

MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Nelson Stone, Chairman
Marilyn Kirkpatrick
Dean Leavitt
Laura E. Perkins

2200 Civic Center Drive
North Las Vegas, NV 89030
(702) 633-1516
(702) 649-6091

Tom Langford, Vice Chairman
Anita Wood
Harry Shull

May 23, 2001

CALL TO ORDER:

Council Chambers, North Las Vegas City Hall
2200 Civic Center Drive, at 7:00 p.m.

ROLL CALL:

Dean Leavitt - Present
Anita Wood - Present
Tom Langford - Present
Nelson Stone - Present
Harry Shull - Present
Laura Perkins - Present
Marilyn Kirkpatrick - Present

STAFF PRESENT:

Tom Bell, Development Services Director
Steve Baxter, Planning Manager
Marc Jordan, Senior Planner
Mary Aldava, Associate Planner
Lenny Badger, Public Works
Madeleine Jabbour, Transportation Services
Steven DiGiovanni, Fire Department
Ted Karant, Recording Secretary

PLEDGE OF ALLEGIANCE

Commissioner Dean Leavitt

ANNOUNCEMENTS:

Verification of compliance with NRS 241, Open Meeting Law.

Recording Secretary Karant verified that the Open Meeting Law requirements (NRS 241) had been met.

The North Las Vegas Conference Room and Council Chambers are accessible to handicapped persons. A certified sign language interpreter is available upon advance request.

MINUTES

Approval of the MINUTES for the Planning Commission meeting of May 9, 2001.

Commissioner Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE the minutes of the May 9, 2001 Planning Commission Meeting.

The motion carried by MAJORITY vote with Vice-Chairman Tom Langford and Commissioner Harry Shull abstaining as they were not present at the 5/9/01 meeting.

CONSENT AGENDA

A) PW-47-01 (4359) CAPRI UNIT 1

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Developers Insurance Company to release the Performance Bond in the amount of \$49,510.00.

B) PW-48-01 (4360) CAPRI UNIT 2

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Developers Insurance Company to release the Performance Bond in the amount of \$231,710.00.

C) PW-49-01 (4361) VERMEER SOUTHERN NEVADA FACILITY

Accept the off-site improvements for maintenance and advise the Director of Public Works no notify Indemnity Company of California to release the Performance Bond in the amount of \$14,536.28.

D) PW-50-01 (4362) AIRCENTER NORTH

Approve the Final Map and the Subdivision Off-site Improvements Agreement by Aircenter North, LLC and accept the Performance Bond in the amount of \$422,785.55.

E) PW-51-01 (4363) NEWPORT BAY APARTMENTS

Accept the Commercial Developments Off-site Improvements Agreement by American Asphalt & Grading Company and accept the Performance Bond in the amount of \$46,250.00.

F) PW-52-01 (4364) NEWPORT BAY APARTMENTS

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify American Motorists Insurance Company to release the Subdivision Bond in the amount of \$264,792.22.

G) RN-73-87-01 (4242) DEEDS OF DEDICATION 73-87-01

An application submitted by the City of North Las Vegas on behalf of various property owners for deeds of dedication and easements.

Commissioner Harry Shull MOVED and Commissioner Laura Perkins SECONDED to APPROVE Consent Agenda Items A through G.

The motion carried by UNANIMOUS vote.

NEW BUSINESS

1) AMP-13-01 (4170) LONE MOUNTAIN/COMMERCE (Public Hearing)

An application submitted by the Longford Group on behalf of Five For Ten, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to MDR Medium Density Residential. The property is generally located at the southeast corner of Lone Mountain Road and Commerce Street. The Assessor's Parcel Number is 139-03-502-001.

RECOMMENDATION:

The Development Services Department recommends that AMP-13-01 be denied as the subject site does not comply with the guidelines established in the Comprehensive Plan to warrant an amendment to the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan.

