

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 24, 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, Absent-Excused

STAFF PRESENT:

Steve Baxter, Acting Director, Development Services
Marc Jordan, Principal Planner
Bob Hoyes, Planner
Randy Cagle, Public Works
Klete 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 Jo Cato

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 July 10, 2002.

Commissioner Dean Leavitt MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE the minutes of the July 10, 2002 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

CONSENT AGENDA

A) PW-76-02 (7565) ANN MARKETPLACE, PHASE 1

Accept the Commercial Developments Off-Site Improvements Agreement by Ann Marketplace, LLC and accept the Off-Site Improvement Bond in the amount of \$62,659.00.

B) PW-77-02 (7566) ELDORADO 2A R1-75 No. 4

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 \$345,410.23.

C) PW-78-02 (7567) NORTHSTAR BUSINESS PARK, PARCELS A, C, M & N

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Vegas Industrial Development, LLC and accept the Subdivision Bond in the amount of \$732,554.79.

D) PW-79-02 (7576) BIGELOW AEROSPACE CAMPUS

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Hartford Insurance Company to release the Subdivision Bond in the amount of \$168,456.70.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE Consent Agenda Items A through D.

The motion carried by UNANIMOUS vote.

NEW BUSINESS

Items #1 AMP-49-02 and #2 ZN-94-02 are related.

1) AMP-49-02 (7336) CORTEZ HEIGHTS (Public Hearing)

An application submitted by Woodside Homes on behalf of Trustee of Clark County Treasurer, 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 northeast corner of Washburn Road and North Fifth Street. The Assessor's Parcel Numbers are 124-35-201-002 and 124-35-201-003.

RECOMMENDATION:

The Development Services Department recommends that AMP-49-02 be denied because the proposal does not meet any of the guidelines established in the Comprehensive Plan to change the land use classification from Low Density Residential to Medium Density Residential; the need for additional Medium Density Residential has not been justified; the diversity in housing options would be decreased by eliminating Low Density Residential; and the proposal is not consistent with the City's Goals and Top Priorities.

The application was presented by Bob Hoyes, 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 participant did not submit a Yellow Card to speak, however Chairman Stone allowed him to speak on this item:

- ▶ Jeff Bade, 4940 Goldfield Street, North Las Vegas, Nevada 89031

Mr. Bade stated he believes that this project should be extended to no more than the R-1 which he believes is in compliance with the Comprehensive Plan.

Chairman Stone closed the Public Hearing.

Commissioner Dean Leavitt **MOVED** and Commissioner Jay Aston **SECONDED** to **APPROVE** AMP-49-02 per staff's recommendations.

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

The item was APPROVED.

Items #1 AMP-49-02 and #2 ZN-94-02 are related.

2) ZN-94-02 (7337) CORTEZ HEIGHTS (Public Hearing)

An application submitted by Woodside Homes on behalf of Trustee of Clark County Treasurer, property owner, for reclassification of property from an R-E Ranch Estates District to a PUD Planned Unit Development District consisting of 250 single family homes. The property is generally located at the northeast corner of Washburn Road and North Fifth Street. The Assessor's Parcel Numbers are 124-35-201-002 and 124-35-201-003.

RECOMMENDATION

The Development Services Department recommends that ZN-94-02 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 met; and because the applicant has not demonstrated why the proposed development is more necessary and desirable than what would otherwise be permitted in the Low Density Residential classification.

If, however, the Planning Commission finds, 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 AMP-49-02 be approved for the Medium Density Residential classification; and
3. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
4. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
5. 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 nearest existing and future CAT bus stop locations. Utility easements shall also be identified as "Pedestrian Access Easements" and shall be maintained by the homeowners' association; and
6. 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
7. That a minimum two means of access are required for every group of 25 or more residential units; and
8. That fire access lane widths shall be maintained in accordance with Fire Code requirements; and
9. That a minimum 178,596 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
10. That no site plan approval is implied; and
11. That the existing Recreational Vehicle (RV) parking area shall not be counted toward the open space requirements; and
12. That no parking stalls shall be counted toward the open space requirements; and
13. That all handicapped parking stalls shall meet the minimum dimensional and access standards

- established through the Americans with Disabilities Act; and
14. That a minimum lot size of 3,360 square feet with minimum lot widths of 56 feet and depths of 60 feet be permitted within this development; and
 15. That the preliminary development plan be revised to provide an acceptable form of traffic calming (e.g., traffic circles, curvilinear streets, etc.) for all internal streets. The method chosen by the applicant shall meet the minimum standards adopted by the City for each street section; and
 16. That a minimum twenty (20) feet of landscaping, which may include the five-foot (5.00') sidewalk, be provided adjacent to the North 5th Street right-of-way. The sidewalk shall be separated from the back-fo-curb by a minimum five (5) feet of landscaping; and
 17. That a minimum fifteen (15) feet of landscaping, which may include the five-foot (5.00') sidewalk, be provided adjacent to the Washburn Road, Donna Street and Hammer Lane rights-of-way; and
 18. That the development comply with the Single Family Design Guidelines, unless otherwise provided for herein; and
 19. That setbacks be provided as set forth in the R-1, Single Family Residential, district; and
 20. That a final development plan be submitted for review and approval by the Planning Commission for the development 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 250; and
 22. That gates shall be provided within the perimeter wall that allow residents ADA-compliant access to existing and future CAT bus stop locations; and
 23. That pedestrian access easements and gates be provided in any location identified as "Emergency Access Easements" and that these areas also be identified as "Common Elements" on the final map; and
 24. 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
 25. That the developer disclose to prospective home buyers that corner side yard landscape areas, if applicable, are reserved exclusively for landscaping; and
 26. 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
 27. 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
 28. That CC&R's be reviewed and approved by Planning prior to approval of any conforming tentative map; and
 29. 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

