to conform to the approved cul-de-sac design.

Galati -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**

Motion carried with Mack not voting.

(Quinn excused)

MATT PINJUV, Planning and Development, stated this is an excess segment of the Holmby Avenue right-of-way. It makes no connection to the east or west. No improvements exist in this segment. Staff recommended approval, subject to the conditions.

MARK SANDBERG, Sandberg Group Architects, 6175 Spring Mountain Road, 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 11/17/99 meeting. The Public Hearing will be heard by the City Council on 12/15/99.**

(10:51 - 10:52) 4 - 464

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### ITEM

### ACTION

VAC-47-99 - GOLDPLATED LIMITED  
LIABILITY COMPANY

APPROVED

3. A Drainage Plan and Technical 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.

4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

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

6. All public improvements 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.

7. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition No. 6 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

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### ITEM

### ACTION

VAC-47-99 - GOLDPLATED LIMITED  
LIABILITY COMPANY

APPROVED

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.

8. The Order of Vacation shall not be recorded until all of the above conditions have been satisfied.

9. 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-5.

VAC-48-99 - SHEPHERD HILLS  
APARTMENTS LIMITED PARTNERSHIP

Petition to Vacate a public easements for sewer facilities generally located within vacated public rights-of-way for Genoa Drive, Mina Way, and Carrara Drive, Ward 3 (Reese).

NOTICES MAILED: APPLICANT ONLY

APPROVALS: 0

PROTESTS: 0

STAFF RECOMMENDATION: APPROVAL,  
subject to:

1. Conformance to the applicable conditions of approval for Vacation VAC-31-97 and Site Development Plan Review SD-22-98.
2. The Order of Vacation for this application shall not record until the proposed diversion sewer is constructed in accordance with the sewer relocation plan accepted by the Sanitary Collections Systems Section of the Department of Public Works.
3. All development shall be in conformance with code requirements and design standards of all City departments.
4. The Order of Vacation shall not be recorded until all of the above conditions have been satisfied.
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.

Galati -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**

**Motion carried with Skaar abstaining from voting because this is in the area of her neighborhood association. (Quinn excused)**

MATT PINJUV, Planning and Development, stated these easements were retained with the Vacation of the previous right-of-way. There will not be any public sewers in these easements in the future; therefore, there is no need to maintain them. Staff recommended approval, subject to the conditions.

SYNTHIA WALTON, Perlman Architects, 2230 Corporate Circle, #200, Henderson, Nevada appeared to represent the applicant. This application is to clear up paperwork so they can obtain their building permit. She 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 11/17/99 meeting. The Public Hearing will be heard by the City Council on 12/15/99.**

(10:52 - 10:54) 4 -520

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### ITEM

### ACTION

C-6.

U-111-89(2) - PETER AND LINDA MANDAS  
FAMILY TRUST ON BEHALF OF DONREY  
OUTDOOR

Required Five Year Review on an approved Special Use Permit on property located at 4301 East Bonanza Road which allowed one 40 foot high, 14 foot x 48 foot off-premise advertising (billboard) sign, C-1 (Limited Commercial) Zone, Ward 3 (Reese), APN: 140-31-501-010.

**STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE NOVEMBER 18, 1999 PLANNING COMMISSION MEETING DUE TO A NOTIFICATION ERROR.**

Galati -

**ABEYANCE TO THE 11/18/99 PLANNING COMMISSION MEETING.**

**Unanimous**

**(Quinn excused)**

CHRIS GLORE, Planning and Development, stated staff would like to have this item held in abeyance to the 11/18/99 Planning Commission meeting due to a notification error.

There was no one present to represent this 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 11/18/99.**

(6:18 -6:20) 1 - 366

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### ITEM

### ACTION

C-7.

U-141-94(1) - SOUTHLAND CORPORATION  
ON BEHALF OF VEGAS OUTDOOR

Required Five Year Review on an approved Special Use Permit on property located at 2625 West Sahara Avenue which allowed one 14 foot x 48 foot off-premise advertising (billboard) sign, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 162-08-502-001.

NOTICES MAILED: 52

APPROVALS: 0

PROTESTS: 0

STAFF RECOMMENDATION: DENIAL. If  
Approved, subject to:

1. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed.

2. All City Code requirements and design standards of all City Departments shall be satisfied.

Mack -

**ABEYANCE TO THE 11/18/99 PLANNING COMMISSION MEETING.**

**Motion carried with Gordon abstaining from voting because his firm owns a shopping center across the street.**

**(Quinn excused)**

CHRIS GLORE, Planning and Development, stated this is an off-premise sign on the site of a rebuilt 7-Eleven convenience store which had an approved Special Use Permit adding gasoline sales. The Site Development Plan Review and Special Use Permit were approved at the 8/26/99 Planning Commission meeting. The approvals required removal of the billboard. The City Council made the approvals of the Special Use Permit and eliminated the condition requiring removal of the billboard, preferring to defer to the Planning Commission on the Extension of Time. Staff finds the recent approval of the convenience store represents a substantial change and improvement of this parcel as part of a larger site which area improvements of new development includes retail and office. Therefore, the billboard is no longer an appropriate use of this site. Staff recommended denial.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, appeared and represented the applicant, Lamar Advertising Company, which was formerly Martin Media. The City Council has already heard the Site Plan Review for the remodelization of the 7-Eleven store. At that meeting it was approved that this billboard is compatible with the surrounding area and uses. When this billboard was originally approved in 1994 there was commercial development along Sahara, which is a major arterial street. He requested a two-year review.

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.

CHERI EDELMAN, Public Works, noted that the Sahara/Teddy Avenue project was recently approved. She requested a two week abeyance to see what impact that project will have on this site and the time frame of that project.

COMMISSIONER MACK stated there is going to be some major roadwork on Sahara.

**To be heard by the Planning Commission on 11/18/99.**

(10:54 - 11:00) 4 - 585

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### ITEM

### ACTION

C-8.

U-72-97(2) - LAULE BECKER II ON BEHALF  
OF FRANK MELAERTS JEWELERS

Required One Year Review on an approved Special Use Permit on property located at 443 South Decatur Boulevard which allowed a class IIIA secondhand jewelry store (Frank Melaerts Jewelers), C-2 (General Commercial) Zone, Ward 1 (McDonald), APN: 139-31-202-003.

NOTICES MAILED: 181

APPROVALS: 0

PROTESTS: 1 Speaker

STAFF RECOMMENDATION: APPROVAL,  
subject to:

1. Conformance to all applicable conditions of approval for Special Use Permit application U-72-97, all other site-related actions and all Ordinance Amendments enacted subsequent to the original approval.

Skaar -

**APPROVED, SUBJECT TO STAFF'S CONDITION.**

Motion carried with Gordon abstaining from voting because he is in the process of purchasing property from the Becker's.

(Quinn excused)

MATT PINJUV, Planning and Development, stated the original Use Permit was approved in order to allow the applicant to purchase gold in conjunction with the operation of a jewelry store. The gold was sent out, converted to bullion, returned, and manufactured into new jewelry. Staff is unaware of any complaints of this use and feels it could continue in a harmonious and compatible manner. Staff recommended approval, subject to the condition.

There was no one present to represent the application.

CHAIRMAN BUCKLEY declared the Public Hearing open.

Unidentified Gentleman appeared in protest. This store is near a 7-Eleven store and McDonald's fast food restaurant. He was fearful of what type of jewelry would be sold and individuals who would be patronizing the store.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

COMMISSIONER MACK commented that all secondhand jewelry is reported to Metro daily. This is a compatible use for the neighborhood.

COMMISSIONER SKAAR said if there are any problems with Metro, the City's Code Enforcement, or complaints about trash, noise, etc., that information is in the Commission's Staff Report. Last year and this year there have not been any complaints. The reason this jeweler has this type of permit is because he redesigns jewelry.

The City Council will set a date for a Public Hearing on this item at their 11/17/99 meeting. The Public Hearing will be heard by the City Council on 12/15/99.

(11:00 - 11:12) 4 - 770

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### ITEM

### ACTION

C-9.

U-104-99 - HOVSEP AND TUPOU ZANAZANIAN

Request for a Special Use Permit on property located adjacent to the southeast corner of the intersection of Alexander Road and Cimarron Road FOR A PROPOSED CHILD CARE FACILITY, U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation], Size: 2.65 Acres, Ward 4 (Brown), APN: 138-09-501-001.

NOTICES MAILED: 611

APPROVALS: 1 Speaker  
229 Letters

PROTESTS: 2  
6 Speakers  
106 Petition  
2 Petitions

STAFF RECOMMENDATION: APPROVAL,  
subject to:

1. The site shall be subject to a Site Development Plan Review prior to the issuance of any grading and/or building permits as required by Section 19A.18.050 of the Las Vegas Municipal Code (Title 19A).

2. An eight foot high block wall shall be installed along the rear property line, with an additional buffer of evergreen trees along the play area. The trees shall be a minimum of 24-inch box and shall be installed at a minimum of 20 feet on center and shall be a variety that will grow together to form a visual screen.

3. The building entrances and access shall be oriented away from residential uses on local streets.

4. Outdoor play shall be limited to daylight hours only.

5. Outdoor lighting shall be designed so as to not shine directly onto any abutting residential property.

Gordon -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS AND ADDITIONAL CONDITION OF RESTRICTED HOURS FROM 7:00 A.M. TO 8:00 P.M.**

**Motion carried with Mack and Moran voting "No." (Quinn excused)**

NOTE: Mack made a previous motion for Denial which did not carry with Buckley, Galati, Gordon and Skaar voting "No" and Quinn excused.

CHAIRMAN BUCKLEY declared the Public Hearing open.

#### APPEARANCES:

TROY JESCHKE, Planning and Development  
ATTORNEY ROBERT NERSESIAN  
TONY BRUGES, 4009 Poppy Fields  
LINDA FIONDA, 9390 W. Helena  
HARRY FURY, Mountain Shadows  
EDDIE HADDAD, 7936 Aviana Pines  
CHERYL ANDERSON, 8013 Holly Knoll  
MIKE SNYDER, Realtor  
ETHEL BRUGES, 4009 Poppy Fields  
CHRIS GLORE, Planning and Development  
HOVSEP ZANAZANIAN, 9368 Apache Springs  
DEPUTY CITY ATTORNEY STEVE GEORGE

CHAIRMAN BUCKLEY declared the Public Hearing closed.

**NOTE: See Verbatim Transcript on file for further discussion.**

**The City Council will set a date for a Public Hearing on this item at their 11/17/99 meeting. The Public Hearing will be heard by the City Council on 12/15/99.**

(11:12 - 11:48) 4 - 1200

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### ACTION

U-104-99 - HOVSEP AND TUPOU  
ZANAZANIAN

APPROVED

6. If this Special Use Permit is not exercised within one year after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.

7. All City Code requirements and all City departments' design standards shall be met.

8. Dedicate 40 feet of right-of-way adjacent to this site for Cimarron Road, 50' for Alexander Road and a 54' right-of-way radius for the southeast corner of Alexander Road and Cimarron Road prior to the issuance of any building or grading permits for this site, whichever may occur first, as required by the Department of Public Works. In addition, dedicate all additional right-of-way needed for the proposed bus turnout in conformance with Standard Drawings #234.1 and #234.2 prior to the issuance of any permits for this site.

9. Construct half-street improvements including appropriate overpaving on Alexander Road and Cimarron Road adjacent to this site concurrent with development of this site as required by the Department of Public Works.

10. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed driveway 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-104-99 - HOVSEP AND TUPOU  
ZANAZANIAN

APPROVED

11. A Traffic Impact Analysis shall 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 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 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 participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. 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.

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### ACTION

U-104-99 - HOVSEP AND TUPOU  
ZANAZANIAN

APPROVED

12. Obtain an Encroachment Agreement for all landscaping and private improvements in the Alexander Road public right-of-way adjacent to this site as required by the Department of Public Works.

13. Landscape and maintain all unimproved right-of-way on Alexander Road adjacent to this site as required by the Department of Public Works.

14. A Drainage Plan and Technical Drainage Study shall 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. Provide and improve all drainage corridors recommended by the approved drainage plan/study. This site is located within the Lone Mountain Detention Basin Impact Area and shall be responsible to contribute monies to partially repay the public for the construction of the Lone Mountain Detention Basin and associated outfall facilities; the amount of such monies shall be determined within the required drainage plan/study and shall be contributed prior to the issuance of any permits as required by the Department of Public Works.

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### ITEM

### ACTION

C-10.

U-105-99 - PINI AND PNINA LABOUZ

Request for a Special Use Permit on property located at 1801 South Rainbow Boulevard FOR GASOLINE SALES IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE, C-1 (Limited Commercial) Zone, Ward 1 (McDonald), APN: 163-03-703-007.