The Development Services Department recommends that ZN-13-01 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999 and the proposed development does not comply with the open space provisions.

Prior to the Planning Commission meeting the applicant requested to have the item withdrawn.

The item has been WITHDRAWN per applicant's request.

2) ZN-18-01 (4171) LONE MOUNTAIN/COMMERCE (Public Hearing)

An application submitted by the Longford Group on behalf of Five For Ten, property owner, for reclassification of property from an R-E Ranch Estates District to a Planned Unit Development (PUD) District consisting of 122 Single-Family Residential lots. The property is generally located at the southeast corner of Lone Mountain Road and Commerce Street. The Assessor's Parcel Number is 139-03-502-001.

RECOMMENDATION:

The Development Services Department recommends that AMP-13-01 be denied as the subject site does not comply with the guidelines established in the Comprehensive Plan to warrant an amendment to the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan.

The Development Services Department recommends that ZN-13-01 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999 and the proposed development does not comply with the open space provisions.

Prior to the Planning Commission meeting the applicant requested to have the item withdrawn.

The item has been WITHDRAWN per applicant's request.

3) UN-02-01 (3322) CHEYENNE RESTAURANT & TAVERN (Public Hearing)

An application submitted by O.R.B., LLC, on behalf of CP Development, Inc., property owner, for an extension of time on a use permit, in a Planned Unit Development District (PUD) consisting of General Commercial, to allow the “on-sale” of alcoholic beverages in conjunction with a restaurant and tavern. The property is generally located at the northwest corner of Simmons Street and Cheyenne Avenue. The Assessor’s Parcel Number is 139-08-402-005.

Recommendation:

The Development Services Department recommends that a six month extension of time for UN-02-01 be approved subject to the following conditions:

1. Standard conditions: 1, 2, 7, 10, 11, 12, 15 and 27.
2. That all conditions of the approved Cheyenne Promenade traffic study as amended must be met.
3. That a driveway on Simmons Street will not be permitted. Access is provided through an existing driveway easement directly to the south.
4. That the developer must provide a circulation plan that shows access and circulation for the commercial area.
5. That the driveway entrances are restricted to right-in, right-out movements only, except at median openings.
6. That an encroachment permit is required for Cheyenne Avenue, which is a State Highway.
7. That site plan approval is not implied.
8. That a revised site plan shall be submitted subject to review and approval by staff prior to the issuance of any construction permits.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this item was originally approved by the Planning Commission on January 10, 2001 and is due to expire on July 10, 2001. He stated the applicant has indicated they are currently finalizing design plans for the facility and need additional time for this. He further stated that with this extension of time request the applicant has also submitted a revised site plan regarding this item, even though the revised site plan indicates some of the items that are address in the Commercial Design Standards, there were some changes that still need to be made, therefore in staff’s recommendation for an extension of time, staff has listed new conditions that would apply to this project and the old conditions would no longer apply. He stated the applicant has met with staff and the changes are as follows:

Condition #3 will be amended to read: “Simmons Street driveway shall be designed as a shared driveway with the property to the south. Final design and location is subject to the City’s Traffic Engineer’s approval.”

Condition #4 will be deleted.

Condition #5 will be amended as follows: “The driveway entrance on Cheyenne Avenue is restricted to right-in, right-out movements only, except at the median openings.”

Bill Curran, of Curran & Perry, 601 S. Rancho, Las Vegas, Nevada 89120 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Anita Wood stated previously one of the issues that had been resolved was that the building be oriented toward the interior of the site and wanted to know if that is still the case.

Mr. Curran responded that nothing has changed from the previous time.

Commissioner Wood stated the applicant is asking for deletion of Standard Conditions #10 and #12 and asked staff if they have a problem with that.

Mr. Jordan replied that the memo Commissioner Wood is looking at stating the conditions to be deleted is a Public Works memo listing conditions. He stated the Standard Conditions listed in the staff report are not changing.

