



**PLANNING COMMISSION AGENDA**  
**PLANNING COMMISSION MEETING OF: MAY 11, 2006**

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

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN TROWBRIDGE.

CALL TO ORDER: 6:02 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

**MINUTES:**

**PRESENT:** CHAIRMAN GLENN TROWBRIDGE, MEMBERS STEVEN EVANS, RICHARD TRUESDELL, BYRON GOYNES, LEO DAVENPORT, DAVID STEINMAN AND SAM DUNNAM

**STAFF PRESENT:** MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., MARIO SUAREZ – PLANNING & DEVELOPMENT DEPT., DOUG RANKIN – PLANNING & DEVELOPMENT DEPT., DAVID GUERRA – PUBLIC WORKS, VICTOR BOLANOS – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ANGELA CROLLI – CITY CLERK'S OFFICE, CARMEL VIADO – CITY CLERK'S OFFICE

# City of Las Vegas

## AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT PLANNING COMMISSION MEETING OF: May 11, 2006

### **SUBJECT:**

Approval of the minutes of the April 13, 2006 Planning Commission Meeting

### **MOTION:**

**EVANS – APPROVED – UNANIMOUS**

### **MINUTES:**

There was no discussion.

(6:04 – 6:05)

**1-44**

### **MOTION:**

**EVANS – Motion to accept the WITHDRAWAL WITHOUT PREJUDICE of Item 21 [SUP-12355]; TABLE Item 23 [MOD-12776] and Item 24 [SDR-12656]; STRIKE Item 27 [VAR-13154] and Item 31 [VAR-12617]; and HOLD IN ABEYANCE Item 43 [SDR-12649] to the 5/25/2006 Planning Commission Meeting – UNANIMOUS**

**NOTE: COMMISSIONERS TRUESDELL and DAVENPORT both disclosed that they would vote on the abeyance request of Item 43 [SDR-12649], but will abstain when the item comes back.**

### **MINUTES:**

DOUG RANKIN, Planning and Development Department, stated that the applicants for the following items requested the items be stricken, held in abeyance, tabled or withdrawn without prejudice. Letters are on file for each of the requests. He briefly explained the reason for the abeyance, tabled and withdrawn items as requested by either the applicant or staff.

|                     |   |
|---------------------|---|
| Item 21 [SUP-12355] | Withdrawn Without Prejudice                       |
| Item 23 [MOD-12776] | Tabled  |
| Item 24 [SDR-12656] | Tabled  |
| Item 27 [VAR-13154] | Strike  |
| Item 31 [VAR-12617] | Strike  |
| Item 43 [SDR-12649] | Abeyance to 5/25/2006 Planning Commission Meeting |

The applicant requested that Item 21 [SUP-12355] be withdrawn without prejudice.

Item 23 [MOD-12776] and Item 24 [SDR-12656] were requested to be tabled by the applicant.

PLANNING COMMISSION MEETING OF APRIL 13, 2006  
Planning and Development Department  
Discussion Items

**MINUTES – Continued:**

MR. RANKIN recommended that Item 27 [VAR-13154] be stricken as it is no longer needed as a result of a revised plan date stamped 5/10/06.

Item 31 [VAR-12617] to be stricken as the application is not needed as the site plan provides sufficient parking for the project.

MR. RANKIN requested that Item 43 [SDR-12649] be held in abeyance to the 5/25/2006 Planning Commission meeting proper notification.

(6:05 – 6:08)

**1-61**



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**CHAIRMAN TROWBRIDGE announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.**

**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.

**CHAIRMAN TROWBRIDGE read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.**

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 AGENDA ITEM.



**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**CHAIRMAN TROWBRIDGE** noted the Rules of Conduct.

**PLANNING COMMISSION MEETING RULES OF CONDUCT.**

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**TMP-12630 - TENTATIVE MAP - LONE MOUNTAIN/PULI - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: 2893 GVP, LLC et al - Request for a Tentative Map FOR A PROPOSED 308 LOT RESIDENTIAL SUBDIVISION on 38.6 acres at the southeast corner of Lone Mountain Road and Puli Road (APNs 137-01-101-001 and 009; 137-01-201-001, 002, 011 and 012; 137-01-301-001 and 002), PD (Planned Development) Zone, Ward 4 (Brown).**

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.   
City Council Meeting**

**Planning Commission Mtg.   
City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**EVANS – APPROVED subject to conditions Item 1 [TMP-12630], Item 2 [TMP-12637], Item 3 [TMP-12638], Item 4 [TMP-12639], Item 5 [TMP-12653] and Item 6 [ANX-12490] – UNANIMOUS with DUNNAM abstaining because the owner is his client**

**This is Final Action**

**MINUTES:**

There was no discussion.

(6:08 – 6:09)

1-157

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 1 – TMP-12630

**CONDITIONS – Continued:**

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-11188) and the Lone Mountain West Plan Development Standards.
3. If service from the Las Vegas Valley Water District (District) is planned, the applicant shall meet with the District to insure compliance with applicable standards for the installation of water mains. If easements are pursued, the plans must comply with District Service Rules Section 10.1j and Uniform Design and Construction Standards for Water Distribution Systems Section 2.04.
4. The applicant shall meet with the Las Vegas Valley Water District and the applicable Fire Department to insure compliance with standards for fire hydrants and water provision.
5. Street names must be provided in accordance with the City's Street Naming Regulations.
6. 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.
7. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners.

The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 1 – TMP-12630

**CONDITIONS – Continued:**

through utilization of public resources. The basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

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

Public Works

9. The Final Map for this site shall be labeled as a “Merger and Resubdivision”.
10. Show all Sight Visibility Restriction Zones (SVRZ's) adjacent to public streets and include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface. Area shall be labeled as "Privately Maintained".
11. Site development to comply with all applicable conditions of approval for ZON-11187, SDR-11188, VAC-12067, VAC-11354 and all other applicable site-related actions.
12. 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 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 Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**TMP-12637 - TENTATIVE MAP - APPLICANT/OWNER: G & I III TALAVERA, LLC -** Request for a Tentative Map FOR A 334 UNIT CONDOMINIUM CONVERSION on 17.27 acres at 2251 South Fort Apache Road (APN 163-06-710-003), R-PD21 (Residential Planned Development - 21 Units Per Acre) Zone, Ward 2 (Wolfson).

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

|                                 |          |                                 |          |
|---------------------------------|----------|---------------------------------|----------|
| <b>Planning Commission Mtg.</b> | <b>0</b> | <b>Planning Commission Mtg.</b> | <b>0</b> |
| <b>City Council Meeting</b>     |          | <b>City Council Meeting</b>     |          |

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**EVANS – APPROVED subject to conditions Item 1 [TMP-12630], Item 2 [TMP-12637], Item 3 [TMP-12638], Item 4 [TMP-12639], Item 5 [TMP-12653] and Item 6 [ANX-12490] – UNANIMOUS with DUNNAM abstaining because the owner is his client**

**This is Final Action**

**MINUTES:**

There was no discussion.

(6:08 – 6:09)

**1-157**

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 2 – TMP-12637

**CONDITIONS – Continued:**

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-10988), and Rezoning (ZON-10990).
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. 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.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. The Drainage Study update required with Zoning Reclassification ZON-10990 shall be submitted to and approved by the Flood Control, Section of the Department of Public Works prior to the submittal of a Final Map Technical Review for this site.
8. The entrances to this site may not be gated. If gating is proposed, now or in the future, the entrance shall be designed and re-constructed in accordance with Standard Drawing #222A.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 2 – TMP-12637

**CONDITIONS – Continued:**

9. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-10990, Site Development Plan Review SDR-10988 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**TMP-12638 - TENTATIVE MAP - APPLICANT: ACACIA CAPITAL CORPORATION - OWNER: LAS VEGAS 9-B, LLC** - Request for a Tentative Map FOR A 312 UNIT CONDOMINIUM CONVERSION on 15.06 acres at 5900 Sky Pointe Drive (APN 125-27-302-006), R-PD18 (Residential Planned Development - 18 Units per Acre) Zone, Ward 6 (Ross).

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

|                          |   |                          |   |
|--------------------------|---|--------------------------|---|
| Planning Commission Mtg. | 0 | Planning Commission Mtg. | 0 |
| City Council Meeting     |   | City Council Meeting     |   |

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**EVANS – APPROVED** subject to conditions Item 1 [TMP-12630], Item 2 [TMP-12637], Item 3 [TMP-12638], Item 4 [TMP-12639], Item 5 [TMP-12653] and Item 6 [ANX-12490] – **UNANIMOUS** with DUNNAM abstaining because the owner is his client

**This is Final Action**

**MINUTES:**

There was no discussion.

(6:08 – 6:09)

1-157

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 3 – TMP-12638

**CONDITIONS – Continued:**

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-10200).
3. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Registered Designer or Civil Engineer, must be submitted prior to or at the same time as the Final Map is submitted. The landscape plan must include irrigation specifications.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. 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.
6. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
7. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

8. The submitted Drainage Study update shall be approved by the Flood Control Section of the Department of Public Works prior to the submittal of a Final Map Technical Review for this site.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 3 – TMP-12638

**CONDITIONS – Continued:**

9. The entrances to this site may not be gated. If gating is proposed, now or in the future, the entrance shall be designed and re-constructed in accordance with Standard Drawing #222A.
10. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-10200 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**TMP-12639 - TENTATIVE MAP - EAGLE CREST CONDOMINIUMS II - APPLICANT: ACACIA CAPITAL CORPORATION - OWNER: LAS VEGAS 9-B, LLC II - Request for a Tentative Map FOR A 312 UNIT CONDOMINIUM CONVERSION on 16.98 acres at 5850 Sky Pointe Drive (APN 125-27-302-007), R-PD18 (Residential Planned Development - 18 Units per Acre) Zone, Ward 6 (Ross).**

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

|                                 |          |                                 |          |
|---------------------------------|----------|---------------------------------|----------|
| <b>Planning Commission Mtg.</b> | <b>0</b> | <b>Planning Commission Mtg.</b> | <b>0</b> |
| <b>City Council Meeting</b>     |          | <b>City Council Meeting</b>     |          |

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**EVANS – APPROVED subject to conditions Item 1 [TMP-12630], Item 2 [TMP-12637], Item 3 [TMP-12638], Item 4 [TMP-12639], Item 5 [TMP-12653] and Item 6 [ANX-12490] – UNANIMOUS with DUNNAM abstaining because the owner is his client**

**This is Final Action**

**MINUTES:**

There was no discussion.

(6:08 – 6:09)

**1-157**

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 4 – TMP-12639

**CONDITIONS – Continued:**

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-10199)
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.

**Public Works**

6. The submitted Drainage Study update shall be approved by the Flood Control Section of the Department of Public Works prior to the submittal of a Final Map Technical Review for this site.
7. The entrances to this site may not be gated. If gating is proposed, now or in the future, the entrance shall be designed and re-constructed in accordance with Standard Drawing #222A.
8. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-10199 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**TMP-12653 - TENTATIVE MAP - APPLICANT/OWNER: HOWARD HUGHES CORPORATION** - Request for a Tentative Map FOR A 319 LOT RESIDENTIAL SUBDIVISION on 60.2 acres at the northwest corner of Fox Hill Drive and Desert Moon Road (APNs 137-34-210-001 and 137-34-312-001), P-C (Planned Community) Zone, Ward 2 (Wolfson).

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report

**MOTION:**

**EVANS – APPROVED** subject to conditions Item 1 [TMP-12630], Item 2 [TMP-12637], Item 3 [TMP-12638], Item 4 [TMP-12639], Item 5 [TMP-12653] and Item 6 [ANX-12490] – **UNANIMOUS** with **DUNNAM** abstaining because the owner is his client

**This is Final Action**

**MINUTES:**

There was no discussion.

(6:08 – 6:09)

**1-157**

**CONDITIONS:**

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 5 – TMP-12653

**CONDITIONS – Continued:**

2. All development shall conform to the Conditions of Approval for Site Development Plan Review (CRG-2243) and Summerlin Development Standards.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. 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.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. Private streets must be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association. This development shall maintain 2 active entrances providing both ingress and egress, unless otherwise approved by the City Traffic Engineer.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 5 – TMP-12653

**CONDITIONS – Continued:**

8. Public drainage easements must be common lots or within private streets or private drives that are to be privately maintained by a homeowner's association or maintenance association for all public drainage not located within existing public street right-of-way.
9. Show all Sight Visibility Restriction Zones (SVRZ's) and include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface. Area shall be labeled as "Privately Maintained".
10. Provide appropriate public sewer easement between lots 30 and 31 and lots 171 and 172. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
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. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Final Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
13. 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, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 5 – TMP-12653

**CONDITIONS – Continued:**

- concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree 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 Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
14. Site development to comply with all applicable Summerlin Development and Improvement Standards.
  15. Site development to comply with all applicable conditions of approval for Z-119-96 and all other applicable site-related actions.
  16. 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 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 Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ANX-12490 - ANNEXATION - APPLICANT/OWNER: RUSSELL E. SWAIN** - Petition to annex property generally located at the northwest corner of Vegas Drive and Leonard Lane, 1625 Leonard Lane, containing approximately 1.02 acres (APN 138-24-801-031), Ward 5 (Weekly).

**THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

|                          |   |                          |   |
|--------------------------|---|--------------------------|---|
| Planning Commission Mtg. | 0 | Planning Commission Mtg. | 0 |
| City Council Meeting     |   | City Council Meeting     |   |

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**EVANS – APPROVED** subject to conditions Item 1 [TMP-12630], Item 2 [TMP-12637], Item 3 [TMP-12638], Item 4 [TMP-12639], Item 5 [TMP-12653] and Item 6 [ANX-12490] – **UNANIMOUS** with **DUNNAM** abstaining because the owner is his client

**To be forwarded to City Council in Ordinance Form**

**MINUTES:**

There was no discussion.

(6:08 – 6:09)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAR-12684 - VARIANCE - PUBLIC HEARING - APPLICANT:EN ENGINEERING - OWNER: EASTERN BONANZA, LLC** - Request for a Variance TO ALLOW 12 PARKING SPACES WHERE 20 SPACES ARE REQUIRED FOR A PROPOSED 2,800 SQUARE FOOT COMMERCIAL BUILDING WITH DRIVE-THROUGH on 0.48 acre at the southwest corner of Bonanza Road and Eastern Avenue (APN 139-35-501-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

**C.C.: 06/07/06**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**3**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – condition confirmation letter by Emily Bertoldo, opposition letter by Matt Connolly and telephone support from Ingrid Cocucci

**MOTION:**

**GOYNES – DENIED – Motion carried with EVANS voting NO**

**NOTE: A previous motion for Approval by EVANS failed with TROWBRIDGE, EVANS, TRUESDELL, GOYNES, STEINMAN, DAVENPORT and DUNNAM voting NO.**

**NOTE: COMMISSIONER TRUESDELL disclosed that he his company represented Chevron Oil when this property was sold to the current owner and he does not have any interests; therefore he will vote on these items.**

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 7 – VAR-12684

**MOTION – Continued:**

**NOTE: COMMISSIONER DAVENPORT disclosed he has a contractual agreement with EN Engineering, but no relationship with the owner and will vote on these items.**

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 7 [VAR-12684] and Item 8 [SDR-12683].

DOUG RANKIN, Planning and Development Department, explained that this item was heard earlier in the year without the additional curb cuts. Since then the applicant has revised the plan, changed the layout of the parking lot and retained two of the three curb cuts that currently exist on site. The revision required a new variance for parking and the applicant was granted a variance for 20 parking spaces where 23 are required. Staff is recommending approval of the project as the scope of the projects tends to be same and the use findings are appropriate at this location; therefore, staff recommended approval.

EMILY BERTOLDO, EN Engineering, 245 E. Warm Springs Road, agreed with staff's recommendation.

MATT CONNOLLY appeared on behalf of adjacent property owners of Bonanza Square, who did not oppose the original application, but do not support this application due to the substantial parking reduction that may create traffic impact on Bonanza Road and Eastern Avenue. He questioned where the customers and employees would park. The size of the building should be reduced. MS. BERTOLDO replied they are aware about the parking issue and the concern that their customers might overflow onto the adjacent property owners. The curb and gutter for the proposed Starbucks drive through, as well as the landscaping and the natural orientation of the building, will be a deterrent for both pedestrian and vehicular traffic to overflow on the adjacent property. Originally they tried to obtain a joint access agreement with the adjacent property owner for a shared driveway. However, that was not a viable option with the adjacent property owner thus necessitating this application.