NOTICES MAILED: 1,948 [Mailed with U-99-99 and Z-56-99]

APPROVALS: 0

PROTESTS: 4

STAFF RECOMMENDATION: APPROVAL, subject to:

1. This site shall be subject to a Site Development Plan Review prior to the issuance of any grading and/or building permits.

2. If this Special Use Permit is not exercised within one year after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.

3. Grant a traffic signal chord easement at the southwest corner of West Oakey Boulevard and Rainbow Boulevard prior to the issuance of permits as required by the Department of Public Works.

4. 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.

Galati -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**

**Unanimous**

**(Quinn excused)**

TROY JESCHKE, Planning and Development, stated this project is proposed for a site adjacent to the southwest corner of Rainbow and Oakey. It is currently occupied with a vacant Bank of America building. Staff finds the request is a more intensive use of this property, but the location adjacent to the corner of Rainbow and Oakey Boulevards will be consistent with existing and adjacent commercial uses and would be appropriate for this site. This application will have to come back for a Site Development Plan Review at a later time. Staff recommended approval, subject to the conditions.

MARK MARTINO, Gary Wilson Architects, 2970 West Sahara Avenue, Suite #100, 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 11/17/99 meeting. The Public Hearing will be heard by the City Council on 12/15/99.**

(11:48 - 11:50) 4 - 2690

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### ITEM

### ACTION

#### U-105-99 - PINI AND PNINA LABOUZ

#### APPROVED

5. 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. Construction of the driveway, if allowed by the City Traffic Engineer, shall be designed, located and constructed in accordance with Standard Drawing #222a and may require the construction of a median island on Oakey Boulevard, if such is required by the City Traffic Engineer.

6. A Traffic Impact Analysis shall 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 for this site. The Traffic Impact Analysis shall specifically address the possible need for the construction of a median island on Oakey Boulevard. 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. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this

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### ACTION

#### U-105-99 - PINI AND PNINA LABOUZ

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.

7. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-12-87 and all subsequent site-related actions as required by the Department of Public Works.

8. All City Code requirements and all City departments' design standards shall be met.

APPROVED

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### ITEM

### ACTION

C-11.

U-106-99 - LM MINI-STORAGE LIMITED PARTNERSHIP

Request for a Special Use Permit on property located approximately 250 feet north of Lake Mead Boulevard, and 300 feet west of Rock Springs Drive FOR A 60 FOOT HIGH COMMUNICATIONS MONOPOLE TO BE LOCATED ON AN EXISTING MINI-STORAGE FACILITY SITE, U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 4 (Brown), APN: 138-22-610-010.

NOTICES MAILED: 26

APPROVALS: 0

PROTESTS: 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. The wireless communication monopole tower shall be painted desert tan to blend in with the overall background of the City.
2. If this Special Use Permit is not exercised within one year after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.
3. All City Code requirements and all City departments' design standards shall be met.
4. The applicant shall make this monopole available for co-location to the extent feasible.

Mack -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS.**

Motion carried with Buckley abstaining from voting because his law firm provides legal service for Sprint. (Quinn excused)

TROY JESCHKE, Planning and Development, stated there have been two approved Variances to allow additional signage on the site. The first was to allow two freestanding pole signs where one is allowed, and the second was to allow a 50 foot high sign where 40 feet is the maximum allowed. Staff feels a 60 foot high monopole may add to visual clutter, but with the absence of residential uses, staff finds this use is appropriate. Staff recommended approval, subject to the conditions.

KATHRINE ENGLE, 3002 Rigel Avenue, appeared to represent Sprint PCS. She concurred with staff's conditions.

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 wants to see the continued effort of co-location.

**The City Council will set a date for a Public Hearing on this item at their 11/17/99 meeting. The Public Hearing will be heard by the City Council on 12/15/99.**

(11:50 - 11:53) 4 - 2800

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### ITEM

### ACTION

C-12.

U-107-99 - BONANZA/LAMB BUSINESS PARK  
ON BEHALF OF BOTANICA FRANCISCO 7  
RAYOS

Request for a Special Use Permit on property located at 4550 East Bonanza Road FOR A PSYCHIC ARTS AND SCIENCE BUSINESS IN CONJUNCTION WITH AN EXISTING SPECIALTY SHOP, R-1 (Single Family Residential) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese), APN: 140-29-411-217.

NOTICES MAILED: 343

APPROVALS: 0

PROTESTS: 0

STAFF RECOMMENDATION: APPROVAL,  
subject to:

1. No additional signage advertising the psychic arts business shall be allowed.
2. If this Special Use Permit is not exercised within one year after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.
3. All City Code requirements and all City departments' design standards shall be met.

**Gordon -  
APPROVED, SUBJECT TO STAFF'S CONDITIONS.  
Unanimous  
(Quinn excused)**

TROY JESCHKE, Planning and Development, stated this project is located within an existing retail center. Staff finds the use will be compatible with the existing religious specialty business. This use will not have an adverse affect on the surrounding neighborhood. Staff recommended approval, subject to the three conditions.

HAZEL MANERA, North Eastern PCM, 1973 North Nellis Boulevard, PMB440, appeared to represent the applicant as the property manager. She 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 11/17/99 meeting. The Public Hearing will be heard by the City Council on 12/15/99.**

(11:53 - 11:56) 4 - 2948

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### ITEM

### ACTION

C-13.

U-108-99 - SALIM C. RANA INVESTMENTS CORPORATION ON BEHALF OF MGH TRADING INC.

Request for a Special Use Permit on property located adjacent to the northeast corner of the Lamb Boulevard and Washington Avenue intersection FOR THE SALE OF PACKAGED LIQUOR IN CONJUNCTION WITH A PROPOSED SUPERMARKET, R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 3 (Reese), APN: 140-29-202-008.

NOTICES MAILED: 1,295

APPROVALS: 0

PROTESTS: 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Approval of this Special Use Permit does not constitute approval of a liquor license.
2. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
3. Conformance to the conditions of approval for Rezoning Z-75-97 and Site Development Plan Review Z-75-97(1).
4. If this Special Use Permit is not exercised within one year after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.
5. All City Code requirements and all City departments' design standards shall be met.

Skaar -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS FOR THE SALE OF BEER AND WINE ONLY.**

**Unanimous  
(Quinn excused)**

MATT PINJUV, Planning and Development, stated it is the applicant's intent to only sell beer and wine in conjunction with this market. They are not requesting to sell hard alcohol. This market is located in a shopping center which is currently under construction. No changes will be made to the building. This use complies with the conditions of approval for the previous Site Development Plan Review with respect to any uses within 400 feet, such as a church, synagogue, school, child care facility licensed for more than twelve children or City park as measured from property line to property line. Staff recommended approval, subject to the conditions.

AMTUL AZIZ, 4044 East New York Avenue, appeared to represent the application. He and his wife will be operating this supermarket. 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.

COMMISSIONER SKAAR felt this will be very compatible for the neighborhood and the fact that hard liquor would not be sold makes it more harmonious.

**The City Council will set a date for a Public Hearing on this item at their 11/17/99 meeting. The Public Hearing will be heard by the City Council on 12/15/99.**

(11:56 - 11:59) 4 - 3098

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### ITEM

### ACTION

C-14.

SV-29-99 - HOWARD HUGHES PROPERTIES, INC.

Request for a Major Modification to the Summerlin Development Plan for Village 1 on property located on the west side of Village Center Circle, north of Golf Center Drive, to change the land use designation FROM: MF3 (Multi Family High Density) TO: VC (Village Center), P-C (Planned Community) Zone, Size: 1.95 Acres, Ward 2 (L. B. McDonald), APN: 138-19-811-004.

NOTICES MAILED: 88

APPROVALS: 0

PROTESTS: 1 Letter

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Approval of and conformance to the conditions of approval for General Plan Amendment GPA-24-99.
2. The applicant shall submit appropriate applications as established in the Summerlin Development Standards prior to any development on this site.

Mack -

**ABEYANCE TO THE 11/18/99 PLANNING COMMISSION MEETING.**

**Motion carried with Buckley abstaining from voting because the applicant is a client of his law firm, Galati abstaining from voting because the applicant is a client of his architectural firm, and Gordon abstaining from voting because the law firm that represents this application is also the firm that handles the legal work for his business. (Quinn excused)**

COMMISSIONER MORAN stated this item relates to Item No. C-1.

MATT PINJUV, Planning and Development, stated that it is staff's opinion that the applicant will request an abeyance of this item.

CHARLES KUBOT, Howard Hughes Properties, appeared to represent the application. He requested an abeyance to the 11/18/99 meeting. There are concerns expressed by the neighbors.

COMMISSIONER MORAN declared the Public Hearing open.

ATTORNEY BOB GRONAUER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, appeared to represent the neighborhood. They would like to have this item held in abeyance.

SALLY BIGLER, Eagle Hills, 1905 Redbird Drive, appeared to submit a **petition with 32 signatures and one letter in opposition**. They want this item held in abeyance so they will be able to ascertain exactly what is being planned for this property.

COMMISSIONER MORAN declared the Public Hearing closed.

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ITEM

ACTION

SV-29-99 - HOWARD HUGHES PROPERTIES, INC.

MR. KUBOT appeared in rebuttal. They want to continue working with the neighborhood.

COMMISSIONER MORAN felt there are misconceptions with the neighbors as to what can be constructed on this property.

COMMISSIONER MACK said the neighbors have been under the impression this will be a high end apartment complex.

**NOTE: See GPA-24-99 in the 10/21/99 minutes that is incorporated into this item by reference and Item No. C-1 in these minutes for related discussion.**

**To be heard by the Planning Commission on 11/18/99.**

(10:23 - 10:32) 3 - 2894

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### ITEM

### ACTION

C-15.

Z-55-99 - HUFF 1993 TRUST, ET AL

Request for a Rezoning on property located adjacent to the southeast corner of the intersection of Decatur Boulevard and Alta Drive, FROM: C-1 (Limited Commercial), P-R (Professional Office and Parking) and R-1 (Single-Family Residential), TO: C-1 (Limited Commercial), PROPOSED USE: 15,332 SQUARE FOOT DRUG STORE (SAV-ON), Size: 1.82 Acres, Ward 1 (McDonald), APN's: 139-31-214-033, 139-31-310-001 through 005 and 130 through 133.

NOTICES MAILED: 289 [Mailed with U-98-99 and VAC-43-99]

APPROVALS: 1

PROTESTS: 3 Speakers  
5 Persons in Audience  
50 Petition

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

1. A Resolution of Intent.
2. A Site Development Plan Review application shall be approved by the Planning Commission prior to issuance of any permits, any site grading, and all development activity for the site.
3. A Reversionary Map to revert the underlying lots to acreage shall record prior to the issuance of any building permits for this site as required by the Department of Public Works.
4. A Vacation Application (such as VAC-43-99), for the termination of Lorna Place, shall record prior to the issuance of any building permits for this site as required by the Department of Public Works.

Skaar -  
**DENIED**

**Motion carried with Gordon abstaining from voting.**  
(Quinn excused)

CHRIS GLORE, Planning and Development, stated this item relates to GPA-28-99 on the 10/21/99 meeting and Item Nos. B-8, C-16 and C-17 on this agenda. This request would expand the area of C-1 (Limited Commercial) by approximately 1.64 acres from the current .179 acre to 1.81 acres into a single family area. This request would be a commercial encroachment into an existing residential neighborhood and would enlarge commercial acreage that would allow more intense uses and provide no land use transition between commercial uses on-site and the existing single family residential neighborhood. There is no need for a drug store. Staff recommended denial.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, appeared and represented the applicant. He concurred with staff's conditions.

CHAIRMAN BUCKLEY declared the Public Hearing open.

MIKE AUPPERLE, 4705 Dover Place, appeared in protest. This is not compatible with the area. There are enough liquor licenses in this area.

**There were 5 persons in the audience in protest.**

KENT HOKANSON, 4525 Nolan Lane, appeared in protest. There is no change in how the neighbors feel about this proposal from when the GPA was heard last week.

JAMES NUNN, 313 Revere Drive, appeared in protest. **He submitted an additional 50 signatures in protest.** They are trying to upgrade the area. There is property in the area that would be more suitable for a drug store. There are at least eight businesses in the area that sell liquor. Sav-On has a drug store at Meadows Lane in Mervyn's shopping center.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

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### ITEM

### ACTION

#### Z-55-99 - HUFF 1993 TRUST, ET AL

5. Dedicate appropriate right-of-way for a total radius of 54 feet on the southeast corner of Alta Drive and Jones Boulevard prior to the issuance of any permits as required by the Department of Public Works.

6. Remove all substandard public street improvements and unused driveway cuts, 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.

7. Coordinate with the Collection Systems Planning Section for the relocation of the existing Lorna Place sewer line as needed as required by the Department of Public Works. All required public sewer easements necessary to connect this site to the existing public sewer system shall be provided to the City prior to City approval of sewer construction plans as required by the Department of Public Works. 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.

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.

