

# MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Dean Leavitt, Chairman  
Nelson Stone  
Joy Diaz  
Jay Aston

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Anita Wood, Vice-Chairman  
Marilyn Kirkpatrick  
Jo Cato

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## January 22, 2003

### 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:

Donna Kristaponis, Development Services Director  
Marc Jordan, Principal Planner  
Vicki Adams, Planner  
Johanna Murphy, Planner  
Randy Cagle, 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

Vice-Chairman Anita Wood

The North Las Vegas Conference Room and Council Chambers are accessible to handicapped persons. A certified sign language interpreter is available upon advance request.

## **MINUTES**

Approval of the MINUTES for the Planning Commission meeting of January 8, 2003.

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to APPROVE the minutes of the January 8, 2003 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

Approval of the MINUTES for the Planning Commission meeting of December 11, 2002.

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to APPROVE the minutes of the December 11, 2002 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

## **CONSENT AGENDA**

### **A) PW-15-03 (9348) SIMMONS MARKETPLACE**

Accept the Commercial Developments Off-Site Improvements Agreement by Simmons Properties, LLC and accept the Cash-In-Lieu-Of Bond—Separate Account in the amount of \$328,699.25.

### **B) PW-16-03 (9349) GLENEAGLES CHANNEL—INITIAL IMPROVEMENTS**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Insurance Company of the West to release the Off-Site Improvements Bond in the amount of \$443,796.38.

### **C) PW-17-03 (9350) NVE ACTIVE ADULT, UNIT 1 MODELS**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by North Valley Enterprises, LLC and accept the Performance Bond in the amount of \$337,249.44.

### **D) PW-18-03 (9383) NVE PARCEL 67—20 ACRE PARK**

Approve the Final Map.

### **E) PW-133-02 (8614) CHEYENNE COMMERCE CENTER III**

Accept the Commercial Developments Off-Site Improvements Agreement by Harsch Investment Properties, Nevada, LLC and accept the Subdivision Bond in the amount of \$377,512.00.

### **F) PW-19-03 (9464) FINAL MAP FOR SIMMONS MARKETPLACE**

It is recommended that the Planning Commission approve the Final Map.

Commissioner Joy Diaz MOVED and Commissioner Nelson Stone SECONDED to APPROVE Consent Agenda Items A,B,C,D, and F with Consent Agenda Item “E” being WITHDRAWN.

The motion carried by UNANIMOUS vote.

**Item #20 AMP-69-02, #21 ZN-121-02 and #22 T-966 were heard first on this Agenda.**

Item #1 was heard following Item #22 T-966 and the Consent Agenda.

## **NEW BUSINESS**

### **1) DRAFT REDEVELOPMENT PLAN (Public Hearing)**

Introduction and adoption of the Draft Redevelopment Plan. The new redevelopment areas generally encompass the North Las Vegas Airport, Nellis Industrial Park, the Cheyenne Technology Corridor, industrial areas along Losee Road and the Interstate 15 right-of-way.

#### **RECOMMENDATION:**

The Development Services and Community Development Departments recommend that the Planning Commission **adopt** the Draft Redevelopment Plan and forward this item to the City Council for the Council to hold a public hearing.

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

Kenny Young, Manager, Redevelopment Agency, appeared on behalf of the Redevelopment Agency and stated he concurs with staff's recommendations.

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

Vice-Chairman Anita Wood **MOVED** and Commissioner Joy Diaz **SECONDED** to **APPROVE** the **DRAFT REDEVELOPMENT PLAN** per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

**The item was APPROVED.**

**2) AMP-05-03 (9149) DONNA AND DEER SPRINGS (Public Hearing)**

An application submitted by Centex Homes on behalf of Rome Bruce, LLC, property owner, for an Amendment to the Master Plan of Streets and Highways, to delete a portion of Bruce Street commencing at Rome Boulevard and proceeding north approximately 1,300 feet to Deer Springs Way and to delete a portion of Rome Boulevard commencing at Lawrence Street and proceeding west approximately 1,300 feet to Bruce Street. In addition, the applicant is requesting to reduce a portion of Bruce Street from a 80' right-of-way to a 60' right-of-way between Centennial Parkway and Rome Boulevard.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-05-03 be **approved**.

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 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 AMP-05-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #3 ZN-07-03, #4 VAC-04-03, #5 T-976 and #6 FDP-06-03 are related.**

**3) ZN-07-03 (9153) CENTENNIAL/BRUCE SOUTH 35 (Public Hearing)**

An application submitted by Taney Engineering on behalf of William Lyon Homes, property owner, for reclassification of property from an R-E Ranch Estate District to an R-1 Single -Family Residential District. The property is generally located at the northeast corner of Bruce Street and Tropical Parkway. The Assessor's Parcel Numbers are 124-26-601-003, 124-26-601-004 and 124-26-603-001.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-07-03 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.

Scott Prokopchuk, of William Lyon Homes, 500 Pilot Road, Suite G, Las Vegas, Nevada 89119 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Dean Leavitt opened the Public Hearing. The following participant came forward:

Ema Flores, 8011 Dorinda Avenue, Las Vegas, Nevada 89147

Ms. Flores stated she is appearing on behalf of her mother, Consuelo Flores, who lives at 3329 Gowan Avenue, North Las Vegas, Nevada 89030, and asked how does this zone change affect her property.

Jim Lewis, Deputy City Attorney, stated this item will have no affect on the Flores' property.

Chairman Leavitt closed the Public Hearing.

Vice-Chairman Anita Wood MOVED and Commissioner Jo Cato SECONDED to APPROVE ZN-07-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #3 ZN-07-03, #4 VAC-04-03, #5 T-976 and #6 FDP-06-03 are related.**

**4) VAC-04-03 (9155) CENTENNIAL/BRUCE SOUTH 35 (Public Hearing)**

An application submitted by Taney Engineering on behalf of William Lyon Homes, property owner, to vacate Reiss Lane commencing at Bruce Street and proceeding east to Lawrence Street, and to vacate Harold Street commencing at Tropical Parkway and proceeding north to Azure Avenue. The Assessor's Parcel Numbers 124-26-602-001, 124-26-602-002, 124-26-604-001 and 124-26-604-002.

The Public Works Department has submitted a revised memorandum recommending **approval** for the vacation of both Reiss Lane and Harold Street.

Therefore, the Development Services Department recommends that VAC-04-03 be **approved** subject to the following conditions:

1. The Master Transportation Study for the project must be revised to address the vacation of Harold Street and Reiss Lane.
2. The vacation shall record concurrently with the plat map for the project.
3. Reiss Lane east of Harold was vacated on March 20, 2002 per Document Number 20020320:00561. The vacation legal description must be modified to reflect this document.
4. Should any telephone facilities be found within the area to be vacated, such facilities shall be relocated at the owner's expense.

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

Scott Prokopchuk, of William Lyon Homes, 500 Pilot Road, Suite G, Las Vegas, Nevada 89119 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

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

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to APPROVE VAC-04-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #3 ZN-07-03, #4 VAC-04-03, #5 T-976 and #6 FDP-06-03 are related.**

**5) T-976 (9154) CENTENNIAL/BRUCE SOUTH 35**

An application submitted by Taney Engineering on behalf of William Lyon Homes, property owner, for a tentative map review in an R-E Ranch Estate District (proposed property reclassification to an R-1 Single Family Residential District) consisting of 156 single family dwellings. The property is generally located at northeast corner of Bruce Street and Tropical Parkway. The Assessor's Parcel Numbers are 124-26-601-003 and 004, 124-26-602-001 and 002, 124-26-603-001, and 124-26-604-001 and 002.

Staff originally recommended a continuance of this item to allow the applicant time to address those concerns mentioned in the staff report. The applicant has meet with staff and submitted a revised tentative map that addresses staff's concerns. Furthermore, the Public Works Department has also submitted a revised memorandum recommending approval for the vacation of Reiss Lane and Harold Street.

Therefore, the Development Services Department recommends that T-976 be **approved** subject to the following conditions:

1. Standard conditions: 11, 17 and 18.
2. The applicant has a pending rezoning application (ZN-07-03) to the R-1, Single Family Residential District. The applicant shall obtain permanent zoning to the R-1, Single Family Residential District, otherwise, the tentative map shall be null and void.
3. The development shall comply with the Single Family Design Guidelines including, but not limited to the following:
  - a. Ten (10) feet of landscaping (which may include the sidewalk) shall be provided next to all streets less than 60 feet in width.
  - b. Drainage easements shall be landscaped and designed in accordance with Section 17.24.210.D.4.
4. 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.
5. Pedestrian access shall be provided at the following locations:
  - a. At the end of the cul-de-sac from Orioles Avenue to Lawrence Street.
  - b. At the end of the cul-de-sac from Dodgers Avenue to Bruce Street.
  - c. Between Athletics Avenue and Yankees Street, through the drainage/pedestrian easement.
6. The existing building is required to be removed prior to the recording of any final map.
7. 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.
8. A minimum of two remote paved streets shall be provided to connect this development to existing streets.
9. A traffic study update is required.

