

# 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

---

**February 13, 2002**

**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  
Marilyn Kirkpatrick - Present  
Scott Albright - Present

**STAFF PRESENT:**

Jim Stubler, Acting Director, Development Services  
Steve Baxter, Planning Manager  
Marc Jordan, Senior Planner  
Chris Melendrez, Associate Planner  
Lenny Badger, Public Works  
Terri Tarbett, Assistant Fire Chief  
Jim Lewis, Deputy City Attorney  
Ted Karant, Recording Secretary

**PLEDGE OF ALLEGIANCE**

Chairman Nelson Stone

**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 January 9, 2002.

Vice-Chairman Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE the minutes of the January 9, 2002 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

Approval of the MINUTES for the Planning Commission meeting of January 23, 2002 will be CONTINUED to the 2/27/02 Planning Commission meeting.

Vice-Chairman Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE the minutes of the January 23, 2002 Planning Commission meeting to 2/27/02.

### **CONSENT AGENDA**

**A) PW-16-02 (6150) RANCHO MIRAGE UNIT II, PHASE 2**

Approve the Subdivision Off-Site Improvements Agreement by Centex Homes and accept the Subdivision Bond in the amount of \$287,553.31.

**B) PW-17-02 (6151) RANCHO MIRAGE UNIT II, PHASE 2**

Advise the Director of Public Works to notify Developers Insurance Company to release the Subdivision Bond in the amount of \$287,553.31.

**C) PW-18-02 (6152) RANCHO MIRAGE UNIT II, PHASE 1**

Approve the Subdivision Off-Site Improvements Agreement by Centex Homes and accept the Subdivision Bond in the amount of \$126,082.04.

**D) PW-19-02 (6153) RANCHO MIRAGE UNIT II, PHASE 1**

Advise the Director of Public Works to notify Developers Insurance Company to release the Subdivision Bond in the amount of \$126,082.04.

**E) PW-20-02 (6154) RANCHO DEL SOL NORTE, NORTH, PHASE 4**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Developers Insurance Company to release the Subdivision Bond in the amount of \$405,476.50.

**F) PW-21-02 (6155) MADERA UNIT 4**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Richmond American Homes of Nevada, Inc. and accept the Subdivision Bond in the amount of \$411,141.01.

**G) PW-22-02 (6156) MADERA UNIT 3**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Richmond American Homes of Nevada, Inc. and accept the Subdivision Bond in the amount of \$408,397.55.

**H) PW-23-02 (6157) CRAIG/COMMERCE CENTER "A" CHANNEL**

Accept the Commercial Developments Off-Site Improvements Agreement by Craig King Nevada, Inc. and accept the Cash In Lieu of Bond Agreement-Separate Account in the amount of \$510,000.00.

**I) PW-24-01 (6245) RANCHO RIDGE II, UNIT 4**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Specialty Holdings, Inc. and accept the Subdivision Bond in the amount of \$287,556.34.

**J) RN-126-140-01 (6244) DEEDS OF DEDICATION**

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

Vice-Chairman Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE Consent Agenda Items A through J.

The motion carried by UNANIMOUS vote.

## **NEW BUSINESS**

### **1) AMP-07-02 (5793) CENTENNIAL/BRUCE (Public Hearing)**

An application submitted by Centex Homes on behalf of Jack Binion and Phillis Cope, property owners, 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 Rome Boulevard and Donna Street. The Assessor's Parcel Numbers are 124-23-301-009, 124-23-701-001, 124-23-701-002, 124-23-401-003, 124-23-401-004, 124-23-401-005 and 124-23-801-001.

### **RECOMMENDATION**

The Development Services Department recommends that AMP-07-02 be denied, because the proposal is not consistent with the guidelines recommended by the Comprehensive Plan.

Prior to the Planning Commission meeting, the applicant requested the item be withdrawn.

**The item is WITHDRAWN.**

**2) ZN-12-02 (5792) CENTENNIAL/BRUCE (Public Hearing)**

An application submitted by Centex Homes on behalf of Jack Binion and Phillis Cope, property owners, for reclassification of property from an R-E Ranch Estate District to a Planned Unit Development District (PUD) to develop Single-Family Homes. The property is generally located at the southeast corner of Deer Springs Way and Donna Street. The Assessor's Parcel Numbers are 124-23-301-009, 124-23-401-003, 124-23-401-004, 005, 124-23-701-001, 124-23-701-002 and 124-23-801-001.

**RECOMMENDATION**

The Development Services Department recommends that ZN-12-02 be approved subject to the following conditions:

1. Standard Conditions: 1, 2, 3, 5, 6, 7, 9, 11, 15, 25, 26, 27, 28, 29, 31, and 32.
2. That the development shall generally comply with the conceptual land use plan as submitted, including typical lot sizes and setbacks.
3. That the overall density of the development shall not exceed 4.5 du/acre.
4. No approval of the alignment acreage and width of the Las Vegas Wash Channel shown on the site plan is implied. No tentative map or final development plan shall be submitted prior to determination of the final alignment and width of the Las Vegas Wash Channel.
5. No approval of alignment or width of the Centennial Parkway Channel as shown on the site plan is implied. An easement with width to be determined shall be dedicated.
6. Clark County Regional Flood Control District concurrence of the drainage study is required.
7. That the applicant must amend the Master Plan of Streets and Highways if removal of Bruce Street and Rome Boulevard are intended.
8. The following rights-of-way must be dedicated:
  - a. 40' for Deer Springs Way
  - b. 30' for Lawrence and Donna Streets
  - c. 50' for Centennial Parkway
  - d. Las Vegas Wash Channel, trial system and confluence with the Centennial Channel; width to be determined.
  - e. Bus turnout on Centennial Parkway west of Bruce Street.
9. Fiber optic conduit must be provided on Bruce Street, Deer Springs Way and Centennial Parkway.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated staff is recommending approval of this item.

Brad Burns, of Centex Homes, 3660 N. Rancho Drive, Las Vegas, Nevada 89130 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.

Vice-Chairman Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-12-02 per staff's recommendations subject to the following changes:

**Condition #10 Added to Read: "All residential units shall be provided with fire sprinklers, unless the applicant provides a suitable alternative to the City prior to recording the final map."**

**Condition #11 Added to Read: "A minimum of two remote means of paved access shall be provided to this site from existing streets."**

The motion carried by MAJORITY vote with Commissioner Tom Langford voting against the motion.

**Item #3 AMP-12-02 and Item #4 ZN-17-02 are related.**

**3) AMP-12-02 (5841) PECOS-CENTENNIAL CENTER (Public Hearing)**

An application submitted by James E. Stroh, Architect, on behalf of Centennial Pecos, LLC, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of MDR Medium Density Residential to Neighborhood Commercial. The property is generally located at the southwest corner of Pecos Road and Centennial Parkway. The Assessor's Parcel Number is 124-25-501-004.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-12-02 received a favorable recommendation and that this item be forwarded to the City Council to amend the Comprehensive Plan land use designation for the subject site to Neighborhood Commercial.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending approval of this item.

Bill Curran, of Curran & Parry, 300 S. 4<sup>TH</sup> St. Suite 1201, Las Vegas, Nevada 89101 appeared on behalf of the applicant.

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 AMP-12-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**Item #3 AMP-12-02 and Item #4 ZN-17-02 are related.**

**4) ZN-17-02 (5842) PECOS-CENTENNIAL CENTER (Public Hearing)**

An application submitted by James E. Stroh, Architect, on behalf of Centennial-Pecos, LLC, property owner, for reclassification of property from an M-1 Business Park Industrial District to a C-1 Neighborhood Commercial District. The property is generally located at the southwest corner of Pecos Road and Centennial Parkway. The Assessor's Parcel Number is 124-25-501-004.

The Development Services Department recommends that ZN-17-02 receive a favorable recommendation and that this item be forwarded to the City Council for permanent zoning to the C-1 Neighborhood Commercial District.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending approval of this item.

Bill Curran, of Curran & Parry, 300 S. 4<sup>th</sup> Street Suite 1201, Las Vegas, Nevada 89101 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 MOVED and Commissioner Tom Langford SECONDED to APPROVE ZN-17-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**5) AMP-13-02 (5943) CENTURY ONE (Public Hearing)**

An application submitted by Centex Homes on behalf of Centennial Parkway-Commerce, LLC, 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 Revere Street and Centennial Parkway. The Assessor's Parcel Number is 124-27-101-002.

