

MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Nelson Stone, Chairman
Marilyn Kirkpatrick
Joy Diaz
Jay Aston

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

Anita Wood
Dean Leavitt
Jo Cato

Planning Commission MINUTES are now available on the internet at:

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July 10, 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
Jo Cato - Present
Nelson Stone - Present
Jay Aston - Present
Marilyn Kirkpatrick - Present
Joy Diaz, Present

STAFF PRESENT:

Steve Baxter, Acting Director, Development Services
Marc Jordan, Principal Planner
Robert Eastman, Planner
Lenny Badger, Public Works
Clete Kus, Transportation Services
Steven DiGiovanni, Fire Department
Jim Lewis, Deputy City Attorney
Ted Karant, Recording Secretary

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.

PLEDGE OF ALLEGIANCE

Commissioner Dean Leavitt

AWARDS PRESENTATION

Chairman Nelson Stone presented recognition awards to outgoing Vice-Chairman of the Planning Commission Harry Shull and outgoing Planning Commissioner Tom Langford.

ELECTION OF OFFICERS

Commissioner Joy Diaz MOVED and Commissioner Anita Wood SECONDED to CONTINUE the Election of Officers to the 8/14/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

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 June 26, 2002.

Commissioner Dean Leavitt MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE the minutes of the June 26, 2002 Planning Commission Meeting.

The motion carried by MAJORITY vote with Commissioners Jo Cato and Jay Aston abstaining from voting as they were not present at the 6/26/02 Planning Commission meeting.

Approval of the minutes for the Planning Commission meeting of June 12, 2002.

Commissioner Dean Leavitt MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE the minutes of the June 12, 2002, 2002 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

CONSENT AGENDA

A) PW-71-02 (7310) DESERT PASSAGE NORTH

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Northbrook, LLC and accept the Subdivision Bond in the amount of \$750,229.87.

B) PW-72-02 (7399) LAND LUCKY-DONOVAN WAY IMPROVEMENTS

Accept the Commercial Developments Off-Site Improvements Agreement by Land Lucky, LLC and accept the Off-Site Improvements Bond in the amount of \$50,166.00.

C) PW-73-02 (7400) YALE SENIOR HOUSING COMMUNITY

Accept the Commercial Developments Off-Site Improvements Agreement by Yale-Keys Limited Partnership and accept the Cash-In-Lieu of Bond in the amount of \$20,944.72.

D) PW-74-02 (7401) WASHBURN-BRUCE

Approve the Amended Final Map.

E) PW-75-02 (7402) COLLINS BUSINESS PARK II, UNIT 1

Approve the Amended Final Map.

F) RN-17-27-02 (7374) 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.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Dean Leavitt SECONDED to APPROVE Consent Agenda Items A through F.

The motion carried by UNANIMOUS vote.

NEW BUSINESS

Items #1 AMP-44-02 and ZN-85-02 are related.

1) AMP-44-02 (7122) OUTBACK STEAKHOUSE, INC. (Public Hearing)

An application submitted by Outback Steakhouse, Inc., property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of VLDR Very Low Density Residential to Neighborhood Commercial. The property is located approximately 300 feet south of Craig Road and east of Fuselier Drive. The Assessor's Parcel Number is 139-05-702-003.

RECOMMENDATION:

The Development Services Department recommends that AMP-44-02 be denied as the proposed change does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan land use element.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 7/24/02 Planning Commission meeting.

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 Commissioner Dean Leavitt SECONDED to CONTINUE AMP-44-02 to the 7/24/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 7/24/02.

Items #1 AMP-44-02 and ZN-85-02 are related.

2) ZN-85-02 (7120) OUTBACK STEAKHOUSE, INC. (Public Hearing)

An application submitted by Outback Steakhouse, Inc., property owner, for reclassification of property from an R-E Ranch Estates District to a C-1 Neighborhood Commercial District. The property is located approximately 300 feet south of Craig Road and east of Fuselier Drive. The Assessor's Parcel Number is 139-05-702-003.

RECOMMENDATION:

The Development Services Department recommends that ZN-85-02 be denied as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 7/24/02 Planning Commission meeting.

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 Commissioner Dean Leavitt SECONDED to CONTINUE ZN-85-02 to the 7/24/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 7/24/02.

Items #3 AMP-45-02 and #4 ZN-86-02 are related.

3) AMP-45-02 (7132) CENTENNIAL/COMMERCE SHOPPING CENTER (Public Hearing)

An application submitted by JSA, Inc., on behalf of Century II, 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 northeast corner of Commerce Street and Centennial Parkway. The Assessor's Parcel Numbers are 124-22-801-001, 124-22-801-002, 124-22-801-003 and 124-22-801-004.

RECOMMENDATION

The Development Services Department recommends that AMP-45-02 be denied because, based on the guidelines set forth in the Comprehensive Plan, additional commercial development at this location would not be appropriate.

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

Jennifer Lazovich, of KKB&R, 3800 Howard Hughes Parkway, 7th 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 Marilyn Kirkpatrick MOVED and Chairman Nelson Stone SECONDED to APPROVE AMP-45-02 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Anita Wood and Commissioner Joy Diaz voting against the motion.

The item was APPROVED.

Items #3 AMP-45-02 and #4 ZN-86-02 are related.

4) ZN-86-02 (7133) CENTENNIAL/COMMERCE SHOPPING CENTER (Public Hearing)

An application submitted by JSA, Inc., on behalf of Century II, LLC., 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 northeast corner of Commerce Street and Centennial Parkway. The Assessor's Parcel Numbers are 124-22-801-001, 124-22-801-002, 124-22-801-003 and 124-22-801-004.

RECOMMENDATION

The Development Services Department recommends that ZN-86-02 be denied because the need for an amendment to the Comprehensive Plan at the subject site has not been demonstrated.

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

Jennifer Lazovich, of KKB&R, 3800 Howard Hughes Parkway, 7th 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 Dean Leavitt **MOVED** and Commissioner Marilyn Kirkpatrick **SECONDED** to **APPROVE** ZN-86-02 per staff's recommendations.

The motion carried by **MAJORITY** vote with Commissioner Anita Wood and Commissioner Joy Diaz voting against the motion.

The item was APPROVED.

Items #5 AMP-46-02, #6 ZN-87-02, #7 AMP-47-02 and #8 ZN-88-02 are related.

5) AMP-46-02 (7187) CENTENNIAL HIGHLANDS (Public Hearing)

An application submitted by NGA #2, LLC, on behalf of Exber, Inc., property owner, for an Amendment to

the Comprehensive Plan, land use element, to change the current designation of M-HDR Medium- High Density Residential to LDR Low Density Residential. The property is located approximately 700 feet west of Lamb Boulevard and south of Azure Avenue. The Assessor's Parcel Numbers are 123-30-601-002 and 123-30-601-004.

RECOMMENDATION:

The Development Services Department recommends that AMP-46-02 receive 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 Low Density Residential.

