

# 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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Planning Commission MINUTES are available on the internet at:

[www.cityofnorthlasvegas.com](http://www.cityofnorthlasvegas.com)

## February 26, 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:

Steve Baxter, Planning Manager  
Marc Jordan, Principal Planner  
Chris Melendrez, 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

Chairman Dean Leavitt

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

# **CONSENT AGENDA**

## **A) PW-29-03 (9733) GRAVES MINI STORAGE**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Insurance Company of the West to release the Subdivision Bond in the amount of \$223,304.00.

## **B) PW-30-03 (9734) MARAVILLA OFFSITES**

Approve the Subdivision Off-Site Improvements Agreement by Maravilla, LLC and accept the Subdivision Bond in the amount of \$219,125.00.

## **C) PW-31-03 (9735) CHEYENNE COMMERCE CENTER III**

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

## **D) PW-32-03 (9736) LOSEE ROAD HALF-STREET IMPROVEMENTS**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Western Insurance Company to release the Offsite Improvements Bond in the amount of \$72,962.00.

## **E) PW-33-03 (9737) HIGHLAND HILLS 5**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify American Motorists Insurance Company to release the Subdivision Bond in the amount of \$482,816.00.

## **F) PW-34-03 (9738) CAREY ESTATES, UNIT 1**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Insurance Company of the West to release the Subdivision Bond in the amount of \$419,167.00.

## **G) PW-23-03 (9554) CENTENNIAL BRUCE EAST 40 ACRES, UNIT 2**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by William Lyon Homes, Inc. and accept the Subdivision Bond in the amount of \$269,142.34.

## **H) PW-25-03 (9603) MARAVILLA, UNIT 1**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Maravilla LLC and accept the Subdivision Bond in the amount of \$1,165,446.70.

## **I) PW-35-03 (9850) FINAL MAP FOR ANN MARKETPLACE**

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

Commissioner Joy Diaz MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE Consent Agenda Items A through H.

The motion carried by UNANIMOUS vote.

Commissioner Joy Diaz MOVED and Commissioner Nelson Stone SECONDED to APPROVE Consent Agenda Items "I."

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

## **NEW BUSINESS**

Vice-Chairman Anita Wood abstained from voting on this item due to a business interest.

Item #1 AMP-06-03 and #2 ZN-09-03 are related.

### **1) AMP-06-03 (9447) TIMBERS CENTER (Public Hearing)**

An application submitted by ABD Properties, LLC on behalf of Kenyon, LP, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Office to Neighborhood Commercial. The property is generally located east of Simmons Street and approximately 630 feet north of Ann Road. The Assessor's Parcel Number is 124-29-801-002.

### **RECOMMENDATION:**

The Development Services Department recommends that AMP-06-03 be **denied** as the subject site does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 3/26/03 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.

Commissioner Joy Diaz MOVED and Commissioner Nelson Stone SECONDED to CONTINUE AMP-06-03 to the 3/26/03 Planning Commission meeting.

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

**The item was CONTINUED to 3/26/03.**

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

**Item #1 AMP-06-03 and #2 ZN-09-03 are related.**

**2) ZN-09-03 (9448) TIMBERS CENTER (Public Hearing)**

An application submitted by ABD Properties LLC on behalf of Kenyon, LP, property owner, for reclassification of property from a C-P Professional Office Commercial District to a C-1 Neighborhood Commercial District. The property is generally located east of Simmons Street and approximately 630 feet north of Ann Road. The Assessor's Parcel Number is 124-29-801-002.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-09-03 be **denied** as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 3/26/03 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.

Commissioner Joy Diaz MOVED and Commissioner Nelson Stone SECONDED to CONTINUE ZN-09-03 to the 3/26/03 Planning Commission meeting.

