

# 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

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**March 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  
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**

Commissioner Marilyn Kirkpatrick

**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 February 27, 2002.**

Vice-Chairman Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE the minutes of the February 27, 2002 Planning Commission Meeting.

The motion carried by MAJORITY vote with Commissioner Anita Wood abstaining as she was not present at this meeting.

### **Approval of the MINUTES for the Planning Commission meeting of February 13, 2002.**

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE the minutes of the February 13, 2002 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

### **Approval of the MINUTES for the Planning Commission meeting of January 23, 2002.**

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE the minutes of the January 23, 2002 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

## **CONSENT AGENDA**

### **A) PW-32-02 (6437) JASMINE CONDOMINIUMS UNIT 1**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Bramble Development Group, Inc., and accept the Subdivision Bond in the amount of \$206,876.73.

### **B) PW-33-02 (6438) BELLA VISTA**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Richmond American Homes and accept the Subdivision Bond in the amount of \$741,044.59.

### **C) PW-34-02 (6439) ELDORADO NO. 7 RCL NO. 15**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify United Pacific Insurance Company to release the Subdivision Bond in the amount of \$265,316.81.

### **D) PW-35-02 (6437) JASMINE CONDOMINIUMS UNIT 1**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Bramble Development Group, Inc., and accept the Subdivision Bond in the amount of \$206,876.73.

Chairman Nelson Stone stated Consent Agenda Items A and D are being withdrawn at the City's request.

Vice-Chairman Harry Shull MOVED and Commissioner Anita Wood SECONDED to APPROVE Consent Agenda Items B and C.

The motion carried by UNANIMOUS vote.

**Consent Agenda Items A and D were WITHDRAWN by staff.**

## **NEW BUSINESS**

### **1) AMP-15-02 (6235) TIBERTI-BLOOD (Public Hearing)**

An application submitted by Tiberti-Blood on behalf of the Shearing Family Trust, 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 northwest corner of Ann Road and Willis Street. The Assessor's Parcel Numbers are 124-30-801-002, 124-30-801-004 and 124-30-801-005.

#### **RECOMMENDATION:**

The Development Services Department recommends that AMP-15-02 be denied because the proposed amendment to the Comprehensive Plan is not supported by the guidelines for Medium Density Residential and because the proposed changes are not supported by the Visions, Goals, Objectives and Policies within the Comprehensive Plan.

**Prior to the Planning Commission meeting, the applicant requested the item be continued to 5/8/02.**

Chairman Nelson Stone opened the Public Hearing. He 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 AMP-15-02 to the 5/8/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 5/8/02.**

**2) ZN-36-02 (6234) TIBERTI-BLOOD (Public Hearing)**

An application submitted by Tiberti-Blood on behalf of the Shearing Family Trust, property owner, for a reclassification of property from an R-1 Single-Family Residential District to a Planned Unit Development District (PUD) consisting of 103 single-family homes. The property is generally located at the northwest corner of Ann Road and Willis Street. The Assessor's Parcel Numbers are 124-30-801-002, 124-30-801-004 and 124-30-801-005.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-43-01 be denied because the proposed amendment to the Comprehensive Plan is not supported by the guidelines established in the Comprehensive Plan.

**Prior to the Planning Commission meeting, the applicant requested the item be continued to 5/8/02.**

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

Commissioner Dean Leavitt MOVED and Commissioner Anita Wood SECONDED to CONTINUE ZN-36-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 5/8/02.**

**Items #3 AMP-17-02, #4 ZN-38-02, #5 AMP-16-02, #6 VAC-07-02 and #7 T-912 are related.**

**3) AMP-17-02 (6237) SIGNATURE HOMES (Public Hearing)**

An application submitted by Signature Homes on behalf of Adams Investments, L.L.C., property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of VLDR Very Low Density Residential to LDR Low Density Residential. The property is generally located at the northeast corner of Racel Street and Decatur Boulevard. The Assessor's Parcel Numbers are 124-07-301-002, 124-07-301-003, 124-07-301-011 and 124-07-301-012.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-17-02 be denied because amending the Comprehensive Plan at this time would be premature, "leapfrog" development would occur, which is not encouraged, and development should not occur until at least the 7,500 acres is planned, to determine infrastructure and compatibility of the proposed development with the future Master Planned Community.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that according to the guidelines with the Comprehensive Plan low density residential should only be considered where City services can be provided without adverse impacts on already developed areas, as well as the availability of public services and facilities should be taken into account before allowing development. He stated that presently the infrastructure to this area is nonexistent with the nearest water located near Deer Springs Way and Valley Drive and the nearest sewer located at Allen and Centennial Parkway. Mr. Jordan also stated the Fire Department has indicated several concerns regarding the response times to the subject site. Staff is also concerned about rezoning this area as it could be considered as "leapfrog" development. He stated staff is recommending that the amendment to the Comprehensive Plan be denied as it is premature at this time and should only be considered after the 7,500 acres.

Dean Rasmussen, 3068 E. Sunset Road Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant who stated he does not agree with staff and feels this is a good project.

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

Vice-Chairman Harry Shull stated he is in favor of this project.

Commissioner Anita Wood asked the applicant if he is willing to put in a second road, as the Fire Department requires two means of access.

Mr. Rasmussen replied that a second road will be placed on this project.

Jim Stubler, Development Services Director, stated, with regard to the secondary access to the site, the property between this site and the master planned community is currently BLM property and he does not believe the applicant will be able to extend a road across that property.

Vice-Chairman Harry Shull **MOVED** and Commissioner Marilyn Kirkpatrick **SECONDED** to **APPROVE** AMP-17-02 per staff's recommendations.

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

**The item was APPROVED.**

**Items #3 AMP-17-02, #4 ZN-38-02, #5 AMP-16-02, #6 VAC-07-02 and #7 T-912 are related.**

**4) ZN-38-02 (6238) SIGNATURE HOMES (Public Hearing)**

An application submitted by Signature Homes on behalf of Adams Investments, LLC, property owner, for reclassification of property from O-L Open Land to R-1 Single-Family Residential. The property is generally located at the northeast corner of Racel Street and Decatur Boulevard. The Assessor's Parcel Numbers are 124-07-301-002, 124-07-301-003, 124-07-301-011 and 124-07-301-012.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-38-02 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

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

Dean Rasmussen, 3068 E. Sunset Road Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant.

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-38-02 per staff's recommendations.