The Development Services Department recommends that ZN-87-02 receive a favorable recommendation and that this item be forwarded to the City Council for permanent zoning to the R-1 Single Family Residential District by ordinance.

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

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 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 AMP-46-02 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Joy Diaz voting against the motion.

The item was APPROVED.

Items #5 AMP-46-02, #6 ZN-87-02, #7 AMP-47-02 and #8 ZN-88-02 are related.

6) ZN-87-02 (7189) CENTENNIAL HIGHLANDS (Public Hearing)

An application submitted by NGA #2, LLC, on behalf of Exber, Inc., property owner, for reclassification of property from a M -2 General Industrial District to an R-1 Single-Family Residential District. The property is located approximately 700 feet west of Lamb Boulevard and south of Azure Avenue. The Assessor's Parcel Numbers are 123-30-601-002 and 123-30-601-004.

RECOMMENDATION:

The Development Services Department recommends that ZN-87-02 receive a favorable recommendation and that this item be forwarded to the City Council for permanent zoning to the R-1 Single Family Residential District by ordinance.

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

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 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-87-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #5 AMP-46-02, #6 ZN-87-02, #7 AMP-47-02 and #8 ZN-88-02 are related.

7) AMP-47-02 (7188) CENTENNIAL HIGHLANDS (Public Hearing)

An application submitted by NGA #2 LLC on behalf of Exber Inc., property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of M-HDR Medium-High Density Residential to LDR Low Density Residential. The property is located approximately 1,300 feet west of Lamb Boulevard and north of Azure Avenue. The Assessor's Parcel Number is 123-30-501-001.

RECOMMENDATION:

The Development Services Department recommends that AMP-47-02 receive 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 Low Density Residential.

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

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 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 AMP-47-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #5 AMP-46-02, #6 ZN-87-02, #7 AMP-47-02 and #8 ZN-88-02 are related.

8) ZN-88-02 (7186) CENTENNIAL HIGHLANDS (Public Hearing)

An application submitted by NGA #2 LLC on behalf of Exber Inc., property owner, for reclassification of property from a M-2 General Industrial District to an R-1 Single Family Residential District. The property is located approximately 1,300 feet west of Lamb Boulevard and north of Azure Avenue. The Assessor's Parcel Number is 123-30-501-001.

RECOMMENDATION:

The Development Services Department recommends that ZN-88-02 receive a favorable recommendation and that this item be forwarded to the City Council for permanent zoning to the R-1 Single Family Residential District by ordinance.

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

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 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-88-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

9) UN-85-00 (7128) TIMBERS (Public Hearing)

An application submitted by THG, Inc., property owner, for an extension of time on a use permit in a C-1 Neighborhood Commercial District to allow the "on-sale" of alcoholic beverages in conjunction with a bar & grill. The property is located approximately 292 feet east of Simmons Street and north of Ann Road. The

Assessor's Parcel Number is 124-29-803-008.

RECOMMENDATION:

The Development Services Department recommends that the Planning Commission grant a six-month extension of time for UN-85-00 subject to the following conditions:

1. All conditions of approval for UN-85-00 shall apply.
2. All conditions of approval for FDP-09-01 shall apply.
3. That UN-85-00 shall expire on November 21, 2002.

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

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 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 UN-85-00 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #10 ZOA-07-02 and #11 UN-57-02 are related.

10) ZOA-07-02 (7230) LONE MOUNTAIN TAEKWONDO SCHOOL (Public Hearing)

An ordinance amendment initiated by John Thomson to amend Section 17.20.090(C) of Title 17 of the

North Las Vegas Municipal Code (Zoning Ordinance) to allow Personal Improvement Services as a Special Use in the C-P Professional Office Commercial District.

RECOMMENDATION:

The Development Services Department recommends that ZOA-07-02 be denied because it could create more intense commercial developments adjacent to residential homes.

If the Planning Commission feels that approval is warranted, and Personal Improvement Services is added as a Special Use in the C-P Professional Office Commercial District, the following text change is recommended:

17.20.090 Professional Office Commercial District (C-P).
C. Special Uses Subject to Section 17.24.020
(Add) ***Personal Improvement Services,***

17.12.020 Definitions.

(Add) ***“Personal Improvement Services” means instructional services or facilities for less than 30 students, with a maximum area of 3000 square feet. Personal improvement services includes photography, fine arts, craft, dance or music studios; diet centers; or self defense.***

Note: Language shown in bold italics is proposed new language.

The application was presented by Robert Eastman, Planner, on behalf of staff who indicated staff is recommending denial of this item.

George Garcia, 2501 N. Green Valley Parkway Suite 108, Henderson, Nevada 89014 appeared on behalf of the applicant.

Sue Langdon, 5605 Avenida Tampico, Las Vegas, Nevada 89108 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 ZOA-07-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #10 ZOA-07-02 and #11 UN-57-02 are related.

11) UN-57-02 (7239) LONE MOUNTAIN TAEKWONDO SCHOOL (Public Hearing)

An application submitted by John Thomson, property owner, for a use permit in a C-P Professional Office

Commercial District to allow personal improvement services (a Taekwondo School). The property is located at 4324 Decatur Boulevard. The Assessor's Parcel Number 139-06-310-004.

RECOMMENDATION

The Development Services Department recommends that UN-57-02 be denied as the proposed personal improvement service is not an allowed use in the C-P District nor does the proposed site comply with parking or design guidelines.

If the Planning Commission recommends approval of ZOA-07-02 and feels that the proposed use is appropriate, the following conditions are recommended:

1. Standard Conditions: 4, 6, 8, 10, and 11.
2. The applicant shall comply with the Parking Requirements.
3. The City Council shall approve ZOA-07-02, otherwise UN-57-02 shall considered null and void.
4. Driveways will be limited to right-in/right-out access only.
5. The applicant shall comply with the Commercial Design Standards including but not limited to: providing a minimum 20 feet of perimeter landscaping along Decatur Boulevard.

The application was presented by Robert Eastman, Planner, on behalf of staff who indicated staff is recommending denial of this item.

George Garcia, 2501 N. Green Valley Parkway Suite 108, Henderson, Nevada 89014 appeared on behalf of the applicant.

Sue Langdon, 5605 Avenida Tampico, Las Vegas, Nevada 89108 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 UN-57-02 per staff's recommendations subject to the following changes:

Condition #2 Changed to Read: "The applicant shall comply with the Parking Requirements **as outlined by an approved parking study.**"

Condition #3 Changed to Read: "If the City Council does not approve ZOA-07-02 UN-57-02 shall be considered null and void."

Condition #5 Changed to Read: "The applicant shall comply with the Commercial Design Standards including but not limited to: providing a minimum 5 feet of perimeter landscaping along Decatur Boulevard, **to match that of Walgreen and kids co-op.**"

The motion carried by UNANIMOUS vote.