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

**The item was CONTINUED to 3/26/03.**

**Item #3 AMP-07-03, #4 ZN-10-03 and #5 T-981 are related.**

**3) AMP-07-03 (9451) NORTH MESA ESTATES (Public Hearing)**

An application submitted by RL Homes on behalf of the Joan L. Miller 1993 Trust, the Hipwell 1990 Trust, and Julia Carter, property owners, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Office to MDR Medium Density Residential. The property is generally located at the northeast corner of Alexander Road and Scott Robinson Boulevard. The Assessor's Parcel Numbers are 139-04-410-016, 139-04-410-017, 139-04-410-018, 139-04-410-019, 139-04-410-020, 139-04-410-021, and 139-04-410-022.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-07-03 be **approved** as the proposed plan amendment meets the standards established in the Comprehensive Plan.

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

Jennifer Lazovich, of KKB&R, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant who stated she 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-07-03 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

**The item was APPROVED.**

**Item #3 AMP-07-03, #4 ZN-10-03 and #5 T-981 are related.**

**4) ZN-10-03 (9450) NORTH MESA ESTATES (Public Hearing)**

An application submitted by RL Homes on behalf of the Joan L. Miller 1993 Trust, the Hipwell 1990 Trust, and Julia Carter, property owners, for reclassification of property from an R-1 Single-Family Residential District to a PUD Planned Unit Development District consisting of 70 single family dwellings. The property is generally located at the northeast corner of Alexander Road and Scott Robinson Boulevard. The Assessor's Parcel Numbers are 139-04-410-016, 139-04-410-017, 139-04-410-018, 139-04-410-019, 139-04-410-020, 139-04-410-021, and 139-04-410-022.

**RECOMMENDATION**

The Development Services Department recommends that ZN-10-03 be **approved** with the following conditions and forwarded to the City Council for hard zoning to the Planned Unit Development (PUD) district:

1. Standard Conditions: 9, 11, 15, 17, 18, 27, 32.
2. Approval of a traffic study including a queuing analysis is required prior to submittal of the civil improvement plans.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. A water network analysis must be submitted with the civil improvement plans.
5. Parking on the 37' wide interior private streets will be limited to one side of the street.
6. The property owner shall dedicate 32.5' of right of way for Scott Robinson Boulevard.
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. Fire access lane width shall be maintained in accordance with Fire Code requirements.
9. Gates installed across fire access lanes shall be electric with AVI loop activation in accordance with Fire Code requirements.
10. Fire hydrants shall be provided in accordance with Fire Code requirements.
11. Development of the subject site shall not exceed 68 detached single-family dwelling units; and
12. The minimum lot size shall be 4,500 square feet with a minimum lot width of 40 feet.
13. The open space requirements of 48,878 square feet must be met. The areas less than 900 square feet at the ends of streets "D," "E," and "F" shall not be included in the open space calculations.
14. The development shall comply with all Single Family Design Standards with the following exceptions:
  - a.) Perimeter landscaping along Coralie Avenue, Scott Robinson Boulevard and Alexander Road must be a minimum of six (6) feet in width, not including the sidewalk, with tree wells spaced at 45 feet on center;
  - b.) 24-inch box trees, spaced 45 feet on center, must be provided in tree wells along all perimeter streets;
  - c.) One (1) 15 gallon tree must be provided between each 24-inch box tree along all perimeter streets;

- d.) Corner side lot landscaping a minimum of five (5) feet in width, not including the sidewalk, must be provided next to Lots 18 and 39.
15. 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.
16. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping; and
17. 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
  - h. All Open Space amenities are to be ADA accessible.
18. Measures to achieve noise level reduction of 25 decibels from outdoor to indoor must be incorporated into the design and construction of the homes.
19. The issuance of a noise disclosure statement to each purchaser of each residential unit in the proposed development.
20. 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
21. 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.

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

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

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 ZN-10-03 per staff's recommendations subject to the following changes:

**Condition #12 Changed to Read:** "The minimum lot size shall be 4,500 square feet with a minimum lot width of **45 feet, except for lot 15 which may be 40 feet in width.**"

**Condition #13 Changed to Read:** "The open space requirements of 48,878 square feet must be met." The areas less than 900 square feet at the ends of streets "D," "E," and "F" shall not be included in the open space calculations.