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

**The item was APPROVED.**

**Items #3 AMP-17-02, #4 ZN-38-02, #5 AMP-16-02, #6 VAC-07-02 and #7 T-912 are related.**

**5) AMP-16-02 (6236) SIGNATURE HOMES (Public Hearing)**

An application submitted by Signature Homes on behalf of Adams Investments, LLC, property owner, for an Amendment to the Master Plan of Streets and Highways to remove San Mateo Street between Racel Street and Horse Drive. The Assessor's Parcel Numbers are 124-07-301-002, 124-07-301-003, 124-07-301-011 and 124-07-301-012.

**RECOMMENDATION:**

The Development Services Department, based upon the Fire Department concerns, recommends that AMP-16-02 be denied.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending denial of this item based upon comments from the Fire Department and the Public Works Department. He stated the Fire Department has indicated that emergency access in this area has not been studied and therefore San Mateo Street may be required. He also stated the Public Works Department has indicated that San Mateo Street would be needed to relieve congestion from Decatur Boulevard and provide additional north/south connectivity, therefore staff is recommending denial of this request.

Dean Rasmussen, 3068 E. Sunset Road Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant.

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

Chairman Stone stated the Public Works Department currently has little, if any information regarding this project. He asked Jim Lewis, Deputy City Attorney, if the Planning Commission can approve this item subject to this clearing the Traffic Engineer.

Jim Lewis, Deputy City Attorney, stated the Planning Commission has discretion on this matter.

Commissioner Tom Langford stated he noticed the Fire Department is also recommending denial of this item as the Fire Department wants a study to be conducted first.

Commissioner Marilyn Kirkpatrick stated she would like to see this item continued.

Commissioner Scott Albright stated he opposes removing San Mateo on the Master Plan of Streets and Highways as he believes it is the type of street that interconnects a neighborhood which he believes is critical to creating a unified City.

Mr. Rasmussen stated he is comfortable with this item being continued.

Vice-Chairman Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE AMP-16-02 to the 4/10/02 Planning Commission meeting.

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

**The item was CONTINUED to 4/10/02.**

**Items #3 AMP-17-02, #4 ZN-38-02, #5 AMP-16-02, #6 VAC-07-02 and #7 T-912 are related.**

**6) VAC-07-02 (6239) SIGNATURE HOMES (Public Hearing)**

An application submitted by Signature Homes on behalf of Adams Investments, L.L.C., property owner, for a vacation of San Mateo Street commencing at Horse Drive and proceeding in a southerly direction approximately 1,264 ft. to Racel Street. The Assessor's Parcel Numbers are 139-07-301-003, 139-07-301-008, 124-07-301-011 and 124-07-301-012.

**RECOMMENDATION:**

The Development Services Department, based upon the Fire Department concerns, recommends that VAC-07-02 be denied.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that based upon the previous action on related items the applicant has requested this item be continued.

Dean Rasmussen, 3068 E. Sunset Road Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant.

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

Commissioner Anita Wood MOVED and Vice-Chairman Harry Shull SECONDED to CONTINUE VAC-07-02 to the 4/10/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 4/10/02.**

**Items #3 AMP-17-02, #4 ZN-38-02, #5 AMP-16-02, #6 VAC-07-02 and #7 T-912 are related.**

**7) T-912 (6249) SIGNATURE HOMES**

An application submitted by Signature Homes on behalf of Adams Investments, Inc., property owner, for a tentative map review in an O-L Open Land District (proposed property reclassification to R-1 Single-Family Residential District). The property is generally located at the northeast corner of Racel Street and Decatur Boulevard. The Assessor's Parcel Numbers are 124-07-301-002, 124-07-301-003, 124-07-301-011 and 124-07-3010012.

**RECOMMENDATION:**

The Development Services Department recommends that T-912 be denied, because the tentative map is not in compliance with the Single Family Design Guidelines, three streets do not comply with the curvilinear street requirement, staff is not supporting the requests for a Comprehensive Plan amendment and a reclassification, the proposed development would add to an already overcrowded Lied Middle School and the Fire Department opposes this request due to concerns regarding response times and access to the subject site.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that based on the previous items the applicant has requested this item be continued.

Dean Rasmussen, 3068 E. Sunset Road Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant.

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 CONTINUE T-912 to the 4/10/02 Planning Commission meeting.

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

**The item was CONTINUED to 4/10/02.**

**Items #8 AMP-18-02 and #9 ZN-40-02 are related.**

**Commissioner Anita Wood abstained from voting on items 8 & 9 due to her husband being employed by Summit Engineering.**

**8) AMP-18-02 (6256) STAR NURSERY (Public Hearing)**

An application submitted by Summit Engineering Corporation on behalf of Craig Keough, 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 Coleman Street. The Assessor's Parcel Numbers are 124-29-803-007 and 124-29-803-009.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-18-02 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.

Ken Kramer, 1421 E. Sunset Road Suite 17, Las Vegas, Nevada 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 Vice-Chairman Harry Shull **SECONDED** to **APPROVE** AMP-18-02 per staff's recommendations.

The motion carried by **MAJORITY** vote with Commissioner Anita Wood abstaining due to her husband being employed by Summit Engineering.

**Items #8 AMP-18-02 and #9 ZN-40-02 are related.**

**Commissioner Anita Wood abstained from voting on this item due to her husband being employed by Summit Engineering.**

**9) ZN-40-02 (6253) STAR NURSERY (Public Hearing)**

An application submitted by Summit Engineering Corporation on behalf of Craig Keough, 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 Coleman Street. The Assessor's Parcel Numbers are 124-29-803-007 and 124-29-803-009.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-40-02 be approved and forwarded to City Council for consideration.

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

Ken Kramer, 1421 E. Sunset Road Suite 17, Las Vegas, Nevada 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 Marilyn Kirkpatrick **SECONDED** to **APPROVE** ZN-40-02 per staff's recommendations.

The motion carried by **MAJORITY** vote with Commissioner Anita Wood abstaining due to her husband being employed by Summit Engineering.

**10) UN-22-02 (6087) CLARK COUNTY SCHOOL DISTRICT (Public Hearing)**

An application submitted by the Clark County School District, property owner, for a use permit in an R-1 Single-Family Residential District to allow a school. The property is generally located at the northwest

corner of Alexander Road and North Fifth Street. The Assessor's Parcel Number is 139-03-801-002.