10. Approval of a drainage study is required prior to submittal of the civil improvement plans.
11. 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.
12. A water network analysis must be submitted with the civil improvement plans.
13. All known geologic hazards shall be shown on the Tentative Map and the Civil Improvement Plans. Subsequent identification of additional hazards may substantially alter the original Tentative Map layout.
14. The easterly entry street on Tropical Parkway must be relocated away from the intersection with Lawrence Street or on to Lawrence Street.
15. Construction of the offsite storm drain facilities must conform to the City of North Las Vegas North Neighborhood Flood Control Master Plan.
16. The side lot drainage and utility easements shall conform to North Las Vegas Municipal Code 17.24.210.D.4.a.
17. If VAC-04-03 is denied, the tentative map must be revised to include the existing right-of-way.
18. In order for the tentative map to conform to North Las Vegas Municipal Code 16.12.030, the following corrections/revisions are required:
  - a. The existing building on Lot 142 must be noted if it is to stay or be removed.
  - b. Add the direction of flow of proposed sewers.
  - c. Show contour elevations on the Tentative Map.
19. Label the 15' drainage and sewer easement and 25' utility and drainage easement as public or private and indicate if they are to be privately maintained.
20. Provide an access easement between the emergency access gate and the end of Phillis Avenue.
21. The prospective homeowners 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.
22. 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.

Scott Prokopchuk, of William Lyon Homes, 500 Pilot Road, Suite G, Las Vegas, Nevada 89119 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Vice-Chairman Anita Wood MOVED and Commissioner Joy Diaz SECONDED to APPROVE T-976 per staff's recommendations.

**Condition #8a Changed to Read:** "The existing building on Lot 142 must be noted ***that it will*** be removed.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #3 ZN-07-03, #4 VAC-04-03, #5 T-976 and #6 FDP-06-03 are related.**

**6) FDP-06-03 (9151) CENTENNIAL/BRUCE WEST 40**

An application submitted by Taney Engineering on behalf of William Lyon Homes, property owner, for a Final Development Plan review in an R-2 Two-family Residential District (proposed to a PUD Planned Unit Development District) consisting of 364 lots. The property is generally located at the southwest corner of Centennial Parkway and Bruce Street. The Assessor's Parcel Numbers are 124-26-101-014 and 124-26-101-015.

**RECOMMENDATION**

The Development Services Department recommends that FDP-06-03 be **approved** subject to the following conditions:

1. That Standard Conditions 4, 11 and 27 apply; and
2. That the development be in conformance with all conditions of Ordinance No. 1734 (ZN-99-02). If there is a conflict with the conditions mentioned herein, the more restrictive shall apply; and
3. That the applicant adhere to the conditions of approval for T-969. If there is a conflict with the conditions mentioned herein, the more restrictive shall apply; and
4. That the Open Space areas shall contain at a minimum, the following items:
  - a. circuitous lighted paths; and
  - b. a minimum 20 trees per acre; and
  - c. at least 2 differing age appropriate play structures for children with EPDM resilient fall protection and accompanying shade ramada; and
  - d. a large open space area for group / organized play; and
  - e. one large group shade area / gazebo (30' diameter), lighted; and
  - f. benches spaced along park pathways; and
5. That the development be in substantial compliance with the submitted elevation drawings and color schemes.

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

Scott Prokopchuk, of William Lyon Homes, 500 Pilot Road, Suite G, Las Vegas, Nevada 89119 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Joy Diaz **MOVED** and Commissioner Nelson Stone **SECONDED** to **APPROVE** FDP-06-03 per staff's recommendations.

The motion carried by **MAJORITY** vote with Vice-Chairman Anita Wood voting against the motion.

**The item was APPROVED.**

**Item #7 ZN-06-03 and #8 T-974 are related.**

**7) ZN-06-03 (9152) STONEBRIDGE, LLC (Public Hearing)**

An application submitted by WRG Design, Inc. on behalf of Christina M. Hixson and the Lied Foundation Trust, property owners, for a reclassification of property from an M -2 General Industrial District to a PUD Planned Unit Development District consisting of 199 single family dwellings. The property is generally located at the southwest corner of Alexander Road and North 5<sup>th</sup> Street. The Assessor's Parcel Numbers are 139-10-501-007 and 139-10-501-008.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-06-03 be **continued indefinitely** to allow the applicant time to revise the preliminary development plan appropriately with those items outlined in the analysis section.

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

1. Standard Conditions: 9, 11, 17, 18 and 31; and
2. Development of the subject site shall not exceed 199 detached single-family dwelling units; and
3. The minimum lot size shall be 4,500 square feet with a minimum lot width of 45 feet; and
4. The development shall comply with the Single Family Design Standards; and
5. Approval of a traffic study is required prior to submittal of the civil improvement plans; and
6. Approval of a drainage study is required prior to submittal of the civil improvement plans; and
7. 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; and
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 prior to submittal of the conformed tentative map; and
9. A water network analysis must be submitted with the civil improvement plans; and
10. The map depicts Gilmore as an 80' right-of-way street; the Master Plan of Streets and Highways delineates it as a 60' right-of-way street. Revise the map to conform to the Master Plan; and
11. Goldfield Street must be shown on the tentative map unless removed from the Master Plan of Streets and Highways; and
12. The following dedications are required:
  1. Forty feet (40') for Alexander Road;
  2. Fifty feet (50') for North Fifth Street;
  3. Thirty feet (30') for Goldfield Street and Gilmore Avenue;
  4. Additional right-of-way on the east side of "C" Street for a maintenance ramp for the flood control facility;
  5. A bus turnout on North Fifth Street south of Alexander Road;
  6. Additional right-of-way for the flared intersection at North Fifth Street and Alexander Road.

13. The site plan must be revised to show entry streets with a minimum right-of-way width of 60,' and
14. Entry streets on North Fifth Street will be limited to right in right out access; and
15. Pending the construction schedule of the Alexander Channel, bridge crossings may be required at the expense of the developer; and
16. Remove section thickness from the typical sections. The off-site pavement sections will be determined by the Department of Public Works; and
17. 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; and
18. Fire access lane widths shall be designed and installed in accordance with Fire code requirements; and
19. The developer shall meet with the Parks and Recreation Department to work out the amenities to be included in the open space which shall contain, at a minimum, the following items:
  - a. Circuitous lighted paths; and
  - b. A minimum of 20 trees per acre; and
  - c. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection and accompanying shade ramada; and
  - d. A large open space area for group/organized play; and
  - e. One large group shade area/gazebo (30' diameter), lighted; and
  - f. Picnic tables and barbecue grills; and
  - g. Benches spaced along park pathways; and
19. 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
20. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the park areas showing landscaping and amenities.
21. The development shall provide an acceptable form of traffic calming (e.g., traffic circles, curvilinear streets, etc.) for every street section exceeding 500 linear feet.

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

**The item was WITHDRAWN.**

**Item #7 ZN-06-03 and #8 T-974 are related.**

### **8) T-974 (9159) STONEBRIDGE, LLC**

An application submitted by WRG Design, Inc. on behalf of Christina M. Hixson and the Lied Foundation Trust, property owners, for a tentative map review in an M -2 General Industrial District (proposed PUD Planned Unit Development) consisting of 199 single family dwellings. The property is generally located at the southwest corner of Alexander Road and North 5<sup>th</sup> Street. The Assessor's Parcel Numbers are 139-10-501-007 and 139-10-501-008.

#### **RECOMMENDATION:**

The Development Services Department recommends that T-974 be **continued indefinitely** to allow the applicant time to revise the preliminary development plan appropriately with those items outlined in the analysis section.

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

1. The application for the property reclassification, ZN-06-03, must be approved prior to approval of the tentative map. If the property reclassification is denied, the tentative map shall be declared null and void; and
2. The development shall comply with all conditions of approval for ZN-06-03; and
3. All known geologic hazards shall be shown on the Tentative Map and the Civil Improvement Plans. Subsequent identification of additional hazards may substantially alter the original Tentative Map layout; and
4. In order for the tentative map to conform to North Las Vegas Municipal Code 16.12.030, the following corrections/revisions are required:
  - a. The required zoning must be shown on the map;
  - b. Add the names, approximate grades and widths of all streets within the proposed subdivision;
  - c. Add the width and purpose of the channel that runs through the development;
  - d. Show approximate radii of all curves;
  - e. Show approximate dimensions of all lots;
  - f. Show direction of flow of the proposed sewers;
  - g. Add a statement regarding protective covenants and deed restrictions which the subdivider intends to enforce.
5. The applicant 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; and
6. 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; and
7. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping; and
8. That the tentative map shall show building setback lines in order to determine the minimum lot widths on gore-shaped lots; and
9. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review by the Public Works Department and the Planning Department prior to submittal of the final map.

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

**The item was WITHDRAWN.**

**9) UN-06-03 (9089) THOMAS J. & DEBORAH J. CLARK (Public Hearing)**

An application submitted by Thomas J. and Deborah J. Clark, property owners, for a use permit in an R-E Ranch Estates District to allow a 5,000 square foot accessory building. The property is located at 5220 Styers Street. The Assessor's Parcel Number is 124-31-602-023.

**RECOMMENDATION**

The Development Services Department recommends that UN-06-03 be **approved** subject to the following conditions.

1. That the proposed structure be designed, constructed and finished to match the house including but not limited to the following:
  - a. That the structure be finished with stucco.
  - b. That the structure be painted to match the house.
  - c. That S-type roofing tile be used to match the house.
  - d. That any mechanical equipment be ground, or attic mounted.
2. That the accessory structure shall be utilized for personal use only, and not for commercial purposes.
3. That the applicant must provided paved access to the accessory building.
4. The property owner must provided a restrictive covenant for the deferred off-site improvements. Contact Mary Griego, Real Property Agent, at 633-2087 for additional information.