ATTORNEY FIORENTINO appeared in rebuttal. The people who will be impacted are those that are immediately adjacent. They will not be taking any access to any residential streets. They will do whatever is needed to buffer this property.

COMMISSIONER MORAN commented that this project does not belong in this neighborhood. She objected to the removal of some homes to put in a parking lot.

CHAIRMAN BUCKLEY felt there are two big commercial areas nearby that are not being used to capacity.

COMMISSIONER SKAAR commented that there are homes along Lorna and Kay Place that have signed a petition in opposition.

**NOTE: See GPA-28-99 in the 10/21/99 minutes that is incorporated into this item by reference and Item Nos. B-8, C-16 and C-17 in these minutes for related discussion.**

**To be heard by the City Council on 12/1/99.**

(8:21 - 8:48) 2 - 1510

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### ACTION

#### Z-55-99 - HUFF 1993 TRUST, ET AL

9. A Traffic Impact Analysis shall 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. The Traffic Impact Analysis shall also address the possible need for median construction on Alta Drive adjacent to this site, and shall propose specific means to mitigate potential left turn conflicts to or from 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. 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.

DENIED

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### ITEM

### ACTION

Z-55-99 - HUFF 1993 TRUST, ET AL

**DENIED**

10. A Drainage Plan and Technical Drainage Study shall 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. 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.

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### ITEM

### ACTION

C-16.

#### VAC-43-99 - HUFF 1983 TRUST, ET AL

Petition to Vacate a portion of Lorna Place generally located south of Alta Drive, east of Decatur Boulevard, Ward 1 (McDonald).

NOTICES MAILED: 289 [Mailed with Z-55-99 and U-98-99]

APPROVALS: 0

PROTESTS: 3 Speakers  
178 Petition

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

1. Approval of and conformance to the Conditions of Approval for Rezoning Z-55-99 and Site Development Plan Review Z-55-99(1).

2. Prior to or concurrent with the recordation of an Order of Vacation for this application, dedicate or obtain dedication of those portions of Lorna Place needed for the proposed terminating cul-de-sac in accord with current City standards as required by the Department of Public Works. This Vacation application shall be modified as necessary to conform to the approved cul-de-sac design.

3. A public sewer relocation plan for the existing public sewer within Lorna Place shall be submitted to and approved by the City Planning Engineer prior to the recordation of this Vacation application. The relocated public sewer line shall be constructed and in place, and all necessary public sewer easements required by such relocation plan, if any, shall be granted prior to or concurrent with recordation of the Order of Vacation for this site as required by the Department of Public Works.

Skaar -  
**DENIED**

**Motion carried with Gordon abstaining from voting.  
(Quinn excused)**

CHRIS GLORE, Planning and Development, stated this item relates to GPA-28-99 and Item Nos. B-8, C-15, and C-17. Staff is recommending denial of the use so therefore is recommending denial of this Vacation.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, appeared to represent the applicant. They have taken steps to acquire extra property for the specific purpose of removing Lorna from this project and leaving it as a public street. The applicant's proposal would avoid some cut-through traffic. He concurred with staff's conditions.

CHAIRMAN BUCKLEY declared the Public Hearing open.

MIKE AUPPERLE, 4705 Dover Place, appeared in protest.

**There were 5 persons in the audience in protest.**

KENT HOGANSON, 4525 Nolan Lane, appeared in protest. There is no change in how the neighbors feel about this proposal from when the GPA was heard last week.

JAMES NUNN, 313 Revere Drive, appeared in protest. **He submitted an additional 50 signatures in protest.** They are trying to upgrade the area.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

**NOTE: See GPA-28-99 in the 10/21/99 minutes that is incorporated into this item by reference and Item Nos. B-8, C-15, and C-17 in these minutes for related discussion.**

**The City Council will set a date for a Public Hearing on this item at their 11/17/99 meeting. The Public Hearing will be heard by the City Council on 12/15/99.**

(8:21 - 8:48) 2 - 1510

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### ITEM

### ACTION

#### VAC-43-99 - HUFF 1983 TRUST, ET AL

**DENIED**

4. A Traffic Impact Analysis or other information acceptable to the Traffic Engineering Division must be submitted to and approved by the Department of Public Works prior to the recordation of an Order of Vacation for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the proposed Senior Housing Project site. The Traffic Impact Analysis or other information shall specifically address the impact of this vacation on pedestrian movements, particularly for students walking to and from neighborhood schools, and shall make specific recommendations to mitigate this impact. 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 for this site or the recordation of an Order of Vacation for the existing right-of-way. 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. The Traffic Impact Analysis required with Z-55-99 may be used to fulfill this condition.

5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.

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

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### ACTION

#### VAC-43-99 - HUFF 1983 TRUST, ET AL

7. All public improvements 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.

8. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition No. 7 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.

DENIED

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ACTION

VAC-43-99 - HUFF 1983 TRUST, ET AL

9. The Order of Vacation shall not be recorded until all of the above conditions have been satisfied.

10. 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.

DENIED

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### ITEM

### ACTION

C-17.

**U-98-99 - HUFF 1993 TRUST, ET AL ON  
BEHALF OF LAURICH PROPERTIES, INC.**

Request for a Special Use Permit on property located adjacent to the southeast corner of the intersection of Decatur Boulevard and Alta Drive FOR THE SALE OF PACKAGED LIQUOR IN CONJUNCTION WITH A PROPOSED 15,332 SQUARE FOOT DRUG STORE (SAV-ON), C-1 (Limited Commercial), P-R (Professional Office and Parking) and R-1 (Single-Family Residential) Zones, Ward 1 (McDonald), APN's: 139-31-214-033, 139-31-310-001 through 005 and 130 through 133.

**NOTICES MAILED:** 289 [Mailed with Z-55-99 and VAC-43-99]

**APPROVALS:** 1

**PROTESTS:** 1  
178 Petition

**STAFF RECOMMENDATION:** DENIAL. If  
Approved, subject to:

1. If this Special Use Permit is not exercised within one year after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.

2. All City Code requirements and all City departments' design standards shall be met.

**Skaar -  
DENIED**

**Motion carried with Gordon abstaining from voting.  
(Quinn excused)**

CHRIS GLORE, Planning and Development, stated this item relates to GPA-28-99 and Item Nos. B-8, C-15, and C-16. Staff is recommending denial of this request.

CHRIS GLORE, Planning and Development, stated staff finds this use inappropriate. Staff recommended denial.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, appeared and represented the applicant. He concurred with staff's conditions.

CHAIRMAN BUCKLEY declared the Public Hearing open.

MIKE AUPPERLE, 4705 Dover Place, appeared in protest. This is not compatible with the area. There are enough liquor licenses in this area.

**There were 5 persons in the audience in protest.**

KENT HOGANSON, 4525 Nolan Lane, appeared in protest. There is no change in how the neighbors feel about this proposal from when the GPA was heard last week.

JAMES NUNN, 313 Revere Drive, appeared in protest. **He submitted an additional 50 signatures in protest.** They are trying to upgrade the area. There is property in the area that would be more suitable for a drug store. There are at least eight businesses in the area that sell liquor.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

**NOTE: See GPA-28-99 in the 10/21/99 minutes that is incorporated into this item by reference and Item Nos. B-8, C-15, and C-16 in these minutes for related discussion.**

**This is final action.**

(8:21 - 8:48) 2 - 1510

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ITEM

ACTION

C-18.

Z-56-99 - AMERICAN STORES PROPERTIES, INC.

Request for a Rezoning on property located adjacent to the northwest corner of the intersection of Sahara Avenue and Tenaya Way  
From: U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial)  
To: C-2 (General Commercial), PROPOSED  
USE: 214,300 sQUARE FOOT NEW AND USED AUTOMOBILE DEALERSHIP (FLETCHER JONES MERCEDES), Size: 6.17 Acres, Ward 1 (McDonald), APN: 163-03-404-020.

NOTICES MAILED: 1,948 [Mailed with U-99-99 and U-105-99]

APPROVALS: 0

PROTESTS: 4  
178 Petition

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

1. A Resolution of Intent.
2. A Site Development Plan Review application shall be approved by the Planning Commission prior to issuance of any permits, any site grading, and all development activity for the site.
3. Construct all incomplete half-street improvements on Sahara Avenue (sidewalk) and all half street improvements on Tenaya Way and Via Olivero Avenue, including appropriate overpaving (if legally able) concurrent with development of this site as required by the Department of Public Works. Also, extend widened paving from the west edge of this site on Via Olivero Avenue to tie into existing improvements at Monte Cristo Way; "Goecke" paving may be allowed for the widened paving.

**Skaar - DENIED**

Motion carried with Mack voting "No," Galati abstaining from voting because the applicant is a client of his architectural firm, and Gordon abstaining from voting because the law firm that represents this application is also the firm that handles the legal work for his business. (Quinn excused)

CHRIS GLORE, Planning and Development, stated this rezoning would allow a more intense commercial use. It will result in spot zoning and no land use transition between the commercial uses and single family residential uses. There is no need for this Rezoning. Staff recommended denial.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, appeared to represent the applicant. The site plan has been revised. There will not be a body and paint shop on this site so the Special Use Permit can be withdrawn. There will not be any service access on Tenaya Way, it will come off Sahara Avenue. The service bays are significantly set back from Sahara and Via Olivero. Along Via Olivero and Tenaya will be a meandering eight foot high block wall. There will be substantial landscape buffering and decorative paving along Sahara and Tenaya.

CHAIRMAN BUCKLEY declared the Public Hearing open.

ERNEST FREGGIARO, Catholic Diocese, 4588 Coachman Circle, appeared in protest. The use is their main concern. He read a letter from Father Joseph Anthony of St. Joseph, Husband of Mary, Church, which stated their opposition.

**There were 4 persons in the audience in protest.**

GENE LONARDO, 6300 Blair Way, appeared in protest. He is a parishioner of the church.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

ATTORNEY FIORENTINO said he has been trying to set up a meeting with the Bishop and Father Joseph Anthony. He feels this use will be compatible with the area and it does not have gaming or liquor. Car dealerships are closed in the evenings and on Sundays.

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### ACTION

#### Z-56-99 - AMERICAN STORES PROPERTIES, INC.

All existing overpaving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site as required by the Department of Public Works.

4. Landscape and maintain all unimproved rights-of-way on Sahara Avenue and on Via Olivero Avenue (if sidewalks are waived) adjacent to this site as required by the Department of Public Works. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

5. Submit an Encroachment Agreement for all landscaping and private improvements (driveways) located in the Sahara Avenue and Via Olivero Avenue public rights-of-way adjacent to this site prior to occupancy of this site as required by the Department of Public Works.

6. Obtain an Occupancy Permit for all landscaping and private improvements (driveways) in the Sahara Avenue public right-of-way adjacent to this site as required by the Department of Public Works.

7. A Drainage Plan and Technical Drainage Study shall 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

COMMISSIONER SKAAR said there are very few uses that are not open at night and Sundays. She was concerned that this will cross Tenaya Way. Perhaps this dealership could go across Sahara where there are other car dealerships.

**NOTE: See GPA-28-99 in the 10/21/99 minutes that is incorporated into this item by reference and Item Nos. B-9 and C-19 in these minutes for related discussion.**

**To be heard by the City Council on 12/1/99.**

(8:48 - 9:07) 2 - 2655  
RECESS

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### ACTION

Z-56-99 - AMERICAN STORES PROPERTIES, INC.

**DENIED**

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.

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### ITEM

### ACTION

C-19.

U-99-99 - AMERICAN STORES PROPERTIES,  
INC. ON BEHALF OF FLETCHER JONES  
IMPORTS

Request for a Special Use Permit on property located adjacent to the northwest corner of the intersection of Sahara Avenue and Tenaya Way FOR A PROPOSED AUTO PAINT AND BODY REPAIR SHOP IN CONJUNCTION WITH A PROPOSED 214,300 SQUARE FOOT AUTOMOBILE DEALERSHIP (FLETCHER JONES MERCEDES), C-1 (Limited Commercial) Zone [PROPOSED C-2 (General Commercial) Zone], Ward 1 (McDonald), APN: 163-03-404-020.

NOTICES MAILED: 1,948 [Mailed with Z-56-99 and U-105-99]

APPROVALS: 0

PROTESTS: 5

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

1. If this Special Use Permit is not exercised within one year after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.
2. All City Code requirements and all City departments' design standards shall be met.

Skaar -

**WITHDRAWN WITH PREJUDICE**

Motion carried with Gordon abstaining from voting because the law firm that represents this application is also the firm that handles the legal work for his business and Galati abstaining from voting because the applicant is a client of his architectural firm.  
(Quinn excused)

CHRIS GLORE, Planning and Development stated auto painting and body repairing is traditionally found with larger dealerships. Staff recommended denial.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, appeared to represent the applicant. The site plan has been revised. There will not be a body and paint shop on this site so the Special Use Permit can be withdrawn. There will not be any service access on Tenaya Way, it will come off Sahara Avenue. The service bays are significantly set back from Sahara and Via Olivero. Along Via Olivero and Tenaya will be a meandering eight foot high block wall. There will be substantial landscape buffering and decorative paving along Sahara and Tenaya.