**Condition #17e Changed to Read:** "One large group shade area/gazebo (30' diameter), lighted; **or an equivalent as approved by the Parks and Recreation Department.**"

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #3 AMP-07-03, #4 ZN-10-03 and #5 T-981 are related.**

**5) T-981 (9449) NORTH MESA ESTATES**

An application submitted by RL Homes on behalf of the Joan L. Miller 1993 Trust, the Hipwell 1990 Trust, and Julia Carter, property owners, for a tentative map review in an R-1 Single-Family Residential District (proposed property reclassification to PUD) consisting of 70 single-family dwellings. The property is generally located at the northeast corner of Alexander Road and Scott Robinson Boulevard. The Assessor's Parcel Numbers are 139-04-410-016, 139-04-410-017, 139-04-410-018, 139-04-410-019, 139-04-410-020, 139-04-410-021, and 139-04-410-022.

**RECOMMENDATION**

The Development Services Department recommends that T-981 be **approved** with the following conditions of approval:

1. This tentative map (T-981) shall become null and void if City Council approval is not granted for AMP-07-03 and ZN-10-03;
2. All conditions of approval for ZN-10-03 shall apply;
3. Approval of a traffic study including a queuing analysis is required prior to submittal of the civil improvement plans.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. A water network analysis must be submitted with the civil improvement plans.
6. Parking on the 37' wide interior private streets will be limited to one side of the street.
7. The property owner shall dedicate 32.5' of right of way for Scott Robinson Boulevard.
8. 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.
9. Fire access lane width shall be maintained in accordance with Fire Code requirements.
10. Gates installed across fire access lanes shall be electric with AVI loop activation in accordance with Fire Code requirements.
11. Fire hydrants shall be provided in accordance with Fire Code requirements.
12. 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
  - h. All Open Space amenities are to be ADA accessible.
3. 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.

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

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

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

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to APPROVE T-981 per staff's recommendations subject to the following change:

**Condition #12e Changed to Read:** "One large group shade area/gazebo (30' diameter), lighted; **or an equivalent as approved by the Parks and Recreation Department.**"

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #6 ZN-11-03 and #7 ZN-12-03 are related.**

**6) ZN-11-03 (9452) NORTH VALLEY ENTERPRISES (Public Hearing)**

An application submitted by North Valley Enterprises, property owner, for reclassification of property from an MPC, Master Planned Community District to a PSP MPC Public/Semi-Public Master Planned Community District. The property is located approximately 961 feet east of Simmons Street and north of Elkhorn Road. The Assessor's Parcel Number is 124-17-501-001.

**RECOMMENDATION**

The Development Services Department recommends that ZN-11-03 be **approved**.

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

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.

Vice-Chairman Anita Wood **MOVED** and Commissioner Jo Cato **SECONDED** to **APPROVE** ZN-11-03 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

**The item was APPROVED.**

**Item #6 ZN-11-03 and #7 ZN-12-03 are related.**

**7) ZN-12-03 (9453) NORTH VALLEY ENTERPRISES (Public Hearing)**

An application submitted by North Valley Enterprises, property owner, for reclassification of property from an MPC, Master Planned Community District to a PSP MPC Public/Semi-Public Master Planned Community District. The property is located approximately 350 feet east of Simmons Street and north of Elkhorn Road. The Assessor's Parcel Number is 124-17-501-001.

**RECOMMENDATION**

The Development Services Department recommends that ZN-12-03 be **approved**.

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

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 Jay Aston MOVED and Commissioner Joy Diaz SECONDED to APPROVE ZN-12-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

### **8) ZN-08-97 (9445) CHEYENNE & SIMMONS (Public Hearing)**

An application submitted by C. P. Development, property owner, for an amendment to a previously approved PUD Planned Unit Development District to allow the development of single-story mini-warehouse buildings where retail commercial was originally designated. The property is generally located at the northwest corner of Simmons Street and Cheyenne Avenue. The Assessor's Parcel Number is 139-08-402-009.