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

Chairman Nelson Stone opened the Public Hearing. He 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 UN-22-02 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**11) UN-23-02 (6193) TACOS EL PAISANO (Public Hearing)**

An application submitted by Antonio & Matilde Delgado on behalf of Galtar, LLC, property owner, for a use permit in an R-A/CR Redevelopment Area / Commercial Retail Subdistrict to allow a convenience food restaurant with a drive-through. The property is located at 2245 N. Las Vegas Boulevard. The Assessor's Parcel is 139-23-502-003.

**RECOMMENDATION:**

The Development Services Department recommends that UN-23-02 be approved and forwarded to the Redevelopment Agency for final consideration subject to the following conditions:

1. Standard conditions 10, 11 and 12.
2. That all window signage shall be removed prior to final approval by the Redevelopment Agency.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending that this item be approved and forwarded to the Redevelopment Agency for final consideration subject to two (2) conditions.

Fred Shane, 3275 E. Sahara Avenue, Las Vegas, Nevada 89104 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

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

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to APPROVE UN-23-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**12) UN-24-02 (6218) EL CAMARON PELADO RESTAURANT (Public Hearing)**

An application submitted by Guillermo Sataray Parra, property owner, for a use permit in the R-A/CR Redevelopment Area / Commercial Retail Subdistrict to allow the "on-sale" of alcoholic beverages in conjunction with a restaurant. The property is located at 2632 E. Lake Mead Boulevard. The Assessor's

Parcel Number is 139-24-201-001.

**RECOMMENDATION**

The Development Services Department recommends that UN-24-02 be approved with the following conditions:

1. Standard Conditions: 4, 10, 11 and 14.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending this item be approved and forwarded to the Redevelopment Agency for final consideration.

Guillermo Sataray Parra, 3460 Purdue Way, Las Vegas, Nevada 89115 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** UN-24-02 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

**13) UN-25-02 (6225) NEXTEL (Public Hearing)**

An application submitted by Nextel Communications on behalf of Genevieve Ramirez, property owner, for a use permit in an O-L Open Land District to allow an 80 foot unmanned, digital mobile radio communications facility. The property is generally located at the southeast corner of Decatur Boulevard and Horse Drive. The Assessor's Parcel Number is 124-07-301-009.

## **RECOMMENDATION:**

The Development Services Department recommends that UN-25-02 be denied, as the applicant has not provided the Development Services Department with convincing evidence that all attempts to install the monopole in a more appropriate location have been exhausted.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending denial of this item as the subject site is presently undeveloped and there is no residential development within the area on the North Las Vegas side. He stated that originally staff wanted the applicant to try to locate any area that might be more suitable for this antenna such as the Southern Nevada Water Authority property to the east. He stated staff has received a letter for the SNWA stating that they would not allow the applicant to locate on their property, however he stated there are many areas within the City of Las Vegas which this antenna appears to be supporting that might be more conducive for this particular antenna tower, as well as with the 1900 acres developing in the future the development agreement has already specified cellular antenna facilities that would be located within that 1,900 acres to support the residential there, and unless the applicant can demonstrate that they have exhausted all their methods, staff is recommending that this item be denied.

Nefi Garcia, of Nextel Communications, 750 E. Warm Springs Road Suite 120, Las Vegas, Nevada 89119 appeared on behalf of the applicant who stated he believes the best location would be at the Water Authority site, but the Water Authority has indicated they have no interest in leasing the space.

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

Commissioner Marilyn Kirkpatrick stated she does not agree with the chain link fence and asked the applicant if the Planning Commission were to approve this item, would he be willing to put up a block wall fence.

Mr. Garcia stated that he would be in agreement with putting in a block wall fence, but asked that the Planning Commission allow him to temporarily put in a chain link fence for twelve (12) months.

Commissioner Kirkpatrick asked Jim Lewis, Deputy City Attorney, about the pending approval of the Cell Tower Ordinance and how can the Planning Commission hold this applicant to the same standards.

Jim Lewis, Deputy City Attorney, stated that, based upon the Federal Telecommunications Act, the Planning Commission will hold this applicant to the same standards they would hold future applicants, if the City Council approves the ordinance amendment.

Commissioner Kirkpatrick stated the challenge is there are no conditions present to work from on this.

Chairman Stone asked staff what should be the direction of the Commission with regard to conditions if the Planning Commission desired to approve this item.

Mr. Jordan stated he has some conditions listed, however he stated those are conditions that would apply to cell towers that had been approved in the past and he does not know how much of them would reflect the new ordinance.

Mr. Lewis stated that if there was an interest by the Planning Commission to approve this item, that perhaps the item should be continued for two weeks to allow staff to prepare conditions to be heard at that time.

Vice-Chairman Harry Shull asked Mr. Garcia if he would be in favor of a two-week continuance to allow staff to present a recommendation with conditions.

Mr. Garcia stated he would prefer a vote tonight rather than a continuance.

Vice-Chairman Shull stated to Mr. Garcia that if he insists on a vote at tonight's meeting, there is a chance this item will be denied.

Mr. Garcia stated he would not like to see this item denied, therefore he is willing to agree to a two-week continuance.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE UN-25-02 to the 3/27/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 3/27/02.**

**14) UN-26-02 (6252) DONALD DENMAN (Public Hearing)**

An application submitted by Donald L. Denman, property owner, for a use permit in a M-2 General Industrial District to allow the parking of tracked vehicles on an unpaved surface. The property is located north of Lone Mountain Road approximately 728 feet east of Donovan Way. The Assessor's Parcel Number is 123-31-402-003.

**RECOMMENDATION:**

The Development Services Department recommends that UN-26-02 be continued indefinitely to allow the applicant time to submit a new site plan that shows the storage areas and additional paved areas as required in the zoning ordinance; and to meet with the City of North Las Vegas Public Works - Environmental Division to receive approval for the proposed dust suppressant.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated the applicant is requesting that vehicle parking/tract equipment be allowed to be parked on the site, as well as the applicant is proposing to use the area as storage operations center for equipment and material storage. He stated with this request the applicant is also requesting a waiver of the Industrial Design Guidelines to allow the reduction of 20 feet for the required landscaping along I-15 to -0- to basically eliminate that landscaping. He stated staff is not supporting that request and staff is recommending that 20 feet of landscaping be required. He stated the applicant is proposing to surround the storage with a chain link fence as well as an 8-foot high block wall adjacent to I-15 right-of-way. He stated there has been an ordinance amendment that would not require block wall screening between two adjacent storage yards and he believes there are adjacent storage yards to this site therefore staff would not have any objection to that which is covered under the ordinance and does not require specific approval. Mr. Jordan stated staff does have some concerns about the site plan. He stated the applicant has indicated essentially the majority of the site to be used for the parking of tract equipment, and the applicant is only proposing to park approximately 8-10 vehicles on this site and the use permit is for that tract equipment and staff believes that the site plan should be more specific to show the location of where that tract equipment will be limited. Due to these issues, he stated staff is recommending this item be continued indefinitely to allow the applicant time to meet with staff to address these concerns.