MR. RANKIN explained that if approved the variance and site plan would amend the original approval. The parking layout and the curb cuts have changed, but the building and building elevations remain exactly as before.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 7 – VAR-12684

**MINUTES – Continued:**

MS. BERTOLDO clarified with COMMISSIONER STEINMAN that since they are utilizing the driveways on Eastern Avenue and Bonanza Road, they had to shift the parking stalls over. COMMISSIONER STEINMAN questioned where the customers would park. Even if a barrier is constructed, they would still have to park somewhere. This Variance should not be approved without a joint access agreement, and without that agreement, the other property owner could block customers from parking. He was reluctant to support such a request because of potential conflicts in the future. He discussed with DEPUTY CITY ATTORNEY BRYAN SCOTT that if the applicant does not have enough spaces to meet the current Code, the Commission could grant the Variance if a hardship is found or they would have to get the cross access easement agreement with the adjacent property owner, otherwise the applicant would have to reduce the size of the building.

MARGO WHEELER, Director of Planning and Development Department, added that the applicant cannot be required to obtain an agreement with another property owner. They have the right to a decision on their project. The Commission needs to decide whether the project stands on its own merits.

CHAIRMAN TROWBRIDGE stated that a building larger than what is required by code is a self-imposed hardship and does not have weight. He asked staff to explain the environmentally remediation equipment. MR. RANKIN replied that previously this location was a gas station and required to have remediation equipment located on the site, which took three of the parking spaces. Since then that remediation has been completed and the Department of Health indicated that the case is closed. However, he is not certain that the equipment has been removed. PAUL FRITZ, EN Engineering, 245 E. Warm Springs, replied that the equipment has not been removed and will remain there until the development begins. No additional parking spaces will be gained from that area. Currently, they have three accesses to the property and looking to close one to gain additional parking. COMMISSIONER STEINMAN verified with DAVID GUERRA, Public Works Department, that the location they are proposing would move one driveway on Eastern Avenue and eliminate the one furthest east on Bonanza Road. A condition of approval on the original plan required the applicant to obtain a cross access easement agreement from the adjacent owner if they could not provide for driveways. Therefore, when the applicant was unable to obtain that access, they had to provide driveways, which were in concurrence with Traffic Engineering.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 7 – VAR-12684

**MINUTES – Continued:**

COMMISSIONER DUNNAM commented that the driveways shown are to be constructed to Standard Drawing #222A, which will shift the north driveway east by 25 feet. The applicant is asking the Commission to approve the site plan without those driveways, which will significantly change the site plan. Without having a valid site plan, he would support the request. MR. FRITZ indicated that BART ANDERSON, Public Works Department, was agreeable that the language as written per Standard 222A would be acceptable to allow the pan driveways to stay. COMMISSIONER GOYNES was concerned about what would happen in the future between the two business owners if the variance were approved without a cross access easement agreement.

COMMISSIONER EVANS was puzzled that there was no access agreement between the two property owners. This location would benefit with a business such as Starbucks. A fair amount of pedestrian traffic would eliminate the parking issues. He believes this particular area will be well-served economically with a business such as Starbucks. He would support the request based on Public Works' findings that there is no public safety issue.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 7 [VAR-12684] and Item 8 [SDR-12683].

(6:15 – 6:37)

**1-373**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-12683 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT:EN ENGINEERING - OWNER: EASTERN BONANZA, LLC - Request for a Major Amendment to an approved Site Development Plan (SDR-9372) FOR A PROPOSED 2,800 SQUARE FOOT COMMERCIAL BUILDING WITH DRIVE-THROUGH on 0.48 acre at the southwest corner of Bonanza Road and Eastern Avenue (APN 139-35-501-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese).**

**C.C.: 06/07/06**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**3**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda –condition confirmation letter by Emily Bertoldo
6. Submitted after final agenda - opposition letter by Matt Connolly and telephone support from Ingrid Cocucci for Items 7 and 8 filed under Item 7

**MOTION:**

**GOYNES – DENIED – Motion carried with EVANS voting NO**

**NOTE: COMMISSIONER TRUESDELL disclosed that he his company represented Chevron Oil when this property was sold to the current owner and he does not have any interests; therefore he will vote on these items.**

**NOTE: COMMISSIONER DAVENPORT disclosed he has a contractual agreement with EN Engineering, but no relationship with the owner and will vote on these items.**

**To be heard by the City Council on 06/07/2006**

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 8 – SDR-12683

**MINUTES:**

NOTE: See Item 7 [VAR-12684] for all related discussion.

(6:15 – 6:37)

**1-373**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAR-12450 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: NADER NOOROZIAN** - Request for a Variance TO ALLOW A 10 FOOT FRONT YARD SETBACK WHERE 20 FEET IS THE MINIMUM REQUIRED FOR A PROPOSED SINGLE FAMILY RESIDENCE on 0.14 acre at 901 Noorozian Court (APN 138-36-801-015), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian).

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

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**Planning Commission Mtg.**  
**City Council Meeting**

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|----------|
| <b>0</b> |
|          |

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

- 1. Location Map
- 2. Conditions For This Application
- 3. Staff Report
- 4. Justification Letter

**MOTION:**

**TRUESDELL – Motion to hold in ABEYANCE to 5/25/2006 – UNANIMOUS**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, indicated that staff was unable to make a finding for approval on this item because it is a self-imposed hardship. A redesign of the project could eliminate the need for the Variance. Additionally, staff notes Public Works' concerns about the length of the driveway, which is proposed at 14 feet. The concern is that a driveway of less than 18 feet or greater than five feet would encourage people to park and loiter into the public right-of-way and along the sidewalk. The requirement is to have a driveway of greater than 18 feet or less than five feet. Therefore, staff recommended denial of the project.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 9 – VAR-12450

**MINUTES – Continued:**

RUST ROOHANI, 3160 Rosanna Street, appeared on behalf of the owner, MR. NOOROZIAN. MR. ROOHANI stated they would be happy with 16 feet in front or 10 feet at the back of the building. The site is situated at the end of the cul-de-sac and everything is already built.

COMMISSIONER GOYNES verified with MR. ROOHANI that he did not speak with the neighbors regarding this project. MR. ROOHANI reiterated for COMMISSIONER STEINMAN that they would like a 10-foot setback to the garage or 16 feet in front. The house will only be 2,000 square feet and the lot is 6,098 square feet.

COMMISSIONER DAVENPORT clarified with DAVID GUERRA, Public Works Department, it is assumed that the front setback of the driveway near the corner of the home is a little more than 10 feet; however, they do not know for sure because the drawings are not clear enough to indicate the exact distance. If they are saying it is approximately 16 feet to the very corner, because of the arching of the driveway as it comes off the cul-de-sac, they may have their 18 feet.

COMMISSIONER TRUEDELL verified with MR. RANKIN that since this is a Variance the burden should be on the applicant to prove to the Commission that they need to provide plans or verification that they can meet one standard or the other. He does not want to make a decision based on what is believed what may be there. Therefore, he requested that the item be held in abeyance and asked that the applicant bring proof that the home will fit as planned. This would help the Commission to make a reasonable decision. MR. NOOHANI agreed to the abeyance.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(6:37 – 6:45)

**1-1102**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-12662 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: SPINNAKER HOMES VII - Request for a Special Use Permit FOR A RESTAURANT WITH DRIVE THROUGH (COFFEE KIOSK) at 6690 Grand Montecito Parkway (APN 125-20-711-003), T-C (Town Center) Zone [MT-TC (Montecito Town Center Special Land Use Designation)], Ward 6 (Ross).**

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – condition confirmation letter by Stephen B. Aizenberg

**MOTION:**

**EVANS – APPROVED subject to conditions Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858] – Motion carried with TRUSDELL abstaining on Item 15 because Terrible Herbst is his client and DUNNAM abstaining on Items 12 and 19 because he is the engineer of record for the project**

**To be heard by the City Council on 06/07/2006**

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 10 – SUP-12662

**MINUTES:**

CHAIRMAN TROWBRIDGE explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

There was no discussion.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

(6:09 – 6:15)

**1-194**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-12661) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-12661 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SPINNAKER HOMES VII - Request for a Site Development Plan Review FOR A 900 SQUARE FOOT COFFEE KIOSK on 4.62 acres at 6690 Grand Montecito Parkway (APN 125-20-711-003), T-C (Town Center) Zone [MT-TC (Montecito Town Center Special Land Use Designation)], Ward 6 (Ross).**

**C.C.: 06/07/06**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – condition confirmation letter by Stephen B. Aizenberg and opposition letter by James Neubauer

**MOTION:**

**EVANS – APPROVED subject to conditions Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858] – Motion carried with TRUSDELL abstaining on Item 15 because Terrible Herbst is his client and DUNNAM abstaining on Items 12 and 19 because he is the engineer of record for the project**

**To be heard by the City Council on 06/07/2006**

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 11 – SDR-12661

**MINUTES:**

CHAIRMAN TROWBRIDGE explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

There was no discussion.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

(6:09 – 6:15)

**1-194**

**CONDITIONS:**

Planning and Development

1. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-3271)
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/28/06, except as amended by conditions herein.
4. A Waiver from Towncenter Development Standard is hereby approved, to allow no glazing on the west side of the building, where 70% is the minimum required.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 11 – SDR-12661

**CONITIONS – Continued:**

5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. If not already constructed by the master developer, construct half-street improvements on Grand Montecito Parkway and Doe Brook Trail adjacent to this site concurrent with development of this site. 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.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 11 – SDR-12661

**CONITIONS – Continued:**

13. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
14. Landscape and maintain all unimproved rights-of-way, if any, on Grand Montecito Parkway and Doe Brook Trail adjacent to this site.
15. Submit an Encroachment Agreement for all landscaping, if any, located in the Grand Montecito Parkway and Doe Brook Trail public rights-of-way adjacent to this site prior to occupancy of this site.
16. An update 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 grading or building permits, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
17. Site development to comply with all applicable conditions of approval for the Montecito Town Center South (Commercial Subdivision) and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-12594 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: BLEU GOURMET - OWNER: LENA PICCOLI OSTUNIO** - Request for a Special Use Permit FOR A BEER/WINE/COOLER ON- AND OFF-SALE ESTABLISHMENT at 8751 West Charleston Boulevard, Suite #110 (a portion of APN 163-05-502-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – condition confirmation letter by Sandeep Ahuja

**MOTION:**

**EVANS – APPROVED** subject to conditions Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858] – Motion carried with TRUSDELL abstaining on Item 15 because Terrible Herbst is his client and DUNNAM abstaining on Items 12 and 19 because he is the engineer of record for the project

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

CHAIRMAN TROWBRIDGE explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 12 – SUP-12594

**MINUTES – Continued:**

condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

There was no discussion.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

(6:09 – 6:15)

**1-194**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for the Beer/Wine/Cooler On- and Off-Sale Establishment use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0071-00), Site Development Plan Reviews (Z-0071-00(1) and SDR-1307), and Master Sign Plan (MSP-2858) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 12 – SUP-12594

**CONITIONS – Continued:**

6. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-12595 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SAMMY'S WOODFIRED PIZZA - OWNER: MONTECITO MARKETPLACE, LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER ESTABLISHMENT ON SALE at 7160 North Durango Drive, Suites 130-150 (APN 125-20-510-019), T-C (Town Center) Zone [MT-TC (Montecito Town Center Special Land Use Designation)], Ward 6 (Ross).**

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUESDELL – APPROVED subject to conditions and deleting Conditions 5 and 6 – UNANIMOUS**

**NOTE: COMMISSIONER TRUESDELL disclosed that he owns property within the notification area of Town Center and the standards are clear. He does not feel it affects the project he represents in any way and he does not have any economic interests and will vote on the item.**

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

**CHAIRMAN TROWBRIDGE declared the Public Hearing open.**

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 13 – SUP-12595

**MINUTES – Continued:**

DOUG RANKIN, Planning and Development Department, explained staff requested this item to be pulled from One Motion/One Vote due to an erroneous condition that does not apply to on-sale beer and wine cooler establishments, but applies to off-sale. Therefore, he requested that Condition 6 be deleted. The plan and the use are in conformance and there are no protected uses within the 400-foot distance separation. He recommended approval.

ATTORNEY JEFFREY SILVER, Gordon and Silver Law Firm, 3916 Howard Hughes Parkway, asked for clarification of Condition 5 as it relates to the sale of alcohol shall be limited to the sale of beer and wine only. He wanted to ensure that that meant cooler because they are applying for a beer/wine/cooler license. Secondly, they had applied for outdoor dining as part of this application, and he knows that the shopping center master plan contained a rotunda area that did not indicate outdoor dining as being a part of what is being approved. He did not see that on the item and wondered whether or not that was part of this approval or whether it would require a separate application. MR. RANKIN replied that the outdoor dining is encouraged and no special use permit is required. In addition, he recommended that Condition 5 be deleted as the license and the use are for beer/wine/cooler only. ATTORNEY SILVER agreed with the deletion of both conditions.

COMMISSIONER DAVENPORT clarified with MARGO WHEELER, Director of Planning and Development Department, that On-Sale Establishment use referred in Condition 1 is a code terminology, which means that the consumption is on-site.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(6:45 – 6:49)

**1-1372**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for the Beer/Wine/Cooler On-Sale Establishment use.
2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0076-98), Site Development Plan Review (SDR-11702), and Variance (VAR-11710) shall be required.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 13 – SUP-12595

**CONDITIONS – Continued:**

4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
6. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.
7. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-12650 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: D & S MOTORCYCLES - OWNER: JOHN FROST - Request for a Special Use Permit FOR MOTORCYCLE/MOTOR SCOOTER SALES at 5620 West Charleston Boulevard (APN 138-36-408-003), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).**

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

|                                 |          |                                 |          |
|---------------------------------|----------|---------------------------------|----------|
| <b>Planning Commission Mtg.</b> | <b>0</b> | <b>Planning Commission Mtg.</b> | <b>0</b> |
| <b>City Council Meeting</b>     |          | <b>City Council Meeting</b>     |          |

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – condition confirmation letter by David Kroger

**MOTION:**

**EVANS – APPROVED subject to conditions Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858] – Motion carried with TRUSDELL abstaining on Item 15 because Terrible Herbst is his client and DUNNAM abstaining on Items 12 and 19 because he is the engineer of record for the project**

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

CHAIRMAN TROWBRIDGE explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 14 – SUP-12650

**MINUTES – Continued:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

There was no discussion.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

(6:09 – 6:15)

**1-194**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Motorcycle/Motor Scooter Sales.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-12652 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: TERRIBLE HERBST, INC.** - Request for a Special Use Permit FOR GAMING (RESTRICTED) IN AN APPROVED CONVENIENCE STORE at 10890 West Charleston Boulevard (APN 137-35-812-006), P-C (Planned Community) Zone, Ward 2 (Wolfson).

