

MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Nelson Stone, Chairman
Marilyn Kirkpatrick
Dean Leavitt
Scott Albright

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

Harry Shull, Vice Chairman
Anita Wood
Tom Langford

August 22, 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
Scott Albright - Present
Marilyn Kirkpatrick - Present

STAFF PRESENT:

Steve Baxter, Planning Manager
Marc Jordan, Senior Planner
Mary Aldava, Associate Planner
Lenny Badger, Public Works
Madeleine Jabbour, Transportation Services
Steven DiGiovanni, Fire Department
Jim Lewis, Deputy City Attorney
Ted Karant, Recording Secretary

PLEDGE OF ALLEGIANCE

Commissioner Tom Langford

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 August 8, 2001.

Commissioner Anita Wood stated she had not yet received a draft copy of the minutes from the 8/8/01 Planning Commission meeting and asked the Commission if the vote on the 8/8/01 Planning Commission meeting could be postponed until the next meeting on 9/12/01.

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to CONTINUE the minutes of the August 8, 2001 Planning Commission Meeting to the 9/12/01 meeting.

The motion carried by UNANIMOUS vote.

The 8/8/01 Minutes are being CONTINUED for a vote at the 9/12/01 meeting.

CONSENT AGENDA

A) PW-105-01 (4976) TIERRA DE LAS PALMAS VILLAGE 3, UNIT 3

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify St. Paul Fire and Marine Insurance Company to release the Subdivision Bond in the amount of 25,000.00.

B) PW-106-01 (4977) HOMETOWN WEST 3

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Greystone Nevada, LLC and accept the Subdivision Bond in the amount of \$586,647.60.

C) PW-107-01 (4978) TURTLE STOP-GOWAN AND COLEMAN

Accept the Commercial Developments Off-Site Improvements Agreement by Richard R. Zachau, LLC and accept the Subdivision Bond in the amount of \$39,533.81.

D) PW-108-01 (4979) PETE KING CORPORATION

Accept the Commercial Developments Off-Site Improvements Agreement by Pete King Corporation and accept the Site Improvement Bond in the amount of \$41,798.00.

E) PW-109-01 (4998) CRAIG ROAD STREET IMPROVEMENTS

Accept the off-site improvements for maintenance and advise the Director of Public Works to release the First Deed of Trust in the amount of \$17,823.14.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE Consent Agenda Items A, and C through E, with Item B being continued to 9/12/01.

The motion carried by UNANIMOUS vote.

Consent Agenda Item 'B' CONTINUED to 9/12/01.

NEW BUSINESS

1) AMP-22-01 (4788) UNLIMITED HOLDINGS, INC. (Public Hearing)

An application submitted by Unlimited Holdings, Inc., on behalf of D.S. Decatur & Hualapai, LLC, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of MDR Medium Density Residential to Office. The property is generally located at the northeast corner of Decatur Boulevard and El Campo Grande Avenue. The Assessor's Parcel Number is 124-30-304-001.

RECOMMENDATION:

The Development Services Department recommends that AMP-22-01 be denied because the Comprehensive Plans does not support the amendment of land use designations that may be incompatible with the surrounding land uses.

Prior to the Planning Commission meeting, the applicant requeste, in writing, the item be continued indefinitely.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Tom Langford SECONDED to CONTINUE AMP-22-01 INDEFINITELY.

The motion carried by UNANIMOUS vote.

The item is CONTINUED INDEFINITELY.

2) ZN-30-01 (4786) UNLIMITED HOLDINGS, INC. (Public Hearing)

An application submitted by Unlimited Holdings, Inc., on behalf of D.S. Decatur & Hualapai, LLC, property owner, for reclassification of property from an R-1 Single-Family Residential District to a C-P Professional Office Commercial District. The property is generally located at the northeast corner of Decatur Boulevard and El Campo Grande Avenue. The Assessor's Parcel Number is 124-30-304-001.

RECOMMENDATION:

The Development Services Department recommends that ZN-30-01 be denied because the subject site is not adjacent to existing or proposed commercial or office developments and the proposed request is not consistent with the surrounding area.

Prior to the Planning Commission meeting, the applicant requested, in writing, the item be continued indefinitely.

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE ZN-30-01 INDEFINITELY.