12) UN-56-02 (7228) FLUORO-SEAL (Public Hearing)

An application submitted by Fluoro-Seal on behalf of DP Operating Partnership LP, property owner, for a use permit in a M-2 General Industrial District to allow the storage of hazardous materials (anhydrous hydrogen fluoride) and the production of fluorine. The property is located at 4171 Distribution Circle. The

Assessor's Parcel Number is 139-02-703-005.

Prior to the 7/10/02 Planning Commission meeting the applicant requested this item be WITHDRAWN.

The item was WITHDRAWN.

13) SPR-18-02 (7229) ALEXANDER & PECOS INDUSTRIAL CENTER

An application submitted by Insight Holdings, property owner, for a site plan review in a M-2 General Industrial District. The property is located south of Alexander Road approximately 200 feet west of Pecos Road. The Assessor's Parcel Numbers are 139-12-510004, 139-12-501-006, 139-12-510-007, 139-12-510-008, 139-12-510-009 and 139-15-510-037.

RECOMMENDATION

The Development Services Department recommends approval of SPR-18-02 subject to the following conditions:

1. That all landscaping adjacent to the rights-of-way be provided in accordance with the requirements of the Industrial Design Guidelines.
2. That landscape islands at the ends of parking rows be waived for parking lots located within enclosed storage yards.

The application was presented by Robert Eastman, Planner, on behalf of staff who indicated staff is recommending approval of this item.

Kelly McLaughlin, of Insight Holdings, 3068 E. Sunset Road Suite #7, Las Vegas, Nevada 89120 appeared on behalf of the applicant who stated he is requesting to have Condition #1 reconsidered.

Chairman Nelson Stone stated he does not support the applicant's waiver request.

Commissioner Anita Wood stated she concurs with Chairman Stone's comments with regard to the landscaping.

Commissioner Marilyn Kirkpatrick suggested this item be continued for two (2) weeks to allow the applicant time to address the landscaping concerns.

Mr. McLaughlin stated he will agree to a two (2) week continuance.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to CONTINUE SPR-18-02 to the 7/24/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 7/24/02.

14) T-938 (7112) ANN & SIMMONS COMMERCIAL CENTER

An application submitted by Peterson Staggs Architects on behalf of American Stores Inc., property owner, for a tentative map review in a C-1 Neighborhood Commercial District. The property is generally located at northwest corner of Ann Road and Simmons Street. The Assessor's Parcel Number is 124-29-402-004.

RECOMMENDATION

The Development Services Department recommends that T-938 be approved with the following conditions:

1. Standard Conditions: 1, 2, 3, 5, 11, 15, 26, 27, 28, 29, 31, and 32.
2. That the Commercial Development Standards be met, including, but not limited to, twenty (20) feet of landscaping adjacent to Ann Road and Simmons Street which includes a meandering sidewalk separated from the back of the street curb by a minimum five (5) feet.
3. Additional right-of-way dedication required for the flared intersection at Ann Road and Simmons Street per *Uniform Standard drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
4. Right-of-way dedication for a bus turnout is required on Ann Road west of Simmons Street.
5. Driveway number and location are subject to review and approval by the City of North Las Vegas Traffic engineer and must meet the standards set forth in North Las Vegas Municipal Code 17.24.130 and the *Uniform Standard drawings for Public Works' Construction Off-Site Improvements* Drawing Number 225. Conformance may require modifications to the site.
6. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted to the Public Works Department prior to submittal of the final map.

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

William Kim, 2260 Corporate Circle, Suite 430, Henderson, Nevada 89074 appeared on behalf of the applicant.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE T-938 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

OLD BUSINESS

Item #15 AMP-38-02 and #16 ZN-66-02 are related.

15) AMP-38-02 (6977) CENTENNIAL VILLAGE CENTER (Public Hearing)

An application submitted by Royal Investors Group LLC on behalf of 40 Acres @ Centennial LLC, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to M-HDR Medium - High Density Residential. The property is generally located at the southeast corner of Centennial Parkway and Simmons Street. The Assessor's Parcel Number is 124-29-501-001.

These items were continued from the June 12, 2002, Planning Commission meeting at the request of the applicant.

RECOMMENDATION:

The Development Services Department recommends that AMP-38-02 be denied because the proposed amendment to the Comprehensive Plan is not supported by the guidelines for Medium High Density Residential and because the proposed changes are not supported by the Visions, Goals, Objectives and Policies within the Comprehensive Plan.

The Development Services Department recommends that ZN-66-02 be denied as the rezoning is not justified by a changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 8/14/02 Planning Commission meeting.

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 Dean Leavitt MOVED and Commissioner Anita Wood SECONDED to CONTINUE AMP-38-02 to the 8/14/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 8/14/02.

Item #15 AMP-38-02 and #16 ZN-66-02 are related.

16) ZN-66-02 (6969) CENTENNIAL VILLAGE CENTER (Public Hearing)

An application submitted by Royal Investors Group LLC, on behalf of 40 Acres @ Centennial LLC, property owner, for reclassification of property from an R-1 Single-Family Residential District to an R-3 Multifamily Residential District. The property is generally located on the southeast corner of Centennial Parkway and Simmons Street. The Assessor's Parcel Number is 124-29-501-001.

RECOMMENDATION:

The Development Services Department recommends that ZN-66-02 be denied as the rezoning is not

justified by a changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 8/14/02 Planning Commission meeting.

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 Dean Leavitt MOVED and Commissioner Anita Wood SECONDED to CONTINUE ZN-66-02 to the 8/14/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 8/14/02.

Items #17 ZN-49-02. #18 UN-36-02 and #19 UN-37-02 are related.

17) ZN-49-02 (6482) INSIGHT HOLDINGS (Public Hearing)

An application submitted by Jim Zeiter on behalf of Tevel Land Development, L.L.C., property owner, for reclassification of property from an R-2 Two-Family Residential District to a Planned Unit Development District (PUD) consisting of C-1 Neighborhood Commercial and 266 units of single family residential. The property is generally located at the northeast corner of Ann Road and San Mateo Street. The Assessor's Parcel Numbers are 124-30-401 004, 124-30-401-005, 124-30-401-006, 124-30-401-013 and 124-30-401-014.

RECOMMENDATION:

Therefore, the Development Services Department recommends that ZN-49-02 be denied because the

proposal is inconsistent with the purpose of the PUD zoning district; the minimum lot sizes are too small; many Ordinance deviations are being requested without justification; the PUD open space requirements have not been satisfied to the Departments of Development Services and Parks & Recreation; and because the applicant has not demonstrated why the proposed development is more necessary and desirable than the existing R-2, Two-Family Residential zoning allows.