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – condition confirmation letter by Sean T. Higgins

**MOTION:**

**EVANS – APPROVED** subject to conditions Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858] – Motion carried with TRUSDELL abstaining on Item 15 because Terrible Herbst is his client and DUNNAM abstaining on Items 12 and 19 because he is the engineer of record for the project

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

CHAIRMAN TROWBRIDGE explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 15 – SUP-12652

**MINUTES – Continued:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

There was no discussion.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

(6:09 – 6:15)

**1-194**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-105-93) and City Referral Group Review (CRG-2004) shall be required.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**RQR-12172 - REQUIRED ONE YEAR REVIEW - PUBLIC HEARING - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: Z J & R PROPERTIES**  
- Required One Year Review of an Approved Special Use Permit (U-0043-94) THAT ALLOWED A 55 FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3900 West Charleston Boulevard (APN: 139-31-801-018), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

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|----------|
| <b>0</b> |
|          |

**Planning Commission Mtg.**  
**City Council Meeting**

|          |
|----------|
| <b>0</b> |
|          |

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. City Council Approval Letter RQR-5171
6. Submitted after final agenda – condition confirmation letter by Scott Naftzger

**MOTION:**

**EVANS – APPROVED** subject to conditions Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858] – Motion carried with TRUSDELL abstaining on Item 15 because Terrible Herbst is his client and DUNNAM abstaining on Items 12 and 19 because he is the engineer of record for the project

**To be heard by the City Council on 06/07/2006**

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 16 – RQR-12172

**MINUTES:**

CHAIRMAN TROWBRIDGE explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

There was no discussion.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

(6:09 – 6:15)

**1-194**

**CONDITIONS:**

Planning and Development

1. The Special Use Permit shall be reviewed in one (1) year at which time the City Council may require the Off-Premise Advertising (Billboard) Sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
2. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 16 – RQR-12172

**CONDITIONS – Continued:**

3. The Off-Premise Advertising (Billboard) Sign supporting structure shall be designed to finish materials to complement the existing on-site building. The entire face-area of both sides of the Off-Premise Advertising (Billboard) Sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.
4. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti and bird droppings at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
5. All City Code requirements and design standards of all City Departments shall be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-12632 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: BOYS AND GIRLS CLUBS OF LAS VEGAS - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 27,020 SQUARE FOOT COMMUNITY RECREATIONAL FACILITY, PUBLIC on 5.5 acres at the northwest corner of Mojave Road and Harris Avenue (a portion of APN 139-25-303-014), C-V (Civic) Zone, Ward 3 (Reese).**

**C.C.: 06/07/06**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – condition confirmation letter by Sarah Mojzer

**MOTION:**

**EVANS – APPROVED subject to conditions Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858] – Motion carried with TRUSDELL abstaining on Item 15 because Terrible Herbst is his client and DUNNAM abstaining on Items 12 and 19 because he is the engineer of record for the project**

**To be heard by the City Council on 06/07/2006**

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 17 – SDR-12632

**MINUTES:**

CHAIRMAN TROWBRIDGE explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

There was no discussion.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

(6:09 – 6:15)

**1-194**

**CONDITIONS:**

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/28/06, except as amended by conditions herein. Development standards for setbacks, parking, and landscaping are established herein.
3. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 17 – SDR-12632

**CONDITIONS – Continued:**

4. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
7. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
8. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

9. 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. All new or modifications to existing driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
10. Show all Sight Visibility Restriction Zones (SVRZ's) adjacent to public streets and include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface." Area shall be labeled as "Privately Maintained".
11. 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, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 17 – SDR-12632

**CONDITIONS – Continued:**

such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree 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 Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-12655 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: MARK DEVELOPMENT INC. - OWNER: LOST AT SEA, LP - Request for a Site Development Plan Review FOR A 4,925 SQUARE FOOT RETAIL CENTER AND A WAIVER OF THE BUILDING PLACEMENT STANDARD on 0.70 acre on the southeast corner of Jones Boulevard and Craig Road (APN 138-01-301-013), C-1 (Limited Commercial) Zone, Ward 6 (Ross).**

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – condition confirmation letter by Mark E. Sandoval

**MOTION:**

**EVANS – APPROVED subject to conditions Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858] – Motion carried with TRUSDELL abstaining on Item 15 because Terrible Herbst is his client and DUNNAM abstaining on Items 12 and 19 because he is the engineer of record for the project**

**This is Final Action**

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 18 – SDR-12655

**MINUTES:**

CHAIRMAN TROWBRIDGE explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

There was no discussion.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

(6:09 – 6:15)

**1-194**

**CONDITIONS:**

Planning and Development

1. Conformance to the Conditions of Approval for Rezoning (ZON-140-89) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/28/05, except as amended by conditions herein.
4. A Waiver from the Building Placement Standard is hereby approved.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 18 – SDR-12655

**CONDITIONS – Continued:**

5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed. For all developments/projects.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
10. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. 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.
12. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 18 – SDR-12655

**CONDITIONS – Continued:**

13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Dedicate and construct a right turn lane per standard drawing 201.1 concurrent with development of this site, unless specifically noted as not required in an approved Traffic Impact Analysis.
15. 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.
16. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
17. 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 submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts 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 for exclusive right turn lanes and dual left turn lanes 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.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 18 – SDR-12655

**CONDITIONS – Continued:**

18. 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, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree 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 Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
19. Site development to comply with all applicable conditions of approval for Z-140-89 and all other subsequent site-related actions.
20. Show all Sight Visibility Restriction Zones (SVRZ's) adjacent to public streets and include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface. Area shall be labeled as "Privately Maintained".

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAC-12542 - PUBLIC HEARING - APPLICANT: DUNNAM CIVIL ENGINEERS, INC.  
- OWNER: DURANGO & CENTENNIAL LLC -** Petition to Vacate a U.S. Government Patent Easement generally located at the northwest corner of Durango Drive and Centennial Parkway, Ward 6 (Ross).

**SET DATE: 05/17/06**

**C.C. 06/07/06**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

|                                 |          |
|---------------------------------|----------|
| <b>Planning Commission Mtg.</b> | <b>0</b> |
| <b>City Council Meeting</b>     |          |

|                                 |          |
|---------------------------------|----------|
| <b>Planning Commission Mtg.</b> | <b>0</b> |
| <b>City Council Meeting</b>     |          |

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – condition confirmation letters by Stan Wasserkrug and Sam Dunnam

**MOTION:**

**EVANS – APPROVED** subject to conditions Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858] – Motion carried with TRUSDELL abstaining on Item 15 because Terrible Herbst is his client and DUNNAM abstaining on Items 12 and 19 because he is the engineer of record for the project

To be heard by the City Council on 06/07/2006

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 19 – VAC-12542

**MINUTES:**

CHAIRMAN TROWBRIDGE explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

There was no discussion.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

(6:09 – 6:15)

**1-194**

**CONDITIONS:**

Planning and Development

1. All development shall be in conformance with code requirements and design standards of all City Departments.
2. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public street light 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.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 19 – VAC-12542

**CONDITIONS – Continued:**

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

Public Works

4. The limits of this vacation shall be the U. S. Government Patent Easement located on the north side of Centennial Parkway, west of Durango Drive.
5. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
6. A Drainage Plan and Technical Drainage Study 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. The drainage study required by SDR-9825 may be used to satisfy this requirement provided that it addresses the area to be vacated.
7. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, the conditions requiring modification of public improvements 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.
8. Development of the site shall comply with all applicable conditions of approval for SDR-9825.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAC-12858 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Petition to Vacate a U.S. Government Patent Easement generally located at the northeast corner of Durango Drive and Regena Avenue, Ward 6 (Ross).

**SET DATE: 05/17/06**

**C.C. 06/07/06**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – condition confirmation letter by Robin Yoakum

**MOTION:**

**EVANS – APPROVED** subject to conditions Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858] – Motion carried with TRUSDELL abstaining on Item 15 because Terrible Herbst is his client and DUNNAM abstaining on Items 12 and 19 because he is the engineer of record for the project

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

CHAIRMAN TROWBRIDGE explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 20 – VAC-12858

**MINUTES – Continued:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

There was no discussion.

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 10 [SUP-12662], Item 11 [SDR-12661], Item 12 [SUP-12594], Item 14 [SUP-12650], Item 15 [SUP-12652], Item 16 [RQR-12172], Item 17 [SDR-12632], Item 18 [SDR-12655], Item 19 [VAC-12542] and Item 20 [VAC-12858].

(6:09 – 6:15)

**1-194**

**CONDITIONS:**

Planning and Development

1. All development shall be in conformance with code requirements and design standards of all City Departments.
2. The limits of this vacation shall be the U. S. Government Patent Easement located on the northeast corner of Durango Drive and Regena Avenue.
3. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. Meet with the Flood Control Section of the Department of Public Works to determine if any drainage easements need to be retained for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
5. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, the conditions requiring modification of public improvements 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

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 20 – VAC-12858

**CONDITIONS – Continued:**

because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

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

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ABEYANCE - RENOTIFICATION - SUP-12411 - SPECIAL USE PERMIT RELATED TO SUP-12355 - PUBLIC HEARING - APPLICANT: KAMAL OSMAN SHEIKH - OWNER: Z & Z, INC. - Request for a Special Use Permit FOR A FINANCIAL INSTITUTION, SPECIFIED at 715 Fremont Street (APN 139-34-612-082), C-2 (General Commercial) Zone, Ward 5 (Weekly). NOTE: THIS APPLICATON IS BEING RENOTIFIED TO ADD THE WAIVER OF THE 1000 FOOT SEPARATION REQUIREMENT FROM ANOTHER FINANCIAL INSTITUTION, SPECIFIED USE.**

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – Letter of withdrawal request submitted by Kamal Osman Sheikh and telephone protest submitted by John Kitchen

**MOTION:**

**EVANS – Motion to accept the WITHDRAWAL WITHOUT PREJUDICE of Item 21 [SUP-12355]; TABLE Item 23 [MOD-12776] and Item 24 [SDR-12656]; STRIKE Item 27 [VAR-13154] and Item 31 [VAR-12617]; and HOLD IN ABEYANCE Item 43 [SDR-12649] to the 5/25/2006 Planning Commission Meeting – UNANIMOUS**

**MINUTES:**

DOUG RANKIN, Planning and Development Department, indicated that the applicant requested Item 21 [SUP-12355] be withdrawn without prejudice.

(6:05 – 6:08)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ABEYANCE - RENOTIFICATION - SDR-12085 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: SKY POINTE INVESTMENTS, LLC** - Request for a Site Development Plan Review FOR A 12,129 SQUARE FOOT RETAIL BUILDING on 1.59 acres located east of Sky Pointe Drive, approximately 210 feet south of Cimmaron Road (APN 125-21-710-011), T-C (Town Center) Zone [SX-TC (Suburban Mixed-Use - Town Center) Special Land Use Designation], Ward 6 (Ross). **NOTE: THIS APPLICATION IS BEING RE-NOTIFIED TO CORRECT THE SQUARE FOOTAGE OF THE RETAIL BUILDING TO 12,937 SQUARE FEET**

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**EVANS – APPROVED subject to conditions and deleting Condition 8 – UNANIMOUS**

**This is Final Action**

**MINUTES:**

**CHAIRMAN TROWBRIDGE** declared the Public Hearing open.

MARIO SUAREZ, Deputy Director, Planning and Development Department, explained that the proposal is for a future piano retail sales showroom. It includes 101-seat recital hall and a 649 square foot sheet music sales room. The display area measures 3,452 square feet with 11,000 square feet of storage area. The proposed project complies with the parking requirements, is well-landscaped and he recommended approval.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 22 – SDR-12085

**MINUTES – Continued:**

KAREN RICHARDSON, Richardson Partnership Architects, 815 Pilot Road, Suite E, appeared on behalf of Southern Nevada Music. This facility will have much more entertainment activities. She asked that Condition 8, requiring air conditioning units not to be mounted on rooftops, be deleted because this is a commercial area and other buildings have air conditioning units on the rooftops. MARGO WHEELER, Director of Planning and Development Department, replied that Condition 8 could be deleted.

COMMISSIONER EVANS asked how high the buildings are and if the air conditioners mounted on the rooftops will be visible and unsightly. MS. WHEELER replied that the air conditioning units would have to be screened, as required in Condition 7.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(6:49 – 6:52)

**1-1524**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
2. All development shall be in conformance with the site plan and building elevations, date stamped 02/28/06, except as amended by conditions herein.
3. A Waiver from the parking lot landscaping standards is hereby approved, to allow no landscaping fingers in the parking lot.
4. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance of 22% (as defined by the National Institute of Standards and Technology).

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 22 – SDR-12085

**CONDITIONS – Continued:**

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee—Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. 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.
15. An update 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 grading or building permits, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
16. Site development to comply with all applicable conditions of approval for Z-36-98 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**MOD-12776 - PUBLIC HEARING - OWNER: CHARLESTON ASSOCIATES - APPLICANT: TRIPLE FIVE NEVADA DEVELOPMENT CORPORATION - Request for a Major Modification to the Peccole Town Center Master Development Plan and Development Standards (Boca Park) on a portion of the approved 95.95 acres adjacent to the southeast corner of Rampart Boulevard and Alta Drive (APN 138-32-723-001), PD (Planned Development) Zone, Ward 2 (Wolfson).**

**THE APPLICANT REQUESTS THIS ITEM BE TABLED.**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg. 53  
City Council Meeting**

|    |
|----|
| 53 |
|    |

**Planning Commission Mtg. 1  
City Council Meeting**

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**RECOMMENDATION:**

Staff recommends TABLE.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – 2 email protests, protest petition with 53 signatures and 1 support

**MOTION:**

**EVANS – Motion to accept the WITHDRAWAL WITHOUT PREJUDICE of Item 21 [SUP-12355]; TABLE Item 23 [MOD-12776] and Item 24 [SDR-12656]; STRIKE Item 27 [VAR-13154] and Item 31 [VAR-12617]; and HOLD IN ABEYANCE Item 43 [SDR-12649] to the 5/25/2006 Planning Commission Meeting – UNANIMOUS**

**MINUTES:**

DOUG RANKIN, Planning and Development Department, stated that Item 23 [MOD-12776] and Item 24 [SDR-12656] were requested to be tabled by the applicant.

(6:05 – 6:08)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-12656 - SITE DEVELOPMENT REVIEW RELATED TO MOD-12776 - PUBLIC HEARING - OWNER: CHARLESTON ASSOCIATES - APPLICANT: TRIPLE FIVE NEVADA DEVELOPMENT CORPORATION** - Request for a Site Development Review FOR A 14 STORY MIXED USE PROJECT CONSISTING OF 330,000 SQUARE FEET OF RETAIL SPACE, 320,750 SQUARE FEET OF OFFICE SPACE AND 1,006 RESIDENTIAL UNITS on 23.44 acres adjacent to the southeast corner of Rampart Boulevard and Alta Drive (APN 138-32-723-001), PD (Planned Development) Zone, Ward 2 (Wolfson).

**THE APPLICANT REQUESTS THIS TIME BE TABLED.**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends TABLE.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – 2 email protests, protest petition with 53 signatures and 1 support for Items 23 and 24 filed under Item 23

**MOTION:**

**EVANS – Motion to accept the WITHDRAWAL WITHOUT PREJUDICE of Item 21 [SUP-12355]; TABLE Item 23 [MOD-12776] and Item 24 [SDR-12656]; STRIKE Item 27 [VAR-13154] and Item 31 [VAR-12617]; and HOLD IN ABEYANCE Item 43 [SDR-12649] to the 5/25/2006 Planning Commission Meeting – UNANIMOUS**

**MINUTES:**

DOUG RANKIN, Planning and Development Department, stated that Item 23 [MOD-12776] and Item 24 [SDR-12656] were requested to be tabled by the applicant.

(6:05 – 6:08)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ZON-12118 - REZONING RELATED TO SDR-12120,VAR-12121 AND VAR-13154 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOME - OWNER: DIRAK, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE) on 4.98 acres at the northwest corner of Centennial Parkway and Thom Boulevard (APN 125-24-801-017), Ward 6 (Ross)**

**C.C.: 06/07/06**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – revised plans

**MOTION:**

**DUNNAM – DENIED – UNANIMOUS**

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 25 [ZON-12118], Item 26 [VAR-12121] and Item 28 [SDR-12120].

DOUG RANKIN, Planning and Development Department, explained that the applicant submitted a revised plan, which staff reviewed and noted that the open space has increased to a total of 29,328 square feet, thereby exceeding the required amount. Staff still has concerns about

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 25 – ZON-12118

**MINUTES – Continued:**

the density of the project and the overall layout. In regards to the site plan itself, the applicant is indicating the full width of Centennial Parkway as part of their plan. Staff cannot make a finding that they can include that much of Centennial Parkway in order to achieve the five plus acres required for a Residential Planned Development. According to Title 19.20 and Title 19.06, the gross acreage for an R-PD as defined means the total area within the property lines of a lot or a parcel of land before public street easements or other areas to be dedicated or reserved for a public use are deducted from such lot or parcel. The term does not include adjacent property which has already been dedicated for such purpose.

As such, Centennial Parkway is a dedicated property. Past practice by the Planning Department in reviewing R-PDs is to allow the centerline half streets of any public road dedicated to be included as part of the R-PD calculation. The total number of acres is 4.98; thereby requiring the Variance for the minimum lot size of five acres for an R-PD. Staff does not support the project itself, as the lot sizes and setbacks of the project are out of character and not compatible or harmonious with the existing development in the area. Therefore, staff recommended denial.

RUSSELL SKEWS 7525 Hickam Avenue, appeared on behalf of Richmond American Homes, and presented staff with the amended architectural plans for the setbacks. He asked that Item 26 be withdrawn without prejudice because they meet the requirement of five acres. He indicated he had given staff a parcel map done in 1979 that shows the dedication of the half street of the 50 feet for Centennial. MR. RANKIN clarified that the determination of how large the lot is makes the difference to the approved zoning. The request is an R-PD8. If the Commission finds that the lot is larger, it would change it to an R-PD7 and not an R-PD8, in addition to the variance requirement for five-acre minimum site for a Residential Planned Development. The lot size should be addressed first. MR. SKEWS clarified that at 5.33 acres with 40 lots it is at 7.5, technically an R-PD8. MR. RANKIN responded that they could proceed with that clarification.