The motion carried by UNANIMOUS vote.

The item is CONTINUED INDEFINITELY.

Item #3 AMP-23-01 and Item #4 ZN-31-01 are related and are being presented together.

3) AMP-23-01 (4777) SURF PARK (Public Hearing)

An application submitted by the Helmer Group on behalf of Meridan Homes, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of Office to MDR Medium Density Residential. The property is located south of Ann Road approximately 1,200 feet east of Clayton Street. The Assessor's Parcel Number is 124-33-101-002.

RECOMMENDATION:

The Development Services Department recommends that AMP-23-01 be approved to amend the Comprehensive Plan land use designation for the subject site to the Low Density Residential designation.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that according to the guidelines for the Comprehensive Plan amendment for medium density development the subject site should be located at the intersection of two 100-foot wide or larger streets or immediately adjacent to community commercial or regional commercial areas. He stated that presently the site is located next to one 100-foot street, which is Ann Road, and is located next to an undeveloped property where Eldorado is supposed to develop and currently that can be developed with a mix of uses whether C-2, R-CL or Multi-Family, and currently there are no plans for that. He also stated that there is some residential planned for the south of this site and the applicant has indicated in the accompanying application for rezoning (ZN-31-01) that they want R-1 which would require minimum lots of 6,000 square feet. Mr. Jordan stated because of the rezoning for the R-1 and because the proposed amendment to the Comprehensive Plan does not support this for medium density staff is recommending instead of medium density that the Comprehensive Plan be amended for low density residential.

Ron Jackson, of Southwest Engineering, 3610 N. Rancho Drive, Las Vegas, Nevada 89130 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Nelson Stone advised the Planning Commission that since this is an application for an amendment to the Comprehensive Plan a supermajority vote (5-2) will be needed to pass this item.

Chairman 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 AMP-23-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

Item #3 AMP-23-01 and Item #4 ZN-31-01 are related and are being presented together.

4) ZN-31-01 (4778) SURF PARK (Public Hearing)

An application submitted by the Helmer Group on behalf of Meridan Homes, property owner, for the reclassification of property from an O-L Open Land District to an R-1 Single-Family Residential District. The property is located south of Ann Road approximately 1,200 feet east of Clayton Street. The Assessor's Parcel Number is 124-33-101-002.

RECOMMENDATION:

The Development Services Department recommends that ZN-31-01 be approved for permanent "hard zoning" to the R-1 Single Family Residential District by ordinance.

Chairman Nelson Stone asked staff if there was a separate presentation for this item.

Marc Jordan, Senior Planner, replied that there is not.

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

Ron Jackson, of Southwest Engineering, 3610 N. Rancho Drive, Las Vegas, Nevada 89130 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Scott Albright SECONDED to APPROVE ZN-31-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

Item #5 AMP-24-01 and Item #6 ZN-33-01 are related and are being presented together.

5) AMP-24-01 (4784) ANN/COMMERCE COMMERCIAL (Public Hearing)

An application submitted by Rancho Mirage I, LLC, on behalf of Jerry Goeden, property owner, for an amendment to the Comprehensive Plan land use element to change the current designation of LDR Low Density Residential to Neighborhood Commercial. The property is generally located at the northwest corner of Ann Road and Commerce Street. The Assessor's Parcel Number is 124-27-401-007.

RECOMMENDATION:

The Development Services Department recommends that AMP-24-01 be denied as the proposed change does not comply with the guidelines established in the Comprehensive Plan and the applicant has not demonstrated any compelling reasons to amend the Comprehensive Plan.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated on March 28, 2001 the Planning Commission received two applications for this same site, both applications being the same as the current applications, and at that time the Planning Commission denied both applications. He stated that the applicant has since appealed both applications and prior to the City Council making a decision the applicant withdrew both appeals without prejudice therefore this is a new application. Mr. Jordan stated that according to the guidelines for neighborhood commercial a market study supporting the commercial is required. He stated staff's review of this site indicated approximately 150 acres of commercial along Ann Road in a two (2) mile radius and likewise along Craig Road within two (2) miles there is approximately 350 acres and along N. 5th Street and the beltway there are approximately 100 acres that can be developed as commercial. In addition, he stated the Comprehensive Plan supports another approximate 400 acres within the site which leaves approximately 1,000 acres that can be developed as commercial. Mr. Jordan stated that according to the Comprehensive Plan if 20 square feet or 55 square feet of commercial floor area per capita a population of approximately 174,000 to 479,000 people would be needed to support that much commercial. He stated that since the original submittals there have been no changes in these items therefore staff's recommendation for both of these items is for denial.

