

MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Dean Leavitt, Chairman
Marilyn Kirkpatrick
Joy Diaz
Steve Brown

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Nelson Stone
Jo Cato
Jay Aston

Planning Commission MINUTES are available on the internet at:

www.cityofnorthlasvegas.com

July 9, 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
Nelson Stone - Present
Marilyn Kirkpatrick - Present
Jo Cato-Present
Joy Diaz-Present
Jay Aston-ABSENT
Steve Brown-Present

STAFF PRESENT:

Donna Kristaponis, Development Services Director
Steve Baxter, Planning Manager
Marc Jordan, Principal Planner
Mary Aldava, Planner
Lenny Badger, Public Works
Clete Kus, Transportation Services
Steven DiGiovanni, Fire Department
Jim Lewis, Deputy City Attorney
Ted Karant, Recording Secretary

ANNOUNCEMENTS:

Verification of compliance with NRS 241, Open Meeting Law.

Recording Secretary Karant verified that the Open Meeting Law requirements (NRS 241) had been met.

PLEDGE OF ALLEGIANCE

Commissioner Joy Diaz

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

Election of Planning Commission Officers

Chairman Dean Leavitt called for the Election of the New Planning Commissioner Officers.

Commissioner Nelson Stone stated that he believes that one or more Planning Commissioners wish to continue the election to the next Planning Commission meeting as Commissioner Jay Aston is not present at tonight's meeting.

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to CONTINUE the ELECTION OF PLANNING COMMISSIONER OFFICERS to the 7/23/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

MINUTES

Approval of the MINUTES for the Planning Commission meeting of June 25, 2003.

Commissioner Nelson Stone MOVED and Chairman Dean Leavitt SECONDED to APPROVE the minutes of the June 25, 2003 Planning Commission Meeting.

The motion carried by MAJORITY vote with Commissioners Jo Cato, Joy Diaz and Steve Brown abstaining from voting on these minutes due to their absence at the 6/25/03 Planning Commission meeting.

Approval of the MINUTES for the Planning Commission meeting of June 11, 2003.

Commissioner Nelson Stone MOVED and Chairman Dean Leavitt SECONDED to APPROVE the minutes of the June 11, 2003 Planning Commission Meeting.

The motion carried by MAJORITY vote with Commissioner Steve Brown abstaining from voting on these minutes due to his absence at the 6/11/03 Planning Commission meeting.

Approval of the MINUTES for the Planning Commission meeting of May 28, 2003.

Commissioner Nelson Stone MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE the minutes of the May 28, 2003 Planning Commission Meeting.

The motion carried by MAJORITY vote with Commissioner Steve Brown abstaining from voting on these minutes due to his absence at the 5/28/03 Planning Commission meeting.

CONSENT AGENDA

A) PW-105-03 (11472) ELDORADO 11 R1-70 NO. 4

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Travelers Casualty & surety Company of America to release the Subdivision Bond in the amount of \$624,475.00.

B) PW-106-03 (11473) SUNFLOWER, UNIT 7

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Commercial Federal Bank to release the Irrevocable Standby Letter of Credit in the amount of \$187,921.03.

C) PW-107-03 (11476) HARTIDGE, UNIT 1

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Kimball Homes Nevada, Inc. and accept the Subdivision Bond in the amount of \$597,211.43.

D) PW-108-03 (11477) HARTRIDGE, UNIT 2

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Kimball Homes Nevada, Inc. and accept the Subdivision Bond in the amount of \$360,477.15.

E) PW-109-03 (11478) SERGEANT JORDAN AND GOLDFIELD

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Briarwood Homes, LLC and accept the Subdivision Bond in the amount of \$307,530.19.

F) PW-110-03 (11479) COBBLESTONE RIDGE NORTH 80, UNIT 1

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Seaboard Surety Company to release the Subdivision Bond in the amount of \$906,444.17.

G) PW-111-03 (11480) COBBLESTONE RIDGE NORTH 80, UNIT 2

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Seaboard Surety Company to release the Subdivision Bond in the amount of \$533,125.67.