30. That landscaping shall be provided in accordance with all applicable Municipal Code requirements; and
31. That open space calculations, including dimensions and square feet, be provided for each individual area on the revised preliminary development plan; and
32. That noise attenuation measures be incorporated into the design and construction of each dwelling to reduce exterior-to-interior noise levels by 25 dB; and
33. That prospective home owners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm. The notice shall also state that R.C. Farms, in part, is protected by State Statutes as an agricultural use; and
34. That a minimum 60,000 square feet of park area be constructed prior to the issuance of the 80th building permit; and
35. That all of the required park areas be constructed prior to the issuance of the 160th building permit; and
36. 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); and
37. 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; and
38. That all conditions mentioned herein be satisfied prior to recording any final map.

The application was presented by Bob Hoyes, Planner, on behalf of staff who indicated staff is recommending this item be continued to allow for further comment by staff.

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. No participants came forward. The Public Hearing was closed.

Commissioner Marilyn Kirkpatrick stated that if this item were to move forward she would like to see a condition added to read that this project be limited to 6.5 units per acre, as part of the PUD.

Mr. Hoyes stated that at this time staff's recommendation is for 6.3 units to the acre.

Commissioner Kirkpatrick stated she would agree with that.

Commissioner Anita Wood stated she concurs with Commissioner Kirkpatrick's comments.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to CONTINUE ZN-94-02 to the 8/28/02 Planning Commission meeting.

The MOTION TO CONTINUE FAILED with Chairman Nelson Stone, Commissioner Dean Leavitt and

Commissioner Jay Aston voting against the motion.

Chairman Nelson Stone MOVED and Commissioner Dean Leavitt SECONDED to DENY ZN-94-02.

The motion carried by UNANIMOUS vote.

The item was DENIED.

3) UN-20-00 (7278) JUKE JOINT RESTAURANT & LOUNGE (Public Hearing)

An application submitted by WJR Partnership, property owner, for an extension of time for a use permit in a M-2 General Industrial District to allow the “on sale” of alcoholic beverages in conjunction with a tavern. The property is generally located on the north side of Craig Road approximately 177 feet west of Lamb Boulevard. The Assessor’s Parcel Number is 140-06-610-030.

RECOMMENDATION:

The Development Services Department recommends that the Planning Commission grant a six-month extension of time for UN-20-00 subject to the following conditions:

1. That all previous conditions of approval for UN-20-00 shall apply; and
2. That UN-20-00 shall expire on December 12, 2002.

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

Harold Foster, 3230 Polaris Avenue, Suite 23, Las Vegas, Nevada 89130 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

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

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-20-00 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

4) UN-58-02 (7267) ALPHA & OMEGA CHURCH (Public Hearing)

An application submitted by Alpha and Omega Church, property owner, for a use permit in an R-1 Single-Family Residential District to allow an expansion to an existing church. The property is located at 2610 North Martin Luther King Boulevard. The Assessor's Parcel Number is 139-16-701-007.

RECOMMENDATION:

The Development Services Department recommends that UN-58-02 be approved subject to the following conditions:

1. Standard Conditions: #10, 11, 12 and 27; and
2. That improvements shall be made in order to establish the use as a permanent facility as would be consistent with the North Las Vegas Zoning Ordinance, including but not limited to the following:
 - a. That all existing and proposed structures be finished with stucco or other acceptable material, and painted to match one another.
 - b. That the proposed accessory structure be ground-set on a permanent foundation.
 - c. That a pedestrian walkway be provided from the existing sidewalk to the main entrance of the proposed accessory building.
 - d. That landscaping be provided in the area between the congregational hall and the proposed accessory building.
 - e. That all new and existing mechanical and electrical service equipment be screened from view with an architecturally compatible material.
3. That all landscaping requirements of the Commercial Design Standards including, but not limited to, a five (5) foot landscaping buffer adjacent to the residential property to the south, be provided; and
4. That the site plan be revised to show the proposed construction in Martin L. King Boulevard; and
5. That the construction of the driveways shall conform to the Clark County Standard Drawings for commercial driveways.
6. That the applicant either landscape the unimproved portion directly to the east of the church with the appropriate landscaping, pave the unimproved portion to allow for additional parking, or provide a barrier to prevent vehicular access.

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

Frank Gaston, 1401 Culley Street, Las Vegas, Nevada 89110 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-58-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

5) VAC-19-02 (7251) CITY OF NORTH LAS VEGAS (Public Hearing)

An application submitted by the City of North Las Vegas to vacate the southerly 20 feet of Smiley Road commencing at Lamb Boulevard and proceeding in a easterly direction approximately 1,300 feet to Novak Street.