Ryan Arnold, 3220 S. Rainbow Boulevard, Las Vegas, Nevada 89146 appeared on behalf of the applicant who stated the Mayor has asked for a study to be completed along the corridor of Ann Road to find out what the feasibility is for future commercial. He stated that he understands the Planning Commission may be considering holding all items presented along Ann Road until the study has been completed, however he prefers to see this item go forward as he believes this project is different and unique than any of the other parcels along Ann Road. He stated this property is along two (2) major 100-foot right-of ways, Ann and Commerce, and also that it is directly across the street from the pig farm which he stated presents some unique challenges. He stated if the Planning Commission desires to hold this item until the study is completed he will respect that, but wishes to move forward if possible.

Steve Baxter, Planning Manager, stated the study Mr. Arnold spoke of, is a study which will include Ann Road between Commerce and North 5th Street with more emphasis placed on Commerce and North 5th Street between Ann and the beltway, but not so much Ann Road itself.

Chairman Nelson Stone opened the Public Hearing. The following participants came forward:

- ▶ Robert Combs, 555 E. El Campo Grande Avenue, North Las Vegas, Nevada 89031

Mr. Combs stated he does not know enough about this project to support or oppose it.

Mr. Jordan stated that a letter of opposition has been received by James Henry (copy attached to these minutes).

Chairman Stone closed the Public Hearing.

Commissioner Scott Albright stated he believes this is premature for the Planning Commission to consider this item until the studies being conducted have been completed and presented to the Planning Commission. He stated that he is unable to presently support this item based on its incompatibility with residential.

Vice-Chairman Harry Shull stated he concurs with Commissioner Albright's comments in that he would like to wait until the study was completed to vote on this item.

Commissioner Tom Langford stated he also concurs with Commissioner Albright in that he would support a continuation until the study is completed, but is unwilling to support this item at the present time.

Chairman Nelson Stone stated he, too, would support a continuance of this item until the study is completed.

Mr. Arnold stated he would respectfully agree to the Planning Commission's desire to hold this item over.

Vice-Chairman Harry Shull MOVED and Commissioner Marilyn Kirkpatrick SECONDED to CONTINUE AMP-24-01 INDEFINITELY

The motion carried by UNANIMOUS vote.

The item is CONTINUED INDEFINITELY.

Item #5 AMP-24-01 and Item #6 ZN-33-01 are related and are being presented together.

6) ZN-33-01 (4798) ANN & COMMERCE COMMERCIAL CENTER (Public Hearing)

An application submitted by Rancho Mirage I, LLC, on behalf of Jerry Goeden, property owner, for reclassification of property from an R-E Ranch Estates District to a C-1 Neighborhood Commercial District. The property is generally located at the northwest corner of Ann Road and Commerce Street. The Assessor's Parcel Number is 124-27-401-007.

RECOMMENDATION:

The Development Services Department recommends that ZN-33-01 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

Chairman Nelson Stone opened the Public Hearing and stated the Public Hearing shall remain open until such time this item is heard in its entirety.

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to CONTINUE ZN-33-01 INDEFINITELY.

The motion carried by UNANIMOUS vote.

The item is CONTINUED INDEFINITELY.

7) UN-63-01 (4761) EL TACO LOCO (Public Hearing)

An application submitted by Alejandro Ramirez on behalf of Joseph Dikhow, property owner, for a use permit in a C-2 General Commercial District to allow the “on-sale” of beer and wine in conjunction with a restaurant. The property is located at 3210 East Lake Mead Boulevard. The Assessor’s Parcel Number is 139-24-601-002.