Mark Kincaid, 4444 Cinderwood Court, North Las Vegas, Nevada 89032 appeared on behalf of the applicant who stated he concurs with staff's recommendations to continue this item to address staff's concerns.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. He stated the Public Hearing shall remain open until such time this item can be heard in its entirety.

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE UN-26-02 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**15) VAC-06-02 (6197) TONI V. WERK (Public Hearing)**

An application submitted by Toni V. Werk, property owner, for a vacation of 10 feet of the northerly portion of Lone Mountain Road commencing at Kenny Way and proceeding east approximately 311 feet. The Assessor's Parcel Number is 124-32-403-004.

**RECOMMENDATION:**

The Development Services Department recommends that VAC-06-02 be approved and forwarded to the City Council subject to the following conditions:

1. Retain an easement for Sprint to, over, across, and under the subject parcel of land, together with reasonable rights of ingress thereto and egress therefrom.
2. That landscaping plans for the area to being vacated be submitted for review and approval by Planning staff prior to recordation of the vacation.

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

Toni Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031 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 MOVED and Commissioner Dean Leavitt SECONDED to APPROVE VAC-06-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**ITEMS #16 THROUGH 32 ARE RELATED.**

**16) ZN-21-02 (6198) NORTH VALLEY ENTERPRISES PCL 40 (Public Hearing)**

An application submitted by North Valley Enterprises, L.L.C., property owner, for reclassification of property from an O-L Open Land District to an MPC / C-1 Master Planned Community/Neighborhood Commercial District. The property is generally located at the northeast corner of Centennial Parkway and Simmons Street. The Assessor's Parcel Number is 124-20-000-002.

**RECOMMENDATION:**

The Development Services Department recommends ZN-21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35

-02 be approved by ordinance for permanent “hard zoning” to the zoning designations listed above.

Marc Jordan, Senior Planner, stated to the Planning Commission that he is going to brief Items 16-28 together, however each item will require an individual action. He stated the proposed rezonings are for the North Valley Enterprise and it’s rezoning the property from Open Land to the Master Plan Overlay District with designations of C-1, C-2, R-1, PSP and R-3 with a total of approximately 403 acres in size and primarily the proposed rezonings will be for the family village areas located within this development. He stated the proposed rezonings are all in compliance with the Development Agreement and the land use approvals that were approved for this site, therefore staff is recommending approval of these requests.

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.

Commissioner Scott Albright stated he noticed on the land use map that there was a park site, Lot 62 on the east side of Clayton Street, that was not included in the rezoning.

Mr. Rasmussen stated the project is divided among several different consultants and that particular zone change will appear on the next agenda for the Planning Commission.

Vice-Chairman Harry Shull MOVED and Commissioner Tom Langford SECONDED to APPROVE ZN-21-02 per staff’s recommendations.

The motion carried by UNANIMOUS vote.

**ITEMS #16 THROUGH 32 ARE RELATED.**

**17) ZN-22-02 (6200) NORTH VALLEY ENTERPRISES PCL 4 (Public Hearing)**

An application submitted by North Valley Enterprises LLC, property owner, for reclassification of property from an O-L Open Land District to an MPC / C-1 Master Planned Community/Neighborhood Commercial District. The property is generally located at the southeast corner of Deer Springs Way and Simmons Street. The Assessor’s Parcel Number is 124-20-000-002.

**RECOMMENDATION:**

The Development Services Department recommends ZN-21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35

-02 be approved by ordinance for permanent “hard zoning” to the zoning designations listed above.

Marc Jordan, Senior Planner, stated to the Planning Commission that he is going to brief Items 16-28 together, however each item will require an individual action. He stated the proposed rezonings are for the North Valley Enterprise and it’s rezoning the property from Open Land to the Master Plan Overlay District with designations of C-1, C-2, R-1, PSP and R-3 with a total of approximately 403 acres in size and primarily the proposed rezonings will be for the family village areas located within this development. He stated the proposed rezonings are all in compliance with the Development Agreement and the land use approvals that were approved for this site, therefore staff is recommending approval of these requests.

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.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-22-02 per staff’s recommendations.

The motion carried by UNANIMOUS vote.

**18) ZN-23-02 (6201) NORTH VALLEY ENTERPRISES, LLC (Public Hearing)**

An application submitted by North Valley Enterprises, L.L.C., property owner, for reclassification of property from an O-L Open Land District to a MPC / R-1 Master Planned Community/Single-Family Residential District. The property is generally located at the northwest corner of Centennial Parkway and Allen Lane. The Assessor’s Parcel Number is 124-19-301-002.

**RECOMMENDATION:**

The Development Services Department recommends ZN-21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35

-02 be approved by ordinance for permanent “hard zoning” to the zoning designations listed above.

Marc Jordan, Senior Planner, stated to the Planning Commission that he is going to brief Items 16-28 together, however each item will require an individual action. He stated the proposed rezonings are for the North Valley Enterprise and it’s rezoning the property from Open Land to the Master Plan Overlay District with designations of C-1, C-2, R-1, PSP and R-3 with a total of approximately 403 acres in size and primarily the proposed rezonings will be for the family village areas located within this development. He stated the proposed rezonings are all in compliance with the Development Agreement and the land use approvals that were approved for this site, therefore staff is recommending approval of these requests.

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 Marilyn Kirkpatrick SECONDED to APPROVE ZN-23-02 per staff’s recommendations.

The motion carried by UNANIMOUS vote.

**19) ZN-26-02 (6205) NORTH VALLEY ENTERPRISES LLC (Public Hearing)**

An application submitted by North Valley Enterprises, L.L.C., property owner, for reclassification of property from an O-L Open Land District to a MPC R-1 Master Planned Community / Single-Family Residential District. The property is generally located at the northeast corner of Simmons Street and Elkhorn Drive. The Assessor’s Parcel Number is 124-17-000-001.