RECOMMENDATION

The Development Services Department recommends that VAC-19-02 be approved, and forwarded to the City Council for final consideration.

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

The applicant is the City of North Las Vegas.

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 VAC-19-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #6 ZN-19-98 and #7 ZN-20-98 are related.

6) ZN-19-98 (7322) LAKE MEAD AIRPORT BUSINESS PARK (Public Hearing)

An application submitted by Affordable Concepts, Inc., property owner, for an extension of time on the reclassification of property from an R-E Ranch Estates District to a M-1 Business Park Industrial District. The property is generally located at the northwest corner of Coran Lane and Simmons Street. The Assessor's Parcel Numbers are 139-20-210-006 and 139-20-210-007.

Recommendation:

The Development Services Department recommends that ZN-19-98 be forwarded to the City Council with a recommendation for permanent “hard zoning” to M-1 Business Park District.

If the commission finds that an additional extension of time is warranted the following conditions are recommended:

1. All previous conditions of ROI 2037.
2. A traffic study update is required.
3. The site shall comply with the Industrial Design Standards.

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

Robert Potter, President of Affordable Concepts, 151 W. Brooks Avenue Suite H, North Las Vegas, Nevada 89030 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-19-98 per staff’s recommendations.

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

The item was APPROVED.

Items #6 ZN-19-98 and #7 ZN-20-98 are related.

7) ZN-20-98 (7323) LAKE MEAD AIRPORT BUSINESS PARK (Public Hearing)

An application submitted by Affordable Concepts, property owner, for an extension of time on the 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 Lake Mead Boulevard and Simmons Street. The Assessor’s Parcel Numbers are 139-20-210-002, 139-20-210-003, 139-20-210-004, and 139-20-210-005.

Recommendation:

The Development Services Department recommends that ZN-20-98 be forwarded to the City Council with a recommendation for permanent “hard zoning” to C-1 Neighborhood Commercial District.

If the commission finds that an additional extension of time is warranted the following conditions are recommended:

1. That all applicable conditions of ROI 2038 shall apply.
2. A traffic study update is required.
3. The site shall comply with the all codes and ordinances approved at time of construction, where there is a conflict the more restrictive shall apply.

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

Robert Potter, President of Affordable Concepts, 151 W. Brooks Avenue Suite H, North Las Vegas, Nevada 89030 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 Commissioner Anita Wood SECONDED to APPROVE ZN-20-98 for PERMANENT HARD ZONING.

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

The item was APPROVED.

Commissioner Anita Wood abstained from voting on this item due to pending litigation.

8) ZN-90-02 (7304) CRAIG/KINGS HILL (Public Hearing)

An application submitted by Herbert W. Sutton, property owner, for reclassification of property from an R-1 Single-Family Residential District to a C-2 General Commercial District. The property is generally located at the southwest corner of Kings Hill Road and Craig Road. The Assessor’s Parcel Number is 139-03-302-004.

RECOMMENDATION:

The Development Services Department recommends that ZN-90-02 receive a favorable recommendation and that this item be forwarded to the City Council for permanent zoning to the C-2 General Commercial District by ordinance.

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

Allison Hayes, 2727 S. Rainbow Boulevard, Las Vegas, Nevada 89146 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 Marilyn Kirkpatrick MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-90-02 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Anita Wood abstaining from voting on this item due to pending litigation.

The item was APPROVED.

9) ZN-91-02 (7305) ACTIVE ADULT RECREATION CENTER (Public Hearing)

An application submitted by Del Webb Communities on behalf of North Valley Enterprises, LLC, property owner, for reclassification of property from a MPC Master Planned Community District to an R-1-MPC Master Planned Community/Single-Family Residential District. The property is located approximately 300 feet north of Elkhorn Road and east of Simmons Street. The Assessor's Parcel Number is 124-17-000-004.

RECOMMENDATION

The Development Services Department recommends that ZN-91-02 be approved.

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

Jennifer Lazovich, of KKB&R, 3800 Howard Hughes Parkway 7th Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant who stated she concurs with staff's recommendations.

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

Commissioner Dean Leavitt MOVED and Commissioner Anita Wood SECONDED to APPROVE ZN-91-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

10) ZN-93-02 (7326) AUTUMN CHASE PHASE III (Public Hearing)

An application submitted by Temple Development Corp. on behalf of Cohen 1969 Trust and Philip Joseph Cohen, property owners, for reclassification of property from an R-E Ranch Estates District to an R-1 Single-Family Residential District. The property is generally located at the southwest corner of La Madre Way and Simmons Street. The Assessor's Parcel Number is 124-32-402-002.

RECOMMENDATION

The Development Services Department recommends that ZN-93-02 be approved, and forwarded to the

City Council for final consideration.

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

Gustavo Velez, 6280 S. Valley View Suite 200, Las Vegas, Nevada 89118 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-93-02 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

The item was APPROVED.

**There was a break in the proceedings at 8:35 p.m.
The meeting reconvened at 8:55 p.m.**

Items #11 ZN-95-02 and #12 T-941 are related.