RECOMMENDATION:

The Development Services Department recommends that UN-63-01 be continued indefinitely to allow the applicant time to address any concerns the Redevelopment staff may have.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who indicated this is an application for the “on-sale” of beer and wine, as well as the applicant has indicated the restaurant would feature dancing and live entertainment on the weekends, however Title 5 of the Municipal Code states that a beer and wine license authorizes the sale of only beer and wine and only in connection with a meal. She stated that the Redevelopment Staff indicated concern over the dancing and live entertainment proposal. Mrs. Aldava stated the applicant has submitted a letter addressing the Redevelopment Agency’s comments which stated, “the live entertainment will be mariachi bands performing three (3) hours per night and dancing will be allowed on a small dance floor with a CD player and jukebox. She stated the Redevelopment Agency has submitted their comments and recommend approval, however staff still prefers no dancing since it is only in conjunction with meals for the beer and wine license, therefore staff is recommending this item be continued indefinitely, but if the Planning Commission feels that approval is warranted, staff recommends this item be approved subject to three (3) conditions: 1) Standard conditions 4,8,10,11 and 12 shall apply. 2) That the dance floor and entertainment stage shall be eliminated from the floor plan. 3) That this establishment be restricted to a restaurant use only.

Dave Eder, of Nevada Gaming Application Consultants, 777 Equartz Avenue, PMB 7707, Sandy Valley, Nevada 89019 appeared on behalf of the applicant.

Chairman Nelson Stone asked Mr. Eder if he understands staff’s recommendation to continue the item.

Mr. Eder stated he understands the recommendation and also stated the dancing is not a problem, if the Commission so desires to eliminate it. He also stated there is not going to be a stage, only a small portion of the floor was going to be designated for dancing, but that can be eliminated and concurs with staff’s conditions on this item.

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

Chairman Stone asked Mr. Eder what the hours of operation were going to be.

Mr. Eder replied that during the week the hours will be 7:00am to 10:00pm as they will be serving breakfast, lunch and dinner and on Friday through Sunday the hours will be 7:00am through midnight.

Commissioner Scott Albright stated he thinks this project is good for the Redevelopment Area and he personally does not have a problem with the dancing issue and believes it adds to the atmosphere, therefore he is in support of this application.

Steve Baxter, Planning Manager, stated that dancing is not a land-use issue, however is a Title 5 requirement which is why it is not allowed.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-63-01 per staff's recommendations subject to the following conditions:

Condition #1 Added to Read: "Standard conditions 4, 8, 10, 11 and 12 shall apply."

Condition #2 Added to Read: "That the dance floor and entertainment stage shall be eliminated from the floor plan."

Condition #3 Added to Read: That this establishment shall be restricted to a restaurant use only."

The motion carried by UNANIMOUS vote.

Mr. Jordan stated this item will be forwarded to the Redevelopment Agency for final approval and wanted to make sure the applicant is aware of that.

Mr. Eder replied that he understands that.

8) VAC-11-01 (4760) THE LAS VEGAS COMPANY (Public Hearing)

An application submitted by Losee, LLC, on behalf of the City of North Las Vegas, property owner, for a vacation of a portion of the Commerce Street right-of-way commencing at Losee Road and proceeding south approximately 167 feet. The Assessor's Parcel Number is 139-22-699-005.

RECOMMENDATION:

The Development Services Department recommends that VAC-11-01 be approved subject to the following conditions and forwarded to the City Council for final consideration.

1. A public utility easement for the entire area being vacated must be submitted to the City of North Las Vegas Division of Property Management. Contact Beverly Hicks for further details at 633-1217.
1. That landscaping plans for the area being vacated be submitted for review and approval by Planning staff prior to recordation of the vacation.
2. That a consolidation of parcels will be required to combine the existing lots into the new lot configuration.
3. A minimum six-foot-high wall shall be constructed on the property line between the area being vacated and the residential property to the west (Parcel 139-22-217-031).
4. That sidewalks connecting Henderson Circle to Losee Road be provided.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who indicated staff recommends this item be approved subject to five (5) conditions.

Jack DellaValle, 300 W. Lake Mead Boulevard, North Las Vegas, Nevada 89030 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Vice-Chairman Harry Shull MOVED and Commissioner Tom Langford SECONDED to APPROVE VAC-11-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

9) ZN-17-98 (4793) GRANDPRIX TRUCK STOP & CASINO (Public Hearing)

An application submitted by the I-15 Interchange, LLC, property owner, for an amendment to a previously approved Planned Unit Development (PUD) to allow off-premise signs (billboards) along Interstate Route 15. The property is generally located at the northwest corner of Hollywood Boulevard and the I-15 Interstate. The Assessor's Parcel Numbers are 123-22-701-001 and 123-22-701-003.