MR. SKEWS stated that the conforming zone change and a site plan review for a 5.33-acre of land is located at the northwest corner of Centennial Parkway and Thom Boulevard. The request conforms to the City of Las Vegas Centennial Hills Interlocal Use Plan Map 3 of the Centennial Hills Sector Plan. The plan was adopted by both the City and Clark County. The request also conforms to the Medium/Low category of 5.6 to eight dwelling units per acre. This density range permits single family compact lots and zero lot lines, manufactured homes and Residential Planned Development. In addition, churches, parks and recreational facilities and schools. The 5.33-acres consist of 40 single family residential lot with a cluster-style design at a density of 7.5

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Planning and Development Department  
Item 25 – ZON-12118

**MINUTES – Continued:**

dwelling units per acre where 8.49 dwelling units is allowed. The plan meets the open space requirements, thus the Variance was withdrawn. On a map he pointed out the exact location of the site, which is adjacent to the existing Costco. A swath that runs from Thom Boulevard to Bradley Road has been master planned for 8.49 units to the acre. As it gets closer to Decatur Boulevard and the Beltway, it goes down to the low category, which is 3.6 to 3.5 units dwelling per acre. Further there is a rural residential category of 2.5 to 3.5 units to the acre. Directly across from the Beltway, adjacent to the other commercial, there is M category that allows up to 25 units to the acre.

Showing an aerial map, MR. SKEWS further outlined the existing zoning; C-1, R-E, parcels to the north all zoned for R-1. Scattered parcels throughout the Medium/Low and Low category that are R-E and vacant parcels are intermixed. Across the 215 Beltway there is C-1, R-PD15, R-PD8, R-CL, R-PD6, and R-PD5. A neighborhood meeting was held to address many concerns the residents had about the proposed plan. The original plan had 39 lots, but because of the concerns, the plan was revised for a clustered development. From the front of the proposed homes to the existing property line is 100 feet. There is a 20-foot drainage easement that separates the property in question from the existing R-1 and the adjacent residents. The distance from any existing residence is 135 feet. By fronting the proposed development along the Centennial Parkway, the applicant has impacted his residents in providing a buffer that is greater than what exists. MR. SKEWS presented a line of sight prepared to address the residents' concerns about the two story homes. He reiterated that the zone change conforms to the plan and it meets the intent of the Medium/Low category in the City's land use plan.

GARY REID, 5208 Hackberry Hill Avenue, resides in the Meister Park development, and stated that everything north of the 215 Beltway and west of Decatur Boulevard is single story development. Most of the existing parcels are a minimum of a third-acre, half-acre and one-acre parcels. The majority are already developed. The applicant is proposing two story homes on 2,500 to 3,000 square foot lots. The average home in Meister Park is over 3,000 square feet. Every home was built with RV parking with a minimum of 25 feet between homes. The average setback from the house to the wall is 18 feet. Every house has a 12-foot RV gates. However, the proposed project will have smaller homes with small two-car garages with a three-foot setback between the property line and the house. The project is not harmonious or compatible with the existing residential neighborhood.

BEVERLY JUNIOR, 6612 Sycamore View Street, concurred with the previous speaker's comments and added that the proposed project is out of character with the existing residential. Currently, there are no street lights in this area, but an R-PD7 would likely have street lights. The proposed project would decrease property values. She asked that the Planning Commission deny the application.

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**MINUTES – Continued:**

RICK PLUMMER, 5404 Verbena Creek Court, Board Member of Meister Park North Homeowners Association, stated that adjacent developments consist of single family story homes. Richmond American Homes could make this project profitable even with single story homes. He indicated that this property was previously proposed as a convenience store and a mini storage facility and the City Council had the foresight to deny that development to uphold the character of the existing neighborhood. The residents are not opposed to development. In fact, they supported the Costco project and the commercial center. That developer worked with the homeowners and the residents have embraced that development. He feels that the buffer between the homes and the 215 Beltway is not adequate.

HAROLD and LORRAINE HAMMOND, 6484 Mimosa Valley Street, stated that during the neighborhood meeting they were given an option to look at the front or the back of a house. Directly adjacent to his home there will be nine homes and he would be looking at nine driveways, nine garages and nine doors. He has a drainage easement on his property. The line of sight is different from his home than what was presented by MR. SKEWS. He does not support this project as it is not reasonable or conducive to what exists. MRS. HAMMOND added the development would add to the traffic, especially with only one accessible street, which is Thom Boulevard. She would like to retain the rural character of the area.

BOB WILFONG, 6516 Mimosa Valley Street, indicated that the Costco parking lot is located towards Decatur Boulevard and the traffic generated near Costco on Thom Boulevard is minimal.

JOE MCKETHEN, 5401 Mesquite Valley Street, read quotes from COUNCILMAN ROSS'S campaign where he stated that neighbors must be listened to when development can change a neighborhood, and that elected representatives need to have the courage to stick with the Master Plan and not change the character of neighborhoods. MR. MCKETHEN added that the Councilman's views on development are shared by most City Council members. He urged the Planning Commission to not make those campaign quotes empty promises.

WILLIAM JOSEPH BAKER, 6425 Gazania Street, stated that homes along Centennial Parkway have zero property lines with no front yards and driveways between multiple homes, and his concern is that his property value would decrease.

CHARLES WELLS, 5200 Hackberry Hill Avenue, indicated there are no parks or playground facilities near these units, and the proposed homes have very small yards. Parking will be limited forcing people to park on Thom Boulevard. He is concerned about vandalism and graffiti.

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**MINUTES – Continued:**

TOM IRVING, 5204 Hackberry Hill Avenue, stated that Meister Park was planned as a neighborhood with many aesthetics, unlike the proposed project. The developer is only concerned on how many dollars he can achieve from 4.39 acres. The project does not fit in with the adjacent Meister Park.

JASON SCARINCIO, 6492 Gazania Street, enjoys the views from his backyard and the proposed project would impede those views.

SYDNE CHAN-RANE, 5209 Primrose Flower Avenue, questioned how prospect residents would get out of the already congested area. Thom Boulevard is blocked at the northern and southern end at the 215 Beltway and this would incur increased traffic. She asked if there are any plans to build new roads or to open up Thom Boulevard.

RICHARD LAIRD, 6488 Lantana Falls Court, stated that the proposed plan does not compliment the existing neighborhood. He pointed out that development along Decatur Boulevard is single story, and asked the Commission to preserve the rural character of the area.

BONIFACIO SOTELO, 5500 Verbena Creek Court, and JANICE CARR appeared in opposition. MR. SOTELO indicated he moved into this neighborhood for the view, and is concerned that this project would devalue his property. When he bought into this area he was told that the property would remain residential estates. MS. CARR added she is not opposed to change, but change should be controlled and adhere to what is consistent with the area. She asked the Planning Commission to deny the applications.

MICHAEL WATERS, 6484 Lantana Falls Court, stated he specifically bought into this area because the property was located in a rural preservation zone. The Meister Park residents should not pay the price of the proposed high density development and change the character of the neighborhood. Two story homes have already been provided at Anthem.

By a show of hands, CHAIRMAN TROWBRIDGE verified that the majority of residents present opposed the proposed project. He asked MR. SKEWS to address the residents' concerns about the project being out of character for the area, streetlights, setbacks, shared driveways, and the lack of parks. MR. SKEWS noted there is only one spot on the plan with a three and a half setback. The setback between houses will be seven feet. There will be private space for each of the homeowners. There will be private streets and the only streetlights will be exterior to the project. The core detail is designed so that only two homes will be accessing the one driveway. The other two driveways will come off of Centennial Parkway and the internal private street.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 25 – ZON-12118

**MINUTES – Continued:**

The plan that the residents saw at the initial meeting has not changed. He pointed out that the entrance to Meister Park is along Rome Boulevard, which will become a heavily traveled street. It will become one of the rear accesses to get to Costco from Jones Boulevard to Decatur Boulevard. The character of this neighborhood will change. Regarding the drainage easements, MR. SKEWS could not confirm the height of the walls, only that there are double walls. If that is an issue, an eight foot wall could be erected as an added buffer. Centennial Parkway was master planned for a 100-foot right-of-way. When the Beltway was constructed it took the south half of Centennial Parkway. The half feet that exists today was the 50 feet of dedication from the applicant's property. There is no one else to develop the other half and the applicant could only use 25 feet of that. He indicated the proposed project conforms to the master plan.

MR. SKUSE commented that the medium category allows 5.49 to 8.49 units and asked if he would need a General Plan Amendment if he came in with a site at 4.5 units to the acre because the master plan allows Medium/Low. DEPUTY CITY ATTORNEY BRYAN SCOTT replied that that issue is not before the Commission today. Regardless if the applicant is within the required density of the general plan, the project would still have to be compatible with the surrounding existing development.

MARGO WHEELER, Director of Planning and Development Department, asked DEPUTY CITY ATTORNEY SCOTT to put on the record the issue of the Variance for the 4.98 versus the 5.0 acres, with regard to property that is dedicated not being part of the acreage of the property. DEPUTY CITY ATTORNEY SCOTT explained that the Code defines the gross acreage and it specifically talks about the fact that the term does not include adjacent property which has already been dedicated for public use. MR. RANKIN confirmed that Planning is not including that part previously dedicated as part of that gross acreage.

COMMISSIONER TRUESDELL commented that the 50 feet is a dedicated parcel. In this instance the neighbors have brought up some serious arguments with regard to compatibility, the quality and character of the surrounding homes. Any density south of a major freeway does not play into an argument. The existing retail was supported by the adjacent residents. He felt that the project is too intense and out of character with the surrounding area.

COMMISSIONER GOYNES was surprised that the developer did not reach a workable solution with the neighbors, such as the option for a single story development. He felt it is a great project, but wrong location.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 25 – ZON-12118

**MINUTES – Continued:**

CHAIRMAN TROWBRIDGE pointed out that the parcel is in-between the 215 Beltway, Costco and the drainage channel. He was disappointed with the site plan's setbacks and the lack of parks. The parcel could be used more creatively to provide an attractive transition zone.

COMMISSIONER STEINMAN first believed this project to be a potential buffer, but when he visited the site he saw that the lots have been raised making the walls six feet. He does not feel the adjacent residents will get the type of buffer as delineated in the plan. He opined that it should be a five to an acre single story development, and he fears that a different plan might have structures closer to the R-1.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 25 [ZON-12118], Item 26 [VAR-12121] and Item 28 [SDR-12120].

(6:52 – 7:50)

**1-1644/2-1**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAR-12121 - VARIANCE RELATED TO ZON-12118, SDR-12120 AND VAR-13154-PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOME - OWNER: DIRAK, LLC** - Request for a Variance TO ALLOW A PROPOSED 4.98 ACRE SUBDIVISION WHERE 5.0 ACRES IS THE MINIMUM REQUIRED on property located at the northwest corner of Centennial Parkway and Thom Boulevard R-E (Residence Estates) Zone [Proposed R-PD8 (Residential Planned Development - 8 Units Per Acre)](APN 125-24-801-017), Ward 6 (Ross).

**C.C.: 06/07/06**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – revised plans for Items 25, 26 and 28 filed under Item 25

**MOTION:**

**DUNNAM – DENIED – UNANIMOUS**

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

NOTE: See Item 25 [ZON-12118] for all related discussion.

(6:52 – 7:50)

**1-1644/2-1**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAR-13154 - VARIANCE RELATED TO ZON-12118, SDR-12120 AND VAR-12121-PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOME - OWNER: DIRAK, LLC - Request for a Variance TO ALLOW 14,034 SQUARE FEET OF OPEN SPACE WHERE 28,626 SQUARE FEET IS THE MINIMUM REQUIRED on property located at the northwest corner of Centennial Parkway and Thom Boulevard R-E (Residence Estates) Zone [Proposed R-PD8 (Residential Planned Development - 8 Units Per Acre)] (APN 125-24-801-017), Ward 6 (Ross).**

**C.C.: 06/07/06**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

- 1. Location Map
- 2. Conditions For This Application
- 3. Staff Report
- 4. Justification Letter

**MOTION:**

**EVANS – Motion to accept the WITHDRAWAL WITHOUT PREJUDICE of Item 21 [SUP-12355]; TABLE Item 23 [MOD-12776] and Item 24 [SDR-12656]; STRIKE Item 27 [VAR-13154] and Item 31 [VAR-12617]; and HOLD IN ABEYANCE Item 43 [SDR-12649] to the 5/25/2006 Planning Commission Meeting – UNANIMOUS**

**MINUTES:**

DOUG RANKIN, Planning and Development Department, recommended that Item 27 [VAR-13154] be stricken as it is no longer needed as a result of a revised plan date stamped 5/10/06.

(6:05 – 6:08)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-12120 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-12118, VAR-12121 AND VAR-13154 - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOME - OWNER: DIRAK, LLC** - Request for a Site Development Plan Review FOR A PROPOSED 40 UNIT SINGLE FAMILY SUBDIVISION on 4.45 acres at the northwest corner of Centennial Parkway and Thom Boulevard R-E (Residence Estates) Zone [Proposed R-PD8 (Residential Planned Development - 8 Units Per Acre)] (APN 125-24-801-017), Ward 6 (Ross).

**C.C.: 06/07/06**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – revised plans for Items 25, 26 and 28 filed under Item 25

**MOTION:**

**DUNNAM – DENIED – UNANIMOUS**

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

NOTE: See Item 25 [ZON-12118] for all related discussion.

(6:52 – 7:50)

**1-1644/2-1**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAR-12588 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC.** - Request for a Variance TO ALLOW ZERO PARKING SPACES WHERE FIVE SPACES ARE REQUIRED for model homes located on 28.5 acres at the southwest corner of Torrey Pines Drive and Washburn Road (APN 125-35-301-014), R-E (Residence Estates) Zone under a Resolution of Intent to R-1 (Single Family Residential) Zone, Ward 6 (Ross).

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**1**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda –opposition letter by Leroy H. Roebke

**MOTION:**

**STEINMAN – DENIED – Motion carried with TRUESDELL voting NO and DUNNAM abstaining because his office conducted an engineering study for this project**

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 29 [VAR-12588] and Item 30 [SUP-12590].

MARIO SUAREZ, Deputy Director of Planning and Development Department, explained that the proposal is to allow zero parking spaces where five is required. Paving is required and the applicant is proposing to use a material known as chat. Staff is still in the process of researching the chat material and will bring back that information for the Planning Commission within a few months. Staff recommended denial.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 29 – VAR-12588

**MINUTES – Continued:**

ELISABET WADSWORTH, 6845 Escondido Street, appeared on behalf D.R. HORTON and clarified that handicap spaces will be paved to comply with ADA requirements. She indicated that staff expressed concerns about possible erosion and unnecessary fugitive dust caused by chat. MS. WADSWORTH explained that the parking area is on a raised pad with permanent curbing and drive and it drains to the curb. It is also bounded by landscaping, which can handle any potential erosion. Also, a sweep is in place on the site and trucks will be available daily to mist to keep dust down.

VICE CHAIRMAN EVANS verified with MR. SUAREZ that within few months further analysis will be provided about the use of chat in these temporary facilities. The Vice Chairman is still unclear about the environmental impacts on the using of chat.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 29 [VAR-12588] and Item 30 [SUP-12590].

(7:50 – 7:54)

**2-503**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-12590 - SPECIAL USE PERMIT RELATED TO VAR-12588 - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC.** - Request for a Special Use Permit FOR A TEMPORARY REAL ESTATE SALES OFFICE at the southwest corner of Torrey Pines Drive and Washburn Road (APN 125-35-301-014), R-E (Residence Estates) Zone under a Resolution of Intent to R-1 (Single Family Residential) Zone, Ward 6 (Ross).

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**1**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda –opposition letter by Leroy H. Roebke for Items 29 and 30 filed under Item 29]

**MOTION:**

**STEINMAN – DENIED – Motion carried with TRUESDELL voting NO and DUNNAM abstaining because his office conducted an engineering study for this project**

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

NOTE: See Item 29 [VAR-12588] for all related discussion.

(7:50 – 7:54)

**2-503**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAR-12617 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: PETER ASCANI, JR.** - Request for a Variance TO ALLOW FOUR PARKING SPACES WHERE FIVE ARE REQUIRED FOR A PROPOSED OFFICE CONVERSION on 0.17 acre at 220 North Lamb Boulevard (APN 140-32-310-002), R-1 (Single Family Residential) Zone Under Resolution of Intent to P-R (Professional Office and Parking) Zone, Ward 3 (Reese).

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**EVANS – Motion to accept the WITHDRAWAL WITHOUT PREJUDICE of Item 21 [SUP-12355]; TABLE Item 23 [MOD-12776] and Item 24 [SDR-12656]; STRIKE Item 27 [VAR-13154] and Item 31 [VAR-12617]; and HOLD IN ABEYANCE Item 43 [SDR-12649] to the 5/25/2006 Planning Commission Meeting – UNANIMOUS**

**MINUTES:**

DOUG RANKIN, Planning and Development Department, explained that Item 31 [VAR-12617] be stricken as the application is no longer needed as the site plan provides sufficient parking for the project.