**RECOMMENDATION:**

The Development Services Department recommends that the Planning Commission approve AMP-13-02 to allow a change in designation of the site from Low Density Residential to Medium Density Residential.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending approval of this item.

George Garcia, 2501 Green Valley Parkway Suite 108, 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.

Vice-Chairman Harry Shull MOVED and Commissioner Tom Langford SECONDED to APPROVE AMP-13-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**6) ZN-10-02 (5788) CENTURY ONE (Public Hearing)**

An application submitted by Centex Homes on behalf of Centennial Parkway - Commerce, LLC., property owner, for reclassification of property from an R-E Ranch Estates District to a Planned Unit Development District (PUD) consisting of 90 Single-Family Homes. The property is generally located at the southeast corner of Centennial Parkway and Revere Street. The Assessor's Parcel Number is 124-27-101-002.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-10-02 be denied as the proposed development does not meet the minimum standards for a single-family residential neighborhood.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 2/27/02 Planning Commission meeting.

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

Commissioner Tom Langford **MOVED** and Commissioner Dean Leavitt **SECONDED** to **CONTINUE** ZN-10-02 to the 2/27/02 Planning Commission meeting.

The motion carried by **UNANIMOUS** vote.

**The item is CONTINUED to 2/27/02.**

**7) UN-14-02 (5795) PRESENT TRUTH 7<sup>TH</sup> DAY ADVENTIST CHURCH (Public Hearing)**

An application submitted by the Present Day Seventh-Day Adventist Church on behalf of Jesse & Mazie Wesley, property owner, for a use permit in an R-E Ranch Estates District to allow a church. The property is generally located west of Coleman Street approximately 300 feet north of Alexander Road. The Assessor's Parcel Number is 139-05-802-008.

**RECOMMENDATION**

The Development Services Department recommends that UN-14-02 be approved subject to the following conditions:

1. Standard Conditions 2, 4, 7, 8, 10, 11, 12, 15, 26, 27, 29, 31 and 32.
2. That off-site improvements adjacent to the parcel will be required with construction of the church.
3. That all utilities to the site must be placed underground.
4. That all drive aisles must meet the minimum width requirements as designated in Title 17.
5. That the development must comply with all fire codes and ordinances including turning radii.
6. That 5' of perimeter landscaping be provided along the north, south and west property lines, and that all perimeter landscaping be planted in accordance with ordinance requirements.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated staff is recommending approval subject to six (6) conditions.

Bishop Eric M. Betts, 4716 Grand Rock Drive, North Las Vegas, Nevada 89033 appeared on behalf of the applicant who stated he will comply with all listed conditions.

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

- ▶ Nita Klaholz, 2400 W. Alexander Road, North Las Vegas, Nevada 89032

Ms. Klaholz stated she opposes this project due to the increased traffic it will bring and the safety to the children.

- ▶ Elise Gutierrez, 2475 W. Alexander Road, North Las Vegas, Nevada 89032

Ms. Gutierrez stated she believes there are too many churches in this area. She further stated that if this item is approved, she would like to see them required to put up a block wall.

Chairman Stone closed the Public Hearing.

Commissioner Anita Wood asked staff to verify if this applicant is required to have a block wall.

Marc Jordan, Senior Planner, replied that the applicant is required to have a block wall.

Vice-Chairman Harry Shull MOVED and Commissioner Tom Langford SECONDED to APPROVE UN-14-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**8) UN-16-02 (5856) JAMES R. SORENSEN (Public Hearing)**

An application submitted by James R. Sorensen, property owner, for a use permit in R-E Ranch Estates District to allow a 1,500 square foot garage where 1,200 square feet is the maximum allowed and to allow the garage to be 23 inches taller than the existing structure. The property is located at 4001 Hatch Street. The Assessor's Parcel Number is 139-06-411-029.

**RECOMMENDATION:**

The Development Services Department recommends that UN-16-02 be approved subject to the following conditions.

1. Standard conditions number 4, 10, 11, and 12.
2. That heating and cooling equipment, if any, be ground-mounted.
3. Paved access to the accessory structure is required.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending approval of this item.

James Sorensen, 4001 Hatch Street, North Las Vegas, Nevada 89032 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 UN-16-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**9) UN-17-02 (5864) KINGDOM HALL (Public Hearing)**

An application submitted by Peter C. Ostrom and Raul Payan, property owners, for a use permit in an R-E Ranch Estates District to allow a church. The property is generally located at the northwest corner of Red Coach Avenue and Ferrell Street. The Assessor's Parcel Number is 139-05-106-003.

**RECOMMENDATION:**

The Development Services Department recommends that UN-17-02 be continued indefinitely to allow the applicant sufficient time to submit a revised site plan incorporating all concerns mentioned in the analysis section.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 2/27/02 Planning Commission meeting.

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

Commissioner Tom Langford MOVED and Vice-Chairman Harry Shull SECONDED to CONTINUE UN-17-02 to the 2/27/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item is CONTINUED to 2/27/02.**

**10) UN-18-02 (5900) TIM C. AYALA (Public Hearing)**

An application submitted by Tim C. Ayala on behalf of Roberto Paredes, property owner, for a use permit in a C-2 General Commercial District to allow an automobile washing establishment. The property is located at 2987 N. Las Vegas Boulevard. The Assessor's Parcel Number is 139-13-506-002.

**RECOMMENDATION:**

The Development Services Department recommends that UN-18-02 be approved with the following conditions:

1. Standard conditions: 4, 6, 8, 10, and 11.
2. The proposed development shall comply with the Commercial Design Standards, including but not limited to the following:  
  
Provide additional landscaping in the parking lot, include landscaped islands every 15 spaces of continuous parking area.  
  
Orient the proposed car wash to the corner of the lot fronting on Griswold Street.
3. The facility will be required to construct a sand/oil interceptor and sampling manhole pursuant to City of North Las Vegas specifications. If an acceptable sand/oil interceptor exists for the facility, the facility is still required to construct a sampling manhole pursuant to the specification. To obtain a copy of the specifications, please contact Teri McGuinness at 633-1374.
4. An administrative consolidation of parcels is required. The form is available from the Clark County Assessor's office or on the internet at <http://www.co.clark.nv.us/assessor/pdf/combination.pdf>
5. Provide queuing storage for the car wash. Contact Madeline Jabbour, Transportation Analyst, at 633-1547 for additional information.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 2/27/02 Planning Commission meeting.

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

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to CONTINUE UN-18-02 to the 2/27/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item is CONTINUED to 2/27/02.**

**11) UN-19-02 (5902) BRENT MOSER (Public Hearing)**

An application submitted by Brent Moser on behalf of Catherine Afflitto, property owner, for a use permit in an R-E Ranch Estates District to allow a 1,600 square foot metal accessory structure where 1,200 square feet is the maximum allowed. The property is located at 5202 Willis Street. The Assessor's Parcel Number is 124-31-604-006.

**RECOMMENDATION:**

The Development Services Department recommends that UN-19-02 be denied because the overall appearance of the accessory building does not match the overall appearance of the principle structure.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending denial of this item.

Brent Moser, 5202 Willis Street, North Las Vegas, Nevada 89031 appeared on behalf of the applicant.

Mr. Jordan stated if the applicant is in agreement to continue this item, to allow the applicant time to show staff any alternatives that can be reviewed and then brought back before the Planning Commission, then staff would be in favor of a continuance.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. Chairman Stone stated the Public Hearing shall remain open until such time this item is heard in it's entirety.

Vice-Chairman Harry Shull MOVED and Commissioner Anita Wood SECONDED to CONTINUE UN-19-02 to the 2/27/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item is CONTINUED to 2/27/02.**

**12) UN-42-01 (5857) WINCHELL'S PUB & GRILL (Public Hearing)**

An application submitted by Ronald Winchell on behalf of the Winchell Family Trust, property owner, for an extension of time on a use permit in a C-1 Neighborhood Commercial District to allow the "On Sales" of alcoholic beverages in conjunction with a pub and grill. The property is generally located at southwest corner of Ann Road and Simmons Street. The Assessor's Parcel Number is 124-32-102-003.