If, however, the Planning Commission determines, from the evidence presented, that a favorable recommendation is warranted, then the following conditions are recommended:

1. That Standard Conditions 1, 2, 5, 7, 11, 15, 19, 26, 27, 29, 31 and 32 apply; and
2. That the following right-of-way dedications are required:
 - a. Bus turn-out on Ann Road west of Valley Drive.
 - b. Fifty feet (50.00') for Ann Road.
 - c. Thirty feet (30.00') for San Mateo Street and El Campo Grande Avenue.
 - d. Flared intersection at Ann Road and Valley Drive per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1; and
3. That the driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in North Las Vegas Municipal Code 17.24.130 and the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 225. Conformance may require modifications to the site; and
4. Correct the dimensions on the private street sections. Even though the total right of way width is different on the three sections, the dimensions from the centerline to the back of the curb are identical; and
5. Remove pavement thickness from the typical sections. The pavement sections shown on the civil plans will be designed in accordance with Standard Specifications Section 401 using the AASHTO model; and
6. That the preliminary development plan be revised to identify landscaping and pedestrian access (five-foot-wide meandering sidewalk) through all proposed drainage, water and/or sewer easements. The access ways shall connect the residential areas to the nearest public sidewalks and to the primary entrance of the nearest commercial building. The utility easements shall also be identified as "Pedestrian Access Easements" and shall be maintained by the homeowners' association; and
7. That all residential units shall be provided with fire sprinklers, unless the applicant provides an alternative acceptable to the City prior to recording the final map; and
8. The fire access lanes shall have the minimum width and turning radii required by the Fire Code, with red-painted curbs and posted signage to maintain the minimum required width as needed; and
9. That dead-ends of the fire access lanes shall have a maximum length of 150 feet, per the Fire Code. For any lane that constitutes a dead-end longer than 150 feet, an apparatus turn-around with a minimum diameter of 90 feet is required. The revised preliminary development plan shall be reviewed and approved by the Fire Department and the Development Services Department. and
10. That a minimum 192,430 square feet of usable open space, in accordance with Section 17.20.160.12 of the Municipal Code, be provided. The applicant shall meet jointly with the

Departments of Development Services and Parks & Recreation prior to re-submittal of the preliminary development plan to demonstrate the usability of the open space areas; and

11. That no site plan approval is implied; and
12. That a minimum lot size of 2,625 square feet with minimum lot widths of 35 feet be permitted within this development; and
13. That the preliminary development plan be revised to provide an acceptable form of traffic calming (e.g., traffic circles, curvilinear streets, etc.) for streets "A", "E", "H", "J", "N" and "R". The method chosen by the applicant shall meet the minimum standards adopted by the City for each street section; and
14. That a minimum twenty (20) feet of landscaping be provided between the residential and commercial portions of the development. The landscaping shall be located within the commercial site and maintained by the commercial association, with the exception of the utility and pedestrian easements, which shall be maintained by the homeowners' association; and
15. That a screen wall be provided between the residential and commercial portions of the development. The wall shall be decorative on both sides, except where it faces a residential alley, which would be at the developer's discretion; and
16. That the development of the residential areas comply with the Single Family Design Guidelines, unless otherwise provided for herein; and
17. That the following setbacks apply to the front-loading garage units:
 - a. Front: Twenty (20) feet.
 - b. Interior side: Five (5) feet.
 - c. Rear yard: Ten (10); and
18. That the following setbacks apply to the rear-loading garage units:
 - a. Front: Eight (8) feet.
 - b. Interior side: Five (5) feet.
 - c. Rear yard: Five (5) feet; and
19. That "Use Easements" not be permitted adjacent to residential units. A zero-lot-line, literal or conceptual, shall not be permitted within this development; and
20. That a final development plan be submitted for review and approval by the Planning Commission for the residential area prior to the issuance of any residential construction permits. The final development plan shall identify proposed color schemes, building materials, elevations, landscape and streetscape plans, and recreational amenities; and
21. That the maximum number of dwelling units within this development be 266; and
22. That gates shall be provided within the perimeter wall that allow residents access from the paseos (i.e., open space areas) to the perimeter of the development; and
23. That pedestrian access easements and gates be provided in locations identified as "Emergency Access Easements"; and

24. That landscape and irrigation plans for interior and perimeter streetscapes be reviewed and approved by Planning prior to approval of any conforming tentative map; and
25. That the perimeter walls be owned and maintained by the homeowners' association. The perimeter walls shall be constructed within areas identified as "Common Elements"; and
26. That corner side yard landscaping, if applicable, be maintained by the homeowners' association; and
27. That the developer disclose to prospective home buyers that corner side yard landscape areas, if applicable, are reserved exclusively for landscaping; and
28. That all areas used to fulfill the open space requirements for this PUD be designated as "Common Elements" and maintained by the homeowners' association; and
29. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development; and
30. That CC&R's be reviewed and approved by Planning prior to approval of any conforming tentative map; and
31. That the commercial area not exceed 4.00 gross acres; and
32. That one pedestrian access way (maximum 6 feet in width) be provided from the residential area to the primary entrance of the anchor tenant. The access location shall be through the northern wall of the commercial site and in-line with the paseo between lots 148 and 149. With the obvious exception of the five-foot (5.00') sidewalk itself, the access way shall not interfere with the required landscaping of the commercial portion of this development and shall be ADA-compliant; and
33. That the commercial area of this PUD be developed in accordance with the minimum standards set forth in the Commercial Design Guidelines, unless otherwise provided for herein; and
34. That the commercial uses in this Planned Unit Development shall only be those allowed in the C-1 Neighborhood Commercial District as principally permitted uses, or as special uses subject to Title 17 § 24.020; and
35. That pad development shall not occur until a building permit is issued for the major anchor, which is identified on the submitted site plan as "Drug Store". Pad development is identified on the submitted site plan as "Retail", "Restaurant" and "C' Store"; and
36. That the development of this site be in compliance with all Codes and Ordinances in effect at the time of building permit issuance. If there is a conflict with the conditions mentioned herein, the more restrictive shall apply; and
37. That a final development plan be submitted for review and approval by the Planning Commission for the commercial area prior to the issuance of any commercial construction permits; and
38. That the meandering sidewalk identified along the northern side of the commercial area be removed; and
39. That the five-foot (5.00') meandering sidewalk along Ann Road be separated from the back-of-curb by a minimum five feet (5.00') of landscaping; and
40. That landscaping shall be provided in accordance with all applicable Municipal Code requirements; and

41. That all parking and drive aisles be provided in accordance with the requirements set forth in the Municipal Code; and
42. That all commercial driveways be in accordance with the requirements set forth in the Municipal Code; and
43. That open space calculations, including dimensions and square feet, be provided for each individual area on the revised preliminary development plan; and
44. That eight (8) copies of the revised preliminary development plan, incorporating all conditions mentioned herein, be submitted to the Development Services Department prior to the submittal of any final development plan.

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

George Garcia, 2501 N. Green Valley Parkway Suite 108, Henderson, Nevada 89014 appeared on behalf of the applicant.

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

- ▶ Russell Bruce, 3717 Saint Peter Court, North Las Vegas, Nevada 89031

Mr. Bruce stated he does not see this as a positive move for the existing neighboring communities.