H) PW-112-03 (11481) COBBLESTONE RIDGE NORTH 80, UNIT 3

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Seaboard Surety Company to release the Subdivision Bond in the amount of \$516,916.24.

I) PW-113-03 (11482) COBBLESTONE RIDGE NORTH 80, UNIT 4

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Seaboard Surety Company to release the Subdivision Bond in the amount of \$623,622.89.

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

The motion carried by UNANIMOUS vote.

NEW BUSINESS

1) AMP-33-03 (11039) CITY OF NORTH LAS VEGAS (Public Hearing)

An application submitted by the City of North Las Vegas for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Office to M-LDR Medium-Low Density Residential. The property is generally located at the southwest corner of Coralie Avenue and Martin L King Boulevard. The Assessor's Parcel Numbers are 139-04-410-006, 139-04-410-007, 139-04-410-008, 139-04-410-009, 139-04-410-010, 139-04-410-011, 139-04-410-012, 139-04-410-013, 139-04-410-014 and 139-04-410-015.

RECOMMENDATION:

The Development Services Department recommends **approval** of AMP-33-03 to change the Comprehensive Plan from Office to M-LDR, Medium-Low Density Residential and that this item be forwarded to the City Council for final consideration.

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

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

- ▶ Gordon Thiesen, 1518 W. Alexander, North Las Vegas, Nevada 89032

Mr. Thiesen stated he and his wife recently purchased part of the lots in question with this application and he would like to Planning Commission to consider that to the south of this property is commercial and to the east corner has been developed a mall area and he purchased that with the Master Plan with regard to an office building area.

- ▶ L. Earl Hawley, 916 Casino Center, Las Vegas,

Mr. Hawley stated he is an attorney and represents the owners of two pieces of property with regard to this application. He stated the properties owned by his client were purchased based on the current zoning designation.

- ▶ Marian Perez, 1600 Pacific Tide, Las Vegas, Nevada 89144

Mrs. Perez stated she opposes this application as she feels it will negatively impact the value of the properties currently in the area.

Chairman Leavitt closed the Public Hearing.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Nelson Stone SECONDED to APPROVE AMP-33-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

2) UN-44-01 (11086) EL CAMINO BAPTIST CHURCH (Public Hearing)

An application submitted by El Camino Baptist Church, property owner, for an extension of time for a use permit in an R-E Ranch Estates District to allow a church. The property is located at 3910 W. Washburn Road. The Assessor's Parcel Number is 124-31-604-010.

RECOMMENDATION:

The Development Services Department recommends that a two year extension of time for UN-44-01 be **granted** and that condition 2.f. be amended to read as follows:

- 2.f. A minimum six-foot-high wall shall be constructed on the property line between the proposed development and the residential property to the north; however, if the property to the east is not developed with a church, a six-foot-high block wall shall also be constructed along the east property line of the subject property.

The application was presented by Mary Aldava, Planner, who indicated it appears there is an agreement reached between the applicant and staff. She stated if there is opposition staff will waive the presentation on this item and recommend this item be approved.

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-44-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

3) UN-86-01 (11037) CENTENNIAL MARKET PLACE (Public Hearing)

An application submitted by Mark Lefkowitz on behalf of the Losee Center B, LLC and Saint Marks Place, LLC, property owners, for an extension of time for a use permit in a C-1 Neighborhood Commercial District to allow the “on-sale” of alcoholic beverages in conjunction with a restaurant / lounge. The property is generally located at the northeast corner of Losee Road and Centennial Parkway. The Assessor’s Parcel Numbers are 124-24-401-001 and 124-24-401-002.

RECOMMENDATION

The Development Services Department Recommends that UN-86-01 be **denied** because construction of the Tavern is not imminent, and the applicant has not complied with a previous condition of approval.

If however the Planning Commission determines that approval is warranted at this time, the Development Services Department recommends the following conditions of approval:

1. That UN-86-01 shall expire on November 28, 2003.
2. That all applicable conditions of the original approval and extensions of time shall apply.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 8/13/03 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 UN-86-01 to the 8/13/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 8/13/03.