11) ZN-95-02 (7332) ROME 20 (Public Hearing)

An application submitted by Centex Homes on behalf of Lyle Brennan, property owner, for reclassification of property from an R-E Ranch Estates District to a PUD Planned Unit Development District consisting of 197 single-family homes. The property is generally located at the northwest corner of Centennial Parkway and Goldfield Street. The Assessor's Parcel Numbers are 124-22-801-005 and 124-22-801-006.

RECOMMENDATION

The Development Services Department recommends that ZN-46-02 be denied because the proposed rezoning is not supported by the guidelines established in the Comprehensive Plan and the preliminary development plan is not in compliance with Municipal Code requirements.

In the event the Planning Commission thinks approval is warranted, Development Services requests the following conditions of approval:

1. Standard conditions: 1, 2, 3, 5, 6, 8, 11, 17, 18, 22, 25, 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 civil improvement plans.
4. Approval of this application does not imply a commitment by the City for utility service to the subject property.
5. Revise the site to include a 27' Drainage Easement on the north side of Centennial Parkway for the Centennial Parkway Channel East project.
6. The following right of way dedications are required:
 - a. Fifty feet (50.00') for Centennial Parkway;
 - b. Thirty feet (30.00') for Rome Boulevard and Goldfield Street.
7. The addition shall comply with the Single Family Design Standards including but not limited to:
 - a. A minimum of 10 feet of side lot landscaping shall be placed along all side yards adjacent to a right of way. 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.
 - b. The proposed sidewalk along Centennial Parkway shall be meandering and separated from the back of curb a minimum of five feet. A public access easement shall be filed for the portions of the sidewalk located on the common lot.
8. An encroachment permit shall be obtained for the landscaping that will be placed in the right of way along Centennial Parkway.
9. Additional off-street parking shall be incorporated into the site near the open space to provide sufficient parking for guests of the residents.
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.

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

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

Brad Burns, 3600 Rancho Drive, Las Vegas, Nevada 89130 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-95-02 subject to the following changes:

Delete Standard Condition #8.

Add Standard Condition #9.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #11 ZN-95-02 and #12 T-941 are related.

12) T-941 (7333) ROME 20

An application submitted by Centex Homes on behalf of Lyle Brennan, property owner, for a tentative map review in an R-E Ranch Estates District (proposed to a PUD Planned Unit Development). The property is generally located at northwest corner of Goldfield Street and Centennial Parkway. The Assessor's Parcel Number is 124-22-801-005 and 006.

RECOMMENDATION

The Development Services Department recommends that T-941 be denied because the proposal is inconsistent with the intent of the Comprehensive Plan, does not conform to the single-family design standards, and fails to incorporate the required Centennial Parkway Drainage Channel.

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, 3, 5, 6, 8, 11, 17, 18, 22, 25, 26, 27, 28, 29, 31 and 32.
2. The Tentative Map shall comply with all conditions of ZN-95-02.
3. The Tentative Map shall be null and void if ZN-95-02 is not approved by the City Council.
4. Approval of a traffic study is required prior to submittal of the civil improvement plans.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Approval of this application does not imply a commitment by the City for utility service to the subject property.
7. Revise the site to include a 27' Drainage Easement on the north side of Centennial Parkway for the Centennial Parkway Channel East project.
8. The following right of way dedications are required:
 - a. Fifty feet (50.00') for Centennial Parkway;
 - b. Thirty feet (30.00') for Rome Boulevard and Goldfield Street.
9. NLVMC 16.12.030 requires the following information on the tentative map:
 - a. The name or title of the proposed subdivision (incorrect location shown);
 - b. Sufficient legal description of the land which identifies the location, including exterior subdivision boundary dimensions and approximate acreage (contains error);
 - c. The location and size of existing and proposed water mains (size missing);
 - d. The location of existing power, telephone facilities and existing gas mains.
8. The addition shall comply with the Single Family Design Standards including but not limited to:
 - a. A minimum of 10 feet of side lot landscaping shall be placed along all side yards adjacent to a right of way. 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.
 - b. The proposed sidewalk along Centennial Parkway shall be meandering and separated from the back of curb a minimum of five feet. A public access easement shall be filed for the portions of the sidewalk located on the common lot.
9. An encroachment permit shall be obtained for the landscaping that will be placed in the right of way along Centennial Parkway.
10. Additional off-street parking shall be incorporated into the site near the open space to provide sufficient parking for guests of the residents.
11. 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.

12. 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 Marc Jordan, Principal Planner, on behalf of staff who indicated staff is recommending this item be continued indefinitely, providing the applicant concurred with that recommendation.

Brad Burns, 3606 Rancho Drive #102, Las Vegas, Nevada 89130 appeared on behalf of the applicant who stated he concurs with staff's recommendations, but would like the continuance to 8/28/02.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Jay Aston SECONDED to CONTINUE T-941 to the 8/28/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 8/28/02.

Items #13 ZN-96-02 and #14 T-942 are related.