CHAIRMAN BUCKLEY declared the Public Hearing open.

ERNEST FREGGIARO, Catholic Diocese, 4588 Coachman Circle, appeared in protest. The use is their main concern. He read a letter from Father Joseph Anthony of St. Joseph, Husband of Mary, Church, which stated their opposition.

**There were 4 persons in the audience in protest.**

GENE LONARDO, 6300 Blair Way, appeared in protest. He is a parishioner of the church.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

ATTORNEY FIORENTINO said he has been trying to set up a meeting with the Bishop and Father Joseph Anthony. He feels this use will be compatible with the area and it does not have gaming or liquor. Car dealerships are closed in the evenings and on Sundays.

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### ITEM

### ACTION

U-99-99 - AMERICAN STORES PROPERTIES,  
INC. ON BEHALF OF FLETCHER JONES  
IMPORTS

COMMISSIONER SKAAR said there are very few uses that are not open at night and Sundays. She was concerned that this will cross Ténaya Way. Perhaps this dealership could go across Sahara where there are other car dealerships.

NOTE: See GPA-28-99 in the 10/21/99 minutes that is incorporated into this item by reference and Item Nos. B-9 and C-18 in these minutes for related discussion.

(8:48 - 9:07) 2 - 2655  
RECESS

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### ITEM

### ACTION

C-20.

Z-58-99 - LAMB OF GOD LUTHERAN CHURCH

Request for a Rezoning on property located adjacent to the north side of Azure Drive, approximately 1,345 feet west of Bradley Road, FROM: R-E (Residence Estates) TO: R-PD5 (Residential Planned Development - 5 Units Per Acre), PROPOSED USE: 35 LOT SINGLE FAMILY SUBDIVISION, Size 6.88 Acres, Ward 4 (Brown), APN's: 125-25-101-003 and 008.

NOTICES MAILED: 59

APPROVALS: 0

PROTESTS: 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Approval of and conformance to the conditions of approval for General Plan Amendment GPA-26-99.
2. A Site Development Plan Review must be submitted and approved by City Council prior to the submittal of a Tentative Map as required by the Planning and Development Department.
3. Coordinate with the City Surveyor to determine whether appropriate other maps shall record prior to the recordation of any maps on this site as required by the Department of Public Works.
4. Dedicate 30 feet of right-of-way adjacent to this site for Azure Drive as required by the Department of Public Works.

Galati -  
**DENIED**

Motion carried with Buckley voting "No."  
(Quinn excused)

CHAIRMAN BUCKLEY brought this item forward after Item Nos. B-10 and C-23 were heard. He stated that GPA-26-99 involving this item that was heard at the 10/21/99 meeting was denied.

MATT PINJUV, Planning and Development, stated the density for this project will be 5.09 dwelling units per acre. The applicant will have to submit a Site Development Plan Review to come back before the Planning Commission if the R-PD5 is approved to establish the layout of this site, setbacks, building elevations and common open space. Staff feels this is a compatible zoning with other development in the area with the R-PD5 directly to the east, the Beltway to the north, and the church and future Nevada Power Company substation to the west. Staff recommended approval, subject to the conditions.

ATTORNEY BILL CURRAN, Curran and Perry, 601 South Rancho, appeared to represent the church.

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 GPA-26-99 in the 10/21/99 minutes that is incorporated into this item by reference for related discussion.**

**To be heard by the City Council on 12/1/99.**

(9:50 - 9:53) 3 - 1450

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

### ITEM

### ACTION

Z-58-99 - LAMB OF GOD LUTHERAN CHURCH

**DENIED**

5. Construct half-street improvements including appropriate overpaving on Azure Drive adjacent to this site concurrent with development of this site as required by the Department of Public Works. Also, construct a minimum of two lanes of paving on Azure Drive extending from the west edge of this site westward to tie into existing improvements on Jones Boulevard concurrent with development of this site; "Goecke" paving may be allowed for this extended paving requirement.

6. Extend public sewer in Azure Drive to the west edge of this development along an alignment and to a location acceptable to the City Planning Engineer as required by the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. 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.

7. All active access drives shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

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### ITEM

### ACTION

#### Z-58-99 - LAMB OF GOD LUTHERAN CHURCH

**DENIED**

8. 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 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 participate in a reasonable alternative mutually acceptable to both the applicant and 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.

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### ITEM

### ACTION

Z-58-99 - LAMB OF GOD LUTHERAN CHURCH

**DENIED**

9. 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.

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 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. 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 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.

11. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

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

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### ITEM

### ACTION

C-21.

Z-59-99 - ECONOMIC OPPORTUNITY BOARD  
OF CLARK COUNTY

Request for a Rezoning on property located adjacent to the southeast corner of the intersection of "F" Street and Adams Street, FROM: R-4 (High Density Residential) TO C-V (Civic), PROPOSED USE: ALCOHOL AND DRUG ABUSE TREATMENT CENTER, Size: 0.77 Acres, Ward 3 (Reese), APN's: 139-27-210-110 AND 139-27-210-134.

**STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE NOVEMBER 18, 1999 PLANNING COMMISSION IN AN EFFORT TO PROPERLY RENOTIFY.**

Mack -

**ABEYANCE TO THE 11/18/99 PLANNING COMMISSION MEETING.**

**Unanimous**

**(Quinn excused)**

CHRIS GLORE, Planning and Development, stated this item should be held in abeyance to the 11/18/99 Planning Commission meeting to allow staff time to properly renotify.

DEBORAH MACHO, Program Coordinator, Economic Opportunity Board Treatment Center, 522 West Washington, appeared to represent the Administrator of the Treatment Center. She agreed to having this item held in abeyance.

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 11/18/99.**

(6:20 - 6:21) 1 - 400

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### ITEM

### ACTION

C-22.

Z-60-99 - LYLE BRENNAN

Request for a Rezoning on property located on the north side of O'Bannon Drive, east of Jones Boulevard FROM: R-E (Residence Estates) TO P-R (Professional Office and Parking), PROPOSED USE: 7,437 SQUARE FOOT COMMERCIAL BUILDING, Size: 0.72 Acres, Ward 1 (McDonald), APN: 163-01-304-005.

NOTICES MAILED: 76

APPROVALS: 0

PROTESTS: 1 Speaker  
29 Petition  
1 Letter

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

1. A Resolution of Intent.
2. A Site Development Plan Review application shall be approved by the Planning and Development Department staff prior to issuance of any permits, any site grading, and all development activity for the site.
3. The office building shall be set back from the rear lot line and the east lot line, of the adjacent single family lots by a minimum of 35 feet and 10 feet, respectively, excluding any second floor setback in addition to the ground floor setback or the maximum building height shall be 15 feet.
4. Construct half-street improvements including appropriate overpaving on O'Bannon Drive adjacent to this site concurrent with development of this site as required by the Department of Public Works. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

Gordon -  
**DENIED**  
**Unanimous**  
**(Quinn excused)**

CHRIS GLORE, Planning and Development, stated this request is related to GPA-34-99 which the Planning Commission recommended for Denial at the 10/21/99 Quarterly meeting. The site is surrounded on three sides by areas zoned in Clark County for Low Density Single Family Residential. This Rezoning would allow non-residential uses generally incompatible with Low Density Single Family Residential. Staff finds this request will result in spot zoning and would not provide any transition in land use between the office and adjacent single family residential. There is no need for this use in this area. Access could be accommodated through an adjacent commercially zoned parcel, however, staff has not been provided with any documentation to confirm that proposal. Staff recommended denial.

KELLY THOMAS, 3826 Syracuse, appeared to represent the applicant. They had a meeting with the owner to the southeast and they wanted to wait until the applicant, who has been out of town, met with the owner north of them. However, that owner's son indicated that access would not be a problem, but they do not have an actual document. He concurred with staff's conditions.

CHAIRMAN BUCKLEY declared the Public Hearing open.

PHILLIP APODACA, 2041 South Redrock Street, appeared in protest. He submitted a petition and a letter in opposition.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

**NOTE: See GPA-34-99 in the 10/21/99 minutes that is incorporated into this item by reference for related discussion.**

**To be heard by the City Council on 12/1/99.**

(11:59 - 12:04) 4 - 3250

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### ITEM

### ACTION

#### Z-60-99 - LYLE BRENNAN

#### DENIED

5. Provide a copy of a recorded Joint Access and Parking Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits 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 shall 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. 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 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 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. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. Phased compliance will be allowed if recommended by the approved Traffic Impact

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### ITEM

### ACTION

#### Z-60-99 - LYLE BRENNAN

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.

8. A Drainage Plan and Technical Drainage Study shall be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits 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.

**DENIED**

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### ITEM

### ACTION

C-23.

Z-61-99 - LV (VEGAS/JONES) LIMITED  
LIABILITY COMPANY

Request for a Rezoning on property located adjacent to the west side of Jones Boulevard and the north side of Vegas Drive FROM: R-E (Residence Estates) and R-1 (Single Family Residential) Zones TO: R-3 (Medium Density Residential), PROPOSED USE: 190 UNIT SENIOR CITIZEN APARTMENT DEVELOPMENT, Size: 8.32 Acres, Ward 4 (Brown), APN: 138-23-801-003.

NOTICES MAILED: 394

APPROVALS: 1 Speaker

PROTESTS: 1

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

1. A Resolution of Intent.
2. A Site Development Plan Review application shall be approved by the Planning Commission prior to issuance of any permits, any site grading, and all development activity for the site.
3. An update to the approved Vegas/Jones Rite Aid Store Traffic Impact Analysis including an Access Analysis Letter shall be submitted to and approved by the Department of Public Works prior to the issuance of any permits or the recordation of a map subdividing this site, whichever may occur first. The Access Analysis Letter shall determine the adequacy of a single active access servicing this site. Information provided in the approved Traffic Impact Analysis update shall be used by the City to determine traffic signal contribution requirements for this site. Comply with the recommendations of the approved updated Traffic Impact Analysis prior to occupancy of the site. Phased compliance will be allowed if recommended by the approved

Moran -

**APPROVED, SUBJECT TO STAFF'S CONDITIONS, AS MODIFIED BY APPLICANT'S CONDITIONS AND CONDITION NO. 3 DELETED.**

Motion carried with Gordon abstaining from voting because the law firm that represents this application is also the firm that handles the legal work for his business and Mack not voting.  
(Quinn excused)

CHRIS GLORE, Planning and Development, stated this item is related to Item No. B-10 on this agenda and GPA-40-99 on the 10/21/99 meeting agenda. The request for rezoning would change the current zoning from R-1 (Single Family Residential) to R-3 (Multi-Family Residential) within an area that has single family and multi-family residential. However, the zoning will represent double the density of the existing adjacent multi-family development, which is in an R-PD10 zone. It would also result in spot zoning and there are no other R-3 properties adjacent to this site. There are conditions to revise the landscaping plan to include planting of additional trees. He requested Condition No. 2 be amended as follows: "The Applicant shall restrict the minimum age of all tenants to 55 years, under covenant attached to the property for a period of not less than 25 years, unless an approval to change the age restriction is granted by the City Council." Staff is also requiring at least one elevator in each building. Staff recommended denial.

ATTORNEY MARK FIORENTINO, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, appeared to represent USA Properties. They will record a deed restriction in regard to the senior housing requirement. He read an amended Condition No. 2 that is on the Site Plan Review which he felt should be imposed on the Zone change rather than the Site Plan Review as follows: **"Applicant to record a perpetual deed restriction ensuring that the subject property will only be used as a senior apartment community for residents age 55 and older."** The residents are concerned as to what happens if USA Properties is no longer involved in this project. The Resolution of Intent means this property will not be permanently zoned until it is built.

CHAIRMAN BUCKLEY declared the Public Hearing open.

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### ITEM

### ACTION

**Z-61-99 - LV (VEGAS/JONES) LIMITED  
LIABILITY COMPANY**

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.

4. 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.

5. 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.

6. Submit an application for an Occupancy Permit for all private improvements (driveways) in the Jones Boulevard public right-of-way adjacent to this site prior to the issuance of any permits as required by the Department of Public Works.

DYANNE BARTLE, 1629 Crest Haven Avenue, appeared in favor. Two residents traveled to Sacramento, California to view USA Properties existing projects. They have entered into the record what the neighbors have requested.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

ATTORNEY FIORENTINO appeared in rebuttal. They are willing to meet with the Traffic Engineering staff in regard to the driveways. The wall can be torn down and a new wall constructed if the residents want that done. However, they are unsure if all the neighbors want the wall replaced. This project will not be built with elevators, which gives it the intent of transitioning into full time assisted care.