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

Thomas J. Clark, 5220 Styers Street, North Las Vegas, Nevada 89031 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Dean Leavitt opened the Public Hearing. No participants came forward. Vicki Adams, Planner, stated, however, there was a petition submitted by residents in the area opposing this project.

Chairman Leavitt closed the Public Hearing.

Mr. Clark stated he is not aware of any opposition by any of his neighbors and he would like the opportunity to view the petition and make contact with those opposed, and continue this item to the next Planning Commission meeting.

Commissioner Joy Diaz **MOVED** and Commissioner Jo Cato **SECONDED** to **CONTINUE** UN-06-03 to the 2/12/03 Planning Commission meeting.

The motion carried by **UNANIMOUS** vote.

**The item was CONTINUED to 2/12/03.**

**10) UN-07-03 (9128) HERMAN PARKER (Public Hearing)**

An application submitted by Herman Parker, property owner, for a use permit in an R-E Ranch Estates District to allow a 1,904 square foot accessory building. The property is located at 4516 Pony Express Street. The Assessor's Parcel Number is 139-06-611-024.

**RECOMMENDATION:**

The Development Services Department recommends that UN-07-02 be **approved** subject to the following conditions.

1. The development shall comply with the Single Family Design Standards; and
2. The proposed accessory structure must have a stucco finish with a concrete tile roof; and
3. The colors of the accessory building must match that of the principal structure; and
4. That heating and cooling equipment, if any, be ground-mounted; and
5. Paved access to the accessory structure is required; and
6. The accessory structure shall be utilized for strictly personal use; no commercial business shall be conducted at this site.

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

Herman Parker, 9039 N. Lariat Drive, Kingman, Arizona 86401 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Dean Leavitt opened the Public Hearing. The following participant came forward:

- ▶ Sandra Davis Pitoniak, 4206 Rustic Court, North Las Vegas, Nevada 89031

Ms. Pitoniak stated she wants to make sure the applicant complies with the other homes in the area.

- ▶ William Kassel, 4533 Pony Express Street, North Las Vegas, Nevada 89031

Mr. Kassel stated he has a petition signed by 16 homeowners in the area who oppose this project as they feel it will be detrimental to the neighborhood.

Chairman Leavitt closed the Public Hearing.

Vice-Chairman Anita Wood asked the applicant if he is the owner of the property and the vehicles which will be stored in this structure are for the applicant's personal use.

Mr. Parker replied that is correct.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-07-03 per staff's recommendations.

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

**The item was APPROVED.**

**There was a break in the proceedings at 8:58 PM  
The meeting reconvened at 9:15 PM**

**Vice-Chairman Anita Wood abstained from voting on this item due to having recently been employed by a family member of the owner.**

**11) UN-08-03 (9142) TACO BELL (Public Hearing)**

An application submitted by Mesa Investment, LLC, on behalf of Jerald M. Spilsbury Etal, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow a convenience food restaurant with drive-thru. The property is located north of Ann Road, approximately 300 feet east of Simmons Street. The Assessor's Parcel Number is 124-29-803-008.

**RECOMMENDATION:**

The Development Services Department recommends that UN-08-03 be **approved** subject to the following conditions:

1. The all conditions of approval for FDP-09-01 shall be met.
2. The development shall comply with the Commercial Development Design Standards, including, but not limited to the following:
  - a. That the building and the drive-thru lane shall be located to the front of the site at the minimum setback line .
  - b. Sidewalks shall be located at least six feet from the building to provide planting beds for foundation landscaping.
3. 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 mention herein, the more restrictive shall apply.
4. Approval of a traffic study with a queuing analysis is required prior to submittal of the civil improvement plans.

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

Michael Bradshaw, of Bradshaw & Associates, 10814 Del Rudini, Las Vegas, Nevada 89141 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

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

Commissioner Joy Diaz **MOVED** and Commissioner Jay Aston **SECONDED** to **APPROVE** UN-08-03 per staff's recommendations.

The motion carried by **MAJORITY** vote with Vice-Chairman Anita Wood abstaining from voting on this item due to having recently been employed by a family member of the owner.

**The item was APPROVED.**

**12) UN-15-02 (9139) NEVADA PICK-A-PART (Public Hearing)**

An application submitted by Nevada Pick-A-Part on behalf of Smith-Christensen Enterprises LLC, property owner, for an amendment to a condition of approval to allow the exterior finish of the buildings to be metal wall panels where stucco or stone is required for a previously approved use permit for an automobile dismantling yard. The property is located at 5090 N. Lamb Boulevard. The Assessor's Parcel Number is 123-32-301-018.

**RECOMMENDATION:**

The Development Services Department recommends that the request to amend condition 3.1 be **denied**.

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

Oscar O'Keefe, 6480 W. Spring Mountain Road, Las Vegas, Nevada 89146 appeared on behalf of the applicant who stated the owner has agreed to stucco the building, but is requesting the rear elevation be allowed to remain as metal.

Mr. Jordan stated if the applicant is referring to the front and sides of the building that face the streets would still be stucco staff who not have an objection to the rear being metal as it would not be seen from the rights-of-way.

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

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to APPROVE UN-15-02 subject to the following change:

**Condition 3.1 Changed to Read: "That the rear elevations may consist of metal."**

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**13) ZOA-01-03 (9315) CITY OF NORTH LAS VEGAS (Public Hearing)**

An ordinance amendment initiated by the City of North Las Vegas to amend Section 17.20.160(B) (5) of Title 17 of the North Las Vegas Municipal Code (Zoning Ordinance) by adding subsection C to allow lots smaller than 4,500 square feet in Planned Unit Development Districts, providing the net residential density is 5.8 dwelling units per acre or less and providing the size of the PUD is at least 100 acres.

**RECOMMENDATION:**

The Development Services Department recommends that ZOA-01-03 be approved as follows:

**17.20.160 B.5 Residential Density in PUDs.**

c. (Add) The Planning Commission and City Council may consider detached single family residential lots on less than 4,500 square feet in a Planned Unit Development if the following criteria are met:

- I. the PUD is between 100 and 499 acres in size;
- ii. the net detached residential density shall not exceed 5.8 dwelling units per acre for the entire PUD.

**Prior to the Planning Commission meeting, the applicant requested the item be continued to the 2/12/03 Planning Commission meeting.**

**Chairman Dean Leavitt 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.**

Vice-Chairman Anita Wood MOVED and Commissioner Nelson Stone SECONDED to CONTINUE ZOA-01-03 to the 2/12/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 2/12/03.**

**14) T-931 (9148) CENTURY ONE**

An application submitted by Centex Homes on behalf of Centennial Parkway-Commerce LLC, property owner, for a tentative map review in an R-E Ranch Estates District (proposed R-2 Two-Family Residential District). The property is generally located at the southeast corner of Centennial Parkway and Revere Street. The Assessor's Parcel Number is 124-27-101-002.

**RECOMMENDATION**

As the applicant has provided no compelling reason to grant the waiver, the Development Services Department recommends that the requested removal of Condition # 8 be denied.

If the Planning Commission decides that approval is warranted the following amended condition is recommended:

1. That plastic, vinyl and similar materials shall not be permitted as part, or in whole, for the construction of any perimeter or turn walls or fences within this development.

**Prior to the Planning Commission meeting, the applicant requested the item be continued to the 2/26/03 Planning Commission meeting.**

Commissioner Nelson Stone **MOVED** and Commissioner Joy Diaz **SECONDED** to CONTINUE T-931 to the 2/26/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 2/26/03.**

**Commissioner Jo Cato abstained from voting on this item due to pending litigation.**

**15) FDP-07-03 (9160) FIFTH & FARM**

An application submitted by Beazer Homes on behalf of Fifth & Farm LLC, property owner, for a Final Development Plan review in a PUD Planned Unit Development District consisting of 344 single family lots. The properties are generally located at the northwest corner of El Campo Grande and Donna Street. Assessor's Parcel Numbers are 124-26-202-006 and 008, 124-26-301-001, 003 and 004, and 124-26-303-001.

**RECOMMENDATION**

The Development Services Department recommends that FDP-07-03 be approved, subject to the following conditions:

1. That the development of this site be subject to all approved conditions of ZN-34-01 and T-941.
2. That the development of this site shall conform to the submitted plans, with amendments mentioned herein; and
3. That perimeter landscape plans shall be submitted in accordance with Title 17 for review and approval by staff prior to the release of the final map.
4. That a revised site plan be submitted prior to the release fo the final map showing the following:
  - a. The required screen wall for the RV parking area, along with decorative wall elevations subject to review and approval by staff.
5. That approval of model home and landscape plans is not implied. The plan review performed herein is for general conformance only.
6. Entry streets on North Fifth Street will be limited to right in right out access unless located 660' from an intersection.
7. A minimum of 5' of landscaping behind the bus turnouts is required to accommodate the future buss stop loading pad.
8. That open space areas shall contain at a minimum, the following subject to review and approval by the Parks and Recreation Department:
  - a. Play equipment age appropriate for 18 months to 5 years old with EPDM safety surface
  - b. Play equipment age appropriate for 5 to 12 years old with EPDM safety surface
  - c. Shade ramadas next to each play equipment site
  - d. A circuitous lighted trail with bollard lighting spaced at 25 candle-foot intervals
  - e. A large open space area for group play
  - f. Picnic tables and barbecues
  - g. Benches along path ways
  - h. Dog run with a hose bib in Unit 2
  - i. 3-hole putting green in Unit 1
  - j. A drinking fountain next to each play equipment site

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.