Commissioner Wood stated this applicant has stated their understanding that Standard Conditions #10 and #12 are being deleted.

Mr. Jordan stated he believes the applicant's understanding is that these conditions as recommended by Public Works are acceptable, and staff is not disputing that. The conditions in the staff report are conditions that are from all of staff, not just Public Works only and those conditions, #10, 11 and 12 come primarily from the Planning Department and those conditions shall remain in place and Mr. Jordan's understanding is the applicant is not contesting those conditions.

Commissioner Wood asked Mr. Curran specifically if he has any problem with staff's Standard Conditions #10 and #12.

Mr. Curran replied that he had no problem with those conditions.

Commissioner Harry Shull MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE UN-02-01 per staff's recommendations subject to the following changes:

Condition #3 will be amended to read: "Simmons Street driveway shall be designed as a shared driveway with the property to the south. Final design and location is subject to the City's Traffic Engineer's approval."

Condition #4 will be deleted.

Condition #5 will be amended as follows: "The driveway entrance on Cheyenne Avenue is restricted to right-in, right-out movements only, except at the median openings."

The motion carried by UNANIMOUS vote.

4) UN-44-01 (4168) EL CAMINO BAPTIST CHURCH (Public Hearing)

An application submitted by El Camino Baptist Church on behalf of Church Sunrise Southern Baptist, property owner, for a use permit in an R-E Ranch Estates District to allow a church. The property is located at 3910 W. Washburn Road. The Assessor's Parcel Number is 124-31-604-010.

RECOMMENDATION:

The Development Services Department recommends that UN-44-01 be approved subject to the following conditions:

1. Standard Conditions 1, 2, 3, 6, 7, 8, 10, 11, 12, 15, 26, 27 and 31.
2. The development shall comply with the following:
 - a. The building shall be relocated to the street corner.
 - b. Sidewalks shall be provided along any facade featuring a visitor entrance which exits into a parking area or travel lane.
 - c. Sidewalks shall be located at least six feet from the facade of the building to provide planting beds for foundation landscaping.
 - d. A minimum six-foot-wide landscaped island shall be provided for every 15 parking spaces contained in a row and at the ends of every row.
 - e. A minimum 20 feet of landscaping shall be provided along Willis Street and Washburn Road.
 - f. A minimum six-foot-high wall shall be constructed on the property line(s) between the proposed development and the residential properties to the north and east.
 - g. In addition to a solid masonry wall, a landscaped buffer area with a minimum width of 20 feet shall be provided adjacent to the residential properties to the north and east.
 - h. Only monument-type freestanding signs may be allowed. The materials and colors used in construction of the monument sign shall be compatible to those used in the primary building.
 - i. All accessory structures shall take on the character of the main building, and use the same colors, materials and style.
3. All two-way drive aisles must be at least 24 feet in width.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who indicated staff is recommending approval subject to three (3) conditions.

Rudy Starks, 5802 Spectacular Bid Street, Las Vegas, Nevada 89113 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Anita Wood stated she is concerned that the applicant understood and agreed that the accessory structures, which would be the shade and the storage building, are to be the same materials as the main building.

Mr. Starks replied that he discussed with staff that one of the accessory buildings is a gazebo which he would like to have with wood support columns, therefore this particular building would not be the same material as the main building, but all others would be the same material.

Commissioner Harry Shull MOVED and Vice-Chairman Tom Langford SECONDED to APPROVE UN-44-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

A brief recess was taken to allow for a large crowd, which was present in support of Item #4, UN-44-01, to clear the room.

Chairman Nelson Stone acknowledged the Assistant City Manager, Gregory Rose, being present in the audience and indicated his appreciation for Mr. Rose attending so many of the Planning Commission meetings.