RECOMMENDATION

The Development Services Department recommends that the amendment to ZN-17-98 to allow off premise signs be approved subject to the following conditions:

1. That all applicable conditions of ZN-17-98 be met.
2. That no portion of the new off-premise signs shall be constructed within 750-feet of one another, or of an existing off premise sign except as otherwise provided in Title 17 § 24.110-F.3, and that all other applicable Ordinance requirements for off-premise signs set forth in § 24.110-F shall be met with the following exception:
 - a. A special use permit, for the construction of off-premise signs that are otherwise consistent with all Zoning Ordinance requirements, shall not be required at this location.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this is an application to amend the existing PUD to allow off-premise billboard signs and also a variation of the separation between off-premise signs. He stated the applicant is requesting to allow three (3) off-premise signs which would be adjacent to the I-15 right-of-way, as well as for a separation of approximately 537 feet from each sign, whereas 750 feet is required. Mr. Jordan stated that because this is a PUD this item can be considered along with the amendment to the PUD. He stated that typically under the zoning ordinance the off-premise signs are only allowed in areas zoned M-2 and also adjacent to I-15. He stated the proposed request satisfies the intent however staff does not support the separation request, staff is only supporting the request to amend the PUD to allow off-premise signs, which may be reduced to two (2) from three(3) and still require the 750 feet separation between the signs.

Chairman Nelson Stone stated he wishes to disclose that he worked on the parcel directly south of this property and the company he works for is called WLG, not the representative on this project which is WLB and does not feel there is any conflict of interest by Chairman Stone voting on this issue.

Art Macaraeg, 2260 Corporate Circle, Henderson, Nevada 89014 appeared on behalf of the applicant who stated he has two issues, one being can he have this use with the amendment of the PUD and the other is the distance, if he is allowed to place these signs less than the 750 feet separation requirement.

Kelleen Cota, of Lamar Advertising, 1863 Helm Drive, Las Vegas, Nevada 89119 appeared on behalf of the applicant.

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

Commissioner Anita Wood asked the applicant if there are two (2) existing signs currently located at the site and asked him to confirm that he wishes to put in two (2) additional billboards.

Mr. Macaraeg replied that is correct, and that two of the signs will be signs that are relocated.

Commissioner Wood stated she believes that perhaps it would be best for this item to be continued so that the applicant could submit the information of relocation along with the application so that the Planning Commission would know the exact place of what is being relocated and where it is going and whether or not he meets the ordinance requirements for relocation signs.

Mr. Macaraeg stated he is proposing to make that a condition when he applies for a building permit, that the signs that are being relocated be destroyed.

Commissioner Wood asked staff what exactly is the ordinance requirement when signs are to be relocated.

Mr. Jordan stated when a sign is relocated from one location to another they can have a separation of 500 feet, and the applicant's proposed separation is 537 feet, which would be basically meeting the requirement. He stated that two of the signs are on-premise signs, not off-premise signs, and three others are considered off-premise signs. Mr. Jordan stated that staff had asked the applicant previously if any signs were going to be relocated and at that time the applicant stated that there would be no relocation of signs and therefore this is news to staff.

Commissioner Tom Langford stated that he concurs with Commissioner Wood's suggestion of a continuance as there was no mention of any relocation in the staff report and the Commission is not in the habit of allowing designing to take place at the podium during the Planning Commission meeting.

Ms. Cota stated, with regard to relocating the signs, the reason she does not wish to inform the Commission of the exact location of the signs is that she may not get the building permit and if she gets a building permit at the same time she may need to move an asset and she is not going to take these signs down and identify them publicly until she knows that she has what she needs.

Vice-Chairman Harry Shull stated the Commission does not need to know the exact location of the signs as long as that the permits necessary are issued simultaneously.

Commissioner Wood asked, with regard to the requirement in the ordinance where it states the applicant gets the benefit of being able to place signs close if they relocate, does it require any type of waiver or variance from the Planning Commission or is that done administratively.