13) ZN-96-02 (7328) ALLEN & TROPICAL (Public Hearing)

An application submitted by Celebrate Homes on behalf of Stephen and Olivia Yih, property owners, for reclassification of property from an R-E Ranch Estates District to an R-1 Single -Family Residential District. The property is generally located at the northwest corner of Tropical Parkway and Ferrell Street. The Assessor's Parcel Number is 124-29-201-009.

RECOMMENDATION:

The Development Services Department recommends that ZN-96-02 receive a favorable recommendation and that this item be forwarded to the City Council for permanent 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.

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 Jo Cato SECONDED to APPROVE ZN-96-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #13 ZN-96-02 and #14 T-942 are related.

14) T-942 (7329) ALLEN & TROPICAL

An application submitted by Celebrate Homes on behalf of Stephen and Olivia Yih, property owners, for a tentative map review in an R-E Ranch Estate District (proposed to R-1). The property is generally located at the northwest corner of Tropical Parkway and Ferrell Street. The Assessor's Parcel Numbers 124-29-201-009.

RECOMMENDATION:

The Development Services Department recommends that T-942 be approved subject to the following conditions:

1. The applicant has a pending rezoning application (ZN-96-02) to the R-1, Single Family Residential District. The applicant shall obtain permanent zoning to the R-1, Single Family Residential District, otherwise, the tentative map shall be null and void.
2. The development shall comply with the Single Family Design Guidelines, including, but not limited to providing 10 feet of landscaping (which may include the sidewalk) next to the corner side of all interior lots.
3. Approval of a traffic study is required prior to submittal of the civil improvement plans.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Approval of the application does not imply a commitment by the City for utility service to the subject property.
6. The following right-of-way dedications are required:
 1. Thirty feet (30.00') for Ferrell Street and Mastercraft Avenue.
 2. Forty feet (40.00') for Tropical Parkway and Allen Lane.
7. NLVMC 16.12.030 requires the following information on the tentative map:
 1. Topography for the entire subdivision with contour intervals not to exceed two feet except in mountainous terrain.
 2. The location and size of existing and proposed water mains.
 3. The location and size of existing available public sanitary sewers and the location and size of proposed sewers showing direction of flow.
 4. The location of existing power, telephone facilities and existing gas mains.
8. New street names must be submitted to the City of Las Vegas Central Fire Alarm Office and the U.S. Postal Service for review and approval.
9. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
10. 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.
11. 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.

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 MOVED and Commissioner Dean Leavitt SECONDED to APPROVE T-942 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

15) ZOA-08-02 (7338) ORION ENGINEERING & SURVEYING (Public Hearing)

An ordinance amendment initiated by Orion Engineering and Surveying, Inc. to amend Section 17.20.220 of Title 17 of the North Las Vegas Municipal Code (Zoning Ordinance) to allow a minimum of one hundred (100) contiguous gross acres with multiple owners and developers under mutual agreement to request a Master Plan Zoning Overlay District.

RECOMMENDATION:

The Development Services Department recommends that ZOA-08-002 be denied.

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

Dean Rasmussen, of Orion Engineering, 3068 E. Sunset Road Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant who stated he concurs with amended recommendation of approval with 500 acres.

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 ZOA-08-02 subject to the following change:

Ordinance Amended to Read "500 acres under one owner."

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Chairman Nelson Stone abstained from voting from voting Item #16 ZN-97-02 and #17 SPR-22-02 due to a business interest.

Commissioner Jay Aston abstained from voting on Item #16 ZN-97-02 and #17 SPR-22-02 due to a personal interest.

Items #16 ZN-97-02 and #17 SPR-22-02 are related.

16) ZN-97-02 (7344) PETE SHIELDS RESIDENTIAL (Public Hearing)

An application submitted by Peter G. Shields, property owner, for reclassification of property from a PUD Planned Unit Development District to an R-EL Ranch-Estates Limited District. The property is located south of Washburn Road and approximately 320 feet east of Clayton Street. The Assessor's Parcel Number is 124-33-310-003.

RECOMMENDATION:

The Development Services Department recommends that ZN-97-02 be approved and forwarded to the City Council with a recommendation for hard zoning to the R-EL, Ranch Estates Limited District.

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

Pete Shields, 2120 Spanish Town Avenue, North Las Vegas, Nevada 89031 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Dean Leavitt opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE ZN-97-02 per staff's recommendations.

The motion carried by MAJORITY vote with Chairman Nelson Stone abstaining from voting due to a business interest and Commissioner Jay Aston abstaining from voting due to a personal interest.

The item was APPROVED.

Chairman Nelson Stone abstained from voting from voting Item #16 ZN-97-02 and #17 SPR-22-02 due to a business interest.

Commissioner Jay Aston abstained from voting on Item #16 ZN-97-02 and #17 SPR-22-02 due to a personal interest.

Items #16 ZN-97-02 and #17 SPR-22-02 are related.

17) SPR-22-02 (7345) PETE SHIELDS RESIDENTIAL

An application submitted by Peter G. Shields, property owner, for a site plan review in a PUD Planned Unit Development District for waivers to the Single-Family Design Standards to allow six feet of perimeter landscaping where ten feet is required along a private street and to eliminate the require 15 feet of perimeter landscaping along Washburn Road. The property is located south of Washburn Road and approximately 320 feet east of Clayton Street. The Assessor's Parcel Number is 124-33-310-003.