5) SPR-17-01 (4178) MERCADO DEL PUEBLO

An application submitted by Tim C. Ayala on behalf of Roberto Paredes, property owner, for a site plan review in a C-2 General Commercial District to allow an accessory structure, a grain silo, on the site. The property is located 2987 North Las Vegas Boulevard. The Assessor's Parcel Number is 139-13-506-002.

RECOMMENDATION:

The Development Services Department recommends that SPR-17-01 be denied, because off-site sales for bakeries is not a permitted use in the C-2 District.

If, however, the Planning Commission determines that approval is warranted at this time from the evidence presented by the applicant, then the Development Services Department recommends the following conditions:

1. Standard Conditions 4, 8 and 11.
2. This site is made of three separate parcel numbers. The applicant must file an Administrative Consolidation of Parcels with the Clark County Assessor's Office.
3. That the grain silo shall be painted to match the existing building.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 6/13/01.

Vice-Chairman Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE SPR-17-01 to the 6/13/01 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 6/13/01.

6) UN-46-01 (4179) HOLIDAY INN (Public Hearing)

An application submitted by Norman Wilson on behalf of Golden Point, HIE, LLC, property owner, for a use permit in an M-2 General Industrial District to allow an expansion of an existing motel. The property is located at 4550 Donovan Way. The Assessor's Parcel Number is 139-01-611-006.

RECOMMENDATION:

The Development Services Department recommends that UN-46-01 be approved subject to the following conditions:

1. Standard conditions: 1, 2, 8, 10, 11, 12, 15 and 27.
2. The applicant shall comply with the Industrial Design Standards, with the exception that a minimum 10 feet of landscaping shall be required next to Donovan Way and the Interstate 15 right-of-way.
3. Any push-through air conditioners shall be integrated into the design of the building and shall not protrude more than two inches from the building.
4. Fire Department access must be provided in accordance with Ordinance 1283.
5. No site plan approval by the Fire Department shall be implied.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is supporting the applicant's waiver request as well as the request to expand the hotel.

Norman Wilson, Architect for the project, 609 15th Street, Modesto, California 95354 appeared on behalf of the applicant who stated he agrees with staff's recommendations.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Laura Perkins MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-46-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

7) UN-47-01 (4180) GE ENERGY RENTALS (Public Hearing)

An application submitted by General Electric Energy Rentals on behalf of Pat and Michelle Beckwith, property owners, for a use permit in an M-2 General Industrial District to allow an above-ground 4,000 gallon diesel fuel tank. The property is located at 4611 Vandenberg Drive. The Assessor's Parcel Number is 140-06-510-006.

RECOMMENDATION:

The Development Services Department recommends that UN-47-01 be approved subject to the following conditions:

1. Standard Conditions 10 & 12.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff has received one letter of opposition from a Kathy Butler, who resides at 4530 Andrews Street, who has indicated she is concerned that there would be spills, leaks and soil contamination. Mr. Jordan stated staff is recommending approval of this item subject to one condition.

Kevin Felton, 1033 Ocean Shell Street, Henderson, Nevada 89052 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Chairman Stone asked staff, with regards to the letter staff received in opposition, where the writer of the letter lives in proximity to this project.

Mr. Jordan stated he believes the writer of the letter lives behind this project.

Chairman Stone stated he believes that two out of every three sites in this particular area have above ground fuel and also stated he is aware of a propane business in this area, therefore he does not have a problem with this item.

Commissioner Anita Wood stated she drove by the site today and noticed some construction occurring in the rear of the building.

Mr. Felton replied that is a wash bay that has been granted a permit under a separate issue, and a wash bay is being constructed with a full containment.

Commissioner Wood stated she is concerned about emergency access with regard to the wash bay which is not reflected in the current plans.

Mr. Felton stated the back of the wash bay is to the rear of the building and the fuel tank will be on the side of the building in a different parking area and there is sufficient drive-around space to pull many different types of heavy equipment completely around the building. He stated there is 50 feet between the end of the wash bay and the equipment.