Item #4 UN-47-03 and #5 UN-49-03 are related.

4) UN-47-03 (11137) ANN AND FERRELL COMMERCIAL CENTER (Public Hearing)

An application submitted by Madison B. Graves II and Susan B. Graves, property owners, for a use permit in a C-1 Neighborhood Commercial District to allow a financial institution. The property is generally located north of Ann Road and approximately 300 feet east of Ferrell Street. The Assessor's Parcel Number is 124-29-402-013.

RECOMMENDATION:

The Development Services Department recommends that UN-47-03 be **approved** subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances (Standard Condition #1); and
2. That this special use permit is site-specific and non-transferable; and
3. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
4. That driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer; and
5. Move the delineated lane shift to the west prior to Ferrell Street; and
6. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
7. That all local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*; and
8. That the development of the financial institution conform to the Commercial Design Standards including, but not limited to the following:
 - a. That signage be in compliance with the Master Sign Program, which shall be submitted for review and approval by staff prior to the issuance of any building permits; and
 - b. That the sidewalk along Ann Road be separated from the back-of-curb by a minimum five feet (5.00') of landscaping; and
9. That the financial institution match the Kavanaugh's Pub & Grill in materials, design and color; and
10. That the parking stalls along the east side of the building be eliminated; and
11. That pedestrian access ways shall not replace or be in-lieu of required landscaping.

The application was presented by Marc Jordan, Principal Planner, who indicated it appears there is an agreement between the applicant and staff and recommends this item be approved with one amendment to Condition #10 which reads as follows:

"That the parking stalls along the east side of the building be eliminated *unless approved by the City of North Las Vegas Traffic Engineer.*"

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

Commissioner Nelson Stone MOVED and Commissioner Marilyn Kirkpatrick SECONDED to DENY UN-47-03.

The MOTION TO DENY FAILED for lack of a majority vote with Chairman Dean Leavitt, Commissioner Jo Cato and Commissioner Steve Brown voting against the motion.

Marc Jordan suggested perhaps he should make a full presentation on this item and Chairman Leavitt agreed.

Mr. Jordan presented the application and spoke of the condition listed within the staff report, and stated staff is recommending approval of this item.

Commissioner Nelson Stone MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE UN-47-03 per staff's recommendations subject to the following changes:

Condition #10 Changed to Read: "That the parking stalls along the east side of the building be eliminated **unless approved by the City of North Las Vegas Traffic Engineer.**"

Condition #12 Added to Read: "**That the financial institution shall be regulated by the Federal Government.**"

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #4 UN-47-03 and #5 UN-49-03 are related.

5) UN-49-03 (11138) ANN AND FERRELL COMMERCIAL CENTER (Public Hearing)

An application submitted by Madison B. Graves II and Susan B. Graves, property owners, for a use permit in a C-1 Neighborhood Commercial District to allow a convenience food restaurant with a drive-through service window. The property is generally located north of Ann Road and approximately 500 feet east of Ferrell Street. The Assessor's Parcel Number is 124-29-402-013.

RECOMMENDATION:

The Development Services Department recommends that UN-49-03 be **approved** subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances (Standard Condition #1); and
2. That this special use permit is site-specific and non-transferable; and
3. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
4. That all local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*; and
5. That driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer; and
6. Move the delineated lane shift to the west prior to Ferrell Street; and
7. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
8. That the convenience food restaurant shall conform to the Commercial Design Standards including, but not limited to the following:
 - a. That the sidewalk along Ann Road be separated from the back-of-curb by a minimum five feet (5.00') of landscaping; and
 - b. That pedestrian access shall not replace or be in-lieu of required landscaping; and
 - c. That ADA-compliant pedestrian access be provided from Ann Road to the restaurant; and
 - d. That foundation landscaping shall be provided in accordance with the Zoning Ordinance; and
9. That the convenience food restaurant match the Kavanaugh's Pub & Grill in materials, design and color; and
10. That a Master Sign Program be reviewed and approved by staff prior to the issuance of a building permit; and
11. That the driveway accessing the east side of the pad be removed; and
12. That the eastern driveway along the north side of the pad be enlarged to meet City standards or eliminated entirely.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated he understands there is an agreement between staff and the applicant on this item and unless there is opposition staff will recommend approval.