(6:05 – 6:08)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-12619 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-12617 - PUBLIC HEARING - APPLICANT/OWNER: PETER ASCANI, JR.** - Request for a Site Development Plan Review FOR THE CONVERSION OF A SINGLE FAMILY RESIDENCE TO AN OFFICE USE AND A WAIVER OF THE PERIMETER LANDSCAPING REQUIREMENTS on 0.17 acre at 220 North Lamb Boulevard (APN 140-32-310-002), R-1 (Single Family Residential) Zone Under Resolution of Intent to P-R (Professional Office and Parking) Zone, Ward 3 (Reese).

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**EVANS – APPROVED subject to conditions – UNANIMOUS with TRUESDELL not voting**

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

MARIO SUAREZ, Deputy Director of Planning and Development Department, explained that the conversion of the home to an office includes a 1,296 square foot building. The applicant has provided the required five parking spaces, including the handicap parking paces.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 32 – SDR-12619

**MINUTES – Continued:**

One of the parking spaces located on the side of the garage is eight feet wide, is a compact parking spot and complies with the Code. The waivers requested by the applicant are justified as it would allow for more functionality of the site to circulate and park, as well as allow the conversion to function as an office. Staff recommended approval.

DAVID ELLERTEEN, 103 East Charleston Boulevard, appeared on behalf of the applicant and concurred with staff conditions.

COMMISSIONER GOYNES asked MR. SUAREZ if this portion of Lamb Boulevard is becoming like Jones Boulevard where homes are being converted to office. MR. SUAREZ replied that all along Lamb Boulevard is mostly P-R and these types of changes will be seen. VICE CHAIRMAN EVANS pointed out that the issue is whether to allow these conversions if the applicants are willing to enhance the landscaping with sufficient trees and not create an aesthetically unpleasant area. He agreed with staff that the area has changed and the request is appropriate for the P-R category.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(7:54 – 7:57)

**2-637**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-3678) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/27/06, except as amended by conditions herein.
4. A Waiver from Title 19.12 is hereby approved, to allow eight trees in the buffer area, a minimum buffer width of eight feet along Lamb Boulevard, and a minimum buffer width of 0 feet along the interior property lines.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 32 – SDR-12619

**CONDITIONS – Continued:**

5. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
6. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
7. Any signage on the property and any major alterations to the exterior of the structure must be approved by the City of Las Vegas.
8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
9. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

10. Meet with the Flood Control Section of the Department of Public Works for assistance with drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.
11. Site development to comply with all applicable conditions of approval for ZON-3678 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAR-12666 - VARIANCE - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: SOUTHWESTCO WIRELESS** - Request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 87.5 FEET WHERE 180 FEET IS REQUIRED FOR AN EXISTING 60-FOOT TALL WIRELESS COMMUNICATION FACILITY, NON-STEALTH on 0.50 acre at 840 North Decatur Boulevard (APN 139-30-301-003), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**2**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – opposition letter by Lila Lee Boyle, Betty Hodgkins and Mark El Holten

**MOTION:**

**GOYNES – DENIED – UNANIMOUS with TRUESDELL abstaining because he represents a client who is in the process of finalizing a lease with Cingular Wireless for a retail store, even though there is no relationship with this cell site**

**This is Final Action**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 33 [VAR-12666] and Item 34 [SUP-12667].

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 33 – VAR-12666

**CONDITIONS – Continued:**

DOUG RANKIN, Planning and Development Department, indicated that the applicant proposes to add an additional full antenna array underneath the existing antenna array. Currently, the cell tower is a non-conforming use. Staff cannot support the additional array, as already there is a situation where there is an unsightly array abutting a residential project. Therefore, staff recommended denial of both applications.

SHANE HENNESSY-YORK, Cingular Wireless, 3763 Howard Hughes Parkway, stated that the application is for the co-location of 12 antennas to an existing communication tower, which is approximately 60 feet tall. The existing pole is located at the corner of Decatur Boulevard and Washington Avenue, and Cingular Wireless is looking to install the antennas at the 45-foot level on the pole. In regards to the setbacks, Title 19 states that 180 feet is required if a new communication tower were to be constructed. He noted that a structural report indicates that the pole is only at 51 percent of capacity with the co-location of antennas; therefore, the pole is strong and able to handle the additional antennas. With the addition of antennas, Cingular will not exceed any development standards regarding the structural integrity of the pole. Cingular Wireless is amenable to complying with the condition requiring the building wall height to be increased to eight feet.

COMMISSIONER DUNNAM verified with MR. HENNESSY-YORK that he was able to accept conditions of approval on behalf of the applicant.

COMMISSIONER DAVENPORT commented he would support the application if it would be converted to a stealth antenna. MR. HENNESSY-YORK indicated that the original application was to extend the pole to eighty feet in height. After working with the Councilman's office, the request was to simply co-locate antennas to the existing pole. They did not consider constructing a new facility because the pole is strong enough for the co-location.

MR. HENNESSY-YORK discussed with COMMISSIONER STEINMAN that at this time they are looking to co-locate their antennas to the existing facility and is not designed to be a pine tree.

No one appeared in opposition.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 33 [VAR-12666] and Item 34 [SUP-12667].

(7:57 – 8:05)

2-727

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-12667 - SPECIAL USE PERMIT RELATED TO VAR-12666 - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: SOUTHWESTCO WIRELESS -**  
Request for a Special Use Permit FOR THE ADDITION OF A FULL ARRAY ANTENNA TO AN EXISTING WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN at 840 North Decatur Boulevard (APN 139-30-301-003), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

**2**

**Planning Commission Mtg.**  
**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – opposition letter by Lila Lee Boyle, Betty Hodgkins and Mark El Holten for Items 33 and 34 filed under Item 33

**MOTION:**

**GOYNES – DENIED – UNANIMOUS with TRUESDELL abstaining because he represents a client who is in the process of finalizing a lease with Cingular Wireless for a retail store, even though there is no relationship with this cell site**

**This is Final Action**

**MINUTES:**

NOTE: See Item 33 [VAR-12666] for all related discussion.

(7:57 – 8:05)

2-727

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**VAR-12658 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: EFREN AND ELVA CALDERON** - Request for a Variance TO ALLOW A 13 FOOT AND A 12 FOOT REAR YARD SETBACK WHERE 15 FEET IS REQUIRED on a proposed two lot single family residential subdivision on 0.47 acre at 804 Dike Lane (APN 139-29-705-002), R-1 (Single Family Residential) Zone, Ward 5 (Weekly).

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

|                                 |          |                                 |          |
|---------------------------------|----------|---------------------------------|----------|
| <b>Planning Commission Mtg.</b> | <b>0</b> | <b>Planning Commission Mtg.</b> | <b>0</b> |
| <b>City Council Meeting</b>     |          | <b>City Council Meeting</b>     |          |

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**EVANS – APPROVED subject to condition – UNANIMOUS**

**This is Final Action**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open

DOUG RANKIN, Planning and Development Department, stated that the applicant decided to subdivide the lots into two lots; thus requiring a variance for the rear setback for both the main structure and the accessory structure. Staff was unable to find records of building permits for the accessory structure. Staff recommended denial as this is a self-imposed hardship.

TONY SING appeared on behalf of EFREN CALDERON, 1805 South 7<sup>th</sup> Street, and stated that the property was purchased three years ago and both structures were already built at that time. The applicant wishes to decrease the rear yard setback from 15 feet to 13 feet.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 35 – VAR-12658

**MINUTES – Continued:**

MR. CALDERON explained for CHAIRMAN TROWBRIDGE that the house was built in 1985 and when he was in the process of obtaining permits for the rear, he was told he would need to subdivide the lots because he could not have the two homes on the R-1 lot.

VICE CHAIRMAN EVANS felt that the decrease in setback is only two feet and it will not cause a public safety issue; therefore, he supported the item.

No one appeared in opposition.

CHAIRMAN TROWBRIDGE declared the Public Hearing open  
(8:05 – 8:09)  
**2-982**

**CODITION:**

Planning and Development

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-12635 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: WMC II ASSOCIATES, LLC - Request for a Special Use Permit TO ALLOW A 305 FOOT TALL BUILDING IN THE NORTH LAS VEGAS AIRPORT OVERLAY DISTRICT adjacent to the northwest corner of Grand Central Parkway and Bonneville Avenue (APN 139-33-511-005 and 139-33-610-013) PD (Planned Development) Zone, Ward 5 (Weekly).**

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open for Item 36 [SUP-12635] and Item 37 [SDR-12636].

MARIO SUAREZ, Deputy Director of Planning and Development Department, indicated that the proposal is the third phase of a master plan. It complies with the scope of the project as initially envisioned. As shown on the parking table of the project, because it is located within the Centennial Plan, the parking requirements are not automatically applied. However, staff feels the proposed parking is adequate for the facilities; therefore, staff recommended approval of both applications.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 36 – SUP-12635

**MINUTES – Continued:**

ROBERT HOLGATE, Related Companies, 495 South Grand Central Parkway, appeared on behalf of the applicant and accepted all conditions. Regarding Condition 24 of Item 37, he asked if they could obtain the grading and foundation permits from the Building Department prior to submitting a Traffic Impact Analysis similar to Phase II, as it was found that no additional right-of- ways are needed for the bus rapid transit. DAVID GUERRA, Public Works Department, was under the impression that some right-of-ways were needed to implement the bus rapid transit system. Staff included this condition as a precaution and does not believe it should be removed. However, the City Engineer will work with the applicant and if that is not needed, he will not hold the applicant to requiring the condition. CHAIRMAN TROWBRIDGE verified with MR. HOLGATE that he would accept that condition as presented realizing that adjustments could be made before this item comes before the City Council.

COMMISSIONER DUNNAM questioned staff's recommendation of approval when the project requires 10,000 parking spaces where the applicant is providing only 5,000 parking spaces. MR. HOLGATE responded that they have cooperation from the rapid transit system and a traffic study done by GC Wallace provides specification on particular distribution on how people are dropped off and picked up.

COMMISSIONER STEINMAN commented that given the predominant size of the Market Center, a parking standard for this type of property should be established instead of trying to relate it to retail category. MARGO WHEELER, Director of Planning and Development Department, indicated the analysis within the staff report has both the reference to the two per thousand and the one per thousand calculations based upon a warehouse use. The one per thousand calculation shows that this project does have adequate parking and that is the standard that has been considered with regard to these projects because while there is some sales within them, primarily it is what occurs in the warehouse and the showroom facility. The Planning Commission is not being requested to approve a variance at this time. MR. HOLGATE stated that more footage is being created, not necessarily more buyers.

COMMISSIONER DAVENPORT asked the size difference between the first and third building. MR. HOLGATE replied that the third building will be lower in elevation with a bigger footprint. Building four and five will look almost as one building. He verified for COMMISSIONER STEINMAN that the buildings will be built where the tents are currently located. COMMISSIONER DAVENPORT was interested in a tour of the project.

No one appeared in opposition.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 36 – SUP-12635

**MINUTES – Continued:**

CHAIRMAN TROWBRIDGE declared the Public Hearing closed for Item 36 [SUP-12635] and Item 37 [SDR-12636].

(8:09 – 8:21)

**2-1135**

**CONDITIONS:**

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.06.080 for a project in the Airport Overlay District.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-12636).
3. This approval shall be void two years from the date of final approval, unless a Final Map has been submitted and approved. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Clark County Department of Aviation approval is necessary prior to issuance of any building permits, with no change in flight patterns.
5. All City Code requirements and design standards of all City departments must be satisfied.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-12636 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-12635 - PUBLIC HEARING - APPLICANT/OWNER: WMCV II ASSOCIATES, LLC - Request for a Major Amendment of an approved Site Development Plan Review (SDR-10427) FOR THE EXPANSION OF THE PARKING GARAGE AND A 2,097,925 SQUARE FOOT COMMERCIAL CENTER WITH WAIVERS OF THE STEPBACK, PERIMETER LANDSCAPE BUFFER, EXTERIOR MATERIAL, PARKING LOT LANDSCAPING AND STREETScape REQUIREMENTS on 4.5 acres adjacent to the northwest corner of Grand Central Parkway and Bonneville Avenue (APN 139-33-610-013) PD (Planned Development) Zone, Ward 5 (Weekly).**

**C.C.: 06/07/06**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**GOYNES – APPROVED subject to conditions – UNANIMOUS**

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

NOTE: See Item 36 [SUP-12635] for all related discussion.

(8:09 – 8:21)

2-1135

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 37 – SDR-12636

**CONDITIONS:**

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan and building elevations, date stamped 03/28/06 and landscape plan date stamped 04/28/06, except as amended by conditions herein.
3. A Waiver from the Parkway Center perimeter landscape requirements is hereby approved, to remove the requirement for a landscape buffer along the west property line.
4. A Waiver from Parkway Center parking lot landscaping standards is hereby approved, to remove the requirement for landscaping in the surface parking lot located immediately north of the Phase III building.
5. A Waiver from the Parkway Center build-to line requirement is hereby approved, to allow the Phase III building to be located 165 feet from the front property line.
6. A Waiver from Parkway Center exterior materials requirement is hereby approved, to allow the use of synthetic stucco on the lower floors of the building.
7. The adequacy of the parking for this development shall be reviewed by the Planning Commission and City Council within two years of the issuance of a Certificate of Occupancy for the Phase III building, at which time the Planning Commission and City Council may require addition parking be provided for the facility.
8. The Off-Premise Advertising (Billboard) signs on the property shall be removed prior to the issuance of a building permit for the Phase III building.
9. This development is subject to the applicable conditions of the approved Review of Condition (ROC-6466) that allowed the required landscaping to be installed in phases.
10. A permanent underground sprinkler system shall be installed in all landscape areas as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 37 – SDR-12636

**CONDITIONS – Continued:**

11. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
12. Pre-planting and post-planting landscape inspections are required. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. This is to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized.
13. Handicap parking spaces shall be provided in accordance with Code requirements.
14. Glazing shall be limited to a maximum of 22 percent reflectivity in accordance with the Parkway Center Development Standards Manual.
15. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with the Parkway Center Development Standards. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.
16. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
17. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
18. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SUP-12631 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MPOWER/KRISTIN L. WILLIAMS - OWNER: IRVINGTON PROPERTIES, LLC. - Request for a Special Use Permit FOR A MASSAGE ESTABLISHMENT AND A WAIVER OF THE 200 FOOT DISTANCE SEPARATION REQUIREMENT FROM A RESIDENTIAL USE at 1215 South Las Vegas Boulevard (APN 162-03-112-029), C-2 (General Commercial) Zone, Ward 3 (Reese).**

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

|          |
|----------|
| <b>1</b> |
|          |

**Planning Commission Mtg.  
City Council Meeting**

|          |
|----------|
| <b>0</b> |
|          |

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

- 1. Location Map
- 2. Conditions For This Application
- 3. Staff Report
- 4. Justification Letter
- 5. Submitted after final agenda – telephone protest submitted by Jonell Thomas

**MOTION:**

**EVANS – DENIED – Motion carried with DAVENPORT, STEINMAN voting NO and TRUESEDELL abstaining because he owns property within the notification area**

**This is Final Action**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, explained that staff is concerned that the massage establishment identified in the floor plan is located in an area surrounded by uses of non-similar nature. Additionally, access to the massage facility requires that clients either walk outside of the hotel or through the main lobby. Staff also had concerns about the 200-foot separation requirement from the residential use and recommended denial of the project.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 38 – SUP-12631

**MINUTES – Continued:**

KRISTIN WILLIAMS, Mpower, 2079 Culmination Lane, stated she is a licensed massage therapist through NCPTMB and has been practicing massage for four years. She has worked at the Montage Spa in Laguna Beach and Canyon Spa Club inside the Venetian. MS. WILLIAMS indicated that meeting rooms and offices are vacant on that side of the hotel, with the exception of one office across from the massage designated room. With regard to the distance separation, she stated there is no direct access to and from the residential area and are separated by a cement barrier approximately 15 feet in height. The driving distance from the opening of the lot from the hotel to the first house in the residential area is 3,000 feet. Therefore, she asked the Planning Commission to waive the 200-foot distance separation requirement.

MIA PALLENCAR, 1103 South 6<sup>th</sup> Street, opposes to massage parlors on Las Vegas Boulevard. She understands that growth brings change, but she believes this use is inappropriate near a residential neighborhood. MS. WILLIAMS replied that there is a big difference between a massage establishment and a massage parlor. She is a professional massage therapist and this would be an opportunity for her to open an establishment that encourages health and well-being.

COMMISSIONER EVANS stated there are other locations where she could open this type of establishment and meet the variance requirements. The Code states that this violates the distance separation. If approved, this would allow a massage establishment inside a motel. This is not a good use of the facility.