Commissioner Wood asked Mr. Felton to show the Planning Commission (by pointing it out on the overhead display) exactly where the rear of the building is with relation to the proposed location of the storage tank.

Mr. Felton pointed to the relevant areas on an overhead display of the project indicating where the wash bay is and the proposed location for the fuel tank.

Commissioner Wood stated, based on the photograph on the overhead display, that she believes there is more than ample room for emergency access.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-47-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

8) VAC-07-01 (4108) CHEYENNE VILLAS (Public Hearing)

An application submitted by the City of North Las Vegas on behalf of Cheyenne Villas, LLC, property owner, for a vacation of a slope easement adjacent to the Cheyenne Avenue right-of-way proceeding over and across Assessor's Parcel Number 139-12-401-003.

RECOMMENDATION:

The Development Services Department recommends that VAC-07-01 be approved and that this item be forwarded to City Council for final consideration.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this easement was attained by the City of North Las Vegas in 1966 for the purpose of constructing a sloping embankment immediately adjacent to the Cheyenne Avenue right-of-way. He stated that recently the City had a landswap with the developers of this property and currently processing a building permit for an apartment complex at this site and therefore this slope easement needs to be vacated. He stated staff is recommending approval of this item.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE VAC-07-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

9) VN-03-01 (4164) COBBLESTONE RIDGE (Public Hearing)

An application submitted by D.R. Horton, Inc., property owner, for a variance in a Planned Unit Development District (PUD) consisting of 310 single-family homes, to allow a 4.46 foot encroachment into the rear setback of one (1) home; a 3.95 foot encroachment into the rear setback of one (1) home; a .76 foot encroachment into the rear setback of one (1) home; and a 3.62 foot encroachment into the rear setback of one (1) home where fifteen (15) feet is the minimum rear yard setback required. The property is generally located at the northwest corner of Bruce Street and Lone Mountain Road. The Assessor's Parcel Numbers are 124-35-310-007, 124-35-310-020, 124-35-411-037 and 124-35-411-050.

RECOMMENDATION:

The Development Services Department recommends that VN-03-01 be denied because the applicant has the ability to plot a two-story home with a smaller footprint on either of the two lots without necessitating the need for a reduction in the rear yard setback.

If, however, the Planning Commission can make the findings listed in the body of this report, and can determine that the requirements of the Nevada Revised Statutes can be met, then staff recommends the following as conditions of approval:

1. That Standard Conditions 4 and 11 apply; and
2. That the minimum rear yard setback for Lots 216 and 229 be as follows:

Lot 216 (5002 Glowing Garnet Street) shall maintain a minimum 10.54-foot rear yard setback.

Lot 229 (5005 Stormy Ridge Street) shall maintain a minimum 11.38-foot rear yard setback.
3. Structures cannot encroach into easements dedicated in the owner's certificate of the final map. These easements are as follows: 3' side, 5' front with an additional 2' around above-ground telephone equipment or electric transformers.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated originally the applicant has submitted a request for four (4) lots and after staff reviewed this it was learned that two of the lots actually do conform without necessitating the need for a variance, however two of the lots do not therefore they have been processed for the Planning Commission review and consideration. Mr. Jordan stated staff is not supporting this item as it appears to be purely self-inflicted. He stated the applicant does have two-story model homes with a smaller footprint that can fit on these lots without necessitating the need for a variance, therefore staff is recommending denial of this item.

Brian Walsh, of DR Horton Homes, 6845 Escondido Street Suite 105, Las Vegas, Nevada 89119 appeared on behalf of the applicant. Mr. Walsh stated he is requesting to have only two (2) lots to have a variance out of 310.

Chairman Nelson Stone stated these are non-typical lots and allows the Planning Commission the flexibility to approve a variance with that finding, that the lots are non-typical and have an extraordinary shape, therefore he will be supporting this item based on that.

Commissioner Laura Perkins asked the applicant if he has products that will fit on this lot that would not require a variance.