#### **RECOMMENDATION:**

The Development Services Department recommends that ZN-08-97 be **amended** to allow a mini-warehousing facility subject to the following conditions:

1. That the site plan must be revised to relocate the entry drive to 660' from the intersection of Simmons Street; and
2. That a traffic study update is required prior to submittal of the civil improvement plans; and
3. That Fire access lanes shall have turning radii and widths designed and installed in accordance with Fire Code requirements; and
4. That Parcel E (northwest corner of Cheyenne Avenue and Simmons Street) be allowed to contain a self-storage mini-warehousing facility subject to the following:
  - a. That the facility shall be located at the northwest portion of Parcel E; and
  - b. That the facility shall be single-story with a maximum height of 9'-6"; and
  - c. That the facility shall not exceed 170 units, provided that adequate on-site parking and circulation satisfies the Fire Code and the Zoning Ordinance; and
  - d. That on-site lighting shall be provided in accordance with the Zoning Ordinance. Lighting fixtures shall be attached to the buildings and directed downward. The height of the lighting fixtures shall not exceed the height of the building; and
  - e. That a minimum one additional trash enclosure shall be provided. The trash enclosure shall be generally located in the northwest corner of the facility. The trash enclosures shall be designed in accordance with the standards set forth in Resolution #1925 (ZN-08-97); and
  - f. That the exterior finish of the structures shall be 7/8" cement plaster on 1/2" exterior sheathing and designed as identified on the submitted elevation drawings; and
  - g. That the buildings shall be located as near to the north and west property lines as practical; and
  - h. That the existing block wall and new block wall sections around the perimeter of the facility shall be "capped" in accordance with applicable building codes; and
  - i. That a six-foot (6.00') decorative block wall be provided along the south and east property lines. The wall shall be set back a minimum five feet (5.00') from the adjacent parking lot/drive aisles and shall be grey split-face CMU; and
  - j. That a minimum five feet (5.00') of landscaping be provided between the block wall and the adjacent parking lot/drive aisles. Landscaping shall be provided in accordance with the standards set forth in Resolution #1925 (ZN-08-97); and
  - k. That all access ways from Cheyenne Avenue and/or Simmons Street be paved in accordance with the NLV Municipal Code; and

- l. That the facility shall not exceed 1.75 net acres; and
  - m. That the entry/exit gates be constructed with wrought iron and an opaque screen mesh backing. The gates shall be painted to match the facility; and
- 5. That approval of the overall site design of Parcel E is not implied; and
  - 6. That all applicable previously approved conditions of ZN-08-97 apply. Where there is a conflict with the conditions stated herein, the more restrictive shall apply.

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

Bill Curran, of Curran & Parry, 300 S. 4<sup>th</sup> Street, Suite 1201, Las Vegas, Nevada 89101 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:

- ▶ Eugene Edwards, 3601 W. Diamond Spur Avenue, North Las Vegas, Nevada 89032

Mr. Edwards stated he opposes this project as he does not care to have commercial that close to his house.

Chairman Leavitt closed the Public Hearing.

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to APPROVE ZN-08-97 per staff's recommendations subject to the following change:

**Condition #4b Changed to Read:** "That the facility shall be single-story with a maximum height of **10 feet**"; and

**Condition #4f Changed to Read:** "That the exterior finish of the structures shall **consist of textured paint subject to review and approval by staff.**"

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**9) T-980 (9444) VILLAS AT CHEYENNE**

An application submitted by Villas at Cheyenne, Inc., property owner, for a tentative map review in a PUD Planned Unit Development (R-3) consisting of 368 condominium units. The property is located at 3260 Fountain Falls Way. The Assessor's Parcel Number is 139-08-402-006.

**RECOMMENDATION:**

The Development Services Department recommends that T-980 be **approved** subject to the following conditions:

1. That the total number of units for this development not exceed 368. There shall be no deletion of any on-site amenities or parking stalls; and
2. That any significant change to the site shall require an amendment to the Planned Unit Development (ZN-08-97) and a new final development plan; and
3. Prior to submitting the conformed tentative map, the applicant shall revise the map to include the following information:
  1. Dimensions of each unit including the square footage;
  2. Balcony location and size;
  3. Common elements;
  4. Name and address of the record owners;
  5. Adjacent subdivisions, including the lot and block numbers.
4. The property owner must grant a pedestrian access easement for the portions of the sidewalk outside of the public right of way and an encroachment permit for landscaping in the public right of way. Contact Mary Griego, Real Property Agent, at 633-2087 for additional information.
5. All cost participation agreements must be paid in full. Contact Clete Kus, Transportation Planner, at 633-1235 for additional information.