MR. GLORE responded that if there are substandard sections of the wall the applicant should be required to replace those sections, even if a second wall has to be built.

ATTORNEY FIORENTINO said the existing wall is on the property line, so they need permission from the adjacent residents.

COMMISSIONER MORAN commented that this is a nice project in a suitable location. She did not think this is a senior citizens project and the elevators are unnecessary. She was in favor of a deed restriction stipulating persons 55 years of age and older.

COMMISSIONER SKAAR also commented that she talked to some of the neighbors who said they were in favor of this project.

VICE CHAIRMAN GALATI added that he did not feel there is a need for elevators for the type of residents that will be living in this project.

**NOTE: See GPA-40-99 in the 10/21/99 minutes that is incorporated into this item by reference and Item No. B-10 in these minutes for related discussion.**

**To be heard by the City Council on 12/1/99.**

(9:21 - 9:50) 3 - 430

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### ITEM

### ACTION

Z-61-99 - LV (VEGAS/JONES) LIMITED  
LIABILITY COMPANY

APPROVED

7. A Drainage Plan and Technical Drainage Study shall be submitted to and approved by the Department of Public Works prior to the issuance of any permits or the recordation of a map subdividing 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. 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.

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

### ITEM

### ACTION

C-24.

#### Z-62-99 - NATIONAL CHURCH RESIDENCES

Request for a Rezoning on property located at 715 North Tonopah Drive, FROM: R-1 (Single Family Residential) TO: R-3 (Medium Density Residential), PROPOSED USE: 75 UNIT SENIOR HOUSING COMPLEX, Size: 4.36 Acres, Ward 3 (Reese), APN: 139-29-704-017.

NOTICES MAILED: 198

APPROVALS: 0

PROTESTS: 0

STAFF RECOMMENDATION: APPROVAL, subject to:

1. Approval of and conformance to the conditions of approval for General Plan Amendment GPA-36-99.
2. Approval of Site Development Plan Review Z-62-99(1) for the proposed apartment development on this site.
3. Construct half-street improvements including appropriate overpaving on Tonopah Drive adjacent to this site concurrent with development of this site as required by the Department of Public Works. All existing overpaving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. 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 as required by the Department of Public Works. 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 ADDITIONAL CONDITION REQUIRING ROOFING BE COMPRISED OF DURABLE MATERIAL OTHER THAN ASPHALT SHINGLES.**

Motion carried with Galati abstaining from voting because he is on the Board of Directors of the Southern Nevada Housing Corporation which is involved with this project. (Quinn excused)

CHAIRMAN BUCKLEY brought this item forward after Item No. C-20. This item is related to GPA-36-99 that was on the 10/21/99 Planning Commission meeting.

MATT PINJUV, Planning and Development, stated this item is related to GPA-36-99 that was recommended for approval at the 10/21/99 meeting. Staff finds the R-3 zoning to allow a slightly higher density than R-PD16 to the north and west and less dense zoning than the R-5 to the south to be compatible. The proposed project is approximately 17.20 units to the acre, which would be comparable to the R-PD16 zoning. Staff recommended approval, subject to the conditions.

GEORGE CEKALIS, 2655 South Rainbow Boulevard, appeared to represent the applicant. He concurred with staff's conditions. They will increase the landscape buffer from 3 to 6 feet on the north and south property lines.

COMMISSIONER SKAAR said she was concerned with the use of asphalt shingles. The City is trying to curtail any future developments having that type of shingles. This is a buffer between the Budget Suites and the townhouses to the north. Budget Suites were required to install tile roofing. She requested some type of durable roofing.

MR. CEKALIS responded that this project is a 100% grant from Congress so the funds are limited. She will know next week about the financing for this project.

COMMISSIONER SKAAR objected to waiving the asphalt shingles.

MR. CEKALIS said they will pursue other City funds.

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### ITEM

### ACTION

#### Z-62-99 - NATIONAL CHURCH RESIDENCES

5. 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 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 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. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works. 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.

CHAIRMAN BUCKLEY declared the Public Hearing open.

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

CHAIRMAN BUCKLEY declared the Public Hearing open.

**NOTE: See GPA-36-99 in the 10/21/99 minutes that is incorporated into this item by reference and Item No. B-11 in these minutes for related discussion.**

To be heard by the City Council on 12/1/99.

(9:53 - 10:00) 3 - 1570

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### ITEM

### ACTION

#### Z-62-99 - NATIONAL CHURCH RESIDENCES

#### APPROVED

6. 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.

7. 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.

8. A Resolution of Intent.

9. 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.

10. 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.

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### ITEM

### ACTION

#### Z-62-99 - NATIONAL CHURCH RESIDENCES

#### APPROVED

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

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

13. Parking and driveway plans must be approved by the Traffic Engineer prior to the issuance of any permits.

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.

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.

18. 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

### Z-62-99 - NATIONAL CHURCH RESIDENCES

APPROVED

19. 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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### ITEM

### ACTION

C-25.

Z-63-99 - CENTENNIAL 95 LIMITED PARTNERSHIP, ET AL

Request for a Rezoning on property located on the west side of Tenaya Way, north and south of Azure Drive, FROM: U (Undeveloped) [R (Rural Density Residential) General Plan Designation] PROPOSED TC (TOWN CENTER)] TO: T-C (Town Center) PROPOSED USE: INCLUDE ADDITIONAL PROPERTY INTO THE TOWN CENTER DEVELOPMENT PLAN, Size: 7.92 Acres, Ward 4 (Brown), APN's: 125-27-103-002, 003, 005, 006, 125-27-202-001 and 002.

NOTICES MAILED: 355 [Mailed with Z-63-99(1) and Z-76-98(9)]

APPROVALS: 0

PROTESTS: 1

Skaar -

**ABEYANCE TO THE 1/27/2000 Planning Commission meeting.**

**Unanimous  
(Quinn excused)**

TOM SKANCKE appeared to represent the application. He requested this item be held in abeyance to the second meeting in January.

CHRIS GLORE, Planning and Development, stated staff would be agreeable to having Item Nos. C-25 - Z-63-99, and C-26 - Z-76-98(9) & Z-63-99(1), held in abeyance to 1/27/2000.

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 thanked the applicant for holding these items in abeyance so the final determination on the General Plan Amendments can be either approved or denied by the City Council.

**To be heard by the Planning Commission on 1/27/2000.**

(6:21 - 6:25) 1 - 455

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COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

### ITEM

### ACTION

C-26.

Z-76-98(9) & Z-63-99(1) - CENTENNIAL 95  
LIMITED PARTNERSHIP, ET AL

Request for a Site Development Plan Review on property located south of the future Beltway, between Buffalo Drive and Tenaya Way, FOR A PROPOSED 353,168 SQUARE FOOT COMMERCIAL DEVELOPMENT INCLUDING AUTO DEALERSHIPS, RETAIL AND RESTAURANTS, U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] PROPOSED TC (Town Center) Designation] PROPOSED ZONE CHANGE TO T-C (TOWN CENTER) AND T-C (Town Center) Zone, Ward 4 (Brown), APN's: 125-27-103-001 through 006; 125-27-101-014; 125-27-111-001 through 025; 125-27-112-001 through 176; 125-27-202-001, 002; 125-27-215-001 through 015.

NOTICES MAILED: 355

APPROVALS: 0

PROTESTS: 0

Skaar -

**ABEYANCE TO THE 1/27/2000 Planning Commission meeting.**

**Unanimous**

**(Quinn excused)**

TOM SKANCKE appeared to represent the application. He requested this item be held in abeyance to the second meeting in January.

CHRIS GLORE, Planning and Development, stated staff would be agreeable to having Item Nos. C-25 - Z-63-99, and C-26 - Z-76-98(9) & Z-63-99(1), held in abeyance to 1/27/2000.

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 thanked the applicant for holding these items in abeyance so the final determination on the General Plan Amendments can be either approved or denied by the City Council.

**To be heard by the Planning Commission on 1/27/2000.**

(6:21 - 6:25) 1 - 455

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### ITEM

### ACTION

C-27.

Z-64-99 - HEDGES FAMILY LIMITED PARTNERSHIP

Request for a Rezoning on property located at 2001 South Maryland Parkway, FROM: P-R (Professional Office and Parking) Zone TO: N-S (Neighborhood Service) Zone, Size: 0.15 Acres, Ward 3 (Reese), APN: 162-02-410-001.

APPROVALS: 0

PROTESTS: 1 Speaker

**ON OCTOBER 21, 1999 THE APPLICANT REQUESTED THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE**

Galati -

**WITHDRAWN WITHOUT PREJUDICE**

**Motion carried with Moran not voting.**

**(Quinn excused)**

CHAIRMAN BUCKLEY announced there has been a request to withdraw this item.

There was no one present to represent this application.

CHAIRMAN BUCKLEY declared the Public Hearing open.

TOM MURPHY, 1101 East St. Louis Avenue, appeared in protest. He requested the block wall adjacent to his house be raised, but misunderstood that the applicant wanted this item withdrawn.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

(12:04 - 12:08) 4 - 3570

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### ITEM

### ACTION

C-28.

Z-65-99 - PATRICK AND MARTHA BASH, ET AL

Request for a Rezoning on property located adjacent to the west side of Losee Road, south of Lake Mead Boulevard, FROM: R-3 (Medium Density Residential) TO: M (Industrial), Size: 3.24 Acres, Ward 3 (Reese), APN's: 139-22-313-001 thru 003 and 139-22-313-017 thru 033.

NOTICES MAILED: 200

APPROVALS: 0

PROTESTS: 5 Speakers

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment GPA-32-99.
2. Approval of Site Development Plan Review Z-65-99(1) for the proposed industrial center on this site.
3. A Resolution of Intent.
4. Coordinate with the City Surveyor to determine whether appropriate Reversionary Maps and/or Subdivision Maps are needed for this site; if required, such maps shall be submitted and recorded prior to the issuance of any building permits for this site as required by the Department of Public Works.
5. All street improvements on Losee Road shall meet the approval of the City of North Las Vegas as required by the Department of Public Works.

**Gordon -  
DENIED  
Unanimous  
(Quinn excused)**

CHAIRMAN BUCKLEY stated this item is related to GPA-32-99 on the 10/21/99 Planning Commission meeting and Item B-12 on this agenda.

MATT PINJUV, Planning and Development, stated this item is related to GPA-32-99 which was recommended for denial at the 10/21/99 meeting and Item No. B-12 on this agenda. Industrial zoning is too intense for this area with the residential R-3 zoning and R-1 single family residences to the west. Staff recommended denial.

JIM THOMPSON, JR., 3316 Wild Blossom, appeared to represent the application. This project will act as a buffer. In addition, the site plan is inaccurate because it was just revised this week to meet North Las Vegas' requirements. They cannot meet the 50 foot setback. They will probably abandon three properties because there will be enough parking on-site.

CHAIRMAN BUCKLEY declared the Public Hearing open.

ELEANOR WALKER, 308 Elliott Avenue, appeared in protest. Options should be explored for this property because this is not in the best interest of the community. Some of the people were in favor because they thought it was the lesser of two evils. They are trying to organize a neighborhood meetings.

MOSE WASHINGTON, 328 Mike Circle, appeared in protest. He thought this had been denied at the General Plan Amendment hearing last week.

CHAIRMAN BUCKLEY explained that the denial last week was just for the General Plan Amendment. This more fully identifies a specific project. The City Council will see the record on all the items involved with this request.

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### ITEM

### ACTION

Z-65-99 - PATRICK AND MARTHA BASH, ET AL

6. If sidewalk is eliminated from the south side of Gregory Street as proposed, such area shall be landscaped and maintained by the applicant and an encroachment agreement shall be submitted for all landscaping and private improvements in the Gregory Street public right-of-way as required by the Department of Public Works.

7. Remove all substandard public street improvements and unused driveway cuts on Gregory Street, Elliot Avenue and Lake Mead Boulevard adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site as required by the Department of Public Works. If sidewalk is waived, construct handicap ramps where the sidewalk terminates and across the street where the sidewalk will remain.

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. The proposed driveway accessing Lake Mead Boulevard shall be designed, located and constructed in accordance with Standard Drawing #222a as required by the Department of Public Works.

CLAUDIA WARD, 1956 Susan, appeared in protest. This is not needed in this neighborhood.

CHAIRMAN BUCKLEY declared the public hearing closed.

COMMISSIONER MACK stated that the neighbors he spoke with felt they did not want an industrial project adjacent to them. The City of Las Vegas, Department of Neighborhood Services, is also opposed to this project.

JIM THOMPSON appeared in rebuttal. The neighbors he has spoken with are concerned about their taxes, cutting off street access, bringing down their property values, etc. We are trying to be good neighbors.

**NOTE: See GPA-32-99 in the 10/21/99 minutes that is incorporated into this item by reference and Item No. C-28 on this agenda for further discussion.**

To be heard by the City Council on 12/1/99.