Mr. Walsh replied that he does have a product that could be moved over to this lot that would not require a variance.

Commissioner Anita Wood stated she commends the applicant for what he is trying to do, but she believes because the applicant does have another product that fits on those lots it makes it impossible for the Planning Commission to meet the rules and regulations that are set down by the State of Nevada that state there needs to be some type of physical problem with that lot, which is not the case here. She also stated that, according to the applicant's display, the two-story homes abut many of the single-story homes.

Mr. Walsh agreed with Commissioner Wood that there are two-story homes backing up to single-story homes. He stated that what they wanted was to have all single-story homes along the street front.

Commissioner Wood stated one of the keys of the single story homes is to protect the privacy and the backyards of the single-story home and she believes the applicant has missed that as he has two-story homes abutting the backyards of the single-story homes, as well as the Planning Commission is trying to work with state law.

Mr. Walsh stated he understands how Commissioner Wood feels and appeared tonight in hopes to gain approval of this item.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Anita Wood MOVED and Vice-Chairman Tom Langford SECONDED to DENY VN-03-01 per staff's recommendations based on the fact that such variance has not been proven to be necessary, no exceptional or extraordinary circumstances exist, and it is self-inflicted.

The motion carried by MAJORITY vote with Chairman Nelson Stone and Commission Harry Shull voting against the motion.

10) SPR-12-01 (4052) SILVERADO BUSINESS PARK PHASE II

An application submitted by Conde Del Mar Properties on behalf of Transwestern Silverado GPI, LLC, property owner for a site plan review in an M-1 Business Park Industrial District. The property is generally located approximately 1/4 mile north of Alexander Road and approximately 286 feet east of Pecos Road. The Assessor's Parcel Number is 140-06-302-009.

RECOMMENDATION:

The Development Services Department recommends that SPR-12-01 be approved subject to the following conditions:

1. That Standard Conditions 1, 2, 3, 4, 7, 8, 11, 15, 22, 26 and 27 apply.

If the Planning Commission determines from the evidence presented that a waiver to the Industrial Design Standards is warranted, then the Development Services Department recommends the following condition:

2. That foundation landscaping adjacent to the north side of Building B and the south side of Building A not be required, but that a minimum seven (7) landscape islands be provided between the two buildings, as identified on the site plan. Emergency exit routes from the buildings shall not interfere with the required landscaping.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that staff is recommending approval of the site plan review and the waiver request.

Steven Groat, Managing Member of Conte De Mar Properties, 1708 Window Rock Drive, Henderson, Nevada 89014 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Vice-Chairman Tom Langford MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE SPR-12-01 per staff's recommendations including the waiver.

The motion carried by UNANIMOUS vote.

11) T-876 (4177) BELLA VISTA

An application submitted by Richmond American Homes on behalf of David Nelson Deroache, et. al., property owner, for a tentative map review in an R-1 Single-Family Residential District. The property is generally located at the northeast corner of Valley Drive and Washburn Road. The Assessor's Parcel Number is 124-31-601-001.

RECOMMENDATION:

The Development Services Department recommends that T-876 be continued indefinitely to allow the applicant time to revise the proposed tentative map and re-submit in accordance with the scheduled closing dates. If the applicant is not agreeable to an indefinite continuance, the proposed tentative map must be denied.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff has some concerns regarding the tentative map, primarily dealing with landscaping which has not been shown next to the corner lots within the interior of the subdivision as is required; also regarding the length of the cul-de-sacs within the subdivision; regarding access to the subdivision and pedestrian access, as well. Mr. Jordan stated that staff is recommending this item be continued indefinitely. He stated in order to continue the tentative map indefinitely, the applicant needs to be in agreement, otherwise the tentative map is deemed approved and if the applicant is not in agreement, staff would have to recommend denial. He stated it is his understanding that the applicant has submitted a revised tentative map to staff for review, however staff has not yet reviewed the revised tentative map and provided comments or recommendations to the Planning Commission, therefore staff is calling for a continuance of this item, and if the applicant is agreeable it may be date-specific.