Vice-Chairman Anita Wood asked the applicant about the basketball court and sitting area, as she does not see it any longer in the project.

Mr. Lewis of Orion Engineering replied that a 3-hole putting green has replaced those items.

Tony Taylor, with the Parks and Recreation Department, stated he felt the 3-hole putting green would be a different approach and would benefit the project.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Jay Aston SECONDED to APPROVE FDP-07-03 per staff's recommendations subject to the following change:

**Condition 8i Changed to Read: "3-hole putting green in Unit 1, *subject to review and approval by the Parks and Recreation Department at a later date.*"**

The motion carried by MAJORITY vote with Vice-Chairman Anita Wood voting against the motion and Commissioner Jo Cato abstaining from voting on this item due to pending litigation.

**The item was APPROVED.**

**16) SPR-03-03 (9124) KENNETH WAGNER**

An application submitted by Kenneth A. Wagner, property owner, for a site plan review in an R-EL Ranch Estates Limited Residential District to allow a single family dwelling on a 5,000 square foot lot. The property is located at 3238 Kemp Street.. The Assessor's Parcel Numbers are 139-08-810-079.

**RECOMMENDATION:**

The Development Services Department recommends that SPR-03-03 be approved with the following conditions:

1. A reversionary map is required to remove the non-parcel lot line prior to issuance of the building permit.
2. A restrictive covenant is required for deferment of the off-site improvements. Contact Mary Griego, Real Property Agent, at 633-2087 for additional information.
3. The applicant shall submit a site plan that conforms to all ordinance requirements, including but not limited to the setback requirements.

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

Kenneth Wagner, 3315 E. Russell Road Suite H-120, Las Vegas, Nevada 89120 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Joy Diaz MOVED and Commissioner Nelson Stone SECONDED to APPROVE SPR-03-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**17) SPR-04-03 (9144) CRAIG/SIMMONS COMMERCIAL CENTER**

An application submitted by Halferty Development Company, LLC, on behalf of Simmons Craig Associates, LP, property owner, for a site plan review in a C-2 General Commercial District to waive Commercial Development Standard requiring a 3' beam or wall to screen parking abutting a public street. The property is generally located at the southwest corner of Simmons Street and Craig Road. The Assessor's Parcel Number is 139-05-302-008.

**RECOMMENDATION**

The Development Services Department recommends that SPR-04-03 be denied because the request does not meet the intent of the Commercial Design Standards.

If however the Planning Commission determines that approval is warranted, the Development Services Department recommends the following condition of approval:

1. That a hedgerow of shrubs shall be planted at the rear of the landscape area and maintained at a minimum height of three feet at maturity to supplement a landscape berm, subject to review and approval by staff.

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

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

Commissioner Marilyn Kirkpatrick MOVED and Vice-Chairman Anita Wood SECONDED to APPROVE SPR-04-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**OLD BUSINESS**

**Item #18 ZN-124-02 and #19 T-970 are related.**

**18) ZN-124-02 (8713) ANN & COMMERCE (Public Hearing)**

An application submitted by World Premier Investments on behalf of Capital City Enterprises, property owner, for reclassification of property from an R-E Ranch Estates District to a PUD Planned Unit Development District consisting of 64 single family dwellings and 3.9 acres of neighborhood commercial. The property is generally located at the southwest corner of Ann Road and Commerce Street. The Assessor's Parcel Number is 124-34-101-015.

**RECOMMENDATION:**

If AMP-35-02 is denied by the City Council, the Development Services Department must recommend that ZN-124-02 be denied because the proposed commercial use would not comply with the Comprehensive Plan.

If AMP-35-02 is approved by the City Council, then the Development Services Department recommends that ZN-124-02 be continued to allow the applicant time to meet with the reviewing departments to address the concerns mentioned above.

If, however, the Planning Commission determines that a favorable action is warranted at this time, the following conditions are recommended:

Residential and Commercial

1. That Standard Conditions 6, 7, 9, 11, 18, 19 and 27 apply; and
2. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
3. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
4. That additional right-of-way dedication is required for the flared intersection at Ann Road and Commerce Street per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.0; and
5. That Fire access lanes and turnarounds must be designed and installed in accordance with Fire Code requirements; and
6. That Fire lane width shall be marked to maintain the minimum width as required by the Fire Code; and
7. That a parcel map is required to create parcels of different land uses; and
8. That the five-foot (5.00') sidewalk along Ann Road be separated from the back-of-curb by a minimum five feet (5.00') of landscaping; and
9. 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
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; and
11. That all conditions mentioned herein be satisfied prior to recording any final map; and

Residential

12. That 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; and
13. That the developer meet jointly with the Departments of Parks and Recreation and Development Services to discuss amenities and usability of the proposed open space areas prior to submitting a final development plan; and
14. That the following minimum amenities be provided for the open space areas:
  - a. circuitous lighted paths; and
  - b. a minimum 20 trees per acre; and
  - c. at least 2 differing age appropriate play structures for children with EPDM resilient fall protection and accompanying shade ramada; and
  - d. at least one large group shade area / gazebo (30' diameter), lighted; and
  - e. benches spaced along park pathways; and
  - f. a list of amenities; and
15. That the residential portion of this development be in compliance with the Single Family Development Standards and Design Guidelines; and
16. That an adequate amount of open space be provided in accordance with Section 17.20.160.12 of the Municipal Code; and
17. 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
18. That lot numbers, sizes (in square feet), and dimensions be provided on the revised preliminary development plan. The minimum lot size shall be 4,500 square feet with a minimum lot width of 45 feet; and
19. That the maximum number of dwelling units permitted within this PUD be 64; and
20. 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
21. That the preliminary development plan be revised to identify ADA-compliant pedestrian access ways between lots 16 and 17, and between the residential and commercial portions of the development. The access ways shall be owned by the homeowners' association, provided with adequate lighting, decorative walls and shall be a minimum fifteen feet in width. Without additional amenities, these areas shall not be counted toward the open space requirements; and
22. That the following setbacks apply:
  - a. Front: Fifteen (15) feet, provided all garages maintain a 20-foot front setback.
  - b. Interior side: Five (5) feet.
  - c. Corner side: Ten (10) feet.
  - d. Rear yard: Fifteen (15); and
23. That a final development plan be submitted for review and approval of the commercial portion by the Planning Commission prior to the issuance of any construction permits. The final development plan shall identify colors, materials and elevations, as well as all amenities and design elements pertaining to the parks, recreation areas and open space; and
24. That a minimum one-third of the required open space area be constructed prior to the issuance of the 20<sup>th</sup> building permit; and

25. That all of the required open space areas be constructed prior to the issuance of the 40<sup>th</sup> building permit; and
26. That the perimeter walls be owned and maintained by the homeowners' association; and
27. That corner side yard landscaping be maintained by the homeowners' association; and
28. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping; and
29. That CC&R's be reviewed and approved by the Development Services Department prior to recording any final map; and
30. 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
31. That open space calculations, including dimensions and square feet, be provided for each individual area on the revised preliminary development plan; and

#### Commercial

32. That the commercial portion of this development be in compliance with the Commercial Development Standards and Design Guidelines; and
33. That the preliminary development plan be revised to identify ADA-compliant pedestrian access from the residential area (generally from the vicinity of lot #16) to the primary entrance of the commercial building; and
34. That a final development plan be submitted for review and approval of the commercial portion by the Planning Commission prior to the issuance of any construction permits. The final development plan shall identify colors, materials and elevations for the drug store/pharmacy; and
35. That the commercial portion of this development be limited to a 15,000-square-foot (maximum) neighborhood drug store / pharmacy. Parking shall not exceed 10% of the minimum number of stalls required; and
36. That the "Plaza" area identified on the submitted plan be re-located toward the interior of the site. Required setback areas shall not be utilized for pedestrian "plaza" areas; and
37. That trash collection, parking lot maintenance and landscape maintenance of the commercial portion only be permitted Mondays - Saturdays, 7:00 am - 8:00 pm.

**Prior to the Planning Commission meeting, the applicant requested the item be continued to the 3/12/03 Planning Commission meeting.**

Chairman Dean Leavitt 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.

Vice-Chairman Anita Wood MOVED and Commissioner Joy Diaz SECONDED to CONTINUE ZN-124-02 to the 3/12/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 3/12/03.**

**Item #18 ZN-124-02 and #19 T-970 are related.**

### **19) T-970 (8714) ANN & COMMERCE**

An application submitted by World Premier Investments, on behalf of Capital City Enterprises, property owner, for a tentative map review in a PUD Planned Unit Development District consisting of 64 single-family dwellings. The property is generally located at the southwest corner of Ann Road and Commerce Street. The Assessor's Parcel Number is 124-34-101-015.