- ▶ Robert Krug, 4429 Ivory Jade Avenue, North Las Vegas, Nevada 89031

Mr. Krug stated he does not agree with the design of these homes. He stated he would like to meet with the applicant, however he has had a challenge managing to accomplish that meeting.

- ▶ Ronald L. Massongill, 4434 Sparklecrest Avenue, North Las Vegas, Nevada 89031

Mr. Massongill stated he believes this is too many units and would like to see it reduced. He also opposes another bar in this area.

- ▶ Teresa Sivil, 4345 Sparklecrest Avenue, Las Vegas, Nevada 89031

Ms. Sivil stated she agrees with Mr. Massongill's comments.

- ▶ Bill Nicewander, 4443 Sparkle Crest, North Las Vegas, Nevada 89031

Mr. Nicewander stated he opposes this project as he does not feel another bar in this area is necessary.

- ▶ Jeff Morse, 5430 Cloudy Glen Street, North Las Vegas, Nevada 89031

Mr. Morse stated he does not agree with what appears to be many home units on small lots and opposes more bars.

- ▶ David Crowley, 4444 Ivory Jade Avenue, North Las Vegas, Nevada 89031

Mr. Crowley stated he opposes this project as he is concerned about having a bar located so close to the houses in this area.

▶ Jean Withers, 4503 Grotto Court, North Las Vegas, Nevada 89031

Ms. Withers stated she opposes this project as she does not feel another bar is necessary in the neighborhood.

The Public Hearing was closed.

Commissioner Dean Leavitt MOVED and Commissioner Anita Wood SECONDED to DENY ZN-49-02 per staff's recommendations.

The motion carried by MAJORITY vote with Chairman Nelson Stone voting against the motion.

The item was DENIED.

Items #17 ZN-49-02. #18 UN-36-02 and #19 UN-37-02 are related.

18) UN-36-02 (6480) INSIGHT HOLDINGS (Public Hearing)

An application submitted by Jim Zeiter on behalf of Tevel Land Development, L.L.C., property owner, for a use permit in an R-2 Two-Family Residential District (proposed property reclassification to a Planned Unit Development District consisting of single-family residential and C-1 Neighborhood Commercial) to allow the "on-sale" of alcohol beverages in conjunction with a tavern. The property is located north of Ann Road and approximately 300 feet west of San Mateo Street. The Assessor's Parcel Number is 124-30-401-014.

RECOMMENDATION:

The Development Services Department had recommended denial of this request because the proposal does not conform to the requirements in the Zoning Ordinance for a tavern and because significant design issues needed to be addressed prior to a favorable recommendation. Since the original recommendation, nothing has been presented to the Development Services Department that would warrant a change in that recommendation. Therefore, the recommendation to deny UN-36-02 remains.

If, however, the Planning Commission determines, from the evidence presented, that a favorable action is

warranted, then the following conditions are recommended:

1. That Standard Conditions 8, 11, 12 and 27 apply; and
2. That UN-36-02 be subject to all applicable conditions of ZN-49-02; and
3. That the applicant provide a graphic illustration that clearly indicates that no other tavern is within 1,500 feet of the proposed establishment prior to issuance of a building permit. The illustration shall be created and stamped by a Nevada-licensed surveyor; and
4. That a final development plan for the commercial center be reviewed and approved by the Planning Commission prior to application of any construction permits; and
5. That the construction of the proposed tavern take place after, or in conjunction with, the construction of the anchor tenant. The anchor tenant is identified on the site plan as "Drug Store." All associated parking and landscaping shall be provided at the time of construction; and
6. That the required pedestrian plaza area(s) be constructed as part of the first phase of construction; and
7. That a minimum twenty (20) feet of landscaping be provided between the residential and commercial portions of the PUD. Installation, ownership and maintenance of the landscaping shall be the responsibility of the commercial center; and
8. That the meandering sidewalk along the northern and western property lines be removed; and
9. That the meandering sidewalk adjacent to the Ann Road right-of-way be separated from the back-of-curb by a minimum five (5) feet of landscaping; and
10. That the development of the shopping center be in conformance with the Commercial Design Standards; and
11. That all perimeter walls and landscaping be provided as part of the first phase of construction; and

12. That bicycle parking areas be provided in a manner so as not to interfere with pedestrian walkways; and
13. That a screen wall (maximum six feet in height) be provided along the northern and western property lines. The wall shall be decorative on both sides, except where it faces a residential alley. The design of the wall shall be complementary to the design of the shopping center and shall not be permitted to have any smooth-face CMU blocks; and
14. That site plan approval is not implied; and
15. That this approval shall not constitute or imply approval of any privileged business license that may be required by the City; and
16. That all conditions, stipulations and limitations be fulfilled and construction begun within six months of the date of approval; and
17. That UN-36-02 shall expire on January 10, 2003; and
18. That windows be provided on the east-, north- and south-facing walls that allow clear and unobstructed views of the interior of the establishment from outside; and

19. That restrooms be accessible from the dining area without having to go through the bar area; and
20. That dining and waiting areas be separated from the bar area by an opaque wall with a minimum height of four feet; and
21. That the tavern shall not exceed 4,992 total square feet (outside wall to outside wall); and
22. That free-standing signage be restricted to monument-type and shall be part of the shopping center's overall approved sign program. The sign program for the shopping center shall be reviewed and approved by the Planning Commission as part of the final development plan prior to application of a building permit or business license.

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

George Garcia, 2501 N. Green Valley Parkway Suite 108, Henderson, Nevada 89014 appeared on behalf of the applicant.

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

- ▶ Russell Bruce, 3717 Saint Peter Court, North Las Vegas, Nevada 89031

Mr. Bruce stated he does not see this as a positive move for the existing neighboring communities.

- ▶ Robert Krug, 4429 Ivory Jade Avenue, North Las Vegas, Nevada 89031

Mr. Krug stated he does not agree with the design of these homes. He stated he would like to meet with the applicant, however he has had a challenge managing to accomplish that meeting.

- ▶ Ronald L. Massongill, 4434 Sparklecrest Avenue, North Las Vegas, Nevada 89031

Mr. Massongill stated he believes this is too many units and would like to see it reduced. He also opposes another bar in this area.

- ▶ Teresa Sivil, 4345 Sparklecrest Avenue, Las Vegas, Nevada 89031

Ms. Sivil stated she agrees with Mr. Massongill's comments.

- ▶ Bill Nicewander, 4443 Sparkle Crest, North Las Vegas, Nevada 89031

Mr. Nicewander stated he opposes this project as he does not feel another bar in this area is necessary.

- ▶ Jeff Morse, 5430 Cloudy Glen Street, North Las Vegas, Nevada 89031

Mr. Morse stated he does not agree with what appears to be many home units on small lots and opposes more bars.