**RECOMMENDATION:**

The Development Services Department recommends that the Planning Commission grant a six-month extension of time for UN-42-01, subject to the following conditions:

1. Standard conditions: 1, 2, 3, 6, 7, 11, 15, 26 and 27.
2. Fiber optic conduit is required on the Ann Road and Simmons Street frontages.
3. Dedication of right-of-way is required for a flared intersection at Simmons Street and Ann Road.
4. Dedication of right-of-way is required for a bus turn-out at a location south of Ann Road on Simmons Street.
5. The applicant shall comply Commercial Development Standards and Design Guidelines.
6. A site plan review shall be submitted for review and approval by the Planning Commission prior to the issuance of a building permit. Further, the applicant shall comply with all applicable conditions of approval prior to issuance of a building permit.
7. UN-42-01 shall be initiated and construction begun within six months of the date of this approval.
8. That proof be provided to the City that no other tavern is within 1,500 feet of this establishment. A distance illustration shall be prepared and stamped by a surveyor licensed in Nevada, and shall be provided prior to the application for a building permit.
9. That development of the proposed bar and grill shall comply with the revised floor plans and building elevations submitted on June 27, 2001.
10. A minimum of two windows shall be incorporated into the design of the building on the south side. The windows shall be of the same design and size as the windows used elsewhere on the building.
11. The use permit shall expire on June 27, 2002.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending approval of this item subject to eleven (11) conditions.

Jennifer Lazovich, of Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant who stated she 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 would like to see an added condition requiring the applicant to maintain a 51% to 49% ratio, restaurant to bar area.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-42-01 per staff's recommendations subject to the following change:

**Condition #12 Added to Read: "That the applicant shall maintain the 51% to 49% ratio, bar to restaurant."**

The motion carried by UNANIMOUS vote.

**13) VAC-05-02 (5855) CENTENNIAL & REVERE (Public Hearing)**

An application submitted by Real Homes dba Centex Homes, property owner, for a vacation of a portion of Kitamaya Street commencing at Centennial Parkway and proceeding north approximately 946 feet. The Assessor's Parcel Number is 124-22-401-001.

**RECOMMENDATION:**

The Development Services Department recommends that VAC-05-02 be approved and forwarded to City Council for final consideration.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending approval of this item.

Dean Rasmussen, 3068 E. Sunset Road Suite 9, 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.

Vice-Chairman Harry Shull MOVED and Commissioner Anita Wood SECONDED to APPROVE VAC-05-02 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Scott Albright voting against the motion.

**14) ZN-16-02 (5843) AHERN RENTALS (Public Hearing)**

An application submitted by Frank and Sue Bella, property owners, for reclassification of property from an R-E Ranch Estates District to a C-2 General Commercial District. The property is generally located at the northeast corner of Centennial Parkway and Goldfield Street. The Assessor's Parcel Number is 124-22-801-013. A complete legal description is on file with the Development Services Department.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-16-02 be continued indefinitely to allow the City Council to affirm the amendment to the Comprehensive Plan for the areas along Centennial Parkway.

Otherwise the Development Services Department recommends that ZN-16-02 be denied as the proposed commercial development does not comply with the commercial land use study adopted by the Planning Commission.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated the current Comprehensive Plan shows this area as Community Commercial. He stated the applicant has indicated he plans to develop this site in 2003. Mr. Jordan stated staff is recommending this item be continued indefinitely to allow the City Council time to affirm the amendment to the Comprehensive Plan for the areas along Centennial Parkway, otherwise staff is recommending this application be denied as it does not comply with the adopted study by this Planning Commission.

Frank Bella, 1045 Collingtree Street, Las Vegas, Nevada 89145 appeared on behalf of the applicant.

Chairman Stone asked the applicant if he understands staff's recommendation. He asked staff when this item is scheduled to go before the City Council.

Mr. Jordan replied this item is scheduled to go before the City Council in next week, therefore a two (2) week continuance would be appropriate.

Chairman Stone asked the applicant if he concurs with a two week continuance.

Mr. Bella stated he is in agreement with that.

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

- ▶ Ron Salts, 6706 Petrified Forest, North Las Vegas, Nevada 89084

Mr. Salts stated he agrees with a continuance as he believes there needs to be more information brought forward by the applicant and presented to the Planning Commission.

- ▶ Michael D. Humphrey, 6666 Montezuma Castle, North Las Vegas, Nevada 89084

▶  
Mr. Humphrey stated he will reserve his comments until this item is heard in its entirety.

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

Vice-Chairman Harry Shull MOVED and Commissioner Tom Langford SECONDED to CONTINUE ZN-16-02 to the 2/27/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item is CONTINUED to 2/27/02.**

**15) ZOA-03-02 ( 5863) CITY OF NORTH LAS VEGAS (Public Hearing)**

An ordinance amendment initiated by the City of North Las Vegas to amend Title 17 of the North Las Vegas Municipal Code (Zoning Ordinance) to regulate cellular tower placement, setbacks, impacts, construction and modification.

After conducting several Planning Commission workshops, the Commission requested staff to draft an ordinance based on the consensus that was reached at the workshops. The draft ordinance includes the following provisions:

- Streamlines the review process by allowing staff to administratively review applications, that meet the requirements of the ordinance, for towers to be located on City owned property and public utility substations. Cell towers would also be permitted in the following zoning district: M-1, M-2, M-3, C-2 and C-3.
- Requires applicants to show where other near-by towers are located.
- Limits tower height to 100 feet.
- Establishes setback and separation requirements.
- Provides a special use permit process for modification of certain requirements.
- Allows staff and the Commission to require stealth design when deemed necessary.

**Recommendation:** Staff recommends approval of ZOA-3-02.

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

- Roger Spencer, with Cingular Wireless, 1211 Town Center Drive Suite 100, Las Vegas, Nevada 89144

Mr. Spencer stated he would like to thank the Planning Commissioners and staff for their work on this project.

- ▶ Tracy R. Cline, 9901 Trailwood Drive, Las Vegas, Nevada 89134 appeared on behalf of the applicant.
- ▶ Don Cape, of Specturm Engineering, 7351 W. Charleston Boulevard, Las Vegas, Nevada 89117

Commissioner Tom Langford stated he believes this item should be continued to allow any unsolved issues to be addressed and satisfied.

Commissioner Anita Wood concurred with Commissioner Langford as to the continuance of this item.

Jim Lewis, Deputy City Attorney, stated it would be a benefit to allow more time to allow necessary amendments to be made and recommended a continuance of this item.

Steve Baxter, Planning Manager, agreed that a continuance would allow staff the time to address necessary issues.

Mr. Lewis stated the Planning Commission wishes to direct staff to further review and possibly amend the ordinance to add the definition of slimline as a stealth feature, look and the certification for the RF Engineer, as well as look into the word "engineer" as to its actual definition. He also stated staff will review a special use permit option with regard to collocation on legal, nonconforming uses, as well as the collocation requirement will be waived for certain stealth designs.

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE ZOA-03-02 to the 2/27/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item is CONTINUED to 2/27/02.**

**Chairman Nelson Stone abstained from voting on this item due to a business interest.**

**16) FDP-02-02 (5901) YALE SENIOR APARTMENTS**

An application submitted by Community Development Programs Center of Nevada, property owner, for a Final Development Plan review in a Planned Unit Development District (PUD) consisting of senior apartments. The property is located at 1826 Davis Place. The Assessor's Parcel Number is 139-22-810-045.

**RECOMMENDATION:**

The Development Services Department recommends approval of FDP-02-02 subject to the following conditions:

1. Standard conditions 2, 5, 7, 11, 15, 26, 27, 29, 32.
2. That the applicant comply with all applicable conditions of Ordinance #1565 (ZN-42-01).
3. Applicant must abide by all conditions of the approved traffic study.
4. The applicant shall include some passive exercise stations along the circuitous path surrounding the project. The equipment is to be approved by the Parks & Recreation Department.
5. The applicant shall submit plans and a timetable for the upgrade on the existing park, as indicated on plans, for approval by the Parks & Recreation Department.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending approval of this item.

Winston Henderson, 1555 E. Flamingo Road Suite 350, Las Vegas, Nevada 89119 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to APPROVE FDP-02-02 per staff's recommendations.

The motion carried by MAJORITY vote with Chairman Nelson Stone abstaining from voting on this item due to a business interest.

**There was a break in the proceedings at 8:33 P.M.**

**The meeting reconvened at 8:44 P.M.**

**17) FDP-09-01 (5013) TIMBERS**

An application submitted by THG, Inc. on behalf of Crest THG LLC, property owner, for an amendment to a previously approved Final Development Plan in a C-1 Neighborhood Commercial District. The property is generally located at the northeast corner of Ann Road and Simmons Street. The Assessor's Parcel Number is 124-29-803-008.