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

Commissioner Nelson Stone MOVED and Chairman Dean Leavitt SECONDED to APPROVE UN-49-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

6) UN-48-03 (10997) LAYNE KRUGER (Public Hearing)

An application submitted by Layne Kruger, property owner, for a use permit in an R-1 Single-Family Residential District to allow a 1,024 square foot accessory building (workshop). The property is located at 4027 Dripping Springs Avenue. The Assessor's Parcel Number is 139-06-516-032.

RECOMMENDATION

The Development Services Department recommends that UN-48-03 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. Paved access to the accessory building must be provided from the existing driveway.
3. The accessory building shall contain stucco siding and roof tiles that are similar in appearance to the principal home.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated he understands there is an agreement between staff and the applicant on this item and unless there is opposition staff will recommend approval.

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 UN-48-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

7) VAC-13-03 (11129) RICARDO AND LIDIA GOMEZ (Public Hearing)

An application submitted by Ricardo and Lidia Gomez, property owners, to vacate 3.5 feet of right-of-way on Berg Street commencing at Piper Avenue and proceeding south approximately 65 feet. The property is located at 2848 Berg Street. The Assessor's Parcel Number is 139-13-217-051.

RECOMMENDATION

The Development Services Department recommends that VAC-13-03 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. A public utility easement will be required over the entire area of vacation.
3. The legal description of the vacation must be revised to include only the south 51.26 feet of the west 3.5 feet.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated there is an agreement between staff and the applicant on this item and unless there is opposition staff will recommend approval.

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

Commissioner Jo Cato MOVED and Commissioner Steve Brown SECONDED to APPROVE VAC-13-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

8) T-943 (11130) SANTA ROSA

An application submitted by Centex Homes, property owner, to amend a previously approved tentative map in an R-1 Single-Family Residential District to allow vinyl fencing. The property is generally located east of Revere Street approximately 500 feet north of Ann Road. The Assessor's Parcel Number is 124-27-401-002.

RECOMMENDATION:

The Development Services Department recommends that T-943 be approved with the following conditions of approval:

1. Standard conditions 11, 15, 16, 18, 27 and 28; and
2. Approval of a traffic study update is required prior to submittal of the civil improvement plans; and
3. Approval of a drainage study is required prior to submittal of the civil improvement plans; and
4. Interior streets may require minor revisions as required by the Traffic Engineer; and
5. A water network analysis must be submitted with the civil improvement plans; and
6. 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 conforming tentative map; and
7. The applicant / developer shall adhere to the City of North Las Vegas policy regarding grading and construction on or in close proximity to geological faults and ground fissures. The policy, in part, states that no portion of a building foundation system shall be located on a fault / scarp or in the surface expression of a ground fissure; and
8. NLVMC 16.12.030 requires the following information on the tentative map:
 - a. Lot and block numbers for adjacent subdivisions.
 - b. Existing power, telephone, and gas facilities.
9. The final map for Rancho Mirage Unit 2 must record prior to recordation of the final map for T-943; and
10. The applicant must file an application for annexation with the Clark County Recorder's office to include T-943 in the homeowner's association as Rancho Mirage's Owners Association; and
11. That the development meet the Single-Family Design Guidelines including, but not limited to:
 - a. A minimum of ten (10) feet of side lot landscaping, which may include a sidewalk, shall be placed along all side yards adjacent to a right-of-way
 - b. 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.
 - c. The proposed sidewalk along Revere Street shall be meandering and separated from the back of curb a minimum of five (5) feet. A public access easement shall be filed for the portions of the sidewalk located on the common lot.
12. An encroachment permit shall be obtained for the landscaping that will be placed in the right-of-way along Revere Street.

13. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping; and
14. That the perimeter wall, or those wall sections facing Revere Street, be decorative and that the wall sections be owned and maintained by the Homeowners' Association; and
15. The application for the property reclassification, ZN-98-02, 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
16. That 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. The notice shall also state that R.C. Farms, in part, is protected by State statutes as an agricultural use; and
17. All residential units shall be provided with fire sprinklers, unless the applicant provides an alternative acceptable to the City prior to recording of the final map; and
18. 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
19. 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.

RECOMMENDATION

The Development Services Department recommends **approval** of amended Condition #18 to read as follows:

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

The application was presented by Mary Aldava, Planner, on behalf of staff who indicated there is an agreement between staff and the applicant on this item and unless there is opposition staff will recommend approval subject to the amendment to Condition #18.

Commissioner Marilyn Kirkpatrick stated she would like to add some new conditions.

Condition #20: "That the proposed fence shall be engineered to resist the long-term affects of solar radiation, wind, and dryness inherent to the Las Vegas Valley; and "

Condition #21: "That the proposed fence shall be engineered, designed and installed to meet manufacturer's specifications and building code requirements, and"

Condition #22: "All vinyl fencing shall be compatible for pool installations, and"

Condition #23: "The posts and/or connections shall not be attached to the homes; and"

Condition #24: "Exhibit 1 attached as a photograph with the lattice fencing."

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE T-943 per staff's recommendations subject to the following changes:

Condition #20 Added to Read: “That the proposed fence shall be engineered to resist the long-term affects of solar radiation, wind, and dryness inherent to the Las Vegas Valley; and “

Condition #21 Added to Read: “That the proposed fence shall be engineered, designed and installed to meet manufacturer’s specifications and building code requirements, and”

Condition #22 Added to Read: “All vinyl fencing shall be compatible for pool installations, and”

Condition #23 Added to Read: “The posts and/or connections shall not be attached to the homes; and”

Condition #24 Added to Read: “Exhibit 1 attached as a photograph with the lattice fencing.”

The motion carried by UNANIMOUS vote.

The item was APPROVED.

9) T-948 (10998) SUN CITY ALIATE UNIT 3

An application submitted by North Valley Enterprises, LLC, property owner, to amend a previously approved tentative map in an R-1/MPC Single-Family Residential/Master Planned Community District from 133 lots to 151 lots. The property is generally located at the southeast corner of Aliante Parkway and Grand Teton Drive. The Assessor's Parcel Numbers are 124-17-111-001 thru 124-17-111-133.

RECOMMENDATION

The Development Services Department recommends that T-948 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. Approval of an update to the drainage study is required prior to submittal of the civil improvement plans.
3. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study update is required prior to approval of the civil improvement plans.
4. The three feet (3') wide easements on the side property lines and the five feet (5') wide easements adjacent to streets must be vacated and/or relinquished prior to recordation of the amended final map.
5. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted to the Public Works Department (and routed to Development Services) for review prior to submittal of the final map.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated there is an agreement between staff and the applicant on this item and unless there is opposition staff will recommend approval.

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to APPROVE T-948 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Commissioner Jo Cato abstained from voting on this item.

10) FDP-13-03 (11126) PORTICO WEST

An application submitted by Taney Engineering on behalf of Portico-Las Vegas Lot Option, LLC, property owner, for a Final Development Plan review in a PUD Planned Unit Development District, consisting of 51 single-family dwellings. The property is generally located at the northeast corner of McCarran Street and Centennial Parkway. The Assessor's Parcel Number is 124-24-401-005, 124-24-401-006, 124-24-401-007 and 124-24-401-008.