Steve Baxter, Planning Manager, replied that is something that is done administratively.

Commissioner Wood stated then that therefore if the Planning Commission simply approved the use then staff could administratively handle the rest.

Mr. Baxter replied that is correct.

Commissioner Langford asked staff if the question was asked of the applicant if relocation was going to take place and he stated the question was never answered, and that is something that was going to be done.

Mr. Jordan stated that was his understanding, however if the applicant changed his mind at this point, that would be acceptable to staff.

Shawn Lampman, 9340 Pitching Wedge, Las Vegas, Nevada 89134 appeared on behalf of the applicant who stated he attended the meetings where this item was discussed with staff and the intention of relocation had been discussed and he believes the intent is to get the signs within the city to be removed and continuing this item would not be any different than what is being doing at tonight's meeting and identifying the signs is affecting a confidentiality issue as previously stated by Ms. Cota.

Jim Lewis, Deputy City Attorney, asked if a condition is needed that states, "as a condition precedent to the issuance of building permits for the erection of any new signs that removal of corresponding non-conforming signs as required by 17 § 24.110" or is that something that is already a part of an existing condition.

Mr. Jordan stated that the condition reads "That no portion of the new off-premise signs shall be constructed within 750-feet of one another, or of an existing off premise sign except as otherwise provided in Title 17 § 24.110-F.3."

Mr. Lewis stated that an added condition should read, "as a condition precedent to the issuance of a building permit for the erection of any new signs along I-15 the applicant shall first remove the corresponding non-conforming signs as required by 17 § 24.110."

Vice-Chairman Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-17-98 per staff's recommendations subject to the following condition:

Condition #3 Added to Read: "as a condition precedent to the issuance of a building permit for the erection of any new signs along I-15 the applicant shall first remove the corresponding non-conforming signs as required by 17 § 24.110."

The motion carried by UNANIMOUS vote.

10) ZN-32-01 (4779) CRAIG AND ALLEN COMMERCIAL CENTER (Public Hearing)

An application submitted by Cahan Properties, Inc., on behalf of Christina M. Hixson, property owner, for the reclassification of property from an R-1 Single-Family Residential District to a C-2 General Commercial District. The property is generally located at the northwest corner of Craig Road and Allen Lane. The Assessor's Parcel Numbers are 139-06-601-004 and 139-06-601-005.

RECOMMENDATION:

The Development Services Department recommends that ZN-32-01 receive a favorable recommendation and that this item be forwarded to the City Council for permanent zoning to the C-2 General Commercial District by ordinance.

The application was presented by Mary Aldava, Associate Planner, on behalf of staff who indicated that the Comprehensive Plan identifies the subject site as community commercial and the surrounding areas as low density residential and community commercial, therefore because the Comprehensive Plan supports development within the area proposed for rezoning the Development Services Department recommends that ZN-32-01 receives a favorable recommendation and that this item be forwarded to the City Council for permanent zoning to the C-2 General Commercial District by ordinance.

Stuart Hitchen, with WRG Design, 2260 Corporate Circle Suite 430, Henderson, Nevada 89014 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 Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-32-01 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Marilyn Kirkpatrick voting against the motion.

11) T-881 (4776) CREEKSIDE ONE UNIT 5

An application submitted by Real Homes, 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 El Campo Grande. The Assessor's Parcel Number is 124-30-701-001.

RECOMMENDATION:

The Development Services Department recommends that T-881 be continued indefinitely to allow the applicant time to submit a revised tentative map addressing the concerns outlined in the analysis section. State Statutes require the Planning Commission to act within 45 days, otherwise the tentative map would be deemed approved. Therefore, unless the applicant is willing to continue the application, the Development Services Department will have to recommend that T-881 be denied.

If however, the Planning Commission were to determine that approval is warranted, then staff recommends the following conditions:

1. Standard conditions: 1, 2, 3, 7, 11, 15, 17, 18, 26, 27, 29 and 31.
2. All lots must comply with the minimum lot size requirement of 6,000 square feet.
3. The developer shall comply with the Single Family Design Standards.
4. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City.
5. Fiber optic conduit must be provided along the Valley Drive frontage.
6. A minimum of 100 feet is required between the center line intersection of Valley Drive and Creekside Sands Lane to the center line point of curvature of Creekside Sands Lane.
7. Provide a larger radius on watercolor Street to eliminate the kink.
8. Two copies of a revised tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending that this tentative map be continued to allow the applicant time to submit a revised tentative map that shows a curvilinear design for the street and likewise reconfiguring the previously mentioned lot to comply with the 6,000 square foot lot size requirement.