The proposed PUD (ZN-124-02) requires an amendment to the Comprehensive Plan to Neighborhood Commercial for the 3.9±-acre commercial portion located at the southwest corner of Ann Road and Commerce Street. If AMP-35-02 is approved by the City Council on January 15, 2003, then this proposed tentative map could be considered by the Planning Commission. If AMP-35-02 is denied by the City Council, then the submitted tentative map should not be considered at this time because it would leave out approximately 3.9 acres, which may be difficult to develop with single-family homes unless it is incorporated into the overall design of the 14.3±-acre site.

The Clark County School District (CCSD) has concerns with the impact of this development on current and future school capacity issues. The CCSD has requested "that the developer meet with CCSD staff to evaluate impacts of educational facilities in the area as soon as possible and prior to the submission of a tentative map for the project pursuant to NRS 278.346."

Should AMP-35-02 be approved by the City Council, the following concerns should be addressed by the applicant prior to approval of a tentative map for the subject site:

- Pedestrian access should be provided between lots 17 and 18 to facilitate internal pedestrian circulation;
- Lot sizes and dimensions should be provided for each lot. Some of the lots are currently smaller than 4,500 square feet and some are less than 45.00 feet in width;
- The sidewalk adjacent to Ann Road is required to be separated from the back-of-curb by a minimum five feet (5.00') of landscaping;
- Common areas should be identified as such. The Department of Parks and Recreation is recommending that this item be denied for the reasons listed in the attached memorandum;
- Side lot landscaping should be provided on all corner side lots;
- At least one pedestrian access should be provided from the residential to the commercial. The location should be somewhat centrally located (e.g., near lot 16);
- Pedestrian access should be provided at each emergency access location.

Many of the abovementioned items currently are Ordinance requirements and are mentioned for information purposes only. The above list is provided as an example of some of the concerns of the Development Services Department. Additional concerns may be raised during the review of a final development plan, which should be considered simultaneously or prior to approval of this tentative map. Therefore, all required spatial changes (i.e., dimensions, opens space areas, lot configuration, etc.) could be made prior to the tentative map being approved.

### **RECOMMENDATION:**

If ZN-124-02 is recommended for approval by the Planning Commission, then the Development Services Department recommends that T-970 be continued indefinitely to allow the applicant time to meet with the reviewing departments to address the concerns mentioned above.

If, however, the Planning Commission determines that a favorable action is warranted at this time, the

following conditions are recommended:

1. That Standard Conditions 6, 7, 9, 11, 18, 19 and 27 apply; and
2. That ZN-124-02 be approved by the City Council for permanent zoning to the PUD district. Otherwise, T-970 shall be considered null and void; and
3. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
4. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
5. That 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 prior to submittal of the conformed tentative map; and
6. That a water network analysis must be submitted with the civil improvement plans; and
7. That all known geologic hazards shall be shown on the Tentative Map and the Civil Improvement Plans. Subsequent identification of additional hazards may substantially alter the original Tentative Map layout; and
8. That additional right-of-way dedication is required for the flared intersection at Ann Road and Commerce Street per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.0; and
9. That, prior to submitting the conformed tentative map, remove section thickness from the typical street sections. The off-site pavement sections shown on the civil plans will be designed in accordance with Standard Specifications Section 401 using the AASHTO model; and
10. That the areas between lots 63 and 64, 54 and 55, and 41 and 42 shall be labeled and dimensioned; and
11. That all landscape areas and open spaces shall be labeled as "COMMON ELEMENTS TO BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION"; and
12. That the commercial area be labeled as "NOT A PART"; and
13. That 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; and
14. That Fire access lanes and turnarounds must be designed and installed in accordance with Fire Code requirements; and
15. That Fire lane width shall be marked to maintain the minimum width as required by the Fire Code; and
16. That the developer meet jointly with the Departments of Parks and Recreation and Development Services to discuss amenities and usability of the proposed open space areas prior to submitting a final development plan; and
17. That the developer meet with Clark County School District staff to evaluate impacts on educational facilities in the areas as soon as possible and prior to the submission of any conforming tentative map for the project pursuant to NRS 278.346; and
18. That the development of this site be in compliance with all conditions of ZN-124-02. Where there is a conflict with the conditions mentioned herein, the more restrictive shall apply; and
19. That the maximum number of dwelling units permitted within this development be 64; and

20. That five (5) copies of the revised conforming tentative map, incorporating all conditions mentioned herein, be submitted to the Public Works Department prior to the issuance of any construction permits; and
21. That all conditions mentioned herein be satisfied prior to recording any final map.

**Prior to the Planning Commission meeting, the applicant requested the item be continued to the 3/12/03 Planning Commission meeting.**

Commissioner Joy Diaz MOVED and Vice-Chairman Anita Wood SECONDED to CONTINUE T-970 to the 3/12/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 3/12/03.**

**Items # 20, AMP-69-02, #21 ZN-121-02 and #22 T-966 were heard first on this Agenda due to the large number of participants present in the audience who wished to speak on these items.**

**Items #20 AMP-69-02 and #21 ZN-121-02 and #22 T-966 are related.**

**20) AMP-69-02 (8691) ALLEN & LONE MOUNTAIN (Public Hearing)**

An application submitted by Michael H. Helmer on behalf of Church Baptist Homesite, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of VLDR Very Low Density Residential to LDR Low Density Residential. The property is generally located at the southeast corner of Allen Lane and Lone Mountain Road. The Assessor's Parcel Numbers are 139-05-101-004, 139-05-101-005 and 139-05-101-006.

**This item was continued from the 12/11/02 Planning Commission meeting at the request of the applicant.**

**(from the 12/11/02 Planning Commission meeting):**

**RECOMMENDATION:**

The Development Services Department recommends that AMP-69-02 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 2/26/03 Planning Commission meeting.**

Chairman Dean Leavitt opened the Public Hearing. The following participants came forward:

- ▶ Mary Montoya, 4720 Allen Lane, North Las Vegas, Nevada 89031

Ms. Montoya stated she opposes this project and she does not feel it will benefit the neighborhood.

Donna Kristaponis, Development Services Director, stated that normally when an applicant requests a postponement the Planning Commission needs to discuss the merits on whether or not the Commission desires to postpone the item rather than hear the specifics about the case, and the members of the public who wish to speak on this item tonight should inform the Commission whether they are in favor of a postponement or opposed to a postponement, and depending on the Commission's vote on that issue, then the Commission would go forward with the merits of the case.

Chairman Leavitt called the next participant to the podium and advised him to speak only at this time whether he is in favor or opposes the continuance of this item.

Steve Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Mr. Werk stated he opposes the continuance of this item.

Chairman Dean Leavitt asked for the members in the audience who are appearing for these items to stand. He then asked those who were standing to indicate if they are in favor of this item being continued by raising their hand. No hands were raised. He then asked those who were standing who wish to have these items be heard at this meeting to raise their hands. All those who were standing raised their hand.

Donna Kristaponis stated that the applicant should be allowed an opportunity to explain to the Planning Commission the reason for the requested continuance.

Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant. He stated the applicant would like to meet with the residents/neighbors as there were some technical issues regarding the purchase of the property, and is requesting a 30-day continuance.

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to DENY the request to CONTINUE this item.

The motion carried by UNANIMOUS vote and Chairman Leavitt stated this item will be heard at tonight's meeting.

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

Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant and stated the applicant would like to opportunity to meet with the residents/neighbors to this project prior to a decision being made by the Planning Commission.

Chairman Dean Leavitt called the following participants forward to speak:

- ▶ Mary Stacy Montoya, 4720 Allen Lane, North Las Vegas, Nevada 89031

Ms. Montoya stated she has lived in North Las Vegas for 20 years. She stated she opposes this item as she feels the proposed zoning change would not benefit this area.

Gene Mendes, 3405 W. Verde Way, North Las Vegas, Nevada 89031

Mr. Mendes stated he has lived in this area for 6 years and he opposes this project. He feels there are currently problems with the neighborhood and this project would only add to more problems that he does not want to see.

- ▶ Karl Schoneman, 3402 W. Wedo Way, North Las Vegas, Nevada 89031

Mr. Schoneman stated he has lived in this area for 1.5 years and he purchased in this area due to the current zoning and opposes any change to higher density in this area.

- ▶ Joe Gomez, 3640 Wedo Way, North Las Vegas, Nevada 89031

Mr. Gomez stated he opposes this item as he feels it will take away from the beauty of the neighborhood.

- ▶ Carol Gomez, 3640 Wedo Way, North Las Vegas, Nevada 89031

Mrs. Gomez stated she has lived in this area for 11 years and opposes this item. She stated that in the past she and the residents were assured this area would remain on a preservation list and no zone changes would occur in this area.

- ▶ Toni Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Mrs. Werk stated she and her husband have lived in the area for 26 years and they both oppose this item. She would like to see the area remain as is and opposes any zone changes to increase density in the area.

- ▶ Steve Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Mr. Werk stated he opposes this item as he was promised by previous members of the Commission there would not be any other zone changes in this area and he would like to see it remain the way it is currently.

- ▶ Randy Harris, 3218 W. Red Coach Avenue, North Las Vegas, Nevada 89031

Mr. Harris stated the only reason he purchased his house in this area is he was assured by the realtor this is horse property and will remain that way and he does not want to see it change, therefore he opposes this project.

Bobby Lewis, of Orion Engineering, stated the applicant believes he and the residents may come to a mutual decision if they meet to discuss their differences.

Chairman Leavitt closed the Public Hearing.