**RECOMMENDATION:**

The Development Services Department recommended that FDP-09-01 be approved subject to the following conditions:

1. Standard conditions 1, 2, 3, 4, 7, 10, 11, 15, 26, 27, 28 and 29.
2. That all conditions of approval for UN-85-00 shall be met.
3. That final development plan FDP-02-01 shall be become null and void.
4. That a color board shall be submitted to the Development Services Department at the time building plans are submitted for review.
5. That windows be provided throughout the Timbers Bar & Grill, except where the kitchen and restrooms are proposed to be located.
6. That columns with round river stone veneering shall be provided for the Timbers Bar & Grill.
7. That round river stone veneering shall be provided on the cupola of the Timbers Bar & Grill.
8. That a minimum six-foot high block wall shall be constructed along the north and east property lines.
9. The space between driveways does not meet the standard called out in the Municipal Code Section 17.24.130.D. Driveways must meet the adopted standards.
10. The driveway location and parking plan shall be subject to review and approval by the North Las Vegas Traffic Engineer.
11. The development shall comply with the Commercial Development Design Standards including but not limited to the following:
  - a. Sidewalks along any facade featuring a customer entrance which exits into a parking area or travel lane shall be eight feet in width in instances where vehicle wheel stops are not used or five feet in width when vehicle wheel stops are installed.
  - b. Sidewalks shall be located at least six feet from the facade of the building to provide planting beds for foundation landscaping.
  - c. 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 property to the north and east.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending approval of this item.

Bob Gronauer, 3800 Howard Hughes Parkway 7<sup>th</sup> Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Anita Wood stated she does not have a problem with the final development plan or reducing Timbers in size, but would like to know where is the meeting room at this property.

Mr. Gronauer showed Commissioner Wood (on the overhead monitor) the location of the meeting/banquet room in the property.

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to APPROVE FDP-09-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**18) SPR-03-02 (5905) CHEYENNE VILLAS, LLC**

An application submitted by Cheyenne Villas, LLC, property owner, for a site plan review in an R-3 Multi-Family Residential District to allow an apartment complex. The property is located at 2630 E. Cheyenne Avenue. The Assessor's Parcel Numbers are 139-12-401-002 and 139-12-401-004.

**RECOMMENDATION**

The Development Serviced Department recommends that SPR-03-02 denied because the proposed development is inconsistent with the Zoning Ordinance and Multifamily Design Standards.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 2/27/02 Planning Commission meeting.

Commissioner Dean Leavitt MOVED and Commissioner Anita Wood SECONDED to CONTINUE SPR-03-02 to the 2/27/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item is CONTINUED to 2/27/02.**

**Vice-Chairman Harry Shull abstained from voting on this item due to a business interest.**

**19) T-900 (5854) CLAYTON OVERLOOK**

An application submitted by Delta Engineering on behalf of Dorothy T. Baker, Trustee, property owner, for a tentative map review in an R-1 Single-Family Residential District. The property is generally located at the southeast corner of Clayton Street and Hammer Lane. The Assessor's Parcel Number is 124-33-201-001.

**RECOMMENDATION:**

The Development Services Department recommends that T-900 be approved subject to the following conditions:

1. Standard conditions: 2, 4, 5, 7, 11, 15, 17, 18, 19, 26, 27, 29, 31 and 32.
2. The developer shall comply with the single family design standards, including, but not limited to the following: Fifteen feet of perimeter landscaping, which may include the sidewalk, shall be provided along Lot 14 adjacent to Hammer Lane and ten feet of landscaping, which may include the sidewalk, shall be provided along Lot 7 adjacent to Overlook Court.
3. That perimeter and corner side landscape areas shall be shown as common elements on the final map.
4. That a decorative block wall or wrought iron fence shall be provided adjacent to all lots abutting the drainage channel and easement and shall be subject to review and approval by staff.
5. That a minimum of 24 feet of lot frontage shall be provided for Lot 8 next to Overlook Court.
6. Clark County Regional Flood Control District (CCRFCD) concurrence of the drainage study is required.
7. Remove the following from the street sections shown on the map: 4" TYPE II, 6" TYPE II, 3" AC, 4" CONC., 5" TYPE II GRAVEL, 4" MIN. TYPE II GRAVEL, 6" MIN. TYPE I OR II GRAVEL and 2" MIN. AC.
8. Applicant must dedicate sixty feet (60') of right-of-way adjacent to Clayton Street for the existing box culvert and proposed channel access road.
9. Provide off-site improvements for Clayton Street and Hammer Lane adjacent to the dedication referenced in Item #8.
10. Provide a driveway approach for the channel access road per Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 223.
11. Applicant must abide by all conditions of the approved traffic study.
12. All residential units shall be provided with fire sprinklers, unless the applicant provides a suitable alternative to the City prior to recording the final map.
13. Five 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 approval of this item.

Dean Rasmussen, 3068 E. Sunset Road Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant who stated he concurs with staff's recommendations with the exceptions of conditions #2 and #3. He stated, with regard to condition #2 he supports this condition, however he would like to add some additional words to the condition. With regard to condition #3, he would like to see this condition deleted. The additional language he would like to see in condition #2 is: "landscaped areas may be maintained by the adjacent homeowners." Mr. Rasmussen stated the code allows for that language.

Commissioner Scott Albright asked the applicant where the common lots are shown on the tentative map.

Mr. Rasmussen replied there are none shown on the tentative map and he further stated that he does not intend to have any common elements on the tentative map.

Chairman Nelson Stone MOVED and Commissioner Scott Albright SECONDED to APPROVE T-900 per staff's recommendations subject to the following changes:

**Condition #2 Changed to Read:** "The developer shall comply with the single family design standards, including, but not limited to the following: Fifteen feet of perimeter landscaping, which may include the sidewalk, shall be provided along Lot 14 adjacent to Hammer Lane and ten feet of landscaping, which may include the sidewalk, shall be provided along Lot 7 adjacent to Overlook Court. **The landscaped areas may be maintained by the land owner**"

**Condition #3 deleted.**

The motion carried by MAJORITY vote with Vice-Chairman Harry Shull abstaining from voting on this item due to a business interest.

#### **OLD BUSINESS**

**Item #20 AMP-21-01 and Item #21 ZN-28-01 are related.**

**20) AMP-21-01 (4723) CENTENNIAL PLAZA (Public Hearing)**

An application submitted by Ike and Dana Epstein, property owners, 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 southeast corner of Centennial Parkway and Commerce Street. The Assessor's Parcel Numbers are 124-27-501-008 and 124-27-502-005.

**This item was continued from the January 23, 2002**, Planning Commission meeting at the request of the Planning Commission and with the concurrence of the applicant. During the meeting there was discussion regarding the possibility of amending the application to reduce the acreage to approximately 15 acres.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff.

Bill Curran, of Curran & Parry, 300 S. 4<sup>th</sup> Street, Suite 1200, Las Vegas, Nevada 89101 appeared on behalf of the applicant.

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

- ▶ Ron Salts, 6706 Petrified Forest, North Las Vegas, Nevada 89084

Mr. Salts stated he is concerned about the children who would walk in this area and the potential impact of the increased traffic with this project and he opposes this item.

- ▶ Michael D. Humphrey, 6666 Montezuma Castle, North Las Vegas, Nevada 89084

Mr. Humphrey stated he is concerned about the issue of children walking in this neighborhood and the increased traffic.

- ▶ John Kelley, 6663 Montezuma Castle Lane, North Las Vegas, Nevada 89084

Mr. Kelley stated the signs that are installed informing of the proposed zoning change has fallen over and would like to see this changed. He also stated he opposes this item as he feels this would be too much commercial in this particular community.

Chairman Stone closed the Public Hearing.

Commissioner Scott Albright stated he does not feel this size commercial is necessary at this intersection. He stated he could support 10 acres, but no more for this particular corner.

Commissioner Tom Langford asked Jim Lewis, Deputy City Attorney, about an application which was presented two weeks ago to the Planning Commission and that application was rejected as it did not comply with the ordinance that was just passed. Commissioner Langford stated this does not comply with the ordinance.

Jim Lewis, Deputy City Attorney, stated the Planning Commission has discretion in such matter.

Commissioner Anita Wood MOVED and Vice-Chairman Harry Shull SECONDED to APPROVE AMP-21-01 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Scott Albright and Commissioner Tom Langford voting against the motion.