**RECOMMENDATION:**

The Development Services Department recommends ZN-21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 -02 be approved by ordinance for permanent “hard zoning” to the zoning designations listed above.

Marc Jordan, Senior Planner, stated to the Planning Commission that he is going to brief Items 16-28 together, however each item will require an individual action. He stated the proposed rezonings are for the North Valley Enterprise and it's rezoning the property from Open Land to the Master Plan Overlay District with designations of C-1, C-2, R-1, PSP and R-3 with a total of approximately 403 acres in size and primarily the proposed rezonings will be for the family village areas located within this development. He stated the proposed rezonings are all in compliance with the Development Agreement and the land use approvals that were approved for this site, therefore staff is recommending approval of these requests.

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.

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to APPROVE ZN-26-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**20) ZN-27-02 (6206) NORTH VALLEY ENTERPRISES LLC (Public Hearing)**

An application submitted by North Valley Enterprises, LLC, property owner, for reclassification of property from an O-L Open Land District to a MPC / R-1 Master Planned Community/Single-Family Residential District. The property is generally located at the northwest corner of Clayton Street and Centennial Parkway. The Assessor's Parcel Number is 124-20-000-002.

**RECOMMENDATION:**

The Development Services Department recommends ZN-21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 -02 be approved by ordinance for permanent "hard zoning" to the zoning designations listed above.

Marc Jordan, Senior Planner, stated to the Planning Commission that he is going to brief Items 16-28 together, however each item will require an individual action. He stated the proposed rezonings are for the North Valley Enterprise and it's rezoning the property from Open Land to the Master Plan Overlay District with designations of C-1, C-2, R-1, PSP and R-3 with a total of approximately 403 acres in size and primarily the proposed rezonings will be for the family village areas located within this development. He stated the proposed rezonings are all in compliance with the Development Agreement and the land use approvals that were approved for this site, therefore staff is recommending approval of these requests.

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.

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-27-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**21) ZN-28-02 (6227) NORTH LAS VEGAS COMMUNITY (Public Hearing)**

An application submitted by North Valley Enterprises LLC, property owner, for reclassification of property from an O-L Open Land District to a MPC R-1 Master Planned Community / Single -family Residential District. The property is located north of Deer Springs Way and approximately 900 feet west of Simmons Street. The Assessor's Parcel Number is 124-20-000-001.

**RECOMMENDATION:**

The Development Services Department recommends ZN-21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 -02 be approved by ordinance for permanent "hard zoning" to the zoning designations listed above.

Marc Jordan, Senior Planner, stated to the Planning Commission that he is going to brief Items 16-28

together, however each item will require an individual action. He stated the proposed rezonings are for the North Valley Enterprise and it's rezoning the property from Open Land to the Master Plan Overlay District with designations of C-1, C-2, R-1, PSP and R-3 with a total of approximately 403 acres in size and primarily the proposed rezonings will be for the family village areas located within this development. He stated the proposed rezonings are all in compliance with the Development Agreement and the land use approvals that were approved for this site, therefore staff is recommending approval of these requests.

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.

Commissioner Dean Leavitt MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE ZN-28-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

## **22) ZN-29-02 (6231) NORTH LAS VEGAS COMMUNITY (Public Hearing)**

An application submitted by North Valley Enterprises LLC, property owner, for reclassification of property from an O-L Open Land District to an MPC / R-1 Master Planned Community/Single-Family Residential District. The property is generally located at the northeast corner of Allen Lane and Centennial Parkway. The Assessor's Parcel Number is 124-20-000-001.

### **RECOMMENDATION:**

The Development Services Department recommends ZN-21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 -02 be approved by ordinance for permanent "hard zoning" to the zoning designations listed above.

Marc Jordan, Senior Planner, stated to the Planning Commission that he is going to brief Items 16-28 together, however each item will require an individual action. He stated the proposed rezonings are for the North Valley Enterprise and it's rezoning the property from Open Land to the Master Plan Overlay District with designations of C-1, C-2, R-1, PSP and R-3 with a total of approximately 403 acres in size and primarily the proposed rezonings will be for the family village areas located within this development. He stated the proposed rezonings are all in compliance with the Development Agreement and the land use approvals that were approved for this site, therefore staff is recommending approval of these requests.

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.

Commissioner Scott Albright MOVED and Commissioner Anita Wood SECONDED to APPROVE ZN-29-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

### **23) ZN-30-02 (6228) NORTH LAS VEGAS COMMUNITY (Public Hearing)**

An application submitted by North Valley Enterprises LLC, property owner, for reclassification of property from an O-L Open Land District to an MPC / R-1 Master Planned Community/Single-Family Residential District. The property is located west of Simmons Street approximately 600 feet north of Centennial Parkway. The Assessor's Parcel Number is 124-20-000-002.

#### **RECOMMENDATION:**

The Development Services Department recommends ZN-21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 -02 be approved by ordinance for permanent "hard zoning" to the zoning designations listed above.

Marc Jordan, Senior Planner, stated to the Planning Commission that he is going to brief Items 16-28

together, however each item will require an individual action. He stated the proposed rezonings are for the North Valley Enterprise and it's rezoning the property from Open Land to the Master Plan Overlay District with designations of C-1, C-2, R-1, PSP and R-3 with a total of approximately 403 acres in size and primarily the proposed rezonings will be for the family village areas located within this development. He stated the proposed rezonings are all in compliance with the Development Agreement and the land use approvals that were approved for this site, therefore staff is recommending approval of these requests.

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.

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-30-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

#### **24) ZN-31-02 (6230) NORTH LAS VEGAS COMMUNITY (Public Hearing)**

An application submitted by North Valley Enterprises, LLC, property owner, for reclassification of property from an O-L Open Land District to an MPC / R-1 Master Planned Community/Single-Family Residential District. The property is generally located at the southwest corner of Deer Springs Way and Simmons Street. The Assessor's Parcel Number is 124-20-000-002.

#### **RECOMMENDATION:**

The Development Services Department recommends ZN-21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 -02 be approved by ordinance for permanent "hard zoning" to the zoning designations listed above.

Marc Jordan, Senior Planner, stated to the Planning Commission that he is going to brief Items 16-28 together, however each item will require an individual action. He stated the proposed rezonings are for

the North Valley Enterprise and it's rezoning the property from Open Land to the Master Plan Overlay District with designations of C-1, C-2, R-1, PSP and R-3 with a total of approximately 403 acres in size and primarily the proposed rezonings will be for the family village areas located within this development. He stated the proposed rezonings are all in compliance with the Development Agreement and the land use approvals that were approved for this site, therefore staff is recommending approval of these requests.