- ▶ David Crowley, 4444 Ivory Jade Avenue, North Las Vegas, Nevada 89031

Mr. Crowley stated he opposes this project as he is concerned about having a bar located so close to the houses in this area.

- ▶ Jean Withers, 4503 Grotto Court, North Las Vegas, Nevada 89031

Ms. Withers stated she opposes this project as she does not feel another bar is necessary in the

neighborhood.

The Public Hearing was closed.

Commissioner Anita Wood MOVED and Commissioner Joy Diaz SECONDED to DENY UN-36-02 per staff's recommendations.

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

Items #17 ZN-49-02. #18 UN-36-02 and #19 UN-37-02 are related.

19) UN-37-02 (6481) INSIGHT HOLDINGS (Public Hearing)

An application submitted by Jim Zeiter on behalf of Tevel Land Development LLC, property owner, for a use permit in an R-2 Two-Family Residential District (proposed property reclassification to a PUD Planned Unit Development District consisting of single-family residential and C-1 Neighborhood Commercial) to allow a convenience food store with gas pumps. The property is generally located at the northwest corner of Ann Road and Valley Drive. The Assessor's Parcel Number is 124-30-401-006.

RECOMMENDATION:

The Development Services Department had recommended denial of this request because the proposal does not conform to the requirements in the Zoning Ordinance for a convenience store with gas pumps and because significant design issues needed to be addressed prior to a favorable recommendation. Since the original recommendation, nothing has been presented to the Development Services Department that would warrant a change in that recommendation. Therefore, the recommendation to deny UN-37-02 remains.

If, however, the Planning Commission determines, from the evidence presented, that a favorable action is warranted, then the following conditions are recommended:

1. That Standard Conditions 8, 11, 12 and 27 apply; and
2. That the construction of the proposed convenience store with gas pumps take place after, or in conjunction with, the construction of the anchor tenant. The anchor tenant is identified on the site plan as "Drug Store." All associated parking and landscaping shall be provided at the time of construction; and
3. That the required pedestrian plaza area(s) be constructed as part of the first phase of construction; and
4. That a minimum twenty (20) feet of landscaping be provided between the residential and commercial portions of the PUD. Installation, ownership and maintenance of the landscaping shall be the responsibility of the commercial center; and
5. That the meandering sidewalk along the northern and western property lines be removed; and
6. That the meandering sidewalk adjacent to the Ann Road right-of-way be separated from the back-of-curb by a minimum five (5) feet of landscaping; and
7. That a final development plan be reviewed and approved by the Planning Commission prior to application of any construction permits; and
8. That the convenience store be located at the front setbacks nearest to the intersection of Ann Road and Valley Drive; and
9. That the gas canopy be provided with recessed lighting that is directed downward, rather than attached lighting that illuminates outwardly; and
10. That speakers, if provided, be located within the gas canopy columns. The speakers shall be manually operated and shall be intended solely for the attendant to communicate with the patron. Music or other continual noise shall be prohibited; and
11. That the development of the shopping center, convenience store and gas canopy be in conformance with the Commercial Design Standards; and
12. That site plan approval is not implied; and
13. That bicycle parking areas be provided in a manner so as not to interfere with pedestrian walkways; and
14. That UN-37-02 shall expire on July 10, 2004; and
15. That the convenience store shall not exceed 3,405 total square feet (outside wall to outside wall); and
16. That free-standing signage be restricted to monument-type and shall be part of the shopping center's overall approved sign program. The sign program for the shopping center shall be reviewed and approved by the Planning Commission as part of the final development plan prior to application of a building permit or business license.

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

George Garcia, 2501 N. Green Valley Parkway Suite 108, Henderson, Nevada 89014 appeared on behalf of the applicant.

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

- ▶ Russell Bruce, 3717 Saint Peter Court, North Las Vegas, Nevada 89031

Mr. Bruce stated he does not see this as a positive move for the existing neighboring communities.

- ▶ Robert Krug, 4429 Ivory Jade Avenue, North Las Vegas, Nevada 89031

Mr. Krug stated he does not agree with the design of these homes. He stated he would like to meet with the applicant, however he has had a challenge managing to accomplish that meeting.

- ▶ Ronald L. Massongill, 4434 Sparklecrest Avenue, North Las Vegas, Nevada 89031

Mr. Massongill stated he believes this is too many units and would like to see it reduced. He also opposes another bar in this area.

- ▶ Teresa Sivil, 4345 Sparklecrest Avenue, Las Vegas, Nevada 89031

Ms. Sivil stated she agrees with Mr. Massongill's comments.

- ▶ Bill Nicewander, 4443 Sparkle Crest, North Las Vegas, Nevada 89031

Mr. Nicewander stated he opposes this project as he does not feel another bar in this area is necessary.

- ▶ Jeff Morse, 5430 Cloudy Glen Street, North Las Vegas, Nevada 89031

Mr. Morse stated he does not agree with what appears to be many home units on small lots and opposes more bars.

- ▶ David Crowley, 4444 Ivory Jade Avenue, North Las Vegas, Nevada 89031

Mr. Crowley stated he opposes this project as he is concerned about having a bar located so close to the houses in this area.

- ▶ Jean Withers, 4503 Grotto Court, North Las Vegas, Nevada 89031

Ms. Withers stated she opposes this project as she does not feel another bar is necessary in the neighborhood.

The Public Hearing was closed.

Commissioner Dean Leavitt MOVED and Commissioner Anita Wood SECONDED to DENY UN-37-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was DENIED.

20) T-916 (6479) MARVILLA

An application submitted by Jim Zeiter LLC on behalf of Gary Okeefe & 75/Jerry & Rosalie Filipelli Fam., property owners, for a tentative map review in a PUD Planned Unit Development District consisting of commercial and multi-family dwellings. The property is generally located at the northwest corner of Ann Road and San Mateo Street. The Assessor's Parcel Numbers are 124-30-401- 004, 124-30-401-005, 124-30-401-006, 124-30-401-013 and 124-30-401-014.

This application was continued from the Planning Commission meetings of April 10 and April 24, 2002.

The Development Services Department had recommended **denial** of this request, and that recommendation remains. Additional information is provided in the attached Staff Report.

If, however, the Planning Commission determines from the evidence presented that a favorable action is warranted, then the following conditions are recommended:

1. That Standard Conditions 1, 2, 5, 26, 27, 28, 29, 31 and 32 apply; and
2. The applicant has a pending rezoning application (ZN-49-02) to the PUD Planned Unit Development District. The applicant shall obtain permanent zoning to the PUD Planned Unit Development District, otherwise, the tentative map shall be null and void; and

3. The applicant shall comply with all conditions of the PUD Planned Unit Development District (ZN-49-02) for the development of this site. If there is a conflict with the conditions stated herein, the more restrictive shall apply; and
4. That all residential units shall be provided with fire sprinklers, unless the applicant provides an alternative acceptable to the City prior to recording the final map; and
5. That fire hydrants shall be provided in accordance with Fire Code requirements; and
6. That the following right-of-way dedications are required:
 1. Thirty feet (30.00') for El Campo Grande
 2. Thirty feet (30.00') for San Mateo Street
 3. Fifty feet (50.00') for Ann Road; and
7. Remove the thickness dimensions from the pavement sections shown on Sheet 3 of 3. The civil plans will include off-site pavement sections designed in accordance with Standard Specifications Section 401 using the AASHTO model; and
8. That five (5) copies of the revised tentative map, incorporating all conditions mentioned herein, be submitted to the Department of Public Works prior to the approval of any conforming tentative maps. The revised tentative map shall be in compliance with all conditions of the PUD, Planned Unit Development, District (ZN-49-02).