MS. WILLIAMS discussed with COMMISSIONER GOYNES that the hours of operation would be from 8:00 a.m. to 5:00 p.m. She would only be providing massage for the hotel guests as an added amenity. There will be no advertising on the hotel's marquee, but would provide in-suite massages.

VICE CHAIRMAN EVANS made a motion for denial as the request does not meet the distance separation requirements for residential properties.

No one appeared in opposition.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(8:21 – 8:32)

**2-1549**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**RQR-12020 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING -  
APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: JG SAHARA LLC -**  
Required Two Year Review of an approved Special Use Permit (SUP-3973) WHICH  
ALLOWED A 40 FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING  
(BILLBOARD) SIGN at 1000 East Sahara Avenue (APN: 162-03-801-116), C-1 (Limited  
Commercial) Zone, Ward 3 (Reese).

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. City Council Approval Letter SUP-3973

**MOTION:**

**STEINMAN – DENIED – UNANIMOUS with GOYNES excused**

**This is Final Action**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, stated that since the billboard has been approved, the area has been recommended to be included in the Redevelopment Area. For this reason, staff recommended denial.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 39 – RQR-12020

**MINUTES – Continued:**

ANDY BILANZICH, 1775 North Warm Springs Road, Salt Lake City, Utah, appeared on behalf of the applicant, indicated they were not aware that the subject property was being included in the Redevelopment Area until the past Monday. The sign was approved two years ago and he asked for a two-year review. Regarding Condition 1, MR. BILANZICH indicated that Western Technologies will be doing their final inspection and that the graffiti on the pole will be taken care of by the end of next week.

No one appeared in opposition.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(8:32 – 8:36)

**2-1994**

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-12096 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: MARCUS RITZ - OWNER: JOHN STALUPPI, JR. - Request for a Site Development Plan Review FOR A FOUR STORY, MIXED USE DEVELOPMENT CONSISTING OF 78 RESIDENTIAL UNITS AND 25,850 SQUARE FEET OF COMMERCIAL SPACE WITH WAIVERS OF THE HEIGHT AND BUILD TO LINE REQUIREMENTS on 4.97 acres adjacent to the north side of Azure Drive approximately 1,300 feet west of Tenaya Way (APN 125-27-101-035), T-C (Town Center) Zone [SX-TC (Suburban Mixed Use - Town Center) Special Land Use Designation], Ward 6 (Ross).**

**P.C.: FINAL ACTION**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg. 0**  
**City Council Meeting**

**Planning Commission Mtg. 0**  
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

- 1. Location Map
- 2. Conditions For This Application
- 3. Staff Report
- 4. Justification Letter

**MOTION:**

**DUNNAM – APPROVED subject to conditions – Motion carried with STEINMAN and GOYNES not voting**

**This is Final Action**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

MARIO SUAREZ, Deputy Director of Planning and Development Department, explained that the proposal is a revision of an approved Site Development Plan Review approved earlier this year. The applicant has added two additional stories, which includes 45 additional units. The applicant has also added commercial area and is providing adequate parking for both the residential and commercial. Staff recommended approval because of its condition.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 40 – SDR-12096

**MINUTES – Continued:**

MARCUS RITZ, 8115 Desert Cloud Avenue, appeared on behalf of the applicant and stated the project is a true mixed use project that will bring culture and a great look to the northwest area. He concurred with all staff conditions.

No one appeared in opposition.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(8:36 – 8:38)

**2-2229**

**CONDITIONS:**

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time date stamped 03/29/06 may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/02/06, except as amended by conditions herein.
3. A Waiver from the Build-to line requirement of the Towncenter Development Standards, section D1C, is hereby approved, to allow the building to be set back 20 feet from the front property line.
4. A Waiver from the Height limitation of the Towncenter Development Standards, section A3D, is hereby approved, to allow the building to be four stories in height where two stories are the maximum permitted.
5. A multi-use transportation trail shall be constructed along the north property line and shall conform to Exhibit 1 of the Transportation Trails Element.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan: two additional 24 inch box Rio Grande Ash trees shall be placed within planter islands located in the parking lot, bringing the total quantity of parking lot trees to 24. Additionally, all Halimum shrubs shall be replaced with 24 inch box Rio Grande Ash.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 40 – SDR-12096

**CONDITIONS – Continued:**

7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed.
9. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
10. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
13. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
14. A Master Sign Plan shall be submitted for approval of the Centennial Hills Architectural Review Committee—Town Center (CHARC-TC) prior to the issuance of a Certificate of Occupancy for any building on the site and prior to the issuance of any sign permits.
15. 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.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 40 – SDR-12096

**CONDITIONS – Continued:**

16. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
17. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

18. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of a Final Map or the issuance of any building permits, whichever may occur first. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
19. 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 concurrent with development of this site.
20. Construct all incomplete half-street improvements on Azure Drive adjacent to this site concurrent with development of this site. All existing off-site improvements damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
21. In accordance with Town Center Standards, submit an Encroachment Agreement for all landscaping, if any, located in the Azure Drive public right-of-way adjacent to this site prior to occupancy of this site.
22. The driveway located at the southeast corner of this site shall be relocated to the north at a location acceptable to the City of Las Vegas Traffic Engineer. Driveways shall be designed, located and constructed to comply with Standard Drawing #222a and must align with the current median opening in Azure Drive. All structures and 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.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 40 – SDR-12096

**CONDITIONS – Continued:**

23. Show all Sight Visibility Restriction Zones (SVRZ's) adjacent to public streets and include the following note: "No walls, fences, trees, shrubs, utility appurtenances or any other object, other than traffic control devices and street light poles, may be constructed or installed within the Sight Visibility Restriction Zone (S.V.R.Z.) unless said object is maintained at less than 24 inches in height measured from adjacent top of curb, or where no curb exists, a height of 27 inches measured from the top of adjacent asphalt, gravel, or pavement street surface. Area shall be labeled as "Privately Maintained".
24. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
25. 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, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree 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 Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
26. Site development to comply with all applicable conditions of approval for Z-76-98 and all other applicable site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-12618 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: VILLAGE OF CENTENNIAL SPRINGS PARTNERS, LLC -** Request for a major amendment to an approved Site Development Plan Review (SDR-5948) TO REPLACE ALL RESIDENTIAL LOFTS AND THEIR ASSOCIATED PARKING WITH SEVEN OFFICE LOFTS; TO INCREASE THE COMMERCIAL SQUARE FOOTAGE TO 128,413; AND A WAIVER OF THE TOWN CENTER DEVELOPMENT STANDARDS PARKING LOT LANDSCAPING REQUIREMENT on 14 acres adjacent to the southwest corner of Farm Road and Tule Springs Road (APNs 125-17-702-016, 125-17-712-002, -003, -004, -005, -006, -007, -008, -009, -012, and -014), T-C (Town Center) Zone [SX-TC (Suburban Mixed-Use - Town Center) Special Land Use Designation], Ward 6 (Ross).

**P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

|                                 |          |                                 |          |
|---------------------------------|----------|---------------------------------|----------|
| <b>Planning Commission Mtg.</b> | <b>0</b> | <b>Planning Commission Mtg.</b> | <b>0</b> |
| <b>City Council Meeting</b>     |          | <b>City Council Meeting</b>     |          |

**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**STEINMAN – APPROVED subject to conditions – Motion carried with EVANS AND DUNNAM voting NO**

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 41 – SDR-12618

**MINUTES – Continued:**

DOUG RANKIN, Planning and Development Department, explained that the original site plan was approved last year and since then various site plans have been submitted as part of the special use permits and parking variances. Staff has multiple concerns about this site plan. Originally this was an overall site of a mixed use product that included live/work units, single family residential, a brownstone project and loft units over office. Since that time the single family residential has been developed by another developer and sold to that developer. The live/work units have been eliminated and now the lofts are being eliminated. In addition, the original landscape plan indicated landscape fingers throughout the site in order to break up the parking. The applicant is now proposing to reduce that to provide diamonds instead of the two trees in the parking fingers. Therefore, staff cannot make a finding for approval of this new site plan.

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner Renshaw & Ferrario, 3800 Howard Hughes Parkway, appeared together with SCOTT SHADE, and noted that they believe this is a mixed use project because the residential initially shown on the south and west will still be developed as residential. She confirmed that the live/work units will be eliminated, but the remainder shown as residential will be residential and the brownstone residential units will remain. The only thing they are asking to remove is seven residential lots and replace with office square footage. She emphasized that the height of the buildings will not be reduced and the facades will not change. Part of the vision of Town Center is that there is some vertical development and different type of commercial and office than what is seen around the Valley.

Regarding the square footage, ATTORNEY LAZOVICH indicated that the commercial is being increased to 128,413 square feet, an increase of less than 1500 square feet. In addition, she stated that the landscape fingers are being turned into diamonds with only one tree.

COMMISSIONER DUNNAM pointed out that this project has a lot of history and was involved in a lot of discussion. He compared the project to a rose where the petals have been pulled apart leaving only a stem. He expressed concern about the parking reduction and the removal of trees. ATTORNEY LAZOVICH replied that a parking variance was approved by the City Council in December of 2005, and that they are providing the same number of parking spaces originally shown under the parking variance approved in December. The parking variance was calculated based upon three uses; restaurants, office and retail. They did not include the parking analysis for the lofts because they knew that retail, restaurant and office use up the most amount of parking. By removing the residential lots, they are not creating a situation for an additional parking variance. ATTORNEY LAZOVICH opined that the project is still a creatively designed mixed use project.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 41 – SDR-12618

**MINUTES – Continued:**

There is a two-acre park in the middle of a commercial center, two story facades where normally there would be single story and line retail, restaurants with outside dining and a brownstone unit. The project still maintains the character of the original proposed mixed use, but slightly different.

COMMISSIONER TRUESDELL commented that they tend to focus on the history of this project as opposed to a project that still has a village character. In order for the project to work, the restaurants and retail are needed more than the seven residential units. He felt he could still support this application as submitted.

COMMISSIONER DAVENPORT verified with ATTORNEY LAZOVICH that they will be 73 parallel parking spaces. CHAIRMAN TROWBRIDGE was of the same opinion that changing the seven lofts units to offices is not a deal breaker, but disappointing because it changes the character of the project, as well as compounds the parking problem. The entire project is cheapened by the removal of the fingers and landscaping. He would support the project without the request of the landscaping requirement waiver.

COMMISSIONER STEINMAN opined that the project has plenty of mixed use and that the parallel parking spaces should be taken into consideration. He felt taking away the seven units not a problem and could still support the project. MR. SHADE pointed out that 478 parking spaces were approved in December of 2005. By deleting the landscape fingers and replacing them with the diamonds, it increased the parking spaces to 524.

MR. RANKIN clarified that the Planning Commission is considering the site plan because the previous applicant did not desire to go through the proper channels and submit a revised plan as instructed by staff, which would have allowed the Commission to consider the waiver of the landscape fingers that was part of that Variance approved in December of 2005. Therefore, this site plan would validate the Variance where they had indicated diamonds instead of landscape fingers.

No one appeared in opposition.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(8:38– 9:00)

**2-2229**

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 41 – SDR-12618

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Site Development Plan Review (SDR-5948), a Variance (VAR-7655), and three Special Use Permits (SUP-7660, -7661, and -7662), except as amended by conditions herein, shall be required. Those conditions that apply to residential areas that are not a part of this application will not apply.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 03/27/06, except as amended by conditions herein.
4. A 15-foot wide landscape planter shall be provided along all public rights-of-way in accordance with the Town Center Development Standards Manual.
5. Restaurant space shall be a maximum of 22,956 square feet with 1,800 square feet of outdoor dining. All restaurant and supper club uses shall be located only along the project's interior main street. No uses may be 24 hours. Any change to add any restaurant space or relocate uses will require submittal of a new site plan review for City Council approval.
6. A Waiver from the Town Center Development Standards Manual is hereby approved, to allow diamond-shaped planters in the parking area and to allow 45 trees where 103 are required.
7. Two loading spaces shall be provided on-site in conformance with Title 19.10 standards.
8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
9. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 41 – SDR-12618

**CONDITIONS – Continued:**

10. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
11. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
15. A Master Sign Plan shall be submitted for approval by the Centennial Hills Architectural Review Committee-Town Center (CHARC-TC) prior to the issuance of a Certificate of occupancy for any building on the site and prior to the issuance of any sign permits.
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. If applicable, a Comprehensive Construction Staging Plan shall be submitted to the Planning and Development Department for review and approval prior to the issuance of any building permits. The Construction Staging Plan shall include the following information: Design and location of construction trailer(s); design and location of construction fencing; all proposed temporary construction signage; location of materials staging area; and the location and design of parking for all construction workers.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 41 – SDR-12618

**CONDITIONS – Continued:**

18. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

20. Site development shall comply with all applicable conditions of approval for SDR-5948, the Village of Centennial Springs Mixed-Use development, and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-12665 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: JFBA - OWNER: DENVER INDUSTRIAL PARK, LLC - Request for a Site Development Plan Review FOR THE CONVERSION OF A 192-UNIT CONDOMINIUM DEVELOPMENT on 8.39 acres at 2201 North Buffalo Drive (APN 138-21-517-004), R-PD5 (Residential Planned Development - 5 units per acre) Zone, Ward 4 (Brown).**

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

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**Planning Commission Mtg.**  
**City Council Meeting**

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**RECOMMENDATION:**

Staff recommends DENIAL.

**BACKUP DOCUMENTATION:**

- 1. Location Map
- 2. Conditions For This Application
- 3. Staff Report
- 4. Justification Letter

**MOTION:**

**TRUESDELL – APPROVED subject to conditions – UNANIMOUS with GOYNES excused**

**NOTE: COMMISSIONER DUNNAM disclosed that approximately 16 years ago he was the engineer of record on this property and did the original drainage study, but he will vote on the item.**

**To be heard by the City Council on 06/07/2006**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, explained that the site is parking impaired and it does not have the required amount of landscaping; therefore, staff could not make a finding for approval and recommended denial of the project.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 42 – SDR-12665

**MINUTES – Continued:**

CHRIS ARAMBULA, 6765 West Russell Road, appeared on behalf of the applicant and indicated that due to the new Title 19.10, the project is short five parking spaces. There have not been any complaints on parking uses. There is both garage, covered and uncovered parking. Regarding the landscaping, he stated are part of the Desert Shore Master Plan and showed photographs depicting an intense landscaping area. MR. ARAMBULA agreed with the conditions of approval, but questioned if the required reports are needed with the Tentative Map and if a full drainage study is required or if they could provide an update to the existing drainage study. COMMISSIONER TRUEDELL indicated that it is incumbent upon the applicant to bring a complete package with all the answers. MR. ARAMBULA agreed with the conditions as presented and will discuss with staff on the timeframe of when the drainage study is needed.

No one appeared in opposition.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(9:00 – 0:06)

**2-3207**

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (Z-3-89) and Plot Plan and Building Elevation Review [(Z-3-89(16)] shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and building elevations, date stamped 03/28/06, except as amended by conditions herein.
4. A revised landscape plan shall be submitted prior to Tentative Map submission indicating size, quantity, and species of existing trees on site and landscape buffer dimensions.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time an application is made for the Tentative Map. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 42 – SDR-12665

**CONDITIONS – Continued:**

6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
7. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
9. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
12. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.
13. This approval shall be void two years from the date of final approval, unless a Final Map has been submitted and approved. An Extension of Time may be filed for consideration by the City of Las Vegas.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 42 – SDR-12665

**CONDITIONS – Continued:**

14. All units, as well as the common ownership facilities, shall be brought into compliance with all applicable state and local building, housing, mechanical and fire codes adopted for use by the city at the time of original construction.
15. Each dwelling unit shall be served by gas and/or electric services completely within the lot lines or ownership space of each separate unit. Easements for gas and/or electric lines shall be provided in the common ownership area where lateral service connections shall take place. Each dwelling unit shall be separately metered for gas and/or electricity. A plan for equitable sharing of communal water metering, where required, shall be included in the covenants, conditions and restrictions.
16. All new on-site and off-site minor utilities except switch boxes, transformer boxes and cap banks across property frontage shall be underground.
17. The applicant shall provide a building and grounds condition report prepared by a licensed civil engineer or licensed architect to the Planning and Development Department for review and approval upon application for Tentative Map approval. This report shall contain an evaluation of the structural condition of each building in the project, and an evaluation of the condition of all site features such as parking areas, accessory buildings, landscaped areas, driveways, sidewalks, carports, any amenities, fences and utility systems. A copy of the report shall be provided to all prospective buyers.
18. Upon application for a Tentative Map, the applicant shall provide proof that a notice of intent to convert has been delivered to each tenant as required by Nevada Revised Statutes. The applicant is further responsible for providing each tenant with notice of any and all future public hearings held regarding the conversion or mapping process.
19. Any remodeling or construction work in conjunction with the conversion of the apartments shall require permits from the Department of Building and Safety, with the exception of painting, carpeting, or other similar finish work.
20. The conversion from apartments to condominiums shall require the payment of additional sewer connection fees. The additional fees shall be paid prior to the recordation of the Final Map. Proof of payment shall be required upon submittal of the Final Map.