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 Marilyn Kirkpatrick SECONDED to APPROVE ZN-31-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**25) ZN-32-02 (6226) NORTH LAS VEGAS COMMUNITY (Public Hearing)**

An application submitted by North Valley Enterprises LLC, property owner, for reclassification of property from an O-L Open Land District to a MPC / R-3 Master Planned Community/Multi-Family Residential District. The property is generally located at the northeast corner of Allen Lane and Deer Springs Way. The Assessor's Parcel Numbers are 124-20-000-001 and 124-20-000-002.

**RECOMMENDATION:**

The Development Services Department recommends ZN-21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 -02 be approved by ordinance for permanent "hard zoning" to the zoning designations listed above.

Marc Jordan, Senior Planner, stated to the Planning Commission that he is going to brief Items 16-28 together, however each item will require an individual action. He stated the proposed rezonings are for the North Valley Enterprise and it's rezoning the property from Open Land to the Master Plan Overlay

District with designations of C-1, C-2, R-1, PSP and R-3 with a total of approximately 403 acres in size and primarily the proposed rezonings will be for the family village areas located within this development. He stated the proposed rezonings are all in compliance with the Development Agreement and the land use approvals that were approved for this site, therefore staff is recommending approval of these requests.

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.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-32-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

#### **26) ZN-33-02 (6232) NORTH LAS VEGAS COMMUNITY (Public Hearing)**

An application submitted by North Valley Enterprises LLC, property owner, for reclassification of property from an O-L Open Land District to an MPC / R-1 Master Planned Community / R-1 Single-Family Residential District. The property is generally located west of Simmons Street approximately 1,500 feet north of Centennial Parkway. The Assessor's Parcel Number is 124-20-000-002.

#### **RECOMMENDATION:**

The Development Services Department recommends ZN-21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 -02 be approved by ordinance for permanent "hard zoning" to the zoning designations listed above.

Marc Jordan, Senior Planner, stated to the Planning Commission that he is going to brief Items 16-28 together, however each item will require an individual action. He stated the proposed rezonings are for the North Valley Enterprise and it's rezoning the property from Open Land to the Master Plan Overlay

District with designations of C-1, C-2, R-1, PSP and R-3 with a total of approximately 403 acres in size and primarily the proposed rezonings will be for the family village areas located within this development. He stated the proposed rezonings are all in compliance with the Development Agreement and the land use approvals that were approved for this site, therefore staff is recommending approval of these requests.

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.

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-33-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**27) ZN-34-02 (6250) NORTH LAS VEGAS COMMUNITY (Public Hearing)**

An application submitted by North Valley Enterprises, LLC, property owner, for reclassification of property from an O-L Open Land District to a MPC / C-1, Master Planned Community / Neighborhood Commercial District. The Assessor's Parcel Number is 124-20-000-002.

**RECOMMENDATION:**

The Development Services Department recommends ZN-21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 -02 be approved by ordinance for permanent "hard zoning" to the zoning designations listed above.

Marc Jordan, Senior Planner, stated to the Planning Commission that he is going to brief Items 16-28 together, however each item will require an individual action. He stated the proposed rezonings are for the North Valley Enterprise and it's rezoning the property from Open Land to the Master Plan Overlay District with designations of C-1, C-2, R-1, PSP and R-3 with a total of approximately 403 acres in size and primarily the proposed rezonings will be for the family village areas located within this development. He stated the proposed rezonings are all in compliance with the Development Agreement and the land

use approvals that were approved for this site, therefore staff is recommending approval of these requests.

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.

Commissioner Dean Leavitt MOVED and Vice-Chairman Harry Shull SECONDED to APPROVE ZN-34-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**28) ZN-35-02 (6229) NORTH LAS VEGAS COMMUNITY (Public Hearing)**

An application submitted by North Valley Enterprises, LLC, property owner, for reclassification of property from an O-L Open Land District to a MPC/PSP Master Planned Community/Public/Semi-Public District. The Assessor's Parcel Number is 124-20-000-002.

**RECOMMENDATION:**

The Development Services Department recommends ZN-21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35 -02 be approved by ordinance for permanent "hard zoning" to the zoning designations listed above.

Marc Jordan, Senior Planner, stated to the Planning Commission that he is going to brief Items 16-28 together, however each item will require an individual action. He stated the proposed rezonings are for the North Valley Enterprise and it's rezoning the property from Open Land to the Master Plan Overlay District with designations of C-1, C-2, R-1, PSP and R-3 with a total of approximately 403 acres in size and primarily the proposed rezonings will be for the family village areas located within this development.

He stated the proposed rezonings are all in compliance with the Development Agreement and the land use approvals that were approved for this site, therefore staff is recommending approval of these requests.

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.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-35-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

### **29) T-908 (6242) NORTH LAS VEGAS COMMUNITY #26**

An application submitted by Orion Engineering and Surveying on behalf of North Valley Enterprises LLC, property owners, for a tentative map review in an O-L Open Land District (purposed to a MPC-R-1 Master Planned Community-Single-Family Residential District). The property is located on Simmons Street and approximately 1 mile south of Grande Teton Drive. The Assessor's Parcel Number is 124-17-000-001.

### **RECOMMENDATION**

The Development Services Department recommends that T-866 be approved subject to the following conditions:

1. Standard conditions: 3, 5, 11, 26, 27, 28, 29, 31, and 32.
2. Street names and suffixes must conform to the North Las Vegas Street Naming and Address Assignment Standard.
3. Fiber optic conduit must be provided on Deer Springs Road.

4. The Driveway number and location are subject to review and approval by the City of North Las Vegas traffic engineer.
5. Improved and dedicated access to the site is required.
6. Prior to recordation of the final map, the applicant shall submit proof that the Clark County Beltway has been revised and Clark County has relinquished any right to the subject property.
7. Fire hydrants shall be provided in accordance with the requirements of the Fire Code.
8. That the required "landscape/sidewalk zone" as specified in the North Valley Development Agreement shall be shown on the final map and proof of a maintenance mechanism be demonstrated to the City prior to recordation of the final map.

The application was presented by Chris Melendrez, Associate 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.