(10:00 - 10:12) 3 - 1860

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### ITEM

### ACTION

Z-65-99 - PATRICK AND MARTHA BASH, ET AL

DENIED

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 or the recordation of any map further subdividing 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 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 \$4,500.00 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.

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### ITEM

### ACTION

Z-65-99 - PATRICK AND MARTHA BASH, ET AL

**DENIED**

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.

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### ITEM

### ACTION

C-29.

Z-66-99 - OWENS EQUITIES LIMITED  
LIABILITY COMPANY

Request for a Rezoning on property located at 4093 East Owens Avenue, FROM: R-E (Residence Estates) TO: R-3 (Medium Density Residential), PROPOSED USE: 96 UNIT APARTMENT COMPLEX, Size: 5.29 Acres, Ward 3 (REESE), APN: 140-30-503-001.

**STAFF REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE NOVEMBER 18, 1999 PLANNING COMMISSION MEETING DUE TO A NOTIFICATION ERROR.**

Galati -

**ABEYANCE TO THE 11/18/99 PLANNING COMMISSION MEETING.**

**Unanimous**

**(Quinn excused)**

CHRIS GLORE, Planning and Development, stated there is a companion item, B-13 - Z-66-99(1), and both items should be held in abeyance to the 11/18/99 Planning Commission meeting due to a notification error.

No one was 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 11/18/99.**

(6:12 - 6:15) 1 - 155

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### ITEM

### ACTION

C-30.

Z-67-99 - COREY MORLEY

Request for a Rezoning on property located adjacent to the southeast corner of the Lone Mountain Road and Shaunaber Road intersection, FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: C-1 (Limited Commercial) and R-PD22 (Residential Planned Development - 22 Units Per Acre), Size: 19.04 Acres, Ward 4 (Brown), APN's: 137-01-101-005, 006, 007 and 008.

NOTICES MAILED: 17

APPROVALS: 0

PROTESTS: 2 Speakers

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

1. Approval of and conformance to the conditions of approval for General Plan Amendment GPA-42-99.
2. A Site Development Plan Review must be submitted and approved by City Council prior to the submittal of a Tentative Map as required by the Planning and Development Department.
3. Dedicate appropriate rights-of-way adjacent to this site and through this site, including for the unnamed "Spine Road" through this site as identified in MSH-2-99, as required by the Department of Public Works. Final right-of-way requirements shall be determined at the time of approval of a Tentative Map or Site Development Plan Review for this site.
4. Submit an application to vacate all existing public rights-of-way adjacent to this site in conflict with the future development of this site, prior to the submittal of any Map subdividing this site or the issuance of any building permits as required by the Department of Public Works.

**Mack -  
DENIED  
Unanimous  
(Quinn excused)**

CHAIRMAN BUCKLEY brought this item forward after Item No. C-26 during the housekeeping items.

CHRIS GLORE, Planning and Development, stated that staff understood the applicant was going to request this item be held in abeyance, but the request has not been received in writing.

JOHN YOUNG, Swisher and Hall, appeared to represent the applicant. His partner will be attending the meeting a little later and would like to have this item heard.

\*\*\*\*\*

CHAIRMAN BUCKLEY brought this item forward after Item No. C-27 in its regular order on the agenda.

MATT PINJUV, Planning and Development, stated this item is related to GPA-42-99 that was recommended for denial at the 10/21/99 meeting. Staff feels this Rezoning to be more intense than the approved land uses in the area, especially the Lone Mountain Plan, which allows up to 8 dwelling units per acre with no commercial in the immediate area. Staff recommended denial.

REBECCA RALSTON, Swisher & Hall Architects, 2801 North Tenaya Way, Suite C, appeared to represent the applicant. This request is the second half of the General Plan Amendment that was on the 10/21/99 meeting agenda. The Lone Mountain Master Plan has been approved for Residential, Medium Density Residential, Commercial and Mixed Commercial Uses. Commercial uses should develop adjacent to major traffic arteries, freeway frontage and major streets of a non-residential character, as well as in close proximity to future interchanges. In regard to this application, the Commercial would represent about 9.5 acres and the Residential about 8.4 acres. The Commercial is intended to service the future residential communities within the Lone Mountain Master Plan and buffer it along Lone Mountain. Nevada Ready Mix is the neighbor to the north, which is an active commercial operation.

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### ITEM

### ACTION

#### Z-67-99 - COREY MORLEY

5. Provide proof of legal access to this site prior to the issuance of any permits for this site as required by the Department of Public Works. Construct a minimum of two lanes of paved legal access to this site along a logical route concurrent with the first phase of development anywhere on this site.

6. Construct half street or full width street improvements (as appropriate) adjacent to this site and on the Spine Road through 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. Construction of all required improvements on Spine Road and Lone Mountain Road adjacent to this site shall commence within 12 months of approval of this action by the City Council. Failure to comply with this condition shall result in this item being reconsidered by the City Council.

7. Extend public sewer service to the northeast corner of this site along an alignment and to a location acceptable to the City Planning Engineer as required by the Department of Public Works.

CHAIRMAN BUCKLEY declared the Public Hearing open.

LOUISE RUSKAMP, Tule Springs Community Association, 8500 Log Cabin Way, appeared in protest. The Lone Mountain Master Plan is just a plan, not currently zoned. This request is premature.

LINDA FIONDA, Northwest Citizens Association, 9390 West Helena, appeared in protest. This is premature. Town Center is only about 10% built. This is incompatible with the Lone Mountain Master Plan.

CHAIRMAN BUCKLEY declared the Public Hearing closed.

MS. RALSTON appeared in rebuttal. She was concerned about Condition Nos. 3, 6, 7 and 8. Condition No. 3 places too much of a burden on the applicant. In addition, he has been requested to make all the infrastructure within the Lone Mountain Master Plan successfully function by requiring him to be responsible for a traffic signal at Lone Mountain and Cheyenne when Public Works deems it necessary. In Condition No. 6 she objected to the 12 month limitation.

CHERI EDELMAN, Public Works, clarified that the City did not propose the re-location of the Spine Road. That was done by the developers of the Lone Mountain PD. It came before the City Council as a Master Plan of Streets and Highways Amendment and was ultimately approved. The applicant did not oppose the Master Plan of Streets and Highways.

**NOTE: See GPA-42-99 in the 10/21/99 minutes that is incorporated into this item by reference for related discussion.**

**To be heard by the City Council on 1/5/2000.**

(6:25 - 6:26) 1 - 590

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### ITEM

### ACTION

#### Z-67-99 - COREY MORLEY

8. 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 monies 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 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. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of 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.

9. 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

DENIED

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### ITEM

### ACTION

#### Z-67-99 - COREY MORLEY

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.

10. A Resolution of Intent with a twelve month time limit.

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

**DENIED**

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### ITEM

### ACTION

D.

D-1.

#### DIRECTOR'S BUSINESS:

ABEYANCE - TA-7-99 - CITY OF LAS VEGAS

Discussion and possible recommendation to amend Title 19A.10 Table 1 - Public or Private School, Junior High, From: 3½ Parking Spaces per classroom To: 2 Parking Spaces per classroom.

Galati -

**ABEYANCE TO THE 11/18/99 Planning Commission meeting.**

**Unanimous**

**(Quinn excused)**

CHRIS GLORE, Planning and Development, stated staff would like to have this item held in abeyance to the 11/18/99 Planning Commission meeting in order to allow staff and the School District more time to work on this amendment.

**To be heard by the Planning Commission on 11/18/99.**

(6:26 - 6:27) 1 - 635

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### ITEM

### ACTION

E.

#### 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.

COMMISSIONER GORDON suggested that the speakers be sworn in when they are going to testify because he felt there is a lot of misinformation given to the Commissioners. He requested staff to review how difficult that procedure would be.

COMMISSIONER MORAN did not feel the speakers intend to give erroneous information.

\*\*\*\*\*

CHAIRMAN BUCKLEY objected to having a separate meeting for the General Plan Amendments. The citizens have to come to two meetings when there is a Rezoning, etc. tied to the GPA.

COMMISSIONER GORDON thinks all the applications associated with one project should be heard at one time.

COMMISSIONER SKAAR explained that the previous Mayor wanted the Planning Commission to only hear the GPA's twice a year, but the City Attorney's Office favored hearing them four times a year because they were fearful there would be too many applications if they were only heard twice a year.

VICE CHAIRMAN GALATI felt the Planning Commission should hear Variance applications at the same time as the other types of applications for the same project.

CHAIRMAN BUCKLEY thought that matter should be under Director's Business at a future meeting.

TIM CHOW, Planning and Development, added that the Planning Commission requested that the GPA's and Rezonings be combined. Sometimes they are not together because of a time factor. Staff can require the applicant to provide all the information if it is the wishes of the Planning Commission.

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### ITEM

### ACTION

#### CITIZENS PARTICIPATION:

COMMISSIONER SKAAR commented that with the smaller uses oftentimes the entire picture is not obvious which can be detrimental to the neighborhood. Again, if all the constraints are known, they can be extremely compatible. With larger parcels that have many buildings involved, it could be possible to put off the site plans, vacations, etc. until later.

#### ADJOURNMENT:

There being no further business to come before the City Planning Commission, the meeting adjourned at 12:29 A.M.

PLANNING AND DEVELOPMENT DEPARTMENT



CHRIS GLORE, SENIOR PLANNER

/lo

PLANNING COMMISSION  
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VERBATIM TRANSCRIPT - ITEM C-9: U-104-99 – HOVSEP & TUPOU ZANAZANIAN

CHAIRMAN BUCKLEY

C-9, U-104-99, Hovsep and Tupou Zanazanian. Request for a Special Use Permit on property located adjacent to the southeast corner of the intersection of Alexander and Cimarron for a proposed child care facility, U zone, [L (Low Density Residential) General Plan Designation], Size 2.65 Acres. Ward 4 Brown. Staff?

TROY JESCHKE, PLANNING AND  
DEVELOPMENT

This site had a previous Special Use Permit application for a child care center which was heard at the Planning Commission meeting of July 22<sup>nd</sup>. That request was later withdrawn without prejudice. The applicant is now resubmitting for a new Special Use Permit. Staff finds this application for a child care center will be complimentary to the surrounding land uses by providing a service available to the neighboring residents. Staff also finds the use will be subject to regular inspection by City and County staff for permits and licensing. Staff notes that this application is only for approval of the use and the Site Development Plan Review will have to come back at a later time. Therefore, staff is recommending approval of this request, subject to the 14 conditions. There were 611 notices mailed, 0 approvals and 2 protests.

CHAIRMAN BUCKLEY

Thank you, Troy, Good evening

ATTORNEY ROBERT NERSESIAN

Good evening Commissioners. Good evening Mr. Chairman. Robert Nersesian appearing on behalf of Hovsep and Tupou Zanazanian. This is Hovsep to my left. I think if you look to the plan that's up on the screen right now. And we've been through planning with this, it has—we are on a — section line and a half section line road in a zoned U area. This use is imminently compatible with the parcel that they're looking to put it on. Additionally, if you'll notice at the top of the screen the Zanazanian's have actually come up—with what I think is the first plan that is putting in the double wide, it's a recreational walkway, but, equestrian uses etc. that is required out in that area. What is especially appropriate about this is this is going to set the precedent for Alexander along with—along for this development where this use which has been determined to be something that the City wants can be put in place and run up and down the block. Up a couple doors away we have a church. This is Alexander Road, a 100 foot wide right of way, 6 lanes possibly. If you'll notice I don't think it shows on here, at the end of the, at the bottom of the page where you see the, it'll show up better on, at the bottom of the page, right here, that is a 50 foot wide, or 45 foot wide dedicated drainage easement. It provides a natural and superb buffer to any residential. So far as section line roads coming up across, coming along residential areas, this is probably one of the best we'll ever see for actually creating a transition to that

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VERBATIM TRANSCRIPT - ITEM C-9: U-104-99 – HOVSEP & TUPOU ZANAZANIAN

section line road. Additionally, it's a low impact use that obviously requires a Special Use Permit, but that Special Use Permit is there because this project is compatible with the residential nature of this neighborhood. We have a church up the street, a day care center here, I understand that one of the things that everybody hopes to see is this cessation of a proliferation of strip centers along section line roads with highlighted neon commercial door after door after door. This is a step that prevents that from every happening here. It's a compatible use and we are prepared to comply with all of the commissions recommendations and we would request approval.

CHAIRMAN BUCKLEY

Who is the operator of the child care facility?

ATTORNEY ROBERT NERSESIAN

At this time it would be Mr. Zanazanian and his wife. They are both long time Nevada residents. The plan is to put it up and, I'm gonna lose a secretary over this because that's who Tupou Zanazanian is, and that's the idea.