Public Works

21. 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 concurrent with development of this site.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 42 – SDR-12665

**CONDITIONS – Continued:**

22. The Final Map for this site shall grant an additional 10 foot of Public Sewer Easement adjacent to the existing Public Sewer Easement for a minimum 20 foot wide easement.
23. This site shall be responsible for sewer connection fees in accordance with condominium requirements per Title 14 Chapter 14.04.020 Equivalent Residential Unit (ERU) Schedule. If some or all of these units have already paid fees based upon apartment requirements, the difference between condominium and apartment fees for those units shall be paid to Building and Safety prior to the recordation of a Final Map for this site. Submit copies of the receipts to the Collection Systems Planning Section of the Department of Public Works with Final Map mylar submittal.
24. Gated driveways, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
25. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**SDR-12649 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: INTERACTIVE RIDES - OWNER: STRATOSPHERE GAMING CORPORATION** - Request for a Site Development Plan Review FOR A 6,880 SQUARE FOOT ADDITION TO AN EXISTING HOTEL/CASINO on 5.00 acres at 2000 South Las Vegas Boulevard (APNs 162-03-301-016, 162-03-401-001, and -002), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

**C.C.: 06/07/06 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**  
**City Council Meeting**

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**Planning Commission Mtg.**  
**City Council Meeting**

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**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – Abeyance request by Amber Dolce

**MOTION:**

**EVANS – Motion to accept the WITHDRAWAL WITHOUT PREJUDICE of Item 21 [SUP-12355]; TABLE Item 23 [MOD-12776] and Item 24 [SDR-12656]; STRIKE Item 27 [VAR-13154] and Item 31 [VAR-12617]; and HOLD IN ABEYANCE Item 43 [SDR-12649] to the 5/25/2006 Planning Commission Meeting – UNANIMOUS**

**NOTE: COMMISSIONERS TRUESDELL and DAVENPORT both disclosed that they would vote on the abeyance request of Item 43 [SDR-12649], but will abstain when the item comes back.**

**MINUTES:**

DOUG RANKIN, Planning and Development Department, requested that Item 43 [SDR-12649] be held in abeyance to the 5/25/2006 Planning Commission meeting for proper notification.

(6:05 – 6:08)

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ABEYANCE - SDR-11583 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: SUNWEST - OWNER: ANN ROAD PROPERTIES, LTD. - Request for a Site Development Plan Review FOR A PROPOSED 10,600 SQUARE FOOT DEVELOPMENT TO INCLUDE A CAR WASH AND RETAIL BUILDING WITH A WAIVER OF BUILDING PLACEMENT REQUIREMENTS on 1.14 acres at 7880 West Ann Road (APN 125-28-818-005), C-2 (General Commercial) Zone, Ward 6 (Ross).**

**C.C.: 06/07/06**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.  
City Council Meeting**

**3**

**Planning Commission Mtg.  
City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends APPROVAL

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUEDELL – APPROVED** subject to conditions and the following added conditions as read for the record as follows:

- **The hours of operation for the car wash will be from 8:00 a.m. to 7 :00 p.m. seven days a week.**
- **Outside vacuums are not to be operated after closing.**
- **Double the number of trees in the berm area along Leggett Road and Ann Road.**

**– Motion carried with DUNNAM voting NO and GOYNES excused**

**This is Final Action**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

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Planning and Development Department  
Item 44 – SDR-11583

**MINUTES – Continued:**

MARIO SUAREZ, Deputy Director of Planning and Development Department, stated the applicant has addressed staff's concerns with regard to the queuing and stacking for the car wash; therefore, staff recommended approval of the proposed project.

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner Renshaw and Ferrario, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and explained the site is located on Ann Road and Leggett Road. It is part of an overall out-parcel of a commercial existing shopping center. They have worked with staff and expressed her appreciation for their input to come up with a plan that does not overbuild the site and has good circulation. The square footage has been reduced from 10,600 to 7,400 square feet. The car wash has full circulation around the site and the stacking has been placed closer to Ann Road making it easier for people to get out of the site. ATTORNEY LAZOVICH agreed with all conditions.

TIM MURPHY, 5630 Leggett Road, stated that an existing Terrible Herbst car wash on Ann Road has a stacking problem. His concern is that the proposed car wash would impede the adjacent residents from getting in and out of the area.

JOHN TOBISCH, 7909 Kiowa Circle, stated that the surrounding area is Rural Estates and a car wash will add to the already traffic congestion. Professional offices would provide for a better buffer to the existing residential area.

TIM MURPHY, 7900 Kiowa Circle, expressed concern about the people not adhering to the speed limit on Leggett Road, and a car wash would further impact this neighborhood. He questioned if the car wash is a 24-hour facility, and asked the Planning Commission to deny the application.

ATTORNEY LAZOVICH replied that it will not be a 24-hour car wash and was amenable to restricting the hours of operation to 8:00 a.m. to 7:00 p.m., seven days a week. The site is already hard-zoned C-2. They intend to lease the majority of the remaining space to a beauty salon.

CHAIRMAN TROWBRIDGE verified with ATTORNEY LAZOVICH that the westernmost boundary landscape buffer zone is 15 feet wide with a three-foot berm.

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**MINUTES – Continued:**

COMMISSIONER TRUESDELL pointed out that a myriad of site plans have been proposed for this location and each time something was missing. However, this site plan is a one hundred percent better by providing for better circulation, reduction of the building size, and providing adequate queuing. He supported the project with additional conditions, such as the hours of operation of 8:00 a.m. to 7:00 p.m., seven days a week and that outside vacuums are not to be operated after closing time. DOUG RANKIN, Planning and Development Department, pointed out that in the event the other use will be a beauty salon, it will be limited to six chairs and any more would require a parking variance for this site.

COMMISSIONER DUNNAM stated he is not in favor of a car wash at this location because of its noise operation; however, it would help if the number of trees is doubled in the three-foot landscape berm along Leggett Road and Ann Road. ATTORNEY LAZOVICH agreed with the request.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(9:06 – 9:20)

**2-3557/3-1**

**CONDITIONS:**

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
2. All development shall be in conformance with the site plan, floor plans and elevations date stamped 04/20/06 except as amended by conditions herein.
3. A Waiver of building placement standards is hereby approved, to allow the building near the center of the parcel.
4. An updated parking analysis shall be provided prior to the issuance of a business license for any new use.
5. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.

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**CONDITIONS – Continued:**

6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
10. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
11. 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.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. 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.
14. 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.

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**CONDITIONS – Continued:**

15. An update 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 grading or building permits, or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainage ways as recommended in the approved drainage plan/study.
  
16. Site development to comply with all applicable conditions of approval for Z-58-76 and all other subsequent site-related actions.

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ABEYANCE - RENOTIFICATION - SDR-11676 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: BELL REAL ESTATE, LLC - Request for a Site Development Plan Review FOR A PROPOSED 25,906 SQUARE FOOT AUTO REPAIR GARAGE (MAJOR), A 1,208-SPACE PARKING GARAGE AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STEPBACK REQUIREMENT on 1.77 acres at 2030, 2112, 2100, and 2114 Industrial Road (APNs 162-04-704-008; 162-04-802-001, 002, 003 and 004), M (Industrial) Zone, Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS BEING RE-NOTIFIED TO INCREASE THE SQUARE FOOTAGE OF THE AUTO REPAIR GARAGE USE TO 41,777 SQUARE FEET.**

**C.C.: 06/07/06**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg. 0**  
**City Council Meeting**

**Planning Commission Mtg. 0**  
**City Council Meeting**

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

- 1. Location Map
- 2. Conditions For This Application
- 3. Staff Report
- 4. Justification Letter

**MOTION:**

**TRUESEL - Motion to hold in ABEYANCE to 6/8/2006 - UNANIMOUS with GOYNES excused**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

MARIO SUAREZ, Deputy Director of Planning and Development Department, explained that the proposal is for a transportation company and the major garage repair is for the existing business. Staff recommended approval with waivers and with conditions of approval.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
Item 45 – SDR-11676

**MINUTES – Continued:**

LEONARD CHRISTOFERSON, 6402 McLeod Drive, appeared on behalf of the applicant and concurred with staff conditions.

COMMISSIONER TRUESDELL asked if the 1,208 parking space is for employee parking or cab parking. MR. CHRISTOFERSON replied that it would be for fleet parking. Currently, Bell Transportation has put in a parking lot on New York Avenue. COMMISSIONER TRUESDELL expressed concern about the lack of employee parking, which would cause this area to be deficient in parking. MR. CHRISTOFERSON indicated that the parking garage would bring the existing fleet to this site for maintenance and security. He reiterated that the existing fleet is scattered throughout the Valley. COMMISSIONER TRUESDELL expressed concern that 1200 employee cars will be parked on the street while fleet cars will be parked securely in the garage.

CHAIRMAN TROWBRIDGE asked MR. CHRISTOFERSON if they would be consolidating remote parking sites and activities into the downtown area. It is not in the best interest of this area to have additional parking on the street, especially in an area with restricted parking. MR. CHRISTOFERSON could not answer those questions, but indicated that the applicant has made provisions for employee parking.

COMMISSIONER TRUESDELL felt uncomfortable moving forward without some clear answers, especially what this approval would bring to this particular neighborhood. Therefore, he requested that the item be held in abeyance for 30 days.

No one appeared in opposition.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(9:20 – 9:28)

3-343

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: MAY 11, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR:** M. MARGO WHEELER, AICP  **CONSENT**  **DISCUSSION**

**SUBJECT:**

**ABEYANCE - TXT-12779 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS** - Discussion and possible action to amend Title 19.08, Title 19.12, and Title 18.08 relating to development standards for perimeter, screen and retaining walls.

**THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM**

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

|                                 |          |                                 |          |
|---------------------------------|----------|---------------------------------|----------|
| <b>Planning Commission Mtg.</b> | <b>0</b> | <b>Planning Commission Mtg.</b> | <b>0</b> |
| <b>City Council Meeting</b>     |          | <b>City Council Meeting</b>     |          |

**RECOMMENDATION:**

Staff recommends APPROVAL.

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

**MOTION:**

**TRUESDELL – APPROVED with conditions and amend Part I - 19.12.080 – Wall Design Standard as read for the record as follows:**

**I. The minimum height of a screen wall shall be six feet *where commercial uses abut residential uses* and the maximum height shall be eight feet and no screen wall shall be built in the front yard of a residential property.**

**– UNANIMOUS with GOYNES excused**

**To be forwarded to City Council in Ordinance Form**

**MINUTES:**

CHAIRMAN TROWBRIDGE declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, explained that the Text Amendment would consolidate what is a varied location of walls throughout both Title 18 and Title 19. In addition, those two titles conflict with each other in regard to the standards for perimeter screened walls and retaining walls requiring, at times, variances, waivers and site plan reviews.

PLANNING COMMISSION MEETING OF MAY 11, 2006  
Planning and Development Department  
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**MINUTES – Continued:**

Therefore, this will consolidate them all into section of Title 19.12. It will also provide a clarification of what a screened, perimeter and retaining walls are. It will also provide a mechanism for an applicant who wishes not to conform to the development standards on how to address that through the means of a variance; thereby, eliminating waivers out of Title 18. MR. RANKIN recommended an amendment to 19.12.080 regarding Wall Design Standards regarding the minimum height of a screen wall to be six feet where commercial uses abut residential uses and the maximum height shall be eight feet and no screen wall shall be built in the front yard of a residential property. This is to address a concern regarding residential walls that are not six feet high, as not to encourage neighbors to build them as high as possible.

MARGO WHEELER, Director of Planning and Development Department, asked MR. RANKIN to explain Figures 6 and 7. MR. RANKIN indicated that when the slope is less than two percent, this would allow for a retaining wall of four feet and a screen wall of six to eight feet, but the total vertical plain cannot exceed ten feet in height. That is to avoid the 18-foot walls that have been built in various developments. MS. WHEELER verified that a maximum four feet retaining wall would only be able to have six feet above. A two foot retaining wall could have a maximum of eight feet above. MR. RANKIN added that if that height is exceeded, then the Code requires to step the retaining wall such as to provide a four-foot planter to provide landscaping for every four feet of retaining wall.

COMMISSIONER TRUESDELL asked how the issue of countless walls between five feet of buildings is addressed. MR. RANKIN responded that the Text Amendment deals with walls; staff does not encourage walls.

COMMISSIONER DUNNAM commented that decorative caps are allowed to be outside of the height restrictions without it being inclusive into the total height of the wall. MR. RANKIN replied that that can be accommodated both in the illustration and language. Staff's goal was to provide the picture and the words match and staff will amend as such. COMMISSIONER DUNNAM discussed with MS. WHEELER that he would prefer not limiting a height on decorative caps. COMMISSIONER TRUESDELL opined that decorative caps could create a loop hole. DEPUTY CITY ATTORNEY BRYAN SCOTT suggested making decorative caps anything less than 18 inches. MR. RANKIN added that anything taller than 18 inches would be a variance. MS. MARGO indicated that decorative caps need to be defined otherwise it would be an additional wall height. MR. RANKIN informed the Commission that he would provide a detailed definition of a cap is and where they occur along the wall.

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**MINUTES – Continued:**

No one appeared in opposition.

CHAIRMAN TROWBRIDGE declared the Public Hearing closed.

(9:28 – 9:37)

3-477

**CONDITIONS:**

1. Title 18.12.510 is hereby amended to be deleted:

~~18.12.510 PERIMETER WALL REQUIREMENTS.~~

~~In order to reduce the visual impact of screening and retaining methods, the following standards shall apply to perimeter walls, as illustrated in Figure 3 – Perimeter Wall Requirements:~~

- ~~— (A) Where a property line abuts a street or residential property, and where slope differentials require retaining walls six feet or greater in height:
  - ~~— (1) For each six feet of vertical wall height, a minimum of four foot horizontal offset shall be provided. Landscaping shall be provided within the offset area.~~
  - ~~— (2) Walls shall be stepped to generally conform to the topography of the site.~~
  - ~~— (3) Walls with a change in alignment shall to the greatest practical extent incorporate the use of graduating steps rather than sharp corners.~~
  - ~~— (4) Walls shall either incorporate the use of native materials or be earth tone colors to match the native materials.~~
  - ~~— (5) Fifty percent of the step back area that is landscaped may apply to the development's open space requirements.~~~~
- ~~— (B) In addition to the standards set forth in Subsection (A), where residential property lines abut a street or another residential property, and where slope differentials require retaining walls six feet or greater in height, the use of wrought iron or other similar open materials is encouraged for security walls, such as for pools.~~
- ~~(C) All walls, setback areas and landscaping created for the purpose of complying with this Section shall be located on private property. If in common ownership, the property shall be owned and maintained in conformance with any applicable maintenance requirements of this Title.~~
  - ~~(D) A subdivider may propose an alternative design for perimeter walls to satisfy — the intent of this Section to reduce the visual impact of screening and retaining — walls, especially if the abutting residential property is at a higher elevation than — the — abutting nonresidential property. Such a proposal is subject to review and — approval — by — the Director.~~

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**CONDITIONS – Continued:**

FIGURE 3

2. Title 18.08.110 (B) (6) is amended as follows

(6) Includes cross sections for maximum wall heights, and typical wall heights and wall elevations.