Vice-Chairman Harry Shull MOVED and Commissioner Tom Langford SECONDED to APPROVE T-908 per staff's recommendations subject to the following change:

**Condition #9 Added to Read: "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 motion carried by UNANIMOUS vote.

### **30) T-909 (6246) NORTH LAS VEGAS COMMUNITY #24**

An application submitted by Orion Engineering and Surveying on behalf of North Valley Enterprises, L.L.C., property owner, for a tentative map review in an O-L Open Land District (proposed property reclassification to MPC-R-1 Master Planned Community - Single-Family Residential District). The property is generally located east of Simmons Street approximately 520 feet north of Centennial Parkway. The Assessor's Parcel Number is 124-20-000-002.

### **RECOMMENDATION**

The Development Services Department recommends that T-866 be approved subject to the following conditions:

1. Standard conditions: 3, 5, 11, 15, 26, 27, 28, 29, 31, and 32.
2. Street names and suffixes must conform to the North Las Vegas Street Naming and Address Assignment Standard.
3. Fiber optic conduit must be provided on Simmons Street.
4. Clark County Regional Flood Control District (CCRFCD) concurrence of the drainage study is required.

5. Improved and dedicated access to the site is required.
6. The site drainage must conform to the conceptual master plan drainage study.
7. A queuing analysis is required.
8. Stub street design is generally prohibited. Contact Kirk Bogan, in the Public Works Department for a suitable alternative.
9. A second means of access shall be clearly indicated at the time of submittal of civil improvement plans.
10. Fire hydrants shall be provided in accordance with the requirements of the Fire Code.

The application was presented by Chris Melendrez, Associate 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.

Commissioner Anita Wood stated she is concerned about the Fire Department's concern about the secondary access and asked Mr. Rasmussen if he plans on pushing the access through on Centennial.

Mr. Rasmussen replied the intent is to provide a secondary access.

Vice-Chairman Harry Shull MOVED and Commissioner Tom Langford SECONDED to APPROVE T-909 per staff's recommendations subject to the following change:

**Condition #11 Added to Read: "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 motion carried by UNANIMOUS vote.

### **31) T-910 (6247) NORTH LAS VEGAS COMMUNITY #25**

An application submitted by Orion Engineering and Surveying on behalf of North Valley Enterprises LLC, property owner, for a tentative map review in an O-L Open Land District (purposed to a MPC-R-1 Master Planned Community-Single-Family Residential District) for 148 single family homes. The property is generally located southwest corner of Deer Springs Way and Simmons Street. The Assessor's Parcel Number is 124-20-000-002.

### **RECOMMENDATION**

The Development Services Department recommends that T-866 be approved subject to the following conditions:

1. Standard conditions: 3, 5, 11, 15, 26, 27, 28, 29, 31, and 32.
2. Right of way dedication for a bus turnout is required on Simmons Street south of Deer Springs Way.
3. Fiber optic conduit must be provided on Deer Springs Way and Simmons Street.
4. Improved and dedicated access to the site is required.

5. Driveway number and location are subject to review and approval by the North Las Vegas traffic engineer.
6. A queuing analysis is required.
7. Fire hydrants shall be provided in accordance with the requirements of the Fire Code.
8. That the required "landscape/sidewalk zone" as specified in the North Valley Development Agreement shall be shown on the final map and proof of a maintenance mechanism be demonstrated to the City prior to recordation of the final map.

The application was presented by Chris Melendrez, Associate 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.

Vice-Chairman Harry Shull MOVED and Commissioner Tom Langford SECONDED to APPROVE T-910 per staff's recommendations subject to the following change:

**Condition #9 Added to Read: "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 motion carried by UNANIMOUS vote.

### **32) T-911 (6248) NORTH LAS VEGAS COMMUNITY #23**

An application submitted by Orion Engineering and Surveying on behalf of North Valley Enterprises, L.L.C., property owner, for a tentative map review in an O-L Open Land District (proposed property reclassification to MPC-R-1 Master Planned Community - Single-Family Residential District). The property is generally located at the northeast corner of Allen Lane and Centennial Parkway. The Assessor's Parcel Number is 124-20-000-002.

#### **RECOMMENDATION**

The Development Services Department recommends that T-911 be approved subject to the following conditions:

1. Standard conditions: 3, 5, 11, 15, 26, 27, 28, 29, 31, and 32.
2. Right of way dedication for a bus turnout is required on Allen Lane north of Centennial Parkway.
3. Driveway number and location are subject to review and approval by the North Las Vegas traffic engineer.
4. Street names and suffixes must conform to the North Las Vegas Street Naming and Address Assignment Standard.

5. Stub street design is generally prohibited. Contact Kirk Bogan, in the Public Works Department for a suitable alternative.
6. The site drainage must conform to the conceptual master plan drainage study.
7. Fire hydrants shall be provided in accordance with the requirements of the Fire Code.
8. That the required "landscape/sidewalk zone" as specified in the North Valley Development Agreement shall be shown on the final map and proof of a maintenance mechanism be demonstrated to the City prior to recordation of the final map.

The application was presented by Chris Melendrez, Associate 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.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Dean Leavitt SECONDED to APPROVE T-911 per staff's recommendations subject to the following change:

**Condition #9 Added to Read: "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 motion carried by UNANIMOUS vote.

### OLD BUSINESS

#### **33) ZN-04-02 (5598) CENTENNIAL MARKET PLACE (Public Hearing)**

An application submitted by the PT Corporation, 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 southwest corner of Centennial Parkway and Losee Road. The Assessor's Parcel Number is 124-26-501-001.

This item was originally continued from the January 9, 2002, Planning Commission meeting at the request of the applicant to the January 23, 2002, meeting and again to the March 13, 2002, meeting. This application was submitted in conjunction with an amendment to the Comprehensive Plan (AMP-01-02) for Neighborhood Commercial which was approved by the Planning Commission on January 23, 2002.

During the original Planning Commission meeting there was discussion regarding the possibility of amending the application to reduce the amount of land proposed for rezoning. The applicant's representative requested that this item be continued to allow additional time to meet with the property owners. Presently, no new information has been provided.

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

Bob Gronauer, 3800 Howard Hughes Parkway 7<sup>th</sup> Floor, Las Vegas, Nevada 89109 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 Dean Leavitt SECONDED to APPROVE ZN-04-02 for the eastern portion of the property for east of the drainage channel as defined per the upper Las Vegas Wash Channel as prepared by VTN Nevada.

The motion carried by UNANIMOUS vote.