**Item #20 AMP-21-01 and Item #21 ZN-28-01 are related.**

**21) ZN-28-01 (4724) CENTENNIAL PLAZA (Public Hearing)**

An application submitted by Ike and Dana Epstein, property owners, 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 southeast corner of Centennial Parkway and Commerce Street. The Assessor's Parcel Numbers are 124-27-501-008 and 124-27-502-005.

**This item was continued from the January 23, 2002**, Planning Commission meeting at the request of the Planning Commission and with the concurrence of the applicant. During the meeting there was discussion regarding the possibility of amending the application to reduce the acreage to approximately 15 acres.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff.

Bill Curran, of Curran & Parry, 300 S. 4<sup>th</sup> Street, Suite 1200, Las Vegas, Nevada 89101 appeared on behalf of the applicant.

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

- ▶ Ron Salts, 6706 Petrified Forest, North Las Vegas, Nevada 89084

Mr. Salts stated he is concerned about the children who would walk in this area and the potential impact of the increased traffic with this project and he opposes this item.

- ▶ Michael D. Humphrey, 6666 Montezuma Castle, North Las Vegas, Nevada 89084

Mr. Humphrey stated he is concerned about the issue of children walking in this neighborhood and the increased traffic.

- ▶ John Kelley, 6663 Montezuma Castle Lane, North Las Vegas, Nevada 89084

Mr. Kelley stated the signs that are installed informing of the proposed zoning change has fallen over and would like to see this changed. He also stated he opposes this item as he feels this would be too much commercial in this particular community.

Chairman Stone closed the Public Hearing.

Vice-Chairman Harry Shull MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE ZN-28-01 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Scott Albright and Commissioner Tom Langford voting against the motion.

**22) SPR-28-01 (5147) NORTHSTAR BUSINESS CENTER**

An application submitted by James E. Stroh, Architect, Inc., on behalf of Pat Lamers, Vegas Industrial Development, LLC, Richard & LaDawn Peterson, Juel Parker, Darlene Parker, Douglas Albright, Loren & Arlene Peiterson, Parker Ranches, Charles & Valerie Dimick and Brent & Julie Rae Parker, et.al., property owners, for a site plan review in an M-2 General Industrial District to allow a 117,454 square foot office park. The property is generally located at the southwest corner of Craig Road and Lamb Boulevard. The Assessor's Parcel Numbers are 140-06-610-026, 140-06-701-012 and 140-06-701-014.

**This item was continued from the November 14, 2001 Planning Commission meeting** upon recommendation of Planning Commission, in order to allow time for the Board of County Commissioners to make a motion on a proposed residential zone change (ZC-0941-01) directly south of the proposed development. The item was scheduled for the January 16<sup>th</sup> County Commission meeting but was continued once again and will be heard on February 20<sup>th</sup>.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 2/27/02 Planning Commission meeting.

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE SPR-28-01 to the 2/27/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item is CONTINUED to 2/27/02.**

**23) ZN-62-01 (5527) COMMERCE VILLAGE (Public Hearing)**

An application submitted by Fiesta Homes on behalf of Octaviano Cabrera, Marlin and Ellen Werner, Rayford and Fannie Turner, and Douglas Pike, property owners, for reclassification of property from an R-E Ranch Estates District to an R-1 Single-Family Residential District. The property is generally located at the southwest corner of Kraft Avenue and Goldfield Street. The Assessor's Parcel Numbers are 139-03-502-002, 139-03-502-003, 139-03-502-004, 139-03-502-005, 139-03-502-006, 139-03-502-007, 139-03-502-008 and 139-03-502-009.

**This item was originally scheduled for the December 12, 2001, Planning Commission meeting** and was continued to the January 9, 2002, Planning Commission meeting at the request of the applicant. The applicant prior to the January 9, 2002, Planning Commission meeting requested another continuance to the February 13, 2002, Planning Commission meeting.

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

**The item is WITHDRAWN.**

**24) T-894 (5528) COMMERCE VILLAGE**

An application submitted by the Fiesta Homes, property owner, for a tentative map review in an R-1 Single-Family Residential District to allow 94 single family homes. The property is located at the southwest corner of Goldfield Street and Kraft Avenue. The Assessor's Parcel Numbers are 139-03-502-002 through 009.

**This item was originally scheduled for the December 12, 2001, Planning Commission meeting and was continued to the January 9, 2002, Planning Commission meeting at the request of the applicant. The applicant prior to the January 9, 2002, Planning Commission meeting requested another continuance to the February 13, 2002, Planning Commission meeting.**

Staff recommended the tentative map be continued indefinitely to allow the applicant time to submit a revised tentative map that shows compliance with the minimum lot size for all lots. However, conditions were listed if the Planning Commission determined that approval was warranted.

Staff's recommendation is still for an indefinite continuance. In addition, State Statutes require the applicant's consent to continue this item. Therefore, should the applicant not concur with a continuance, staff's recommendation is for denial.

However, should the Planning Commission determined that approval is warranted at this time, then staff recommends the following conditions:

1. Standard conditions: 1, 2, 3, 7, 11, 15, 16, 17, 18, 26, 27, 28, 29 and 31.
2. The applicant has a pending rezoning application (ZN-62-01) to the R-1 Single Family Residential District. The applicant shall obtain permanent zoning to the R-1 Single Family Residential District, otherwise, the tentative map shall be null and void.
3. The developer shall comply with the single family design standards.
4. The applicant shall comply with the minimum lot size requirement of 6,000 square feet for all lots.
5. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City.
6. A minimum of two means of water supply must be provided for each group of four or more fire hydrants.
7. Realign Sargent Jordan Avenue and Goldfield Street so that the knuckle is not in the channel right-of-way.
8. A merger and resubdivision map is required.
9. Sidewalks will be required on both sides of the streets.
10. Commerce Street improvements and adjacent landscaping must be shown on the map.
11. Three inch (3") schedule 40 PVC fiber optic conduit is required in Commerce Street.
12. All utilities to the site shall be placed underground in accordance with North Las Vegas Municipal Code 13.36.010.
  
13. Five 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 to have this item withdrawn.

**The item is WITHDRAWN.**

**Items #25 UN-06-02, #26 UN-07-02, #27 UN-08-02 and #29 UN-10-02 are related.**

**25) UN-06-02 (5671) WATERBROOK PLAZA (Public Hearing)**

An application submitted by John David Burke, Architect, on behalf of Simon & Lake Properties, LLC, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow a convenience food store with gas pumps. The applicant is also requesting waivers to the Commercial Design Standards requiring twenty (20) feet of landscaping along Simmons Street; six (6) feet of foundation landscaping; and placing pad development at the front of the site. The property is generally located at the southeast corner of Lake Mead Boulevard and Simmons Street. The Assessor's Parcel Number is 139-20-602-002.

**This application was continued from the Planning Commission meeting of January 9, 2002, to allow the applicant time to submit revised site plans reflecting the changes needed to comply with the design standards following the denial of the variance request.**

The submitted plans are similar but show many changes to the site. The proposed mini-storage has been replaced by a large retail pad. One restaurant pad has an additional patio seating area. Walkways connect most buildings on the site, and extend to the apartments to the east. Sidewalks have been placed along Simmons Street and Lake Mead Boulevard. The applicants are requesting waivers of the commercial design standards requiring 6 feet of foundation landscaping around the buildings; 20 feet of landscaping along Simmons Street; and the orientation of the buildings towards the front of the site.

The proposed development still fails to meet all standards of the zoning ordinance and commercial design standards. Specifically, the shared parking required for the entire site is 230 spaces and the proposed development provides 175 spaces.

Public Works and Fire Departments have reviewed the site and the applications. The Fire Department does not have any objection to the proposed development. The International Transportation Engineers Standards require stacking space for five vehicles per drive-thru (UN-07-02) and three for the car wash (UN-08-02). The car wash provides stacking space for three vehicles in the drive aisle; the drive-thru restaurants have approximately three vehicles of stacking space each. Public Works has additional concerns regarding driveway size and placement.

The revised site plan has a number of deficiencies that should be considered when reviewing the proposed use and overall site. Following is the design standard and the proposed development.