CHAIRMAN BUCKLEY

All right, thank you very much. This has been advertised as a public hearing, if those who have come and would like to speak would please come forward, step to both sides of the podium, sign your name in and state your name and address for the record. And there are time limits.

TONY BRUGES

Tony Bruges, 4009 Poppy Fields Drive. I'm Vice President of Mountain Shadows Homeowners Association, This time I'm next door to the project, only I get accused of just being an interested citizen, but we're more than that today. I live within 500 feet of this project. I want to submit a petition with 80 signatures of people within this quadrant here who are also concerned and want to deny it and an additional 30 of just concerned citizens. Our big concern is not we're against any day care centers, but the number within our area. One block to the south, east of this, is a church that plans to put a 280 pupil day care center in. Another block east of that one was a day care center which opened two years ago and since closed. One block south on Gowan are two more day care centers in existence. Three blocks to the west on County property on Campbell was another one that's been approved and there was one right next to that which was denied by the City. All told there within a two mile radius there are 11 day care centers. The recent survey that we did we found that these centers are running only 60 to 70 percent capacity. Why do we need more of them? We hope that you'll deny this application.

CHARIMAN BUCKLEY

Thank you, Tony. Good evening.

LINDA FIONDA

Good evening. My name's Linda Fionda. I live at 9390 West Helena. I'm the Vice President of Northwest Citizens

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Association. Our boundary starts at Alexander Road. We are residents that live on half acres and we have been attempting to keep the Alexander Road from becoming a commercial strip. Commissioner – I mean, Councilman Brown has agreed to that. He has said he – wanted to see no commercial enterprise up Alexander Road, which leads to the beautiful Lone Mountain, past Buffalo, Cimarron is past Buffalo.

The gentleman's correct, when he said it would set a precedent, but I don't believe that's the precedent we want to set. We do not need commercial entities up Alexander Road. I – and this is commercial. The, your – directory here, Las Vegas Zoning book, explains that a child care center, and of course you know this, but I'm going to read it for everyone else. "More than 12 children is any commercial facility in which the licensee regularly provides day or overnight care for more than 12 children and it has to comply with the standards of the Department of Business Activity." That is commercial.

Cimarron may be considered a section line, but Cimarron is not a major street out in that area. And those of you who have been out in our area will realize that. And I – ask that you deny this application.

HARRY FURY

Good evening, Mr. Chairman, members of the Planning Commission. My name is Harry Fury. I'm President of the Mountain Shadows Board of Directors and Chairman of its Board. First of all, I want to support the two previous speakers in what they said and I don't want to repeat it because I don't want to bore you any more. But I will say the following:

Number one, Mountain Shadows is directly across the street from this proposed site. We have here tonight three people, residents, whose back of their homes face this proposed site. Two of them, I have one mother over here with children, I have another speaker over here, she'll speak to you, and also the gentleman in the black suit. He, all of them are totally against it. They're here to support us in speaking to you.

We need to continue to prohibit the further proliferation of day care centers in our area. It starts with you people and I just hope that you will deny this proposal. The gentleman, I just want to mention one other point. He pointed out to me that his concern, and that's why he stayed here tonight, is he's concerned about the traffic. We have, as you may know, Molasky Middle School is right within probably, I'm guessing, a block or two of this proposed site. They have traffic. They have added more traffic. I honestly believe,

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gentlemen, ladies, that there'll be further expansion of more traffic congesting on the corner of Cimarron and Alexander. I thank you for your time and patience and I hope you deny this request. Thank you.

CHAIRMAN BUCKLEY

Thank you, Mr. Fury.

COMMISSIONER GORDON

Mr. Fury – is it?

HARRY FURY

Fury.

COMMISSIONER GORDON

Fury. What do you think should be put there then?

HARRY FURY

With all due respect, Sir, I don't know and it's not my problem. My problem is to protect the interests of the residents of Mountain Shadows.

COMMISSIONER GORDON

But you're making a statement that it shouldn't be a child care center --

HARRY FURY

I – no commercial interest, as the lady said. We don't believe in commercial interests being there. And we have 11, as Mr. Bruges pointed out, day care centers in the area within 2 miles. What need for more? And they're only operating at 60 to 70 percent.

CHAIRMAN BUCKLEY

All right. Thank you. Let's go on.

EDDIE HADAD

Yes. My name is Eddie Hadad at 7936 Alviana Pines. And give you some more reasons why we don't believe this should go into a child development or child care center. My backyard, my master bedroom not only looks onto what looks to be is a playground, but also within hearing distance of that playground as well. Forty foot buffer, that's not a wall buffer. That's, all it is is just a drain. You know, 40 feet would be from like where you're sitting to probably the back of these chairs. Very, you know, very loud, very noisy.

Child – care centers belong, you know, backing up to shopping centers, to other commercial properties, because that's what it is, commercial, not single family residential. We work very hard, you know, we like sometimes to sleep in. The operator, there's no guarantee that he won't make this a 24-hour, 7-day a week type of center. We want to keep it, you know, simply quiet in the neighborhood and don't like to see any kind of commercial. And this is one, you know.

Personally, I'd even like to see, I mean, a mini-storage site rather than child care facility because, you know, how often do you visit your mini-storage site; once a month, once every two, three months. But that's besides the point. I just

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don't like to see any commercial. Single family residential would probably be very suitable.

CHAIRMAN BUCKLEY

We got a deal -- Thank you, Mr. Hadad.

EDDIE HADAD

Thank you.

CHERYL ANDERSON

Hi. My name is Cheryl Anderson. I live at 8013 Holly Knoll Avenue. My backyard is bordered on Cimarron and Alexander. And the traffic back there is bad enough now. So my concern mainly is the traffic, the noise and for the safety of my 12-year old daughter who has to cross Alexander to go to Molasky Middle School. I think putting another day care center in there would definitely increase the -- traffic flow through there, if people are driving in there to take their children.

And I -- agree with the gentleman that was just here about another concern and that would be since Las Vegas is a 24-hour city, that this might become a 24-hour day care center. And as it is right now, I can't even sleep with my window open at night because my bedroom is right on that -- street as well. So, those are my concerns. And I hope that you will deny this. Thank you.

CHAIRMAN BUCKLEY

Thank you, Miss Anderson.

MIKE SNYDER

My name is Mike Snyder. I come here as a -- realtor that originally sold these people the property and I'm not against it, obviously. But what I wanted to say is that if you look at the property, you're going to find a very odd shaped piece of property. The flood channel in the back with 46 feet is an open flood channel and the people here obviously want single family residences there, which I don't blame them. I'm a homeowner with children and I understand their -- needs with traffic and things like that.

But what you really have here is Alexander, which is a section line. A section line being like Cheyenne, Lake Mead. Which is going to be a six lane road. It's going to be heavy traffic. So for the lady to say that she's already noise, the noise is not going to do anything but get noisier.

Cimarron is a mid section line. Because of the fact that you're losing 46 feet for the flood channel, you're losing 50 feet for Alexander plus for the bike trail and the horse trail that you've asked them to put in. You're ending up with about an acre and a half of property there. If you look at between Buffalo and Durango right now, the only thing built on that block is a church. It's a Meadows Christian Church, which by the way was opposed two years or three years ago when they came in, believe it or not.

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I – pulled the Lone Mountain Partnership Vice President aside and I also pulled the – homeowners across the street in the Mountain Shadows partnership, I asked them – and I went outside and I said exactly what this gentleman said, Mr. Gordon there, what would you like on the property. None of them – could come up with an agreement. One said mini-storage, which was the one neighbor. Another one said day care's okay. Another one said nursing home. None of them said single family. I had another one tell me condominiums. So, the only thing that I say is common sense should be used here. I think if you look at where day care centers are today, they're all over around the elementary schools and where the elementary schools are in single family residences and the day cares are usually across the street. And usually close to residen – single family homes.

I'm looking at the situation as just common sense with a six lane highway, mid section line Cimarron. You're losing 46 feet. By the time you're done, you're at an acre and a half. If – this isn't approved, the only thing that I say to the people there is if we came up with a unanimous decision on what to do with it, I think this owner would be open to that. But everybody's unanimous decision basically is leave it empty. And so do we leave this property empty, 2 yea – 20 years from now? So tires collect on it? What is this block – going to look like five years from now? So it looks raw and ugly, tumbleweeds, etc., tires. And that's all I have to say as far as that is concerned. I know we --

CHAIRMAN BUCKLEY

Thank you, Mr. Snyder.

MIKE SNYDER

Okay. Do I need to sign in?

CHAIRMAN BUCKLEY

Yes, please.

MIKE SNYDER

There's not a pencil here.

ETHEL BRUGES

I'm Ethel Bruges, by the way. I live at 4009 Poppy Fields Drive and I am just across the street. And we knew when we bought our house that that basin was going in. So I don't know why he didn't know when he bought the property. And also, when the church went in, yes, we had concerns. And the church was very willing, turn lights down, move the driveway, do different things. They're a good neighbor. And yes, horses before the church, they could use that strip to ride. We like it that way and we would like to see it stay the way it is. I hope you'll deny this.

CHAIRMAN BUCKLEY

Thank you, Mrs. Bruges. If there anybody else that wishes to speak on this item? Public hearing is closed.

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ATTORNEY ROBERT NERSESIAN      Could I make – Oh, I'm sorry. I would like to speak.

CHAIRMAN BUCKLEY                No, you're entitled to a rebuttal.

ATTORNEY ROBERT NERSESIAN      Oh, that was the public hearing. I see.

CHAIRMAN BUCKLEY                Public comment, yes.

ATTORNEY ROBERT NERSESIAN      Thank you. I respect and understand the need of people in a residential development to try and keep it as calm and peaceful as they possibly can. The fact remains they live in a city. This use that is being proposed is the calm and peaceful use for a section line road. It's about as far out there as you can get.

Curiously, they do keep saying things and it seemed very important to the Commissioners, and I want the Commissioners to understand and, Mr. Chairman, that the developer or the owner get with the neighbors and try and work things out. I can't tell you how hard Mr. Zanazanian has done to do, has gone, the lengths he's gone to do that. **I do have, however, 220 petitions by neighbors who not only don't object, but they reflect their support for the day care center.** That's the words on the petition. They were signed, I'd like to present them. 40 – 42 of them are in the Mountain Shadow subdivision. All of them are proximate. What they do recognize is that this is 1) primarily a residential use, and 2) a necessary accouterment to their neighborhood. May I present these?

CHAIRMAN BUCKLEY                Certainly. Give them to the Clerk, please.

ATTORNEY ROBERT NERSESIAN      Thank you. Now, I want to, I did, we did a little bit of the research that's necessary when you see this kind of adversity. And it is the same people time after time. And I would like to point a couple of things out that I think are very important. First of all, the traffic concern. There was another day care center that this Board approved not too long ago and it was on Alexander, on the other side of Durango. It went up to City Council and City Council indeed held off on it, said not right now, and did not follow the Board's or the Commission's findings. However, if you were there and you listened to what went on, you would have seen that it was Councilman Brown who stated time and again the line is at Durango, the other side of Durango is – or the line is –

Yeah, west of Durango is not at issue. Moreover, and this is especially important and I think they would confirm it, because they were all there and they were the ones speaking, it was stated time and again traffic is not a

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concern, it has all been looked at. There is no substantive traffic impact of any nature to a development of this type. Now, here's the clincher, or here's the kicker to what everybody just heard. This, what'd I hear, I think I heard 11 day cares from one and 12 from another and 60 percent vacancy. Well, here's the facts and here's the research we did. In that zip code in the City, there are three day care centers licensed. Three, not eleven. And of those three, two of them are in churches. There are not eleven day care centers. There are three. If you increase the circle and pick up County, you can go all the way to four, not eleven. I don't know where this eleven comes from. You can go out there and drive it yourself. You'll see two commercial day care centers in, within any driveable range of that parcel.

And the idea that to this date Mr. Fury, and that's who's been doing it, walks in front of these – Boards and says there's 30 churches, there's 11 day care centers, it's just not true. There's three and two of them are in churches.

I don't want to -- I know that we've asked for brevity and I don't want to go long, so I will just finish with pointing out again to poo poo 40 feet might be one thing, but add another 20 to the playground area, and most importantly, and we're agreeing to this, putting in a connected tree line wall between this gentleman's property and the playground and agreeing that nobody's going to be on the playground at any time after dark, takes care of that entire issue. I think, I mean, we hear all the time – no, we don't hear all the time, I don't understand this perspective of I live in a city, I want it to be Blue Diamond, the City of Blue Diamond. It's not there. They live in the City, they are within – this gentleman is within a football field's length of a six lane, what is going to be a six lane road, and he's worried about 10 kids playing in somebody's, what is essentially a backyard 50 feet from his house with a wall of trees and a brick wall between it. It's not a real worry. There are no real worries here.