3. Title 18.08.110 (C) is amended to be deleted:

~~(C) Whenever, on the perimeter of a project, retaining walls are proposed which:~~  
~~(1) Face a public street or adjoining property not in common ownership;~~  
~~(2) Are within a single plane and are not separated by landscaping; and~~  
~~(3) Exceed the maximum retaining wall heights indicated in Table “A” below, the applicant shall submit three copies of a plan of proposed perimeter grades which indicates all such walls. This plan may be superimposed on the tentative map but must be legible. The plan shall include cross sections of all sections of the project perimeter with retaining walls which exceed the heights indicated in Table “A.” For purposes of Table “A,” retaining wall heights shall be measured from the proposed grade on the exterior side of the project to the top of the retaining wall.~~

**Table “A”**

| <b>Slope of Natural Grade (percent)</b> | <b>Maximum Retaining Wall Height</b>                     |
|---|--|
| 0 to 2                                  | 4 feet   |
| Above 2 to 4                            | 6 feet   |
| Above 4                                 | 6 feet per step of wall<br>(see Chapter 18.12, Figure 3) |

~~(D) The plan described in Subsection (C) shall show perimeter walls that conform to the requirements of Section 18.12.510.~~

~~(E) In the case of an application which contains a plan as described in Subsection (C), the City will notify all property owners within three hundred feet of any portion of the project perimeter where a retaining wall exceeds the maximum heights indicated in Table “A,” and the Planning Commission shall hold a public hearing concerning the tentative map.~~

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**CONDITIONS – Continued:**

~~and the plan of proposed project perimeter grades. The applicant shall pay the fee set forth in the fee schedule for the required hearing and processing. The Planning Commission's review is final unless appealed to the City Council.~~

4. Title 19.08.040 (2) is amended to be deleted:

~~2. **Fences and Walls**~~

~~a. **Height.** Except as otherwise specifically permitted in this Title, the maximum permitted height of walls, fences and hedges in residential districts shall be governed by the following:~~

~~1) Rear Yard Area — Eight feet solid or open.~~

~~2) Side Yard Area — Eight feet solid or open.~~

~~3) Required Front Yard Area — Four feet total, with the top two vertical feet 50 percent open to permit visibility. Hedges planted along the front property line shall not exceed three vertical feet. Retaining walls along the front of the property line may not retain more than two feet. Where the grade of the front yard slopes more than 2:1 ratio, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping.~~

~~4) The maximum height of permitted fences/walls along the front property line shall be measured from the elevation of the adjoining sidewalk. Where such walls are set back, they shall be measured from the finished grade.~~

~~5) The maximum height of permitted fences/in the side and rear yard areas shall be measured on the side with the least vertical exposure above finished grade.~~

~~6) Screening or fencing for tennis\sports courts is permitted in the rear or side yard area. Such structures may exceed the height of six feet, but shall not be higher than 12 feet. The portion above the height of six feet shall be open so as not to restrict light or ventilation and provided such fencing shall be setback a minimum of 5 feet from the side and rear property lines.~~

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**CONDITIONS – Continued:**

~~b. **Barbed Wire/Razor Wire Fences.** The use of barbed or razor wire or similar security fencing materials shall comply with the standards set forth in the most recent edition of the Uniform Building Code, as adopted by the City.~~

~~c. **Corral and Stable Fencing.** Fencing for corrals and stables is permitted in accordance with Section 19.04.040 (C).~~

5. Title 19.08.050 (D) is amended as follows:

(D) ~~Fences, Walls and Architectural Character.~~

6. Title 19.08.050 (D) (1) is amended as follows:

(1) ~~Fences and Walls.~~

(a) ~~Perimeter Walls.~~

~~(i) **General.** A wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes, shall be a minimum of six feet in height, and in no case shall exceed the height limitation applicable to the adjacent zoning district or property. In all other cases, there is no requirement to construct a wall or fence. However, all walls and fences must comply with applicable building code requirements. Walls and fences adjacent to commercial or industrial zoning districts or property used for commercial or industrial uses shall be limited to a maximum of eight feet in height. The height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.~~

~~(ii) **Design and Installation.** Perimeter walls, end walls, return walls and common area walls shall be decorative and shall be installed by the developer. Acceptable decorative wall materials include, without limitation, stone, decorative block, slump stone, and wrought iron, and shall have a minimum of twenty percent contrasting material. The contrasting material requirement may be fulfilled by contrasting color, if approved by the Department in its discretion. All walls shall include such detail variations as may be required by the Department, including pilasters, decorative caps, decorative iron cutouts or fluted blocks. Any decorative materials or ironwork attached to the top of a perimeter wall shall not encroach into public rights-of-way or abutting properties. Pilasters, if used, shall have a maximum spacing of twenty four feet on center (See Figures 1 and 2). No voids or spaces shall be permitted between an existing perimeter wall and new perimeter wall. All perimeter walls shall be sealed by an approved method to prevent the leaching or transmission of mineral deposits through the~~

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**CONDITIONS – Continued:**

wall.

(iii) ~~— Maintenance. All walls shall be maintained by the property owner, the developer, a business association or other similar organization, or by such other means as may be approved by the City.~~

(iv) ~~— Design Continuity. To achieve design continuity, perimeter walls shall match the design of abutting perimeter walls. The established wall design shall be continued until the next street intersection. In cases where the existing wall is considered by the Director to be of unacceptable design, the design shall not be carried beyond the next street intersection. In cases where the existing wall is considered by the Director to be of unacceptable design, the design shall not be carried beyond the next street intersection unless a transitional wall area designed to soften the differences between the walls is constructed.~~

(v) ~~— Prohibited Materials. Unless otherwise approved as part of an overall development plan, the following materials are not acceptable for use as perimeter walls or fences:~~

a. ~~— Chainlink or open wire fencing (except as temporary construction fencing, or as fencing in the C M or M Zoning Districts);~~

b. ~~— Razor wire or barbed wire;~~

c. ~~— Corrugated metal;~~

d. ~~— Colored plastic;~~

e. ~~— Untextured or unfinished concrete or block (CMU)~~

walls; and

f. ~~— Pointed post fences.~~

(b) ~~— Retaining Walls~~

(i) ~~— Height. Retaining walls shall conform to the height requirements set forth in LVMC Title 18. (See also Figure 3)~~

(ii) ~~— Design and Installation. Retaining walls shall be decorative and shall be installed by the developer. Acceptable materials for retaining wall construction including split face block, decorative block, slump stone, stone, caliche rock, colored or exposed aggregate, and textured finish concrete. All walls shall include detail variations such as pilasters, decorative caps, or fluted blocks. All retaining walls shall be sealed by an approved method to prevent the leaching or transmission of mineral deposits through the wall.~~

(iii) ~~— Maintenance. All walls shall be maintained by the property owner, the developer, a business association or other similar organization, or by such other means as may be approved by the City.~~

(iv) ~~— Landscaping Requirements. In cases where the retaining wall height exceeds four feet, a minimum of five shrubs of a five gallon size, and five shrubs~~

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**CONDITIONS – Continued:**

~~of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area at the base of the wall. In cases where there are multiple-stepped retaining walls, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area between the walls at the base of the lowest wall. A minimum planting area of four feet is required between the retaining walls.~~

7. Title 19.08.050 (D) (2) is amended as follows:

~~(2)(1)~~ Architectural Character and Materials.

8. Title 19.08.050 (D) (3) is amended as follows:

~~(3)(2)~~ Applicability of standards.

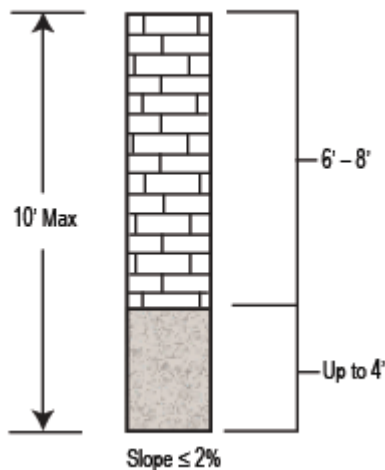
9. Title 19.12.080 is amended as follows:

Title 19.12.08090 FIGURES

Figures 1-59 as referred to in this Chapter are as follows:

Add figures 6-9.

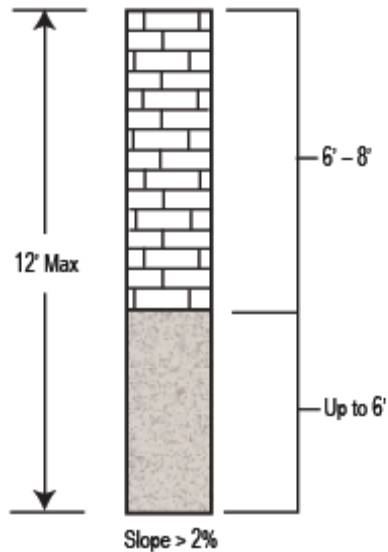
FIGURE 6 – Screening Wall over Retaining Wall, Up to 2% grade



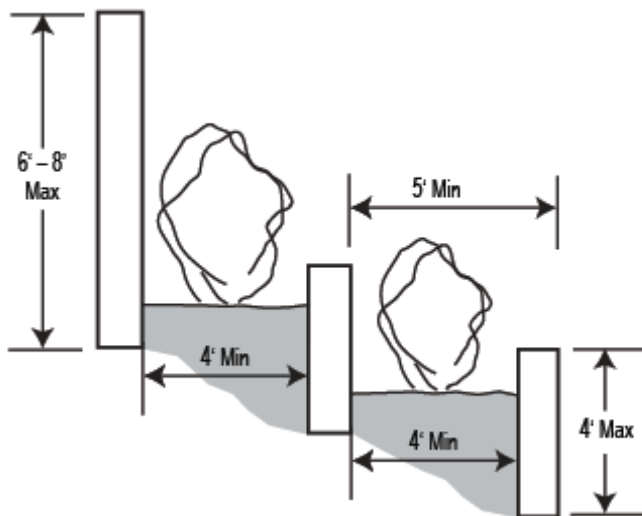
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**CONDITIONS – Continued:**

**FIGURE 7 – Screening Wall over Retaining Wall, > 2% grade**



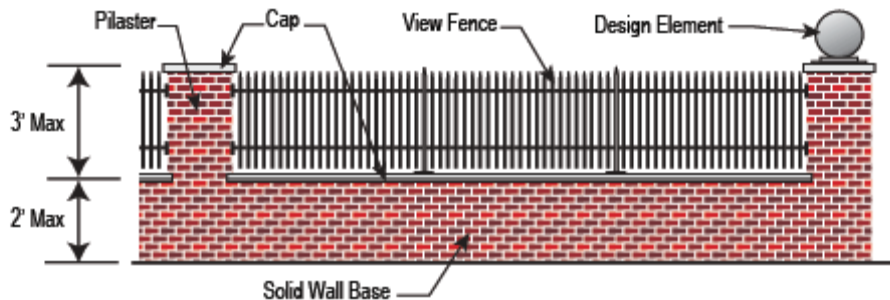
**FIGURE 8 – Retaining Wall with Step Backs**



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**CONDITIONS – Continued:**

FIGURE 9 – Front-yard Wall/Fence



6. Title 19.12.080 is inserted as follows:

19.12.080 Wall Design Standard

- A. The minimum height of a screen wall shall be six feet and the maximum height shall be eight feet and no screen wall shall be built in the front yard of a residential property.
- B. If the natural slope of parcel is two percent or less and requires a retaining wall:
  - a. the retaining wall shall have a maximum height of four feet, and
  - b. the screen wall shall have a minimum height of six feet and maximum height of eight feet, and
  - c. not to exceed a total vertical plane of 10 feet as measured from the finished grade from the lower side of the wall to the top of the wall and a maximum height of 8 feet as measured from the finished grade from the higher side of the wall to the top of the wall. See Figure 6.
- C. If the natural slope of parcel is greater than two percent and requires a retaining wall:
  - 1. the retaining wall shall have a maximum height of six feet, and
  - 2. the screen wall shall have a minimum height of six feet and maximum height of eight feet, and
  - 3. not to exceed a total vertical plane of 12 feet as measured from the finished grade from the lower side of the wall to the top of the wall and a maximum height of 8 feet as measured from the finished grade from the higher side of the wall to the top of the wall. See Figure 7.

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**CONDITIONS – Continued:**

- D. In order to reduce the visual impact of screening and retaining methods, the following standards shall apply to walls, as illustrated in Figure 8 -- Wall Requirements:
1. Where the natural slope of parcel is two percent or less and requires retaining walls greater than four feet or the natural slope of parcel is greater than two percent and requires a retaining walls greater than six feet in height:
  2. For each four feet of vertical wall height, a minimum of a five-foot horizontal offset, as measure from the front of the wall plane to the front of the next wall plane, shall be provided. Landscaping shall be provided within the offset area
  3. The final wall plane shall be a minimum of six feet and a maximum of eight feet in height.
- E. Front Yard walls/fences shall be a maximum of five feet with the top three vertical feet open to permit visibility. Hedges planted along the front yard property line shall not exceed three vertical feet. Retaining walls along the front property line may not retain more than two feet. Where the grade of the front yard slopes more than 2:1 ratio, multiple retaining walls may be constructed, provided there is a minimum distance of five feet between retaining walls for landscaping. See Figure 9.
- F. Fences, Walls and Architectural Character
1. Perimeter Walls

Design and Installation. Perimeter walls, end walls, return walls and common area walls shall be decorative and shall be installed by the developer. Acceptable decorative wall materials, without limitation, stone, decorative block, slump, stone, and wrought iron, and shall have a minimum of twenty percent contrasting material. The contrasting material requirement may be fulfilled by contrasting color, or a combination of contrasting material and contrasting color, if approved by the Department in its discretion. All walls shall include such detail variations as may be required by the Department, including pilaster, decorative caps, decorative iron cutouts or fluted blocks. Any decorative materials or ironwork attached to the top of a perimeter wall shall not encroach into public rights-of-way or abutting properties. Pilasters, if used, shall have a maximum spacing of twenty-four feet on center (See Figures 6 and 7). No voids or spaces shall be permitted between an existing perimeter wall and a new perimeter wall. All perimeter walls

    - a) shall be sealed by an approved method to prevent leaching or transmission of mineral deposits through the wall.

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**CONDITIONS – Continued:**

- b) Maintenance. All walls shall be maintained by the property owner, the developer, a business association or other similar organization, or by such other means as may be approved by the City.
- c) Design Continuity. To achieve design continuity, perimeter walls shall match the design of abutting perimeter walls. The established wall design shall be continued until the next street intersection. In cases where the existing wall is considered by the Director to be of unacceptable design, the design shall not be carried beyond the next street intersection unless a transitional wall area designed to soften the differences between the walls is constructed.

2. Retaining Walls.

- a) Design and Installation. Retaining walls shall be decorative and shall be installed by the developer. Acceptable materials for retaining wall construction include split-face block, decorative block, slump stone, stone, caliche rock, colored or exposed aggregate, and textured-finish concrete. All walls shall include detail variations such as pilasters, decorative caps, or fluted blocks. All retaining walls shall be sealed by an approved method to prevent the leaching or transmission of mineral deposits through the wall.
- b) Maintenance. All walls shall be maintained by the property owner, the developer, a business association or other similar organization, or by such other means as may be approved by the City.
- c) Landscaping Requirements. In cases where the retaining wall height exceeds four feet, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area at the base of the wall. In cases where there are multiple-stepped retaining walls, a minimum of five shrubs of a five-gallon size, and five shrubs of a one-gallon size, for each twenty feet of linear planting area shall be planted in the area between the walls and at the base of the lowest wall. A minimum planting area of four feet is required between the retaining walls.

G. Materials

- 1. Unless otherwise approved as part of an overall development plan, the following materials shall not be acceptable for use as screening or perimeter walls.
- 2. Chainlink or open wire fencing (except as temporary construction fencing);
- 3. Razor wire or barbed wire;
- 4. Corrugated metal;

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**CONDITIONS – Continued:**

5. Bright colored plastic; and
6. Untextured or unfinished concrete or block (CMU) walls.

H. Variance. The standards set forth in this Subsection (C) are minimum requirements for all developments subject to this Section. Any request to deviate from these standards shall require the submittal of a Variance application, which shall be subject to the procedures and standards set forth in Section 19.18.070.

7. Title 19.20 Definitions is amended to include:

Wall, Perimeter:            An opaque structure constructed in accordance with Section 19.12.080 with the purpose of providing security or a visual buffer within the property line of a subdivision or parcel and separating the subdivision or parcel Right-of-Way, another and use or another property.

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Wall, Screening:            An opaque structure constructed in accordance with Section 19.12.080 with the purpose of providing a buffer for privacy or to mitigate a potentially negative noise or visual impact.

Wall, Retaining:            A wall with the grade on one side greater than the grade on the opposite side that is designed and constructed to withstand the lateral earth and hydrostatic pressures upon it.

Wall/Fence, Front-yard:    A structure which is designed to delineate or provide security along the front property line of a residential parcel.

# *City of Las Vegas*

## **PLANNING COMMISSION AGENDA PLANNING COMMISSION MEETING OF: MAY 11, 2006**

### **CITIZENS PARTICIPATION:**

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION 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.

### **MINUTES:**

COMMISSIONER DAVENPORT suggested that during the “housekeeping items” portion of the meeting staff inform the Commission of any changes in staff’s recommendation.

(9:37 – 9:38)

**3-781**

**MEETING ADJOURNED AT 9:38 P.M.**

Respectfully submitted:

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YDOLEENA YTURRALDE, DEPUTY CITY CLERK

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ANGELA CROLLI, DEPUTY CITY CLERK