Mark Jones, or Southwest Engineering, 3610 N. Rancho Road, Las Vegas, Nevada 89130 appeared on behalf of the applicant who stated he feels this tentative map meets the intent and requests approval.

Commissioner Anita Wood asked the applicant if he has discussed difficulties regarding the item with staff.

Mr. Jordan stated the curvilinear street is at the Planning Commission's discretion and with regards to condition #6 he stated that it could be amended to state, "or as approved by the City of North Las Vegas Traffic Engineer."

Mr. Jones stated he concurs with Mr. Jordan's comments.

Chairman Nelson Stone MOVED and Vice-Chairman Harry Shull SECONDED to APPROVE T-881 per staff's recommendations subject to the following change:

Condition #6 Changed to Read: "A minimum of 100 feet is required between the center line intersection of Valley Drive and Creekside Sands Lane to the center line point of curvature of Creekside Sands Lane, or as approved by the City of North Las Vegas Traffic Engineer."

The motion carried by UNANIMOUS vote.

12) ZOA-11-01 (5001) CITY OF NORTH LAS VEGAS (Public Hearing)

An ordinance amendment initiated by the City of Las Vegas to add a new Section 17.20.190 of Title 17 of the North Las Vegas Municipal Code (Zoning Ordinance) that would provide for a Master Plan Overlay Zoning District.

It has been recommended by the City's legal consultant that the 1900-acre master plan be zoned under a master overlay district. This district would only be used for development within the 7500-acre area and other future master planned developments that encompass a minimum area of 1,250 contiguous gross acres of land under one ownership. The proposed ordinance would set the stage for the later adoption of the master plan overlay district that will cover the 1900-acre master planned community.

Chairman Nelson Stone opened the Public Hearing and stated the Public Hearing shall remain open until such time this item is heard in its entirety.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 9/12/01.

Vice-Chairman Harry Shull MOVED and Commissioner Marilyn Kirkpatrick SECONDED to CONTINUE ZOA-11-01 to the 9/12/01 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 9/12/01.

OLD BUSINESS

13) UN-34-01 (3966) SPRINT PCS; SPECIAL USE PERMIT (Public Hearing)

An application submitted by Sprint PCS on behalf of Cheyenne Marketplace, LLC, property owner, for a use permit in a Planned Unit Development District (PUD), consisting of proposed Neighborhood Commercial, to allow a cellular tower. The property is generally located at the northeast corner of Cheyenne Avenue and Martin Luther King Boulevard. The Assessor's Parcel Number is 139-09-801-002.

This application was continued from the Planning Commission meetings of April 25, 2001, and July 25, 2001, at the request of the applicant. The Development Services Department recommended denial of this request because the proposed site is required to have a final development plan reviewed and approved by the Planning Commission prior to the development of this site. Thus far, an application for a final development plan has not been reviewed and approved. Therefore, since no new information has been presented to staff which would warrant a favorable recommendation, staff's original recommendation will stand.

RECOMMENDATION:

The Development Services Department recommends that UN-34-01 be denied because this site is required to have a final development plan reviewed and approved by the Planning Commission prior to development, and one has not yet been submitted.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated this item was presented at the April 25, 2001 Planning Commission meeting and at that time staff indicated this area is zoned PUD and as part of that PUD there is a final development plan required, as the subject site is designated commercial development, and likewise staff has not seen a final development plan for that commercial development therefore staff has some concerns regarding the cell tower being the first use in this area and then commercial having to design itself around this cellular facility whereas it would probably be better if a commercial center was designed and then a cellular tower was installed and that way the proper screening could be obtained. He stated at that time staff recommended denial of this application and this application has been continued several times and the applicant is to conduct research and provide some information to the Planning Commission, however at this time staff's recommendation is still for denial of this item.