RECOMMENDATION

The Development Services Department recommends that SPR-22-02 be denied. If, however, the Planning Commission finds that the waiver request is warranted, staff recommends the following conditions of approval:

1. All other criteria of the Single-Family Design Guidelines must be met including, but not limited to:
 1. The perimeter wall shall meet the height and design requirements as outlined in the Single-Family Design Guidelines; and
 2. The trees utilized in the tree wells shall be minimum 24-inch box at time of installation. Plants and shrubs must be a minimum five gallon size at time of planting. Each tree well shall contain a minimum of one tree and three shrubs.

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

Pete Shields, 2120 Spanish Town Avenue, North Las Vegas, Nevada 89031 appeared on behalf of the applicant.

Commissioner Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE SPR-22-02 subject to the following changes:

Delete Condition #2.

Condition #3 Added to Read: "That the applicant provide five (5) feet of landscaping along Washburn Road and six (6) feet of landscaping along the private drive per Single Family Design Guidelines."

The motion carried by MAJORITY vote with Chairman Nelson Stone abstaining from voting due to a business interest and Commissioner Jay Aston abstaining from voting due to a personal interest.

The item was APPROVED

18) SPR-20-02 (7327) ANN MARKETPLACE

An application submitted by Ann Marketplace on behalf of Jerald M. Spilsbury, et al, property owners, for a site plan review in a C-1 Neighborhood Commercial District for a waiver of the Commercial Design Standards to allow a reduction of a 20-foot landscape buffer to 10 feet and to allow two and four square foot planters in lieu of the six feet of landscaping adjacent to the building as required. The property is located north of Ann Road and approximately 380 feet east of Simmons Street. The Assessor's Parcel Number is 124-29-803-008.

RECOMMENDATION:

The Development Services Department recommends that SPR-20-02 be approved subject to the following conditions:

1. Waiver of the Commercial Development Standards and Design Guidelines is for foundational landscaping only, subject to the following alternatives being provided:

- a. That two foot half circle planters be provided around each column along the west and south sides of the building for the installation of shrubs, a minimum five-gallon in size, as shown on the site plan and building elevations.
- b. That seven four-square-foot planters be provided along the west and south sides of the building for the installation of palm trees, as shown on the site plan and building elevations.

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

Jennifer Lazovich, of KKB&R, 3800 Howard Hughes Parkway 7th Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant who stated she concurs with staff's recommendations.

Commissioner Dean Leavitt MOVED and Commissioner Anita Wood SECONDED to APPROVE SPR-20-02 per staff's recommendations subject to the following change:

Condition #1 Changed to Read: "Waiver of the Commercial Development Standards and Design Guidelines is (~~for foundational landscaping only~~), subject to the following alternatives being provided:

Condition 'C' Added to Read: "A minimum ten (10)-foot landscaping buffer is required next to the northerly property line in accordance with Exhibit A."

The motion carried by UNANIMOUS vote.

The item was APPROVED.

19) T-940 (7321) COBBLESTONE MANOR EAST

An application submitted by D. R. Horton on behalf of Robert Cohen, property owner, for a tentative map review in an R-1 Single Family Residential District). The property is generally located at the northwest corner of Lawrence Street and Washburn Road. The Assessor's Parcel Numbers are 124-35-601-012 and 124-35-601-015.

RECOMMENDATION

The Development Services Department recommends that T-940 be approved subject to the following conditions:

1. Standard Conditions: 4, 6, 11 and 16.
2. Approval of a drainage study is required prior to submittal fo the civil improvement plans.
3. Approval of this application does not imply a commitment by the City for utility services to the subject property.
4. NLVMC 16.12.030 requires the following information on the tentative map:

1. Topography for the entire subdivision with contour intervals not to exceed two feet except in mountainous terrain (elevations not shown)
2. A statement regarding protective covenants and deed restrictions which the developer intends to enforce
3. The location of existing power, telephone facilities and existing gas mains
5. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
6. 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.
7. Measures to achieve noise level reduction of 25 decibels must be incorporated into the design and construction of the homes.
8. That perimeter landscaping be designated as "Common Elements" and maintained by the homeowners association.
9. That the perimeter walls be owned and maintained by the homeowners' association.
10. That corner side-yard landscaping shall be maintained by the homeowners association or the homeowner of the respective lot, and that provisions for enforcement of such maintenance shall be included within the CC&R's.
11. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review of 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.

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

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE T-940 per staff's recommendations.

The motion carried by UNANIMOUS vote.

20) T-944 (7496) ANN/ALLEN BY PARDEE UNIT 2

An application submitted by Pardee Construction Company , property owner, for a tentative map review in an R-1 Single Family Residential District. The property is generally located at the northeast corner of Ferrell Street and Hammer Lane. The Assessor's Parcel Number 124-32-102-007.

RECOMMENDATION

The Development Services Department recommends that T-944 be continued in order for the map to be revised to satisfy the curvilinear street requirements.

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

Commissioner Dean Leavitt MOVED and Commissioner Anita Wood SECONDED to CONTINUE T-944 to the 8/14/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 8/14/02.