The owner is bending over backwards, and if you ask for more, he'll bend over backwards more. This is a dream. To put in a day care center where it's needed in a residential area that can use it and indeed will preserve and protect exactly what this Commission is trying to do in some of the newer areas of town and that is stop the proliferation and neon. There's no neon here. And I thank you very much for your time. Any questions?

CHAIRMAN BUCKLEY

And I'd just – I think I'd like to ask staff that maybe by the City Council, the staff can verify the number of day cares in the area, I mean, so we have an – impartial investigation here.

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CHRIS GLORE, PLANNING AND  
DEVELOPMENT

We would be able, based on Business License applications, to verify the number of commercial child care centers that require a business license. It's my understanding that if it's a non-profit organization, including a church, it does not have the same licensing requirements and so we would have no particular way to track those active uses.

ATTORNEY ROBERT NERSESIAN

Excuse – If I could address – if I could possibly add something too. We have done exactly what staff has just suggested and that is we have gone and looked at the business licenses. Here are the three day care centers, and I can present a copy of this, that are licensed --

CHAIRMAN BUCKLEY

Why don't you do that.

ATTORNEY ROBERT NERSESIAN

-- and indeed this includes, for the business license, the Mountain View Lutheran Church and the Cheyenne Baptist Child Care Preschool, the two church ones I mentioned, plus the Northshore Learning Tree and then the other one you will find is in County at -- Buffalo and -- Gowan, mile and a half, two miles away from this property. That's the next closest one. There is no proliferation.

CHAIRMAN BUCKLEY

Right.

COMMISSIONER SKAAR

The all day.

CHAIRMAN BUCKLEY

Okay. Why don't you submit that to the Clerk.

ATTORNEY ROBERT NERSESIAN

I will do that.

CHAIRMAN BUCKLEY

You'll -- I mean, this is going to go to the City Council, you'll have a chance again. So -- Commissioners?

COMMISSIONER GORDON

Mr. Chairman, I have a question, because this print is so small, what is located in the northwest portion of your property?

ATTORNEY ROBERT NERSESIAN

That is -- a, as it sits there right now, that is an undeveloped pad. The, we don't know what goes there. Originally the plans called for something a bit more grandiose than what you're seeing here. The day care center is the goal. There is the ability to place that pad there. What the, actually it is in there currently as a future community center as an allowable use under U. And the reason it's in there for that, this is just, we don't know if this is going to work. Here's the plan right now. There are four churches in the neighborhood, church -- they're not all large. Churches need community centers and meeting places, possibly a shared lease to the churches. But that's not even on the books yet and that's not before you and we're not asking for

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it right now.

COMMISSIONER GORDON

What -- My next question is, you mentioned 10 children, is that the maximum that this will take?

ATTORNEY ROBERT NERSESIAN

No, Sir, not at all. But I'm suggesting -- that as, --

COMMISSIONER GORDON

What is the maximum?

ATTORNEY ROBERT NERSESIAN

-- in the operation of a day care center; okay? The playground area is shifted throughout the day. This is -- definitely a bigger day care center than 10 children, however, I don't know many you can expect in the playground area but -- it's not 140.

COMMISSIONER GORDON

Okay, okay -- Hold it, hold it, hold it. How many children is your facility maxed out at?

HOVSEP ZANAZANIAN

I believe it's at 105.

COMMISSIONER GORDON

Okay.

ATTORNEY ROBERT NERSESIAN

105 is 4, 4 to 6 day care classes split up among --

COMMISSIONER GORDON

Do you -- keep any -- of them overnight?

HOVSEP ZANAZANIAN

No. I believe we will be closed, probably the last kid will be out whenever their mother comes, about 6, 6:30. There's not going to be --

COMMISSIONER GORDON

So the 24-hour is kind of pipe dreams?

HOVSEP ZANAZANIAN

Is not. Yeah, not right.

COMMISSIONER GORDON

What are the typical operating hours then, 7:30 in the morning or 8?

HOVSEP ZANAZANIAN

Exactly. It'll be to give the parents enough time to drop off their kids and get to work. We're going to try be, probably open between 7 and 7:30 'til 6, 6:30, 7 o'clock P.M.

COMMISSIONER GORDON

So, it'd be a fair statement to say that the only traffic really would be first thing in the morning and then in the evening?

HOVSEP ZANAZANIAN

Exactly.

COMMISSIONER GORDON

Thank you.

DEPUTY CITY ATTORNEY STEVE  
GEORGE

Mr. Chairman, if the gentleman who was answering the questions could give his name and address for the record.

ATTORNEY ROBERT NERSESIAN

Mr. Zanazanian.

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HOVSEP ZANAZANIAN                      My name is Hovsep Zanazanian and I live at 9368 Apache Springs.

VICE CHAIRMAN GALATI                      Just a quick question of staff. We are--this is primarily only the use and the site, the site plan and the elevations we're not considering at this time at all.

CHRIS GLORE, PLANNING AND DEVELOPMENT                      That's correct, and if the use is approved a Site Development Plan Review would have to be submitted and approved before building permits.

VICE CHAIRMAN GALATI                      All right, thank you.

COMMISSIONER MACK                      Mr. Chairman, I've had several phone calls from the neighborhood community in opposition of this use. I guess I'm just getting picked on right now, but I seem to get a lot of phone calls out in this area. I think that you might have misstated if you have four classrooms and a 100 people, your gonna have 20 kids out there at one given time, so, but I've heard it loud and clear from this community that they would not want this type of use. When we looked at the type of uses that could be, you know, we asked what kind of uses could be good for this parcel. This could be maybe some type of professional use.

ATTORNEY ROBERT NERSESIAN                      It, that does not, that's not acceptable under the zoning.

COMMISSIONER MACK                      I'm just saying stuff that might be acceptable to the people out there.

ATTORNEY ROBERT NERSESIAN                      Well, but—we can't even come to you with something that is prohibited by the zoning and certainly when we come to you with something that is allowable by the zoning we're dealing with a republican form here, there are also 240 petitions of not "I don't care", 240 petitions of support, or 220 petitions of support in this neighborhood. But, I guess what I'm really looking at is I understand that they're complaining and I recognize that and Mr. Zanazanian did go to the community and he found 220 people that didn't, that--were actually in agreement. He probably, you know—all of you, as far as politics go, what type of footwork it takes to get 220 people to sign. He probably spoke to 800, okay. You don't see the other 600 he talked to here saying "I have an objection." And everyone of those other 600 he talked to not only knew what was going on, they got a copy of this, the very thing that you were looking at. And they're not here complaining because those are the I don't care people. So you got 240, or 220 support people, you got 600 I don't care people and you got 6 people who are very loud and very vocal and maybe, well I don't know who called you, but I wouldn't be surprised if weren't some of the very same people who are

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here right now, Commissioner Mack.

CHAIRMAN BUCKLEY

All right, let's, we're gonna, no, the public hearing is closed, Commissioner Mack?

COMMISSIONER MACK

Only thing I can say is, I hadn't—gotten any phone calls in favor of this project. I haven't seen any people out in the audience in favor of this project. I haven't had the opportunity to look at this petition with the 300 names you have to see if truly these are the neighbors that are affected by this project.

ATTORNEY ROBERT NERSESIAN

I would not represent to you that if it weren't, okay.

CHAIRMAN BUCKLEY

But,

ATTORNEY ROBERT NERSESIAN

I'm just telling you the facts.

CHAIRMAN BUCKLEY

Let's go. Let's

COMMISSIONER MORAN

Let's not get into a discussion.

ATTORNEY ROBERT NERSESIAN

We can look --

COMMISSIONER MACK

With this, unless there is any other conversation on this I would like to make a motion for denial on this project.

CHAIRMAN BUCKLEY

Any other comments? I'll just make a comment. It seems to me that it is an appropriate use. I think the hours can be limited. I think the size can be limited. It seems to me that a child care facility on a street like this makes sense. And, notwithstanding that though, I mean, I particularly think the points made by Mr. Snyder make sense; namely, that it's across from the wash and it's got the trail on it as well. But, for those reasons it seems to make sense to me. But... Go ahead Commissioner Mack.

COMMISSIONER MACK

I move--to deny C-9, U-104-99.

CHAIRMAN BUCKLEY

And that is, the motion does not carry.

COMMISSIONER MORAN

Oh, I'm sorry. What am I doing? I'm most fouled up today, I'm sorry.

COMMISSIONER GORDON

Mr. Chairman?

DEPUTY CITY ATTORNEY STEVE  
GEORGE

If we could recast the votes please, Commissioner Moran, she pushed the wrong button.

ATTORNEY ROBERT NERSESIAN

Any chance I could get it to be a motion to approve so, 3-3 tie carries?

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DEPUTY CITY ATTORNEY STEVE GEORGE 3-3 tie would not carry.

ATTORNEY ROBERT NERSESIAN It would not. Okay, I didn't know which parliamentary procedure followed.

COMMISSIONER MACK You voted, you wanted to deny it?

COMMISSIONER MORAN Yeah. What happened to my --

COMMISSIONER GORDON Mr. Chairman. Mr. Chairman, what was the problem on the vote, I didn't hear it?

CHAIRMAN BUCKLEY I'm confused now, I—Motion was, the motion was for denial

COMMISSIONER MORAN The motion was for denial. Okay?

COMMISSIONER GORDON That's correct. Four to two, so we need to have a

COMMISSIONER MORAN I voted in favor of the denial.

DEPUTY CITY ATTORNEY STEVE GEORGE We will need to recast the votes on that.

CHAIRMAN BUCKLEY Right.

COMMISSIONER MORAN So you need another motion?

CHAIRMAN BUCKLEY Okay, I—okay. I kind of confused myself. So we need a new motion.

COMMISSIONER MACK I'll move

DEPUTY CITY ATTORNEY STEVE GEORGE Mr. Chairman, if we could just recast those votes.

CHAIRMAN BUCKLEY All right, let's—revote for clarity's sake on Commissioner Mack's motion. Is that what you're suggesting Mr. George?

DEPUTY CITY ATTORNEY STEVE GEORGE Yes, Mr. Chairman.

CHAIRMAN BUCKLEY Okay, this is—the vote on Commissioner Mack's motion for denial. Okay, so that motion does not carry. Commissioner Gordon? **(Motion did not carry with Buckley, Galati, Gordon and Skaar voting "No" and Quinn excused)**

COMMISSIONER GORDON Yes, I, Mr. Chairman, I move to approve of U-104-99, subject to the staff's conditions.

COMMISSIONER MACK Commissioner Gordon, if you could, if I could, please, just

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add the condition of restricted hours.

COMMISSIONER GORDON

Yes.

CHAIRMAN BUCKLEY

Condition number four. Is that sufficient or are you looking for something more. Condition Number four, which deals with outdoor play, daylight hours.

COMMISSIONER GORDON

Why don't we ask the applicant, are you willing to accept operational hours?

ATTORNEY ROBERT NERSESIAN

From six am to 8 pm? No, well, you. Okay. I just, the idea is --

CHAIRMAN BUCKLEY

Your being a lawyer, I understand.

ATTORNEY ROBERT NERSESIAN

The idea is—7:30 til 6:30, but you need, first of all, what are operational hours? There's opening up, there's things of that nature. I mean, I want, I'm not looking for, I'm using a daytime number when I say 6:30 to 8:30. That's—those are, except for the 6:30 am, but that's when a lot of people are going to work. Those are exactly the times telephone solicitors can call you on the phone.

CHAIRMAN BUCKLEY

Well --

COMMISSIONER MACK

Commissioner Gordon, I would like to, if I could, make the recommendation from 7:00 am 'til 8 pm.

ATTORNEY ROBERT NERSESIAN

That's fine

COMMISSIONER GORDON

That's fine.

CHAIRMAN BUCKLEY

Is that acceptable?

ATTORNEY ROBERT NERSESIAN

Yes.

CHAIRMAN BUCKLEY

7 to 8. All right.

UNIDENTIFIED CITIZEN

Can we move the playground to around to the front?

CHAIRMAN BUCKLEY

Anything other, this is not the design, this is just a use.

VICE CHAIRMAN GALATI

Mr. Chairman? I guess I just want to make sure that I let the applicant know, put them on notice that when this comes back in for a Site Development Plan Review I'm going to be looking at it very, very closely for appropriate buffering, and I'm going to be very concerned with the size and number of children and I'm going to be very concerned with the architecture with this facility, that it is indeed compatible with the neighborhood.

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COMMISSIONER SKAAR

And, what you're showing is a pad site. Very, very concerned.

CHAIRMAN BUCKLEY

All right. The motion is for approval with the conditions and admonitions as stated. And that carries and that will go on as you've all heard before to the City Council on December 1<sup>st</sup> **(Motion carried with Mack and Moran voting "No" and Quinn excused)**

ATTORNEY ROBERT NERSESIAN

Thank you very much.

HOVSEP ZANAZANIAN

Thank you.

CHAIRMAN BUCKLEY

All right, good evening, thank you.

**(END OF DISCUSSION)**

/bkb