- ❑ *Parking shall not directly abut any building. Sidewalks shall meet the requirements found in Sec. D .7. Sidewalks must be provided along any facade featuring a customer entrance which exits into a parking area or travel lane. Sidewalks which abut 90 degree parking spaces must be a minimum of eight feet in width in instances where vehicle wheel stops are not used between the parking space and the sidewalk curb, and five feet in width when wheel stops are installed. Such sidewalks shall be located at least six feet from the facade of the building to provide planting beds for foundation landscaping.*

The two restaurant pads, are required to have a sidewalk around the perimeter of the building where it abuts the parking spaces. The sidewalk must be a minimum of 5 feet in width if vehicle stops are used in the parking lot; or 8 feet in width without any vehicle stops. The applicant has proposed sidewalks of four feet in width at the rear of the restaurants with wheel stops (UN-07-02 and UN-10-02).

The applicant is proposing foundation landscaping at the front of each building. The landscaping is in the form of six foot planters. Additionally a landscaped patio area is proposed at the front of the convenience food restaurant pad. No additional landscaping is proposed at the rear or sides of the buildings. The applicant is requesting a waiver of the remaining foundation landscaping requirements, and states that the additional landscaping is an excessive requirement considering the in-fill nature of the property.

- ❑ *Buildings for stand alone projects or individual pad developments associated with a larger commercial center, shall be located at the front of the site at the minimum setback line with the exception of a single drive-thru lane or additional landscaping.*

The minimum front setback for commercial developments in the C-1, Neighborhood Commercial District is 20 feet. The applicant is proposing to place the restaurants with a setback of 92 feet (UN-07-02 and UN-10-02), the convenience store with a setback of 146 feet from Lake Mead Boulevard and 70 feet from Simmons Street (UN-06-02).

The applicant has requested a waiver of the building orientation requirements. The applicant has not given any compelling reason to grant the request.

- ❑ *Any area of a parking lot which abuts a public street shall be setback from the property line a minimum of 20 feet. The 20-foot setback shall be landscaped.*

The proposed setback for the parking lot is 10 feet along Simmons Street. The applicant has request a waiver of this requirement. In the letter of intent the applicant indicated that the 10 feet of landscaping along Simmons Street, was consistent with the neighboring properties. Whispering Palms to the south has 15 feet of landscaping which includes the sidewalk. However, the residential development does not have off-street parking abutting a public street. The commercial development on the west side of Simmons Street contains a landscaped setback with a width of 16 to 26 feet.

- ❑ *A landscaped buffer area with a minimum width of 20 feet shall be planted and maintained with 24 inch box trees at a maximum spacing of 20 feet on center adjacent to any abutting residential property.*

The applicant has proposed a ten-foot landscaped buffer area along the east and south property lines.

As the applicant has not provided a compelling reason to support the waiver requests, staff does not support the requested waivers of the Commercial Design Standards. The applicant has provided some landscaping at the front of the buildings and along Lake Mead Boulevard. But, no reasons were given to support the waivers of the required additional landscaping or building orientation.

#### **RECOMMENDATION:**

The Development Services Department recommends that the requested waiver requested be denied and UN-06-02 be continued indefinitely to allow the applicant time to submit a revised site plan that complies with all zoning ordinance requirements.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff who indicated staff does not have any objections to the proposed uses of the site, however he stated there are objections to the site plan, specifically the shared parking for the entire site is substandard, with 175 spaces being proposed where 183 are required, which leads to a deficit of 8 parking stalls, as well as the Public Works Department has concerns regarding driveway size and placement. He stated the applicant has also requested waivers of the Commercial Design Standards for foundation landscaping, specifically foundation landscaping is not provided on all the sides of the buildings that would typically be required by the Commercial Design Standards, and the building orientation does not comply with code with the buildings being setback away from the street frontage which is against Commercial Design Standards. Perimeter landscaping adjacent to Simmons Street is considered substandard with 10-12 feet being proposed where 20 feet is required.

Mr. Melendrez stated the landscape buffer that is required along the south and east property line is also substandard by code requirements. He stated the applicant is proposing 10 feet of landscaping as opposed to 20 feet as required by the Commercial Design Standards. He stated staff does not support any of the waiver requests and recommends this item be continued so that the site plan issues can be addressed to allow the site plan to properly accommodate the proposed uses, otherwise, if there are no changes to the site plan, staff is recommending denial of this item.

Dick Bonar, 8275 S. Eastern Avenue Suite 200, Las Vegas, Nevada 89123 appeared on behalf of the applicant who stated several changes have been made to this item.

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

- ▶ Leni Skaar, 1833 Crystal Chimes, Las Vegas, Nevada 89106

Ms. Skaar stated she opposes this item and if the Planning Commission decides to approve this item she opposes any waivers.

Chairman Stone closed the Public Hearing.

Commissioner Tom Langford MOVED and Commissioner Scott Albright SECONDED to DENY UN-06-02 per staff's recommendations.

The motion carried by MAJORITY vote with Chairman Nelson Stone, Vice-Chairman Harry Shull and Commissioner Dean Leavitt voting against the motion.

**The item was DENIED.**

Items #25 UN-06-02, #26 UN-07-02, #27 UN-08-02 and #29 UN-10-02 are related.

**26) UN-07-02 (5673) WATERBROOK PLAZA (Public Hearing)**

An application submitted by John David Burke, Architect, on behalf of Simon & Lake Properties, LLC, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow a convenience food restaurant with a drive-thru. The applicant is also requesting waivers to the Commercial Design Standards requiring twenty (20) feet of landscaping along Simmons Street; six (6) feet of foundation landscaping; and placing pad development at the front of the site. The property is generally located at the southeast corner of Lake Mead Boulevard and Simmons Street. The Assessor's Parcel Number is 139-20-602-002.

**This application was continued from the Planning Commission meeting of January 9, 2002, to allow the applicant time to submit revised site plans reflecting the changes needed to comply with the design standards following the denial of the variance request.**

The submitted plans are similar but show many changes to the site. The proposed mini-storage has been replaced by a large retail pad. One restaurant pad has an additional patio seating area. Walkways connect most buildings on the site, and extend to the apartments to the east. Sidewalks have been placed along Simmons Street and Lake Mead Boulevard. The applicants are requesting waivers of the commercial design standards requiring 6 feet of foundation landscaping around the buildings; 20 feet of landscaping along Simmons Street; and the orientation of the buildings towards the front of the site.

The proposed development still fails to meet all standards of the zoning ordinance and commercial design standards. Specifically, the shared parking required for the entire site is 230 spaces and the proposed development provides 175 spaces.

Public Works and Fire Departments have reviewed the site and the applications. The Fire Department does not have any objection to the proposed development. The International Transportation Engineers Standards require stacking space for five vehicles per drive-thru (UN-07-02) and three for the car wash (UN-08-02). The car wash provides stacking space for three vehicles in the drive aisle; the drive-thru restaurants have approximately three vehicles of stacking space each. Public Works has additional concerns regarding driveway size and placement.

The revised site plan has a number of deficiencies that should be considered when reviewing the proposed use and overall site. Following is the design standard and the proposed development.

- ▶ *Parking shall not directly abut any building. Sidewalks shall meet the requirements found in Sec. D .7. Sidewalks must be provided along any facade featuring a customer entrance which exits into a parking area or travel lane. Sidewalks which abut 90 degree parking spaces must be a minimum of eight feet in width in instances where vehicle wheel stops are not used between the parking space and the sidewalk curb, and five feet in width when wheel stops are installed. Such sidewalks shall be located at least six feet from the facade of the building to provide planting beds for foundation landscaping.*

The two restaurant pads, are required to have a sidewalk around the perimeter of the building where it abuts the parking spaces. The sidewalk must be a minimum of 5 feet in width if vehicle stops are used in the parking lot; or 8 feet in width without any vehicle stops. The applicant has proposed sidewalks of four feet in width at the rear of the restaurants with wheel stops (UN-07-02 and UN-10-02).

The applicant is proposing foundation landscaping at the front of each building. The landscaping is in the form of six foot planters. Additionally a landscaped patio area is proposed at the front of the convenience food restaurant pad. No additional landscaping is proposed at the rear or sides of the buildings. The applicant is requesting a waiver of the remaining foundation landscaping requirements, and states that the additional landscaping is an excessive requirement considering the in-fill nature of the property.

- ❑ *Buildings for stand alone projects or individual pad developments associated with a larger commercial center, shall be located at the front of the site at the minimum setback line with the exception of a single drive-thru lane or additional landscaping.*

The minimum front setback for commercial developments in the C-1, Neighborhood Commercial District is 20 feet. The applicant is proposing to place the restaurants with a setback of 92 feet (UN-07-02 and UN-10-02), the convenience store with a setback of 146 feet from Lake Mead Boulevard and 70 feet from Simmons Street (UN-06-02).