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

George Garcia, 2501 N. Green Valley Parkway Suite 108, Henderson, Nevada 89014 appeared on behalf of the applicant.

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

- ▶ Russell Bruce, 3717 Saint Peter Court, North Las Vegas, Nevada 89031

Mr. Bruce stated he does not see this as a positive move for the existing neighboring communities.

- ▶ Robert Krug, 4429 Ivory Jade Avenue, North Las Vegas, Nevada 89031

Mr. Krug stated he does not agree with the design of these homes. He stated he would like to meet with the applicant, however he has had a challenge managing to accomplish that meeting.

- ▶ Ronald L. Massongill, 4434 Sparklecrest Avenue, North Las Vegas, Nevada 89031

Mr. Massongill stated he believes this is too many units and would like to see it reduced. He also opposes another bar in this area.

- ▶ Teresa Sivil, 4345 Sparklecrest Avenue, Las Vegas, Nevada 89031

Ms. Sivil stated she agrees with Mr. Massongill's comments.

- ▶ Bill Nicewander, 4443 Sparkle Crest, North Las Vegas, Nevada 89031

Mr. Nicewander stated he opposes this project as he does not feel another bar in this area is necessary.

- ▶ Jeff Morse, 5430 Cloudy Glen Street, North Las Vegas, Nevada 89031

Mr. Morse stated he does not agree with what appears to be many home units on small lots and opposes more bars.

- ▶ David Crowley, 4444 Ivory Jade Avenue, North Las Vegas, Nevada 89031

Mr. Crowley stated he opposes this project as he is concerned about having a bar located so close to the houses in this area.

- ▶ Jean Withers, 4503 Grotto Court, North Las Vegas, Nevada 89031

Ms. Withers stated she opposes this project as she does not feel another bar is necessary in the neighborhood.

The Public Hearing was closed.

Commissioner Dean Leavitt MOVED and Commissioner Anita Wood SECONDED to DENY T-916 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was DENIED.

21) T-922 (6693) COMMERCE VILLAGE

An application submitted by Delta Engineering , property owner, for a tentative map review in an R-E Ranch Estate District (proposed property reclassification to a PUD Planned Unit Development District). The property is generally located east of southeast corner of Kraft Avenue and Commerce Street. The Assessor's Parcel Numbers are 139-03502-003, 004, 005, 006, 008 and 009.

RECOMMENDATION:

The Development Services Department recommends that T-922 be approved subject to the following conditions:

1. Standard conditions 5, 11, 15, 17, 19, 24, 26, 27, 28, 29, 31 and 32.
2. Approval of the traffic study is required prior to submittal of the civil improvement plans.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.

5. Remove section thickness from the typical section. The pavement sections shown on the civil plans will be designed in accordance with Standard Specifications Section 401 using the AASHTO model. The new sections must be based on the estimated traffic counts.
6. Revise the site plan to show Commerce Street off-site improvements adjacent to Lots 44 and 45.
7. The tentative map boundary does not appear to match the parcel boundary on the Clark County Assessor's parcel map. Revise the tentative map as needed to conform to the parcel boundary.
8. This tentative map (T-922) shall become null and void if City Council approval is not granted for AMP-37-02 and ZN-59-02.
9. The development shall comply with all conditions of approval for ZN-59-02.
10. The developer shall dedicate the proposed trail system along the edge of the drainage easement from Commerce Street to Goldfield Street. The applicant shall not be required to improve this dedicated land but shall place a decorative perimeter wall within the rear lot lines of the development.
11. Access to the dedicated trail system shall be provided by a separate pedestrian gate from the development.
12. That pedestrian access shall be provided from the open space at the end of Goyo Court to Goldfield Street.
13. The tentative map shall demonstrate compliance with the open space provisions, which shall include any portion of the trail system.
14. Five copies of a conforming 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, Principal Planner, on behalf of staff who indicated staff is recommending approval of this item.

Bill Curran, of Curran & Parry, 300 S. 4th Street, Suite 1201, Las Vegas, Nevada 89101 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Anita Wood **MOVED** and Commissioner Dean Leavitt **SECONDED** to **APPROVE** T-922 per staff's recommendations.

The motion carried by **MAJORITY** vote with Commissioner Joy Diaz not present for the vote.

The item was APPROVED.

22) T-934 (7093) FIESTA DEL NORTE

An application submitted by Pardee Homes of Nevada, property owner, for a tentative map review in an R-E Ranch Estates District. The property is generally located at the southeast corner of Allen Lane and Tropical Parkway. The Assessor's Parcel Numbers 124-29-301-007, 124-29-301-008 and 124-29-301-009.

This item was continued from the June 26, 2002, Planning Commission meeting to allow the applicant time to submit a revised tentative map addressing staff's concerns. The revised tentative map was submitted July 2, 2002. Comments on the revised tentative map have been submitted and are outlined within this memorandum.

The proposed tentative map indicates the lots would have a minimum lot size of 6,000 square feet at a density of 4.56 dwelling units per acre. The maximum density allowed according to the Comprehensive Plan Land Use Element for this area is 4.5 dwelling units per acre. However, if the tentative map is in compliance with all Municipal Code requirements, a higher density may be allowed. The proposed tentative map is not in compliance with all code requirements, including, but not limited to perimeter and corner side lot landscaping and the curvilinear street requirement. By reducing the density to 4.5 dwelling units per acre the applicant may have the ability to conform to these requirements.

Further, the applicant has submitted a revised waiver request of the Single Family Design Standards to reduce the corner side lot landscaping to eight (8) feet six (6) inches (which may include the sidewalk) only for lots 99 and 142 on the revised tentative map. Development Services staff does not support this waiver request.

Waivers may be granted provided the Planning Commission finds the following:

1. That upon granting of the waiver as requested, the proposed project will substantially meet the intent of these regulations.
2. That the granting of such request will not detrimentally affect the public health, safety or general welfare.
3. That there are no special circumstances or conditions applicable to the property referred to in the application which do not prevail on other property within the area.
4. That the granting of such application will not detrimentally affect the health or safety of persons residing or working in the neighborhood and will not be materially detrimental to the public welfare or injurious to property or improvements of the neighborhood.