Vice-Chairman Anita Wood stated if the applicant truly had a desire to meet with the residents this application has been in since November, 2002 and the applicant has had ample time to meet with the residents and has not done so, therefore she does not support a continuance on this item.

Commissioner Marilyn Kirkpatrick stated she lives in this neighborhood and this same type of challenge was addressed on Allen and Washburn and she will stand behind the residents' wishes. She also wanted the residents to understand that it is very possible for a church or a school to come before the Commission in the future and gain approval.

Commissioner Jo Cato stated according to the documents she has reviewed it does not appear the applicant has attempted to contact the residents.

Commissioner Joy Diaz stated she concurs with Commissioner Kirkpatrick's comments regarding the possibility of a church or school coming before the Commissioner in the future and gaining approval.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to DENY AMP-69-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was DENIED.**

**Items #20 AMP-69-02 and #21 ZN-121-02 and #22 T-966 are related.**

**21) ZN-121-02 (8689) ALLEN & LONE MOUNTAIN (Public Hearing)**

An application submitted by Michael H. Helmer on behalf of Church Baptist Homesite, 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 southeast corner of Allen Lane and Lone Mountain Road. The Assessor's Parcel Numbers are 139-05-101-004, 139-05-101-005 and 139-05-101-006.

**This item was continued from the 12/11/02 Planning Commission meeting at the request of the applicant.**

**(from the 12/11/02 Planning Commission meeting):**

**RECOMMENDATION:**

The Development Services Department recommends that ZN-121-02 be **denied** as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

Commissioner Marilyn Kirkpatrick MOVED and Vice-Chairman Anita Wood SECONDED to DENY the request to CONTINUE this item.

The motion carried by UNANIMOUS vote and Chairman Leavitt stated this item will be heard at tonight's meeting.

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

Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant and stated the applicant would like to opportunity to meet with the residents/neighbors to this project prior to a decision being made by the Planning Commission.

Chairman Dean Leavitt called the following participants forward to speak:

- ▶ Mary Stacy Montoya, 4720 Allen Lane, North Las Vegas, Nevada 89031

Ms. Montoya stated she has lived in North Las Vegas for 20 years. She stated she opposes this item as she feels the proposed zoning change would not benefit this area.

Gene Mendes, 3405 W. Verde Way, North Las Vegas, Nevada 89031

Mr. Mendes stated he has lived in this area for 6 years and he opposes this project. He feels there are currently problems with the neighborhood and this project would only add to more problems that he does not want to see.

- ▶ Karl Schoneman, 3402 W. Wedo Way, North Las Vegas, Nevada 89031

Mr. Schoneman stated he has lived in this area for 1.5 years and he purchased in this area due to the current zoning and opposes any change to higher density in this area.

- ▶ Joe Gomez, 3640 Wedo Way, North Las Vegas, Nevada 89031

Mr. Gomez stated he opposes this item as he feels it will take away from the beauty of the neighborhood.

- ▶ Carol Gomez, 3640 Wedo Way, North Las Vegas, Nevada 89031

Mrs. Gomez stated she has lived in this area for 11 years and opposes this item. She stated that in the past she and the residents were assured this area would remain on a preservation list and no zone changes would occur in this area.

- ▶ Toni Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Mrs. Werk stated she and her husband have lived in the area for 26 years and they both oppose this item. She would like to see the area remain as is and opposes any zone changes to increase density in the area.

- ▶ Steve Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Mr. Werk stated he opposes this item as he was promised by previous members of the Commission there would not be any other zone changes in this area and he would like to see it remain the way it is currently.

- ▶ Randy Harris, 3218 W. Red Coach Avenue, North Las Vegas, Nevada 89031

Mr. Harris stated the only reason he purchased his house in this area is he was assured by the realtor this is horse property and will remain that way and he does not want to see it change, therefore he opposes this project.

Bobby Lewis, of Orion Engineering, stated the applicant believes he and the residents may come to a mutual decision if they meet to discuss their differences.

Chairman Leavitt closed the Public Hearing.

Vice-Chairman Anita Wood stated if the applicant truly had a desire to meet with the residents this application has been in since November, 2002 and the applicant has had ample time to meet with the residents and has not done so, therefore she does not support a continuance on this item.

Commissioner Marilyn Kirkpatrick stated she lives in this neighborhood and this same type of challenge was addressed on Allen and Washburn and she will stand behind the residents' wishes. She also wanted the residents to understand that it is very possible for a church or a school to come before the Commission in the future and gain approval.

Commissioner Jo Cato stated according to the documents she has reviewed it does not appear the applicant has attempted to contact the residents.

Commissioner Joy Diaz stated she concurs with Commissioner Kirkpatrick's comments regarding the possibility of a church or school coming before the Commissioner in the future and gaining approval.

Vice-Chairman Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to DENY ZN-121-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was DENIED.**

**Items #20 AMP-69-02 and #21 ZN-121-02 and #22 T-966 are related.**

**22) T-966 (8688) ALLEN & LONE MOUNTAIN**

An application submitted by Michael H. Helmer on behalf of Church Baptist Homesite, property owner, for a tentative map review in an R-E Ranch Estates District (proposed R-1 Single-Family Residential District) consisting of 31 single family dwellings. The property is generally located at the southeast corner of Allen Lane and Lone Mountain Road. The Assessor's Parcel Numbers are 139-05-101-004, 139-05-101-005 and 139-05-101-006.

**This application was continued from the December 11, 2002, Planning Commission meeting at the request of the applicant.**

**(from the 12/11/02 Planning Commission meeting):**

**RECOMMENDATION:**

The Development Services Department recommends that T-966 be **denied** because the subject site is located in an R-E Ranch Estates Preservation District and staff is not supporting the amendment to the Comprehensive Plan for Low Density Residential or the reclassification of the property to the R-1 Single Family Residential District

If, however, the Planning Commission determined that approval of AMP-69-02 and ZN-121-02 were warranted, then the Development Services Department recommends the following conditions of approval:

1. Standard conditions: 11, 17 and 18.
2. That the request (AMP-69-02) to amend the Comprehensive Plan and the request (ZN-121-02) to reclassify the subject site be approved by the City Council. Otherwise, T-966 shall be considered null and void.
3. The development shall comply with the Single Family Design Guidelines including, but not limited to the following:
  - a. Ten (10) feet of landscaping (which may include the sidewalk) shall be provided next to all streets less than 60 feet in width, except where houses are fronting the street.
  - b. Fifteen (15) feet of landscaping (which may include the sidewalk) shall be provided next to Kenny Way.
4. 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.
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. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. Approval of a drainage study is required prior to submittal of the civil improvement plans.
8. 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.
9. Driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer.
10. 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 prior to submittal of the conformed tentative map.

11. The North Las Vegas Traffic Engineer may require minor revisions to the interior streets prior to approval of the civil improvement plans for the project.
12. A water network analysis must be submitted with the civil improvement plans.
13. All known geologic hazards shall be shown on the Tentative Map and the Civil Improvement Plans. Subsequent identification of additional hazards may substantially alter the original Tentative map layout.
14. Additional right-of-way dedication required for the flared intersection at Allen Lane and Lone Mountain Road per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
15. The map shall be revised to show the easements recorded in Book 20010410, Instrument Number 00392 and 00393. Applicant shall apply for a vacation of the easements if they conflict with the proposed layout.
16. 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.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to DENY the request to CONTINUE this item.

The motion carried by UNANIMOUS vote and Chairman Leavitt stated this item will be heard at tonight's meeting.

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

Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant and stated he would like to see DUE PROCESS take place for his client.

Chairman Dean Leavitt called the following participants forward to speak:

- ▶ Mary Stacy Montoya, 4720 Allen Lane, North Las Vegas, Nevada 89031

Ms. Montoya stated she has lived in North Las Vegas for 20 years. She stated she opposes this item as she feels the proposed zoning change would not benefit this area.

Gene Mendes, 3405 W. Verde Way, North Las Vegas, Nevada 89031

Mr. Mendes stated he has lived in this area for 6 years and he opposes this project. He feels there are currently problems with the neighborhood and this project would only add to more problems that he does not want to see.

- ▶ Karl Schoneman, 3402 W. Wedo Way, North Las Vegas, Nevada 89031

Mr. Schoneman stated he has lived in this area for 1.5 years and he purchased in this area due to the current zoning and opposes any change to higher density in this area.

- ▶ Joe Gomez, 3640 Wedo Way, North Las Vegas, Nevada 89031

Mr. Gomez stated he opposes this item as he feels it will take away from the beauty of the neighborhood.

- ▶ Carol Gomez, 3640 Wedo Way, North Las Vegas, Nevada 89031

Mrs. Gomez stated she has lived in this area for 11 years and opposes this item. She stated that in the past she and the residents were assured this area would remain on a preservation list and no zone changes would occur in this area.

- ▶ Toni Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Mrs. Werk stated she and her husband have lived in the area for 26 years and they both oppose this item. She would like to see the area remain as is and opposes any zone changes to increase density in the area.

- ▶ Steve Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Mr. Werk stated he opposes this item as he was promised by previous members of the Commission there would not be any other zone changes in this area and he would like to see it remain the way it is currently.

- ▶ Randy Harris, 3218 W. Red Coach Avenue, North Las Vegas, Nevada 89031

Mr. Harris stated the only reason he purchased his house in this area is he was assured by the realtor this is horse property and will remain that way and he does not want to see it change, therefore he opposes this project.