The applicant has requested a waiver of the building orientation requirements. The applicant has not given any compelling reason to grant the request.

- ❑ *Any area of a parking lot which abuts a public street shall be setback from the property line a minimum of 20 feet. The 20-foot setback shall be landscaped.*

The proposed setback for the parking lot is 10 feet along Simmons Street. The applicant has request a waiver of this requirement. In the letter of intent the applicant indicated that the 10 feet of landscaping along Simmons Street, was consistent with the neighboring properties. Whispering Palms to the south has 15 feet of landscaping which includes the sidewalk. However, the residential development does not have off-street parking abutting a public street. The commercial development on the west side of Simmons Street contains a landscaped setback with a width of 16 to 26 feet.

- ❑ *A landscaped buffer area with a minimum width of 20 feet shall be planted and maintained with 24 inch box trees at a maximum spacing of 20 feet on center adjacent to any abutting residential property.*

The applicant has proposed a ten-foot landscaped buffer area along the east and south property lines.

As the applicant has not provided a compelling reason to support the waiver requests, staff does not support the requested waivers of the Commercial Design Standards. The applicant has provided some landscaping at the front of the buildings and along Lake Mead Boulevard. But, no reasons were given to support the waivers of the required additional landscaping or building orientation.

## **RECOMMENDATION**

The Development Services Department recommends that UN-07-02 be denied because the proposed use does not meet the minimum parking and commercial design standards. Moreover, the site plan for the commercial center has been determined to be unacceptable because it does not meet Ordinance Requirements.

If the Planning Commission determines that the proposed use is appropriate for the site then staff recommends an indefinite continuance be granted to allow the applicant time to redesign the site to comply with the Ordinance Requirements.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff.

Dick Bonar, 8275 S. Eastern Avenue Suite 200, Las Vegas, Nevada 89123 appeared on behalf of the applicant.

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

- ▶ Leni Skaar, 1833 Crystal Chimes, Las Vegas, Nevada 89106

Ms. Skaar stated she opposes this item and if the Planning Commission decides to approve this item she opposes any waivers.

Chairman Stone closed the Public Hearing.

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to APPROVE UN-07-02 per staff's recommendations with all requests for waivers being denied.

The motion carried by UNANIMOUS vote.

**Items #25 UN-06-02, #26 UN-07-02, #27 UN-08-02 and #29 UN-10-02 are related.**

**27) UN-08-02 (5674) WATERBROOK PLAZA (Public Hearing)**

An application submitted by John David Burke, Architect, on behalf of Simon & Lake Properties, LLC, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow a self-serve automobile washing establishment. The applicant is also requesting waivers to the Commercial Design Standards requiring twenty (20) feet of landscaping along Simmons Street; six (6) feet of foundation landscaping; and placing pad development at the front of the site. The property is generally located at the southeast corner of Lake Mead Boulevard and Simmons Street. The Assessor's Parcel Number is 139-20-602-002.

This application was continued from the Planning Commission meeting of January 9, 2002, to allow the applicant time to submit revised site plans reflecting the changes needed to comply with the design standards following the denial of the variance request.

The submitted plans are similar but show many changes to the site. The proposed mini-storage has been replaced by a large retail pad. One restaurant pad has an additional patio seating area. Walkways connect most buildings on the site, and extend to the apartments to the east. Sidewalks have been placed along Simmons Street and Lake Mead Boulevard. The applicants are requesting waivers of the commercial design standards requiring 6 feet of foundation landscaping around the buildings; 20 feet of landscaping along Simmons Street; and the orientation of the buildings towards the front of the site.

The proposed development still fails to meet all standards of the zoning ordinance and commercial design standards. Specifically, the shared parking required for the entire site is 230 spaces and the proposed development provides 175 spaces.

Public Works and Fire Departments have reviewed the site and the applications. The Fire Department does not have any objection to the proposed development. The International Transportation Engineers Standards require stacking space for five vehicles per drive-thru (UN-07-02) and three for the car wash (UN-08-02). The car wash provides stacking space for three vehicles in the drive aisle; the drive-thru restaurants have approximately three vehicles of stacking space each. Public Works has additional concerns regarding driveway size and placement.

The revised site plan has a number of deficiencies that should be considered when reviewing the proposed use and overall site. Following is the design standard and the proposed development.

- ▶ *Parking shall not directly abut any building. Sidewalks shall meet the requirements found in Sec. D .7. Sidewalks must be provided along any facade featuring a customer entrance which exits into a parking area or travel lane. Sidewalks which abut 90 degree parking spaces must be a minimum of eight feet in width in instances where vehicle wheel stops are not used between the parking space and the sidewalk curb, and five feet in width when wheel stops are installed. Such sidewalks shall be located at least six feet from the facade of the building to provide planting beds for foundation landscaping.*

The two restaurant pads, are required to have a sidewalk around the perimeter of the building where it abuts the parking spaces. The sidewalk must be a minimum of 5 feet in width if vehicle stops are used in the parking lot; or 8 feet in width without any vehicle stops. The applicant has proposed sidewalks of four feet in width at the rear of the restaurants with wheel stops (UN-07-02 and UN-10-02).

The applicant is proposing foundation landscaping at the front of each building. The landscaping is in the form of six foot planters. Additionally a landscaped patio area is proposed at the front of the convenience food restaurant pad. No additional landscaping is proposed at the rear or sides of the buildings. The applicant is requesting a waiver of the remaining foundation landscaping requirements, and states that the additional landscaping is an excessive requirement considering the in-fill nature of the property.

- ❑ *Buildings for stand alone projects or individual pad developments associated with a larger commercial center, shall be located at the front of the site at the minimum setback line with the exception of a single drive-thru lane or additional landscaping.*

The minimum front setback for commercial developments in the C-1, Neighborhood Commercial District is 20 feet. The applicant is proposing to place the restaurants with a setback of 92 feet (UN-07-02 and UN-10-02), the convenience store with a setback of 146 feet from Lake Mead Boulevard and 70 feet from Simmons Street (UN-06-02).

The applicant has requested a waiver of the building orientation requirements. The applicant has not given any compelling reason to grant the request.

- ❑ *Any area of a parking lot which abuts a public street shall be setback from the property line a minimum of 20 feet. The 20-foot setback shall be landscaped.*

The proposed setback for the parking lot is 10 feet along Simmons Street. The applicant has request a waiver of this requirement. In the letter of intent the applicant indicated that the 10 feet of landscaping along Simmons Street, was consistent with the neighboring properties. Whispering Palms to the south has 15 feet of landscaping which includes the sidewalk. However, the residential development does not have off-street parking abutting a public street. The commercial development on the west side of Simmons Street contains a landscaped setback with a width of 16 to 26 feet.

- ❑ *A landscaped buffer area with a minimum width of 20 feet shall be planted and maintained with 24 inch box trees at a maximum spacing of 20 feet on center adjacent to any abutting residential property.*

The applicant has proposed a ten-foot landscaped buffer area along the east and south property lines.

As the applicant has not provided a compelling reason to support the waiver requests, staff does not support the requested waivers of the Commercial Design Standards. The applicant has provided some landscaping at the front of the buildings and along Lake Mead Boulevard. But, no reasons were given to support the waivers of the required additional landscaping or building orientation.

## **RECOMMENDATION**

The Development Services Department recommends that UN-08-02 be denied because the proposed use does not meet the minimum parking, stacking space or commercial design standards. Moreover, the site plan for the commercial center has been determined to be unacceptable because it does not meet Ordinance Requirements.

If the Planning Commission determines that the proposed use is appropriate for the site then staff recommends an indefinite continuance be granted to allow the applicant time to redesign the site to comply with the Ordinance Requirements.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff.

Dick Bonar, 8275 S. Eastern Avenue Suite 200, Las Vegas, Nevada 89123 appeared on behalf of the applicant.

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

- ▶ Leni Skaar, 1833 Crystal Chimes, Las Vegas, Nevada 89106

Ms. Skaar stated she opposes this item and if the Planning Commission decides to approve this item she opposes any waivers.

Chairman Stone closed the Public Hearing.

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to DENY UN-08-02 per staff's recommendations.

The motion carried by MAJORITY vote with Chairman Nelson Stone and Commissioner Dean Leavitt voting against the motion.