OLD BUSINESS

Items #21 AMP-44-02 and #22 ZN-85-02 are related.

21) 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.

This item was continued from the July 10, 2002, Planning Commission meeting at the request of the applicant.

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 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-44-02 to the 8/14/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 8/14/02.

Items #21 AMP-44-02 add #22 ZN-85-02 are related.

22) 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 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-85-02 to the 8/14/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 8/14/02.

23) UN-54-02 (6959) REBEL OIL COMPANY, INC. (Public Hearing)

An application submitted by Rebel Oil Company, property owner, for a use permit in the R-A/CR Redevelopment Area/Commercial Retail Subdistrict to allow a convenience food store with gas pumps. The property is located at 2001 N. Las Vegas Boulevard. The Assessor's Parcel Number is 139-23-201-015.

This item was continued indefinitely from the June 12, 2002 Planning Commission meeting to allow the applicant time to revise the site plan to meet the requirements of the Commercial Design Guidelines.

The applicant has submitted revised site plans showing compliance with all the landscaping requirements of the Commercial Design Standards. Therefore, the applicant is not applying for any of the landscaping waivers previously requested. The applicant is now only seeking a waiver of the building orientation from the street corner to the northwest corner of the property.

Further, because the applicant is proposing to sell only beer and wine at this location rather than "hard" liquor, a special use permit for the sale of packaged liquor is not required.

In order to mitigate concerns of the Police Department due to the building orientation, the applicant is proposing to maintain security personnel at this location on a 24-hour basis. The applicant is further proposing to install and maintain security lighting and surveillance cameras on the north side of the

building to assist in the prevention of undesirable or illegal activities. These are in addition to normal surveillance and security measures inside the store and at the fuel islands.

The Development Services Department recommends that UN-54-02 be approved subject to the following conditions:

1. Standard Conditions 6, 7, 8, 10, 11, 12, 27 and 29.
2. The development shall comply with the Commercial Design Standards, including, but not limited to, all landscaping requirements, with the exception of the requirement that the building be oriented to the corner.
3. The installation of Phoenix Dactylifera (Date Palms) with a height of 10 - 12 brown trunk feet. The palm trees shall be spaced 15 feet on center along the perimeter of the site, adjacent to the street frontages. Or the installation of Washingtonia hybrid (Hybrid Fan Palm) with a height of 20 brown trunk feet. The palms shall be spaced 15 feet on center along the perimeter of the above-referenced site.
4. Revision of the note concerning the existing curb and gutter to include a notation that the existing driveways on the site will be closed.
5. Security personnel will be provided at this location on a 24-hour basis.
6. Security lighting and surveillance cameras will be installed and maintained on the north side of the building.
7. Building materials and colors must be reviewed and approved by Planning and Redevelopment staff prior to issuance of a building permit.

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

Tom McBrayer, 5525 Polaris Avenue, Suite B, Las Vegas, Nevada 89118 appeared on behalf of the applicant.

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

Lemena Thompson, 711 E. Nelson Avenue #F-3045, North Las Vegas, Nevada 89030

Ms. Thompson stated she opposes this project as she feels it is not needed in the community and that another gas station would not be beneficial to this community.

Chairman Stone closed the Public Hearing.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-54-02 subject to the following change:

Condition #5 Changed to Read: "Security personnel **SHOULD** be provided at this location on a 24-hour basis."

The motion carried by UNANIMOUS vote.

Items #24 AMP-43-02, #25 ZN-79-02 and #26 T-932 are related.

24) AMP-43-02 (7103) LA MADRE & 5TH (Public Hearing)

An application submitted by Heller Development on behalf of FSDRH Trust Sass Frad TRS % Gruchy, property owner, for an Amendment to the Master Plan of Streets & Highways to delete a portion of La Madre Way between North Fifth Street and Goldfield Street. The Assessor's Parcel Numbers are 124-34-803-001 and 124-34-803-002.

This application was continued from the June 26, 2002, Planning Commission meeting at the request of the applicant.

Additional information on this application has not been received by Planning staff and, therefore, staff is still recommending denial.

RECOMMENDATION

The Development Services Department recommends that AMP-43-02 be denied because the applicant has not shown any compelling reason for its removal and the Public Works Department states that the alignment is necessary in this area.

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

Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant and requested this application be WITHDRAWN.

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

- ▶ Jeff Bade, 4940 N. Goldfield Street, North Las Vegas, Nevada 89031

Mr. Bade stated he understands the applicant is requesting this item be withdrawn and stated he does not have a problem working with the developer.

- ▶ Sherri Evans, 5015 N. 5th Street, North Las Vegas, Nevada 89031

Ms. Evans stated she is concerned about the speed of the traffic in the area.

Chairman Stone closed the Public Hearing.

The item was WITHDRAWN.

Items #24 AMP-43-02, #25 ZN-79-02 and #26 T-932 are related.