When reviewing an application for a waiver, the following evidence or criteria may not be considered by the Planning Commission when establishing the merits of a waiver request.

1. The Financial situation of the applicant or costs of land, infrastructure, site or building improvements, or general development.
2. Any circumstances created knowingly or unknowingly by the current or previous owner(s) of the property.

Should the Planning Commission determine that the waiver request has merit, then a modification to recommended condition 7 is required.

The Development Services Department original recommendation for an indefinite continuance still stands.

However, if the Planning Commission determines from the evidence presented that a favorable recommendation is warranted, then the following conditions are recommended:

1. Standard conditions 5, 15, 17, 19, 24, 26, 27, 28, 29, 31 and 32.
2. Approval of a traffic study is required prior to submittal of the civil improvement plans.
3. Approval of a drainage study is required prior to submittal of the civic improvement plans.
4. The offset crown typical interior street section will not be allowed and must be removed from the tentative map.
5. All residential units shall be provided with fire sprinklers, unless the applicant provides an alternative acceptable to the City prior to recording the final map.
6. That all interior streets in excess of 500 feet shall be curvilinear as required by Section 16.08.085 of the Municipal Code.
7. That the development shall comply with the Single Family Design Guidelines, including, but not limited to ten feet of landscaping, which may include the sidewalk, adjacent to the corner side of all corner lots within the development.
8. That perimeter landscaping of the exterior street perimeter be designated as "Common Elements" and that interior perimeter landscaping commonly described as corner side yard landscaping be addressed as allowed for in the North Las Vegas Municipal Code Section 17.24.210(E).

9. That the perimeter walls be owned and maintained by the homeowners' association.
10. That corner side yard landscaping shall be maintained by the homeowner of the lot and that provisions and enforcement of such shall be provided within the CC&R's.
11. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
12. That CC&R's be reviewed and approved by the Development Services Department prior to recording any final map.
13. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development.
14. That the development of this site shall be in compliance with all Codes and Ordinances in effect at the time of building permit issuance. If there is a conflict with the conditions mentioned herein, the more restrictive shall apply.
15. That five copies of a conforming tentative map incorporating the conditions of approval shall be submitted to the Public Works Department prior to submittal of the final map.
16. That the proposed tentative map shall not exceed a density of 4.5 dwelling units per acre.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff is recommending approval of this item, with the recommendation to delete Condition #15.

Jennifer Lazovich, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant.

Chairman Nelson Stone stated he does not support this Tentative Map because he feels curvilinear streets are important. He asked the applicant if she would consider a continuance on this item as State Law requires concurrence from the applicant.

Ms. Lazovich requested a vote on this item, rather than a continuance.

Chairman Nelson Stone MOVED and Commissioner Anita Wood SECONDED to DENY T-934 as the curvilinear street criteria is not met.

The motion carried by MAJORITY vote with Commissioner Jo Cato voting against the motion.

The item was DENIED.

23) VN-06-02 (6701) RANCHO MIRAGE UNIT 2 PHASE 2 (Public Hearing)

An application submitted by Real Homes on behalf of Rancho Mirage I, L.L.C., property owner, for a variance in a Planned Unit Development District (PUD) consisting of single-family homes to allow a ten (10) foot rear setback where fifteen (15) feet is the minimum required. The property is located at 418 Dune Ridge Avenue. The Assessor's Parcel Number is 124-27-412-044.

RECOMMENDATION:

The Development Services Department recommends that VN-06-02 be denied because the application does not meet the Title 17 or State Statute criteria necessary for approval.

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

1. That Standard Conditions 4 and 11 apply; and
2. That Lot #80 shall maintain a minimum 10.04-foot rear yard setback.

This item was continued from the May 8, 2002 and the June 12, 2002 Planning Commission meetings at the request of the applicant. The applicant indicated that he wished to have time to review further options involving the variance request.

However, to date, staff has received no further information on this application and, therefore, staff recommendation would remain the same.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 8/14/02

Planning Commission meeting.

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 Dean Leavitt MOVED and Commissioner Anita Wood SECONDED to CONTINUE VN-06-02 to the 8/14/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 8/14/02.

24) T-931 (6980) CENTURY ONE

An application submitted by Real Homes on behalf of Centennial Parkway-Commerce LLC, property owner, for a tentative map review in an R-E Ranch Estates District. The property is generally located at the southwest corner of Centennial Parkway and Revere Street. The Assessor's Parcel Number is 124-27-101-002.

RECOMMENDATION

The Development Services Department recommends that T-931 be denied because the proposal is inconsistent with the requirements and intent of the R-2 zoning district and to alleviate any potential drainage problems in the neighborhood.

It should be noted that State Statutes require action by the Planning Commission within 45 days of submittal, otherwise the tentative map shall be deemed approved.

In the event the Planning Commission chooses to approve the tentative map, Development Services request the following conditions of approval:

1. Standard conditions: 1, 2, 5, 6, 8, 11, 18, 22, 25, 26, 27, 28, 29, and 31.
2. Right of way dedication for a bus turn out on Centennial Parkway east of Revere Street.
3. That prior to : 1) approval of any civil improvement plans; 2) issuance of any development permits; or 3) submission of any final map to the City for review and approval for this project, the developer shall execute all agreements, indemnifications and/or permissions as required by the Director of Public Works to allow for storm runoff to be directed onto adjacent and/or downstream properties and to protect and indemnify the City from any suit or action instituted by any adjacent and/or downstream property owner arising from such direction of storm runoff.

4. The subdivision shall comply with the Single Family Design Standards including but not limited to a minimum of 10 feet of side lot landscaping which may include a sidewalk shall be placed along all side yards adjacent to a right of way.
5. An encroachment permit shall be obtained for the landscaping that will be placed in the right of way along Centennial Parkway.
6. Special Use Permits for the single-family homes on lots 21A and 21B shall be obtained prior to approval of the conforming tentative map.
7. That corner side yard landscaping shall be maintained by the homeowner of the lot and that provisions and enforcement of such shall be provided within the CC&R's.
8. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development.
9. That all interior streets in excess of 500 feet shall be curvilinear as required by Section 16.08.085 of the Municipal Code.
10. All residential units shall be provided with fire sprinklers, unless the applicant provides an alternative acceptable to the City prior to recording the final map.
11. Fire access lanes shall be marked to maintain minimum width required by the Fire Code.

12. The distribution of fire hydrants along perimeter streets shall be in accordance with the requirements of the Fire Code.
13. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Development Services and Public Works Departments prior to submittal of the Final Map.

The application was presented by Robert Eastman, Planner, on behalf of staff who indicated staff is recommending approval of this item.

George Garcia, 2501 N. Green Valley Parkway, Suite 108, Henderson, Nevada 89014 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-931 per staff's recommendations subject to the following change:

Condition #14 Added to Read: "Development shall substantially conform to Exhibit A."

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

The item was APPROVED.

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: 10:10 PM

A motion to ADJOURN the July 10, 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