**The item was DENIED.**

**28) UN-09-02 (5677) WATERBROOK PLAZA (Public Hearing)**

An application submitted by John David Burke, Architect, on behalf of Simon & Lake Properties, LLC, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow mini-warehousing. The applicant is also requesting waivers to the Commercial Design Standards requiring twenty (20) feet of landscaping along Simmons Street; six (6) feet of foundation landscaping; and placing pad development at the front of the site. The property is generally located at the southeast corner of Lake Mead Boulevard and Simmons Street. The Assessor's Parcel Number is 139-20-602-002.

Following the denial of the variance request (VN-02-02) associated with the above use permit for a mini-storage. The applicant has requested that UN-09-02 be withdrawn. The remaining use permits for the site will remain, the applicant is proposing to place a retail pad in place of the mini-storage building.

Prior to the Planning Commission meeting the applicant requested this item be withdrawn.

**The item was WITHDRAWN.**

Items #25 UN-06-02, #26 UN-07-02, #27 UN-08-02 and #29 UN-10-02 are related.

**29) UN-10-02 (5678) WATERBROOK PLAZA (Public Hearing)**

An application submitted by John David Burke, Architect, on behalf of Simon & Lake Properties, LLC, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow the “on-sale” of alcoholic beverages in conjunction with a restaurant. The applicant is also requesting waivers of the Commercial Design Standards requiring twenty (20) feet of landscaping along Simmons Street; six (6) feet of foundation landscaping; and placing pad development at the front of the site. The property is generally located at the southeast corner of Lake Mead Boulevard and Simmons Street. The Assessor’s Parcel Number is 139-20-602-002.

**This application was continued from the Planning Commission meeting of January 9, 2002, to allow the applicant time to submit revised site plans reflecting the changes needed to comply with the design standards following the denial of the variance request.**

The submitted plans are similar but show many changes to the site. The proposed mini-storage has been replaced by a large retail pad. One restaurant pad has an additional patio seating area. Walkways connect most buildings on the site, and extend to the apartments to the east. Sidewalks have been placed along Simmons Street and Lake Mead Boulevard. The applicants are requesting waivers of the commercial design standards requiring 6 feet of foundation landscaping around the buildings; 20 feet of landscaping along Simmons Street; and the orientation of the buildings towards the front of the site.

The proposed development still fails to meet all standards of the zoning ordinance and commercial design standards. Specifically, the shared parking required for the entire site is 230 spaces and the proposed development provides 175 spaces.

Public Works and Fire Departments have reviewed the site and the applications. The Fire Department does not have any objection to the proposed development. The International Transportation Engineers Standards require stacking space for five vehicles per drive-thru (UN-07-02) and three for the car wash (UN-08-02). The car wash provides stacking space for three vehicles in the drive aisle; the drive-thru restaurants have approximately three vehicles of stacking space each. Public Works has additional concerns regarding driveway size and placement.

The revised site plan has a number of deficiencies that should be considered when reviewing the proposed use and overall site. Following is the design standard and the proposed development.

- ▶ *Parking shall not directly abut any building. Sidewalks shall meet the requirements found in Sec. D .7. Sidewalks must be provided along any facade featuring a customer entrance which exits into a parking area or travel lane. Sidewalks which abut 90 degree parking spaces must be a minimum of eight feet in width in instances where vehicle wheel stops are not used between the parking space and the sidewalk curb, and five feet in width when wheel stops are installed. Such sidewalks shall be located at least six feet from the facade of the building to provide planting beds for foundation landscaping.*

The two restaurant pads, are required to have a sidewalk around the perimeter of the building where it abuts the parking spaces. The sidewalk must be a minimum of 5 feet in width if vehicle stops are used in the parking lot; or 8 feet in width without any vehicle stops. The applicant has proposed sidewalks of four feet in width at the rear of the restaurants with wheel stops (UN-07-02 and UN-10-02).

The applicant is proposing foundation landscaping at the front of each building. The landscaping is in the form of six foot planters. Additionally a landscaped patio area is proposed at the front of the convenience food restaurant pad. No additional landscaping is proposed at the rear or sides of the buildings. The applicant is requesting a waiver of the remaining foundation landscaping requirements, and states that the additional landscaping is an excessive requirement considering the in-fill nature of the property.

- ❑ *Buildings for stand alone projects or individual pad developments associated with a larger commercial center, shall be located at the front of the site at the minimum setback line with the exception of a single drive-thru lane or additional landscaping.*

The minimum front setback for commercial developments in the C-1, Neighborhood Commercial District is 20 feet. The applicant is proposing to place the restaurants with a setback of 92 feet (UN-07-02 and UN-10-02), the convenience store with a setback of 146 feet from Lake Mead Boulevard and 70 feet from Simmons Street (UN-06-02).

The applicant has requested a waiver of the building orientation requirements. The applicant has not given any compelling reason to grant the request.

- ❑ *Any area of a parking lot which abuts a public street shall be setback from the property line a minimum of 20 feet. The 20-foot setback shall be landscaped.*

The proposed setback for the parking lot is 10 feet along Simmons Street. The applicant has request a waiver of this requirement. In the letter of intent the applicant indicated that the 10 feet of landscaping along Simmons Street, was consistent with the neighboring properties. Whispering Palms to the south has 15 feet of landscaping which includes the sidewalk. However, the residential development does not have off-street parking abutting a public street. The commercial development on the west side of Simmons Street contains a landscaped setback with a width of 16 to 26 feet.

- ❑ *A landscaped buffer area with a minimum width of 20 feet shall be planted and maintained with 24 inch box trees at a maximum spacing of 20 feet on center adjacent to any abutting residential property.*

The applicant has proposed a ten-foot landscaped buffer area along the east and south property lines.

As the applicant has not provided a compelling reason to support the waiver requests, staff does not support the requested waivers of the Commercial Design Standards. The applicant has provided some landscaping at the front of the buildings and along Lake Mead Boulevard. But, no reasons were given to support the waivers of the required additional landscaping or building orientation.

#### **RECOMMENDATION:**

The Development Services Department recommends that the requested waiver requested be denied and UN-10-02 be continued indefinitely to allow the applicant time to submit a revised site plan that complies with all zoning ordinance requirements.

The application was presented by Chris Melendrez, Associate Planner, on behalf of staff.

Dick Bonar, 8275 S. Eastern Avenue Suite 200, Las Vegas, Nevada 89123 appeared on behalf of the applicant .

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

- ▶ Leni Skaar, 1833 Crystal Chimes, Las Vegas, Nevada 89106

Ms. Skaar stated she opposes this item and if the Planning Commission decides to approve this item she opposes any waivers.

Chairman Stone closed the Public Hearing.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE UN-10-02 to the 2/27/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 2/27/02.**

**30) VN-03-02 (5787) LESTER LEWIS (Public Hearing)**

An application submitted by Lester Lewis, property owner, for a variance in an R-1 Single-Family Residential District to allow a five (5) foot rear yard setback where 15 feet is required. The property is located at 4224 Falcon Hill Street. The Assessor's Parcel Number is 139-05-712-021.

**This application was continued from the Planning Commission meeting of January 23, 2002, because the applicant was not present at the meeting.**

**RECOMMENDATION:**

The Development Services Department must recommend that VN-03-02 be denied because of the criteria set forth in State Law and the City of North Las Vegas Municipal Code.

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.
2. That the building shall comply with all the Uniform Building Code and ordinances.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending denial of this item.

Lester Lewis, 4224 Falcon Hill Street, North Las Vegas, Nevada 89032 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 MOVED and Commissioner Tom Langford SECONDED to APPROVE VN-03-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**31) ZN-03-02 (5577) ANN & COMMERCE (Public Hearing)**

An application submitted by Specialty Holdings, inc., on behalf of George & Lorene Younghans, property owners, for reclassification of property from an R-E Ranch Estates District to an R-1 Single-Family Residential District. The property is generally located at the southwest corner of Ann Road and Commerce Street. The Assessor's Parcel Number is 124-34-101-003.

**This item was continued from the January 9, 2002, Planning Commission meeting at the request of the Planning Commission.**

**RECOMMENDATION:**

The Development Services Department recommends that ZN-03-02 be continued indefinitely to allow the applicant time to amend the request to include the entire parcel.

However, should the Planning Commission determine that approval is warranted at this time, then the Development Services Department recommends that this item be forwarded to the City Council for permanent zoning to the R-1 Single Family Residential District by ordinance.

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

**The item was 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:** 10:40 PM

A motion to ADJOURN the February 13, 2002 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