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

Allen Nielsen, 2900 S. Rancho Drive, Suite 202, Las Vegas, Nevada 89102 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to APPROVE T-980 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**10) UN-09-03 (9388) MARGUERITA SPEED (Public Hearing)**

An application submitted by Marguerita Speed on behalf of Jesus A Yanes, property owner, for a use permit in an R-1 Single Family Residential District to allow a child care facility (group home, up to 12 children). The property is located at 3120 Fontana Colony Court. The Assessor's Parcel Number is 139-05-112-033.

**RECOMMENDATION:**

The Development Services Department recommends that UN-09-03 be **approved** subject to the following conditions:

1. The proposed child care facility shall comply with the State licensing requirements for a Day Care Facility - Group Home; and
2. The applicant shall obtain written permission for the proposed day care facility from the Homeowner's Association prior to application for a state license.

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

**The item was WITHDRAWN.**

**11) UN-11-03 (9440) MISSION INDUSTRIES (Public Hearing)**

An application submitted by Jon Martens, A.I.A., on behalf of Mission Nevada, Inc., property owner, for a use permit in an M-2 General Industrial District to allow a commercial laundry facility. The property is located at 225 West Carey Avenue. The Assessor's Parcel Number is 139-22-501-004.

**RECOMMENDATION:**

The Development Services Department recommends that UN-11-03 be **approved** subject to the following conditions:

1. That a traffic study for the entire site is required; and
2. That the development of this site shall be in compliance with the Industrial Development Standards and Design Guidelines, including but not limited to the following:
  - a. That a wainscot be provided around the new building. The wainscot shall be a minimum 10 feet in height from the top of the foundation and shall be split-face CMU blocks painted to match the submitted elevation drawings; and
  - b. That the upper portions of the building may be smooth-face CMU blocks painted to match the submitted elevation drawings; and
  - c. That I.C.I. Custom Liberty Red be permitted as an accent color only, subject to review and approval by staff; and
3. That parking be prohibited on unpaved surfaces. All unpaved areas shall be separated from paved surfaces by wheel-stops, landscape boulders, railroad ties, L-curbs or other approved method, subject to review and approval by staff during the building permit application process; and
4. That all buildings within the Mission Industries campus shall be of a uniform design theme and colors.

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

John Martens, 5230 N. 16<sup>th</sup> Street, Phoenix, Arizona 85016 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 UN-11-03 per staff's recommendations subject to the following change:

**Delete Condition #1.**

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**12) SPR-07-03 (9413) PAWN PLUS**

An application submitted by the Herche Miller Trust, property owner, for a site plan review in an M-2 General Industrial District to allow a waiver of the Sign Ordinance. The applicant is requesting a sign height of 28 feet, where the maximum allowable height is 18 feet. The property is located at 2820 East Craig Road. The Assessor's Parcel Number is 139-01-201-016.

**RECOMMENDATION**

The Development Services Department recommends that SPR-07-03 be **denied**.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 3/26/03 Planning Commission meeting.

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to CONTINUE SPR-07-03 to the 3/26/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 3/26/03.**

**13) T-862 (9418) STARWOOD**

An application submitted by Luxury Homes LLC., property owners, for an extension of time on a tentative map review in an R-1 Single-Family Residential District.. The property is generally located at the northeast corner of Martin Luther King Boulevard and Cartier Avenue. The Assessor's Parcel Number is 139-16-701-008.

**RECOMMENDATION:**

The Development Services Department recommends that the tentative map (T-862) be **approved** for a one year extension of time subject to the following conditions:

1. All conditions originally approved for T-862.
2. The dead end of June Street shall be revised to conform to the "mini" cul-de-sac design which features a minimum twenty-four foot (24.0') back of curb radius.

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

Steve Perusse, 90 Shepherd Mesa Court, Henderson, Nevada 89074 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Vice-Chairman Anita Wood MOVED and Commissioner Jay Aston SECONDED to APPROVE T-862 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**14) T-979 (9389) COLTON-BRAZIL**

An application submitted by Dwyer Engineering, Inc., on behalf of the Housing Authority of the City of North Las Vegas, property owner, for a tentative map review in an R-1 Single-Family Residential District consisting of 6 single family dwellings. The property is generally located at the southwest corner of Colton Avenue and Brazil Street. The Assessor's Parcel Number is 139-12-403-001.