Manny Pattni, of Pentacore Engineering, 6763 W. Charleston Boulevard, Las Vegas, Nevada 89146 appeared on behalf of the applicant who stated Mr. Jordan was correct and agreed to continue this item to the 6/13/01 Planning Commission meeting.

Commissioner Anita Wood MOVED and Vice-Chairman Tom Langford SECONDED to CONTINUE T-876 to the 6/13/01 Planning Commission meeting per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 6/13/01.

OLD BUSINESS

12) SPR-13-01 (4081) RYDER TRUCK FACILITY

An application submitted by Breslin Builders on behalf of Ryder Truck Rental Inc., property owner, for a site plan review in an M-2 General Industrial District to allow a chain link fence with slats where a block wall is required. The Assessor's Parcel Number is 139-01-201-018.

RECOMMENDATION:

The Development Services Department recommends that SPR-13-01 be denied and that an 8-foot opaque screen wall be provided to screen the outdoor storage area.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending denial of this item to maintain the continuity and the quality of the development, as well as to keep the storage yard screened from view.

Chairman Nelson Stone called for the applicant to come forward. The applicant was not present.

Mr. Jordan stated the applicant has been in constant contact with staff and was fully aware of staff's recommendation for this item.

Vice-Chairman Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to DENY SPR-13-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

13) UN-42-01 (4080) WINCHELL PUB & GRILL (Public Hearing)

An application submitted by Ronald Winchell on behalf of the Winchell Family Trust, property owner, for a use permit in an R-E Ranch Estates District (ROI to C-1 Neighborhood Commercial District) to allow the "on sale" of alcoholic beverages in conjunction with a Pub and Grill. The property is generally located west of Simmons Street approximately 960 feet south of Ann Road. The Assessor's Parcel Number is 124-32-102-003.

RECOMMENDATION:

The Development Services Department recommends that UN-42-01 be denied because condition number 30 on the resolution of intent does not allow any pad development to occur prior to the development of the major anchor, condition number nine (9) requires a final development plan to be reviewed and approved by the Planning Commission which should occur prior to any pad development, and the site plan does not comply with the parking requirements.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 6/27/01.

Chairman Nelson Stone opened the Public Hearing and stated the Public Hearing shall remain open until this item is presented at the 6/27/01 Planning Commission meeting.

Commissioner Shull MOVED and Vice-Chairman Tom Langford SECONDED to CONTINUE UN-42-01 to the 6/27/01 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 6/27/01.

14) FDP-04-01 (4079) CAREFREE VILLAS SENIOR APTS

An application submitted by Templeton Development Corp. on behalf of Carefree Alexander LLC, property owner, for a final development plan review in an R-1 Single Family Residential District (ROI to PUD) to modify a previously approved development plan. The property is located at 3949 West Alexander Road. The Assessor's Parcel Number is 139-07-501-004.

RECOMMENDATION:

The Development Services Department recommends that FDP-04-01 be continued indefinitely until such time that the applicant submits calculations providing the seven (7) percent of open space as required by condition #23 of Resolution of Intent #2113 and a revised site plan indicating where the 60 garages would be located.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who stated there was a previously approved final development plan on December 8, 1999 (FDP-21-99) and the applicant has submitted a revised final development plan as there is significant modifications to the one approved in 1999. She stated the applicant is now proposing 472 units where originally there were 442. Ms. Aldava stated 472 is the maximum number of dwelling units permitted on the site as part of the approved PUD. The applicant is increasing the number of garages to 50 from what was originally approved for 26. She stated the applicant is modifying the open space required, is meeting the required 7% as required per condition #23 (ROI #2113) and the applicant is also meeting the requirement of the open space of the 50 foot dimensions in any area. Ms. Aldava stated staff suggests a consolidation of the smaller open space areas in order to create a more usable and functional development for seniors, therefore staff recommends this item be approved subject to two (2) conditions.