25) ZN-79-02 (7104) LA MADRE & 5TH (Public Hearing)

An application submitted by Heller Development on behalf of FSDRH Trust Sass Frad Trs % Gruchy, property owner, for reclassification of property from an R-E Ranch Estates District to an R-1 Single Family Residential District. The property is generally located at the southwest corner of North Fifth Street and La Madre Way. The Assessor's Parcel Numbers are 124-34-803-001 and 124-34-803-002.

This application was continued from the June 26, 2002, Planning Commission meeting at the request of the applicant.

The Development Services Department recommends that ZN-79-02 be approved and forwarded to the City Council with a recommendation for hard zoning to the R-1 Single-Family Residential District.

RECOMMENDATION:

The Development Services Department recommends that ZN-79-02 be approved and forwarded to the City Council with a recommendation for hard zoning to the R-1 Single-Family Residential District.

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

Bobby Lewis, of Orion Engineering, 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. The following participant came forward:

Jeffrey Alan Bade, 4940 N. Goldfield Street, North Las Vegas, Nevada 89031

Mr. Bade stated he opposes this project as the homes in this area are all single-story and this is proposed for two-story.

Chairman Stone closed the Public Hearing.

Commissioner Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE ZN-79-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #24 AMP-43-02, #25 ZN-79-02 and #26 T-932 are related.

26) T-932 (7105) LA MADRE & 5TH

An application submitted by Heller Development on behalf of FSDRH Trust Sass Frad Trs % Gruchy, property owner, for a tentative map review in an R-E Ranch Estates District (proposed to an R-1 Single Family Residential District). The property is generally located at the southwest corner of North Fifth Street and LaMadre Way. The Assessor's Parcel Numbers are 124-34-803-001 and 124-34-803-002.

This application was continued from the June 26, 2002, Planning Commission meeting at the request of the applicant.

Additional information on this application has not been received by Planning staff and, therefore, staff is still recommending an indefinite continuance to allow the applicant time to revise the tentative map incorporating the La Madre Way alignment.

State statutes require the Planning Commission to act within 45 days, otherwise the tentative map would be deemed approved. Therefore, unless the applicant is willing to continue the application, the Development Services Department will have to recommend that T-932 be denied.

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

1. Standard Conditions 1, 2, 5, 15, 16, 17, 26, 27, 28, 29, 31 and 32.

2. AMP-43-02 must be approved prior to the tentative map. If the application is denied, the site must be redesigned to include LaMadre Way.
3. That the development meet the Single-Family Design Guidelines including, but not limited to, all landscaping requirements.
4. Measures to achieve noise level reduction of 25 decibels must be incorporated into the design and construction of the homes.
5. The issuance of a noise disclosure statement to each purchaser of each residential unit in the proposed development.
6. All residential units shall be provided with fire sprinklers, unless the applicant provides an alternative acceptable to the City prior to recording of the final map.
7. The applicant has a pending rezoning application (ZN-79-02) to the R-1 Single Family Residential District. The applicant shall obtain permanent zoning to the R-1 Single Family Residential District, otherwise, the tentative map shall be null and void.
8. 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.
9. 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 an indefinite continuance or denial.

Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant who stated he concurs with a continuance to 8/28/02.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE T-932 to the 8/28/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 8/28/02.

27) AMP-42-02 (7033) TROPICAL & LAMB (Public Hearing)

An application submitted by Insight Development on behalf of 30 Tropical Parkway, LLC, Andrew S Katz Revocable Trust, property owner, for an Amendment to the Master Plan of Streets and Highways, to add Tropical Parkway as a 100-foot arterial street commencing at Pecos Road and proceeding eastward to Lamb Boulevard. The Assessor's Parcel Numbers are 123-30-601-005 and 123-30-601-006.

This item was continued from the Planning Commission meeting of June 26, 2002, to allow the applicant time to meet with the Department of Public Works to resolve some outstanding issues.

RECOMMENDATION

The Development Services Department recommends that AMP-42-02 be continued indefinitely to allow the applicant time to address the concerns raised by the Public Works Department.

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 Marilyn Kirkpatrick SECONDED to CONTINUE AMP-42-02 to the 8/14/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 8/14/02.

28) 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.

This application was continued from the July 10, 2002 Planning Commission meeting at the request of the Planning Commission to allow the applicant the opportunity to provide landscaping plans for review.

The applicant is requesting waivers to the Industrial Design Standards for the following:

1. A reduction of the perimeter landscaping along Lots 12, 14, 15, 16A, 16B, 17 and 18, which abut Neeham Road and Octagon Road, from twenty (20) feet to ten (10) feet.
2. The requirement for landscape islands at the end of parking rows for parking areas which are located within enclosed yards.

(Please see the original staff report for additional details.)

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 Marc Jordan, Principal Planner, on behalf of staff who indicated staff is recommending approval of this item.

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

Commissioner Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE SPR-18-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

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.

The following member of the public came forward:

Jeffrey A. Bade, 4940 N. Goldfield Street, North Las Vegas, Nevada 89031

Mr. Bade stated he feels that his area is referred to as "undeveloped" and the property in his area is actually "developed" property, and any reference to the contrary is inappropriate.

DIRECTOR'S BUSINESS: None

CHAIRMAN'S BUSINESS: None

ADJOURNMENT: 10:40 PM

A motion to ADJOURN the July 24, 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