Bobby Lewis, of Orion Engineering, stated the applicant believes he and the residents may come to a mutual decision if they meet to discuss their differences.

Chairman Leavitt closed the Public Hearing.

Vice-Chairman Anita Wood stated if the applicant truly had a desire to meet with the residents this application has been in since November, 2002 and the applicant has had ample time to meet with the residents and has not done so, therefore she does not support a continuance on this item.

Commissioner Marilyn Kirkpatrick stated she lives in this neighborhood and this same type of challenge was addressed on Allen and Washburn and she will stand behind the residents' wishes. She also wanted the residents to understand that it is very possible for a church or a school to come before the Commission in the future and gain approval.

Commissioner Jo Cato stated according to the documents she has reviewed it does not appear the applicant has attempted to contact the residents.

Commissioner Joy Diaz stated she concurs with Commissioner Kirkpatrick's comments regarding the possibility of a church or school coming before the Commissioner in the future and gaining approval.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to DENY T-966 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was DENIED.**

**Following this item, the Consent Agenda was heard next with the remainder of this Agenda following.**

### **23) T-968 (8708) DONNA & DEER SPRINGS**

An application submitted by Centex Homes on behalf of Rome Bruce LLC, property owner, for a tentative map review in an R-E Ranch Estates District (proposed to an R-1 Single-Family Residential District) consisting of 196 single family dwellings. The property is generally located at the northwest corner of Centennial Parkway and Lawrence Street. The Assessor's Parcel Numbers are 124-23-701-001, 124-23-801-001 and 124-23-301-009.

**This item was continued, at the applicant's request, from the December 11, 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 December 12, 2002. Comments on the revised tentative map have been submitted and are outlined within this memorandum.**

**The revised tentative map is proposing a 203-lot single-family development consisting of lots with a minimum lot size of 6,050 square feet at a density of 4.40 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.**

**The proposed tentative map indicates fifteen (15) feet of perimeter landscaping which includes a five (5) foot sidewalk along Deer Springs Way; twenty (20) feet of perimeter landscaping which includes a five (5) foot meandering sidewalk along Centennial Parkway adjacent to the thirty-eight (38) foot drainage easement; and corner side lot landscaping would be provided.**

**According to the proposed tentative map, three (3) means of access would be provided, one (1) from Bruce Street and two (2) from Rome Boulevard. The interior portion of the development would consist of 48-foot-wide streets.**

**On December 11, 2002, the Planning Commission recommended approval of the reclassification of property (ZN-123-02) for the subject site from an R-E, Ranch Estates District to an R-1, Single-Family Residential District and is scheduled for City Council consideration on January 15, 2003.**

#### **RECOMMENDATION:**

The Development Services Department recommends that T-966 be denied because the subject site is located in an R-E Ranch Estates Preservation District and staff is not supporting the amendment to the Comprehensive Plan for Low Density Residential or the reclassification of the property to the R-1 Single Family Residential District

If, however, the Planning Commission determined that approval of AMP-69-02 and ZN-121-02 were warranted, then the Development Services Department recommends the following conditions of approval:

1. Standard conditions: 11, 17 and 18.
2. That the request (AMP-69-02) to amend the Comprehensive Plan and the request (ZN-121-02) to reclassify the subject site be approved by the City Council. Otherwise, T-966 shall be considered null and void
3. The development shall comply with the Single Family Design Guidelines including, but not limited to the following:
  - a. Ten (10) feet of landscaping (which may include the sidewalk) shall be provided next to all streets less than 60 feet in width, except where houses are fronting the street.
  - b. Fifteen (15) feet of landscaping (which may include the sidewalk) shall be provided next to Kenny Way.

4. 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.
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. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. Approval of a drainage study is required prior to submittal of the civil improvement plans.
8. 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.
9. Driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer.
10. 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 prior to submittal of the conformed tentative map.
11. The North Las Vegas Traffic Engineer may require minor revisions to the interior streets prior to approval of the civil improvement plans for the project.
12. A water network analysis must be submitted with the civil improvement plans.
13. All known geologic hazards shall be shown on the Tentative Map and the Civil Improvement Plans. Subsequent identification of additional hazards may substantially alter the original Tentative map layout.
14. Additional right-of-way dedication required for the flared intersection at Allen Lane and Lone Mountain Road per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
15. The map shall be revised to show the easements recorded in Book 20010410, Instrument Number 00392 and 00393. Applicant shall apply for a vacation of the easements if they conflict with the proposed layout.
16. 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.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 2/26/03 Planning Commission meeting.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to CONTINUE T-968 to the 2/26/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 2/26/03**

**Items #24 AMP-01-03 and #25 ZN-01-03 are related.**

**24) AMP-01-03 (9011) ANN/FERRELL (Public Hearing)**

An application submitted by Allen and Diana Cheung on behalf of Bing Fee Chao and the Allen and Diana Cheung Living Trust, property owners, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to Neighborhood Commercial. The property is generally located north of Ann Road and approximately 332 feet west of Ferrell Street. The Assessor's Parcel Number is 124-29-401-007.

**These items were originally heard at the January 8, 2003 Planning Commission meeting and continued at the request of the applicant. At the meeting of January 8, 2003, the applicant requested that the property reclassification request be changed from R-E, Ranch Estates, to CP, Professional Office, rather than the originally requested R-E, Ranch Estates, to C-1, Neighborhood Commercial. The applicant has not submitted any new information nor have different circumstances been presented that would warrant a different recommendation.**

**Therefore, staff's recommendation of denial for both applications still stands.**

The application was presented by Vicki Adams, Planner, on behalf of staff who indicated staff is recommending approval of this item following requested amendments to the application by the applicant.

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

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

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to APPROVE AMP-01-03 per staff's recommendations with the modification that it be changed to OFFICE.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #24 AMP-01-03 and #25 ZN-01-03 are related.**

**25) ZN-01-03 (9010) ANN/FERRELL (Public Hearing)**

An application submitted by Allen and Diana Cheung on behalf of Bing Fee Chao and the Allen and Diana Cheung Living Trust, property owners, for reclassification of property from an R-E Ranch Estates District to a C-1 Neighborhood Commercial District. The property is generally located north of Ann Road and approximately 332 feet west of Ferrell Street. The Assessor's Parcel Number is 124-29-401-007.

**These items were originally heard at the January 8, 2003 Planning Commission meeting and continued at the request of the applicant. At the meeting of January 8, 2003, the applicant requested that the property reclassification request be changed from R-E, Ranch Estates, to CP, Professional Office, rather than the originally requested R-E, Ranch Estates, to C-1, Neighborhood Commercial. The applicant has not submitted any new information nor have different circumstances been presented that would warrant a different recommendation.**

**Therefore, staff's recommendation of denial for both applications still stands.**

The application was presented by Vicki Adams, Planner, on behalf of staff who indicated staff is recommending approval of this item following requested amendments to the application by the applicant.

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

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

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to APPROVE ZN-01-03 per staff's recommendations with the modification that it be changed to from R-E to C-P.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #26 AMP-02-03 was trailed to be heard following Item #27 T-972.**

**26) AMP-02-03 (9012) WESTWIND (Public Hearing)**

An application submitted by Signature Homes on behalf of Plaster Development Co., Inc., property owner, for an Amendment to the Master Plan of Streets and Highways, to change the alignment of San Mateo Street commencing approximately 400 feet south of Horse Drive and proceeding south approximately 1,000 feet and to change the alignment of Racel Street commencing at Valley Drive and proceeding west approximately 1,760 feet. In addition, the applicant is requesting to amend the street width of Grand Teton Drive between Decatur Boulevard and Valley Drive from 100 feet to 96 feet and amend the street width of Valley Drive between Grand Teton Drive and Horse Drive from 80 feet to 68 feet. The Assessor's Parcel Numbers are 124-07-401-005, 124-07-401-006, 124-07-401-007, 124-07-301-011, 124-07-301-012 and 124-07-301-003.

**This application was continued from the January 8<sup>th</sup> Planning Commission meeting.**

**RECOMMENDATION:**

The Development Services Department recommends that AMP-02-03 be **denied** because the applicant has not demonstrated any compelling reasons or justification for the proposed amendment.

**After Item #27 T-972 was heard, Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, Nevada 89109 requested this item be WITHDRAWN without prejudice.**

**The item was WITHDRAWN.**

**Item #28 SPR-02-03 was heard following Item #26 AMP-02-03.**

**Item #27 T-972 was heard following Item #25 ZN-01-03, before Item #26 AMP-02-03 was heard.**

**27) T-972 (9014) WESTWIND**

An application submitted by Signature Homes on behalf of Plaster Development Co., property owner, for a tentative map review in an O-L Open Land District (proposed R-1 Single-Family Residential) for 547 single family dwellings. The property is generally located at the southwest corner of Valley Drive and Horse Drive. The Assessor's Parcel Numbers are 124-07-401-005, 124-07-401-006, 124-07-401-007, 124-07-301-002, 124-07-301-003, 124-07-301-011 and 124-07-301-012.

This application was continued from the January 8<sup>th</sup> Planning Commission meeting. The applicant had submitted revised plans on January 7<sup>th</sup>, and the revised plans are attached hereto.