Bill Quinn, 3311 S. Rainbow Boulevard, Las Vegas, Nevada 89146 appeared on behalf of the applicant who stated

Commissioner Dean Leavitt stated before he came to serve on the Planning Commission he sat on the Parks and Recreation Board and he has some concern about this project. He stated there are 18 open areas with a total of 123,716 square feet, divided by 18, including the building, results in 6,873 square feet average for the 18 units. He stated if the applicant put a garden in the seniors could just sit around and look at it, with no room to sit and enjoy it.

Mr. Quinn stated he anticipated that response from the Planning Commission and in doing so had his architect, on the computer, take out all the buildings, all the roadways, and the perimeter to see how much landscaping is on this project as a percentage of the total gross area and 43% of the 43 acres is landscaping. He stated there was a requirement back when this was originally approved at a 50 foot minimum dimension for counting in as open space, 50 feet. Mr. Quinn stated the City's new code has been changed to a 30-foot dimension, as well as a minimum of three (3) acres for each 1,000 elderly persons in the project. He stated he is aware from his existing 1,500 units that they average 1.25 residents per unit, which for 472 units the results would be approximately 590 people. He stated he is assuming since this is all single-story product that he will be pulling many of their residents from Buffalo Highlands, which is a single-story product which is approximately 60% seniors currently. Mr. Quinn stated even if you have two (2) people per unit, doubling the 472 to 944, it is still under the 1,000 people that requires the three (3) acres, and he is providing more than double the requirement.

Commissioner Laura Perkins commended the applicant for the large amount of open space in this project, however when looking at the dimensions, one being 2,475 square feet, she is curious what the applicant can put in that space that would be usable.

Mr. Quinn stated one of the biggest things he has going in his Spring Valley project, which is located on Jones Boulevard just north of Flamingo Road, he took an area of approximately 2,500 square feet and built some raised garden planters with keystone block, divided them into pots and they raffle these off on a seasonal basis to the seniors.

Commissioner Anita Wood stated she understands the applicant has a unique problem here and she does not have a problem with the increase in the density or the fact that he has the open space as far as amount. She is concerned if the applicant has met with the Parks and Recreation Department to review some of the things that Carefree does to help alleviate some of the Parks and Recreation Department's concerns. She stated the Planning Commission would feel better if the applicant would meet with the Parks and Recreation Department first and then allow the Commission to get revised recommendations from them to put all concerned at ease.

Mr. Quinn stated he has no problem in doing so and would like to know when he could meet with the Parks and Recreation Department.

Commissioner Wood informed Mr. Quinn to contact Ken Albright of the Parks and Recreation Department.

Commissioner Harry Shull MOVED and Commissioner Anita Wood SECONDED to CONTINUE FDP-04-01 to the 6/13/01 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 6/13/01.

PUBLIC FORUM

This is the portion of the meeting devoted to the public. After completing and submitting a blue card, the public is invited to come forward upon recognition by the Chairman and speak upon any topic. Usually items received under this heading are referred to the appropriate City staff for action at a later date.

No members of the public came forward.

DIRECTOR'S BUSINESS:

Tom Bell informed the Planning Commission of the upcoming International Taste of North Las Vegas on June 2, 2001 and invited all the Planning Commissioners to attend. He also stated there will be a Fireworks Celebration at Seastrand Park on July 3, 2001.

CHAIRMAN'S BUSINESS:

None

ADJOURNMENT:

8:10 PM

A motion to ADJOURN the May 23, 2001 meeting of the Planning Commission of the City of North Las Vegas was made by Chairman Nelson Stone. Commissioner Anita Wood SECONDED the motion.

Nelson Stone, Chairman

ATTEST:

Ted Karant, Recording Secretary