**34) 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.

**This item was continued from the February 27 meeting to allow the City Council time to affirm the amendment to the Comprehensive Plan, concerning commercial development along Centennial Parkway.**

**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 Comprehensive Plan designates the subject site as Community Commercial, therefore staff is recommending approval of this site to permanent zoning to the C-2 District.

Don Ahern, 8621 Scarsdale, Las Vegas, Nevada 89117 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 ZN-16-02 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Anita Wood voting against the item.

**35) 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 3/27/02.

Commissioner Dean Leavitt MOVED and Commissioner Tom Langford SECONDED to CONTINUE SPR-03-02 to the 3/27/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 3/27/02**

**36) 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.

**RECOMMENDATION**

This item was continued from the February 27<sup>th</sup> Planning Commission meeting at the applicants request. This item has been continued on several previous occasions due to a pending zoning action on the property directly south of the subject site.

On February 20, 2002, the Clark County board of County Commissioners approved a zone change request from M-D, Design Manufacturing, to R-2, Multifamily Residential, for the area of land directly south of the proposed Craig Road Industrial Park. Since the property to the south will be developed with residential uses the Zoning Ordinance requires 75 foot building setback from the southern property line. This is an Ordinance requirement, and without compliance, approval of a variance would be required. Furthermore, the Industrial Design Standards require that a 20 foot landscaped buffer yard also be provided along the southern property line.

The Development Services Department recommends that SPR-28-01 be approved subject to the following conditions:

1. Standard conditions 1, 7, 8, and 11.
2. That twenty (20) feet of landscaping as measured from the property line be provided in accordance with Ordinance requirements adjacent to all public rights-of-way.

3. That a seventy-five (75) foot building setback shall be provided along the southern property line.
4. That the Development Comply with the Industrial Design Standards including but not limited to providing a twenty (20) foot landscaped buffer adjacent to the southern property line planted in accordance with Ordinance requirements.
5. That the applicant submit a site plan showing the entire site including proposed driveways and streets to the traffic division.

The application was presented by Chris Melendrez, Associate 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.

Chairman Nelson Stone stated that although this is not a Public Hearing, he asked if the Commission would entertain comments from a member of the public who wished to speak on this item.

The Commission agreed.

The following participant came forward:

- ▶ Joseph Hart, 6020 Beale Avenue, Nellis Air Force Base, Nevada 89191

Mr. Hart stated he represents Nellis Air Force Base and the Base has been following this issue because KB Homes originally informed them about the residential use and the Base understands the applicant will comply with the setback of 20-feet of landscaping.

Commissioner Scott Albright asked staff, with regard to the 75-foot setback, is it from zoned properties or master planned properties.

Mr. Melendrez replied it is from zoned properties.

Vice-Chairman Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to APPROVE SPR-28-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**37) 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.

The Planning Commission continued the use permit to examine the floor plan of the proposed tavern and restaurant. The applicant has submitted a new floor plan that shows the restaurant and bar divided equally. There is a partition separating the two uses with each use containing 104 seats. As the new site plan has not been submitted, an evaluation of the required parking, building placement, or required foundation landscaping cannot be completed.

The applicant is requesting waivers of the Commercial Design Standards that require 20 feet of landscaping along Simmons Street; six feet of foundation landscaping, and orientation of the building at the setback line. These three waivers were previously denied for the other use permits at Waterbrook Plaza (UN-06-02, UN-07-02, UN-08-02, and UN-09-02). The applicant has not submitted a new site plan or any additional reasons to support the waiver requests. Therefore, Development Services recommends that the waiver requests be denied.

As the proposed use seems appropriate and the revised floor plan limits interaction between the tavern and restaurant, development services recommends that UN-08-02 be approved with the following conditions:

1. Standard Conditions: 1, 6, 7, 8, 10, 11, 12, and 14.
2. A revised site plan shall be submitted and approved by the Development Services Staff, prior to issuance of a business license or building permit.
3. A four inch (4") schedule 40 PVC fiber optic conduit is required in Lake Mead Boulevard.

4. Right of way for a bus turn out on Lake Mead Boulevard east of Simmons Street must be dedicated.
5. The driveways shall meet the standards set forth in North Las Vegas Municipal Code 17.24.130 and the Uniform Standard Drawings for Public Works' Construction of Off-Site Improvements Drawing Number 225.
6. An updated drainage study is required for the proposed development.
7. That customers entering the establishment and/or waiting to be seated shall be separated from the bar area by a 100% opaque wall not less than 8 feet in height.
8. That the restrooms be located such that patrons are not required to go through the bar area to access those facilities.
9. That windows be provided throughout the building, except where the kitchen and restrooms are proposed to be located.
10. That the floor area of the bar shall not exceed 50% of the total public restaurant floor area.
11. That the applicant shall provide proof to the City that no other tavern is within 1,500 feet of the proposed location. The evidence shall be provided prior to the application for a business license.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending approval of this item, but denial of the applicant's waiver requests.

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, and with regard to the waiver requests he is withdrawing the waiver requests. He did state, however, that he would like the Planning Commission to consider one waiver, that of the orientation of the tavern itself.

Chairman Nelson Stone asked the applicant to confirm that the applicant represents that the future development of the pad where the convenience store once was that the applicant would orient the building to Lake Mead Boulevard and Simmons Street.

Mr. Gronauer stated the applicant will comply with the Design Standards.

Chairman Stone stated he wants the record to reflect that the corner building will have no waivers and would be oriented toward the corner.

Marc Jordan, Senior Planner, stated that in other use permits in the past none of the waivers were approved, therefore even for the convenience store or food restaurant, it would be required to oriented to the street.

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

Commissioner Anita Wood MOVED and Commissioner Scott Albright SECONDED to APPROVE UN-10-02 per staff's recommendations subject to the following change:

**Condition #12 Added to Read: "The applicant shall comply with all commercial guidelines."**

The motion carried by UNANIMOUS vote.

### **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:** Jim Stubler, Development Services Director spoke of the issue of residential garages being converted into living space.

**CHAIRMAN'S BUSINESS:** None

**ADJOURNMENT:** 9:20 PM

A motion to ADJOURN the March 13, 2002 meeting of the Planning Commission of the City of North Las Vegas was made by Chairman Nelson Stone. Commissioner Dean Leavitt SECONDED the motion.

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Nelson Stone, Chairman

**ATTEST:**

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Ted Karant, Recording Secretary