Don Cape, 7351 W. Charleston Boulevard, Las Vegas, Nevada 89117 appeared on behalf of the applicant who stated as staff indicated this item was tabled for the last seven months. He stated the intent of the tabling was not to come up for additional support for this, but to allow with staff's wishes that the master planned development be submitted. He stated he has been working with the landlord on the future development of this parcel who indicated he would be filing his planned development in June which he has not done yet as he has some concerns with tenants. He stated they are proposing a slimline pole to the rear of a commercial complex which the intent will be a Smith's or a Von's with a SavOn Drugs-type structure. He stated he had a signed lease with the landlord who has copies of the drawings and has told the applicant where he wants the location of the pole.

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

Mr. Jordan stated he recommends this item be continued to the next meeting so that staff could list all the appropriate conditions on this item.

Commissioner Marilyn Kirkpatrick asked the applicant if he would agree to continue this item to the 9/12/01 Planning Commission meeting to allow staff the opportunity to place some standard conditions on this application.

Mr. Cape stated he has no problem with that.

Chairman Stone asked Jim Lewis, Deputy City Attorney, if this is a defective application since it has no proper conditions of approval listed.

Jim Lewis, Deputy City Attorney, stated he would advise against approving an item without proper conditions listed.

Vice-Chairman Harry Shull stated he would prefer continuing this item to allow conditions of approval to be attached to the application.

Commissioner Tom Langford stated he has a problem with this application since there is no final development plan for the rest of the area.

Commissioner Marilyn Kirkpatrick MOVED and Vice-Chairman Harry Shull SECONDED to CONTINUE UN-34-01 to the 9/12/01 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 9/12/01.

14) T-880 (4732) BRENTWOOD II

An application submitted by KB Homes Nevada, Inc., on behalf of the Rains 1992 Trust, property owner, for a tentative map review in an R-E Ranch Estates District (pending R-1 Single-Family Residential District). The property is generally located at the northeast corner of Washburn Road and Bruce Street. The Assessor's Parcel Numbers are 124-35-601-001, 124-35-601-004, 124-35-601-005, and 124-35-601-008.

This item was continued from the August 8, 2001, Planning Commission meeting to allow staff time to review the revised tentative map submitted by the applicant.

RECOMMENDATION:

The Development Services Department recommends that T-880 be continued indefinitely to allow the applicant time to submit a revised tentative map addressing the concerns outlined in the analysis section. State Statutes require the Planning Commission to act within 45 days, otherwise the tentative map would be deemed approved. Therefore, unless the applicant is willing to continue the application, the Development Services Department will have to recommend that T-880 be denied.

If, however, the Planning Commission were to determine that approval is warranted at this time, then staff recommends the following conditions:

1. Standard conditions: 1, 2, 3, 7, 11, 15, 26, 27 and 31.
2. Fiber optic conduit is required along the Washburn Road and Bruce Street frontages.
3. There is an emergency access gate shown at the south end of Crimson King Street. This gate must be electronically controlled. Additionally, the street must provide an unobstructed drainage flow path to Washburn Road.
4. The 48-foot-wide "public utility and emergency access easement" shall also be designated as a public drainage easement.
5. If this is a gated community, a queuing analysis is required.
6. The entry and exit lanes on Moonfire Avenue must be a minimum of 20 feet wide.
7. A merger and resubdivision map will be required to combine lots 1 through 4 of Certificate of Land Division 63-84.
8. Bruce street must be dedicated adjacent to APN 124-35-601-011 and 103.
9. Pedestrian access shall be provided to Washburn Road and Hammer Lane.
10. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City.
11. Perimeter street fire hydrants shall be provided in accordance with Ordinance 1283.
12. A second means of access to the development, exclusive of Bruce Street, shall be provided to comply with Ordinance 1283.
13. No site plan approval by the Fire Department is implied.

14. The developer shall comply with the Single Family Design Standards.
15. All dwelling units shall be designed to increase the level of sound attenuation by 25 decibels.
16. Two copies of a revised tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

Prior to the Planning Commission meeting, the applicant requested the item be withdrawn without prejudice.

The item is WITHDRAWN.

PUBLIC FORUM

This is the portion of the meeting devoted to the public. After completing and submitting a yellow 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: None

CHAIRMAN'S BUSINESS: None

ADJOURNMENT: 8:40 PM

A motion to ADJOURN the August 22, 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