**RECOMMENDATION:**

The Development Services Department recommends that T-979 be **approved** subject to the following conditions:

1. The development shall comply with all applicable codes and ordinances.
2. The development shall comply with the Single Family Design Standards, with the exclusion of the 10-foot side yard lot landscaping for Lot 5.
3. 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.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. A water network analysis must be submitted with the civil improvement plans.
6. 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.
7. During construction of the off-site improvements adjacent to the site, the electric line that serves the street lights along Colton Avenue must be placed underground.
8. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

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

Thomas Hellums, 7310 Smoke Ranch Road, Suite E, Las Vegas, Nevada 89128 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Joy Diaz MOVED and Commissioner Jay Aston SECONDED to APPROVE T-979 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**15) T-983 (9465) ELDORADO R1-70 NO. 9 TM#19R**

An application submitted by G. C. Wallace, Inc. on behalf of Pardee Homes of Nevada, property owner, for a tentative map review in an O-L/DA Open Land Development agreement District consisting of 115 single family dwellings. The property is generally located approximately 530 feet north of Centennial Parkway and approximately 1,500 feet west of Revere Street. The Assessor's Parcel Number is 124-21-801-005.

**RECOMMENDATION:**

The Development Services Department recommends that T-983 be approved subject to the following conditions:

1. That the development shall comply with all applicable codes and ordinances.
2. That all lands, areas, and open spaces are to be developed and maintained per the Development Agreement between the City of North Las Vegas and Pardee Homes of Nevada (formerly Pardee Construction Company) dated December 10, 1988, or as amended.
3. Approval of a traffic study update is required.
4. Approval of a drainage study is required.
5. A water network analysis is required.
6. 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.
7. The dedication of the following rights-of-way are required:
  - a. The west 40 feet of Revere Street between Centennial Parkway and Deer Springs Way; and
  - b. The remaining undedicated portion of Centennial Parkway immediately west of Revere Street.
  - c. The right-of-way required for the proposed Centennial Parkway Channel, a regional flood control facility, as determined by the facility design documents.
8. Add a detail for the 60' right of way street, Gliding Eagle Road.
9. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

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

Gina Gaitan, of Pardee Homes, 1555 S. Rainbow Boulevard, Las Vegas, Nevada 89146 appeared on behalf of the applicant who stated she concurs with staff's recommendations.

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to APPROVE T-983 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

## **OLD BUSINESS**

### **16) T-931 (9148) CENTURY ONE**

An application submitted by Centex Homes on behalf of Centennial Parkway-Commerce LLC, property owner, for a review of conditions of a tentative map 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.

**The applicant requested a continuance at the January 22, 2003 meeting. The applicant has not submitted any additional documentation or proposals from their original request.**

**(from the 1/22/03 Planning Commission meeting):**

### **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:

10. 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 3/26/03 Planning Commission meeting.

Commissioner Joy Diaz MOVED and Vice-Chairman Anita Wood SECONDED to CONTINUE T-931 to the 3/26/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 3/26/03.**

**17) 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 202 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 and January 22, 2003, Planning Commission meetings to allow the applicant time to submit a revised tentative map addressing staff's concerns. The most recent revised tentative map was submitted January 21, 2003. Comments on the revised tentative map have been submitted and are outlined within this memorandum.**

**The revised tentative map is proposing a 202-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. Street curvature has been incorporated into the design of the tentative map.**

**On January 15, 2003, the City Council approved 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.**

**RECOMMENDATION:**

The Development Services Department recommends that T-968 be continued indefinitely to allow the applicant time to submit a revised tentative map that addresses all issues of concern mentioned in the analysis section.

State Statutes require the Planning Commission to act within 45 days, otherwise the tentative map would be deemed approved. Therefore, unless the applicant is willing to continue the application, the Development Services Department will have to recommend that T-968 be denied.