According to the revised plans, the subdivision design still does not meet the City's traffic calming requirements. Either a curvilinear street configuration, or some other form of traffic calming approved by the City Traffic Engineer, is required for every 500 linear feet of street section.

Based on discussions at the January 8<sup>th</sup> Planning Commission meeting, the Development Services Department has agreed to amend the previously-recommended condition #14 to read as follows:

#14. That no certificate of occupancy will be granted for a residential unit within the development until after Fire Station 56 is in operation, unless otherwise approved by the CNLV Fire Chief; and

It was also discussed that one additional condition would be added if the tentative map were approved:

#28. That the street sections and the linear trail elements for Grand Teton and Valley Drive shall conform to those approved for the Aliante Master Planned Community.

However, since the curvilinear design issue has not been resolved, the Development Services Department cannot provide a favorable recommendation at this time.

**RECOMMENDATION:**

The Development Services Department recommends that T-972 be approved subject to the following conditions:

1. That Standard Conditions 4, 6, 11, 18, 19, 22, 24, 27 and 30 apply; and
2. The applicant has a pending rezoning application (ZN-02-03) 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; and
3. That approval of a traffic study with modeling of 20 year projections 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 a water network analysis must be submitted with the civil improvement plans; and
6. That all known geologic hazards shall be shown on the tentative map and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original tentative map layout; and
7. That 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 prior to submittal of the conformed tentative map; and
8. That the tentative map must be revised to reflect the City of North Las Vegas as the water purveyor, not the Las Vegas Valley Water District; and

9. That if AMP-02-03 is not approved, the site shall be revised to conform to the Master Plan of Streets and Highways; and
10. That the following right of way dedications are required:
  1. Flared intersection at Horse and Valley and at Grand Teton and Decatur per the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1.
  2. Bus turn out on Grand Teton west of Valley.
  3. Horse, San Mateo, Racel, Valley, Decatur and Grand Teton, widths as delineated on the Master Plan of Streets and Highways; and
11. That if AMP-02-03 is approved, the applicant shall apply for a vacation of the excess portions of Valley Drive right of way; and
12. That the property owner must grant a pedestrian access easement for the portions of the sidewalk outside of the right of way prior to approval of the civil improvement plans; and
13. That the applicant shall be responsible for determining building height restrictions on lots located adjacent to the model airplane field. Coordinate inquiries through Tony Taylor at the North Las Vegas Parks and Recreation Department; and
14. That the developer shall provide an avigation easement prior to the recordation of the final map. Contact Mary Griego, Real Property Agent, at 633-2087 for additional information; and
15. Revise internal street intersections to be radial with the intersecting curves; and
16. Revise the layout to remove offset intersections at Red Abelia Street, Trailing Indigo Avenue and Yellow Thorn Street; and
17. Revise the layout to incorporate the 16' northerly shift of the centerline of Grand Teton. The developer will be required to build the 64' wide roadway improvements adjacent to the site; and
18. That no certificate of occupancy will be granted for a residential unit within the development until after Fire Station 56 is in operation, or until after the completion of an alternative protection arrangement that is subject to approval by the CNLV Fire Chief; and
19. That a minimum of two remote paved means of access within the corporate limits of the City of North Las Vegas shall be provided from existing streets and infrastructure to the proposed site; and
20. That 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; and
21. That the development comply with the Single Family Development Standards and Design Guidelines including, but not limited to:
  - a. That interior 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
  - b. Corner side lot landscape areas shall be maintained by the homeowners' association; and
  - c. Perimeter landscaping shall be designated as "Common Elements" and shall be owned and maintained by the homeowners' association; and
22. That the perimeter walls be owned and maintained by the homeowners' association; and
23. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping; and
24. That CC&R's be reviewed and approved by the Development Services Department prior to recording any final map; and

25. 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
26. 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
27. That five (5) copies the conforming tentative map, incorporating all conditions mentioned herein, be submitted to the Department of Public Works prior to the issuance of any construction permits; and
28. That the street sections and the linear trail elements for Grand Teton and Valley Drive shall conform to those approved for the Aliante Master Planned Community.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated this item was continued from the last meeting due to concerns staff had with regard to the design of the Tentative Map as well as other concerns addressed by the Public Works Department. He stated staff has reviewed that plan and it incorporates all of staff's concerns, therefore staff is recommending this item be approved subject to the following change: **Condition #17 Changed to Read: "The final right-of-way alignment for Grand Teton is subject to approval by the City Traffic Engineer."**

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant who stated he concurs with staff's recommendations, however, with regard to Condition #21b, he would like to have it changed to read: **#21b. Corner side lot landscape areas shall be maintained by the homeowners.**

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to APPROVE T-972 per staff's recommendations subject to the following changes:

**Condition #17 Changed to Read: "The final right-of-way alignment for Grand Teton is subject to approval by the City Traffic Engineer."**

**Condition #21b Changed to Read: "Corner side-lot landscaping shall be maintained by the homeowner."**

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #26 AMP-02-03 was heard next.**

An application submitted by Prologis Trust, property owner, for a site plan review in an M-2 General Industrial District for buildings 6A and 6B. The property is located at 4150 Industrial Center Drive. The Assessor's Parcel Number is 139-01-801-002.

**This item was continued from the January 8, 2003, Planning Commission meeting at the request of the applicant to allow staff time to review a request to waive certain requirements from the Industrial Development Standards submitted by the applicant on January 7, 2003.**

**The request is to waive the screening requirement for parking and loading areas adjacent to public ways; a reduction in the setback for parking adjacent to public ways from 20 feet to 10 feet; and to waive the landscape islands required to be provided for every 15 parking spaces.**

**(from the 1/8/03 Planning Commission meeting):**

**RECOMMENDATION:**

The Development Services Department recommends that SPR-02-03 be approved with the following conditions:

1. That the development shall comply with all applicable codes and ordinances.
2. The development shall comply with Commercial Development Design Standards, including, but not limited to the following:
  - a. Loading and/or storage area which abuts a public street shall be screened by decorative walls or landscaped berms with a minimum height of 6 feet above the finished grade at the rear of the set back area.
  - b. Any area of a parking lot or loading area or storage areas which abuts a public street shall be setback from the property line a minimum of 20 feet.
  - c. Sidewalks must be provided along any facade featuring a customer entrance and along any facade featuring a customer entrance which exits into a parking area or travel lane. Such sidewalks shall be located at least six feet from the facade of the building to provide planting beds for foundation landscaping.
  - d. A six-foot-wide landscaped island shall be required within each parking row for every 15 parking spaces contained within a row, and the end of each row.
3. Fire access lanes shall be designed and installed in accordance with Fire Code requirements. Lane width and turning radii equal or greater than the minimum requirements set forth in the Fire Code for commercial developments.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Applicant must abide by all conditions of the approved traffic study including the cost participation for traffic signals. The cost participation for this project is now due. Contact Sonya Spears, Management Analyst, at 633-1975 for additional information.
6. A reversionary or merger and resubdivision parcel map is required to remove existing parcel lines that bisect the site.

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

Kurt Fuller, of Prologis, 47775 Fremont Boulevard, Fremont, California 94538 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE SPR-02-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**29) UN-05-03 (9017) RINKERTON CONCRETE BATCH PLANT (Public Hearing)**

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a PUD MPC Planned Unit Development Master Planned Community District to allow a temporary concrete batch plant. The property is generally located approximately 720 feet south of Elkhorn Drive and approximately 1,176 feet east of Simmons Street. The Assessor's Parcel Number is 124-17-501-001.

**This item was continued from the January 8<sup>th</sup>, Planning Commission Meeting at the applicant's request.**

**(from the 1/8/03 Planning Commission meeting):**

**RECOMMENDATION**

The Development Services Department recommends that UN-05-03 be approved subject to the following conditions:

1. Standard Conditions: 10, 11 and 12.
2. That the hours of operation be limited from 7:00 a.m. to dusk Monday through Friday.
3. That batching operation shall be limited to meet only the needs of the ongoing construction within the limits of the Aliante Master Planned Community.
4. That in no instance shall materials produced or "batched" at the site be exported for use outside of the Aliante Master Planned Community other than materials to be used for offsite improvements as are/or may be required.
5. That the batch plant shall be operated in conformance with Clark County air quality standards, and that all necessary air quality and dust mitigation permits shall be secured prior to commencing of any operation.
6. That UN-05-03 shall be valid for a period of one (1) year and expire on January 08, 2004 at which time the use shall cease, and the area shall be cleared and reverted back to its original state or developed with those uses permitted by ZN-105-02; and that extensions of time may be granted for a period of not more than one (1) year each.
7. That driveways shall be paved with asphaltic concrete pavement at a minimum width of 32 feet.
8. That the drive on Elkhorn Road must conform to the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 225.

**Prior to the Planning Commission meeting, the applicant requested the item be continued to the 2/12/03 Planning Commission meeting.**

Chairman Dean Leavitt 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.

Vice-Chairman Anita Wood MOVED and Commissioner Jo Cato SECONDED to CONTINUE UN-05-03 to the 2/12/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 2/12/03.**

**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:** 10:15 PM

A motion to ADJOURN the January 22, 2003 meeting of the Planning Commission of the City of North Las Vegas was made by Chairman Dean Leavitt. Vice-Chairman Anita Wood SECONDED the motion.

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Dean Leavitt, Chairman

**ATTEST:**

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Ted Karant, Recording Secretary