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

1. That bollards be provided where Street "N" terminates to prevent vehicles from driving onto the undeveloped area, until such time that development occurs.
2. 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).
3. That the perimeter walls be owned and maintained by the homeowners' association.
4. 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.
  
5. That the developer disclose to prospective home buyers that corner side yard landscape areas are

reserved exclusively for landscaping.

6. That CC&R's be reviewed and approved by the Development Services Department prior to recording any final map.
7. 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.
8. That the development of this site shall be in compliance with all Codes and Ordinances in effect at the time of building permit issuance. If there is a conflict with the conditions mentioned herein, the more restrictive shall apply.
9. That a minimum one bench be provided every 150 feet adjacent to the meandering sidewalk within the drainage easement adjacent to Centennial Parkway.
10. That a hedge be provided between the back-of-curb and the meandering sidewalk. The hedge shall be a minimum 30-inches at maturity. A 30-inch hedge shall also be provided around each of the seating areas. The hedge plants shall be 15-gallon and the species shall be subject to review and approval by staff.
11. That 1-, 5- and 15-gallon plants be provided within the drainage easement between the back-of-curb and the perimeter wall along Centennial Parkway. The number and species of shrubs shall be sufficient to provide a minimum 60% ground cover at maturity.
12. That 1-, 5- and 15- gallon plants be provided within 10 feet of the perimeter wall, throughout. Also within these areas shall be 24-inch box trees (minimum 1-1/2" caliper measures six inches above the top of the root ball) planted not greater than 25 feet on-center. The number and species of shrubs shall be sufficient to provide a minimum 60% ground cover at maturity.
13. Approval of a traffic study is required prior to submittal of the civil improvement plans.
14. Approval of a drainage study is required prior to submittal of the civil improvement plans.
15. Clark County Regional Flood Control District concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
16. 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.
17. A water network analysis must be submitted with the civil improvement plans.
18. 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.
19. Revise the layout to include intersecting street center lines with a minimum 50' tangent prior to their intersection.
20. Developer shall be responsible for improvements, as required by the Director of Public Works, up to and including the design and construction of the bridge structure and associated half-street improvements across the Upper Las Vegas Wash Channel at Deer Springs Way.
21. The following right of way dedications are required:
  - a. Fifty feet (50.00') for Centennial Parkway.
  - b. Forty feet (40.00') for Deer Springs Way and Bruce Street.
  - c. Thirty feet (30.00') for Donna Street, Rome Boulevard and Lawrence Street.
  - d. Additional right of way dedication is required for the flared intersection at Bruce Street and Centennial Parkway.
  - e. The Upper Las Vegas Wash Channel, width to be determined.

22. The property owner must grant an easement for the Centennial Parkway Channel East, width to be determined.
23. 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.
24. 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.

**Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant who requested this item be withdrawn.**

**The item was WITH DRAWN.**

## 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:** Commissioner Marilyn Kirkpatrick stated she is concerned about the Small Lot Ordinance. She stated that meetings have taken place and continue to take place with developers and she would like to be included in the process. She also recommended a separate Workshop be held for the Planning Commission to be able to discuss the Ordinance to allow the Planning Commissioners the opportunity to voice their input.

Vice-Chairman Anita Wood stated she concurs with Commissioner Kirkpatrick's comments. Vice-Chairman Wood stated she attended a meeting with Donna Kristaponis, Development Services Director, on the Small Lot Ordinance, however, as a Planning Commissioner, she was unable to state her opinion about the Ordinance.

Commissioner Nelson Stone agreed with Commissioner Kirkpatrick and Vice-Chairman Wood stating he would like to know the details regarding a new Ordinance prior to the item coming before the Planning Commission. He stated he is unable to make an educated decision regarding the Ordinance without knowing the details of the Ordinance and he would like to see the Planning Commission participate in the process.

Chairman Dean Leavitt agreed with the comments of the Planning Commissioners above.

Jim Lewis, Deputy City Attorney, recommended the Planning Commissioners contact the Director of Development Services, Donna Kristaponis, to discuss these issues.

**ADJOURNMENT:** 8:10 PM

A motion to ADJOURN the February 26, 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