RECOMMENDATION:

The Development Services Department recommends that FDP-13-03 be **approved** subject to the following conditions:

1. That the development comply with all conditions of approval of ZN-92-02 and T-939.
2. The final development plan must be revised to show Casamar Street as a cul-de-sac to match the signed conformed tentative map.
3. The owner must sign a revocable encroachment permit for landscaping in the right-of-way.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. 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.
6. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' North Neighborhood Flood Control Master Plan.
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. Entry on Centennial Parkway is limited to right in/right out.
9. The following park amenities shall be provided within the open space:
 - a. Circuitous lighted paths;
 - b. A minimum of 20 24-inch box trees per acres;
 - c. At least two (2) differing age appropriate play structures for children with EPDM resilient fall protection and accompanying shade ramada;
 - d. At least one large open space area for group/organized play;
 - e. One large group shade area/gazebo (30' diameter), lighted;
 - f. Picnic tables and barbecue grills;
 - g. Benches spaced along park pathways; and
 - h. Details of amenities to be provided.

The application was presented by Mary Aldava, Planner, on behalf of staff who indicated there is an agreement between staff and the applicant on this item and unless there is opposition staff will recommend approval subject to the deletion of Condition #9E which reads:

Condition #9E: "One large group shade area/gazebo (30' diameter), lighted;"

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to APPROVE FDP-13-03 per staff's recommendations subject to the following changes:

Condition #9E Deleted.

Condition #9F Changed to Read: “two sixteen (16) square-foot picnic tables with four (4) chairs each with two (2) bar-b-que grills.”

The motion carried by MAJORITY vote with Commissioner Jo Cato abstaining from voting on this item.

The item was APPROVED.

OLD BUSINESS

Item #11 AMP-28-03 and #12 ZN-39-03 are related.

11) AMP-28-03 (10803) CRAIG & COMMERCE (Public Hearing)

An application submitted by Fore Property Company on behalf of Craig Commercial Plaza LP, #2, #3, #4, and #5, property owners, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Community Commercial to HDR High Density Residential. The property is located approximately 220 feet south of Craig Road and west of Commerce Street. The Assessor's Parcel Numbers are 139-03-311-002, 139-03-311-003, 139-03-311-004, 139-03-311-005, and 139-03-311-006.

These items were continued from the June 11th meeting at the applicant's request.

(from the 6/11/03 Planning Commission meeting):

RECOMMENDATION

The Development Services Department recommends that AMP-28-03 be **denied** at the request of the Fire Department and because the proposal would create an undesirable commercial strip along Craig Road, and is not consistent with all of the guidelines set forth within the Comprehensive Plan.

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

The item was WITHDRAWN.

Item #11 AMP-28-03 and #12 ZN-39-03 are related.

12) ZN-39-03 (10802) CRAIG & COMMERCE (Public Hearing)

An application submitted by Fore Property Company on behalf of Craig Commercial Plaza LP, #2, #3, #4, and #5, property owners, for reclassification of property from a C-1 Neighborhood Commercial District to an R-3 Multifamily Residential District. The property is located approximately 220 feet south of Craig Road and west of Commerce Street. The Assessor's Parcel Numbers are 139-03-311-002, 139-03-311-003, 139-03-311-004, 139-03-311-005, and 139-03-311-006.

RECOMMENDATION

The Development Services Department recommends that ZN-39-03 be **denied** because the underlying Comprehensive Plan amendment is not warranted.

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

The item was WITHDRAWN.

Item #13 ZN-40-03 and #14 T-1003 are related.

13) ZN-40-03 (10609) ALEXANDER & NO. 5TH (Public Hearing)

An application submitted by Celebrate Homes on behalf of the Christina M. Hixson Trust, property owner, for a reclassification of property from an M-2 General Industrial District to an R-1 Single-Family Residential District. The property is generally located at the southwest corner of North Fifth Street and Gilmore Avenue. The Assessor's Parcel Numbers are 139-10-501-007 and 139-10-501-008.

This application was continued from the Planning Commission meeting of May 28, 2003, and June 11, 2003 at the request of the applicant. The applicant has submitted a revised boundary map which now shows the northeast corner of Gilmore Street and Goldfield Street included in the application. Therefore, the applicant is requesting a zone change from M-2, General Industrial, to the R-1, Single-Family Residential district for approximately 38.35 acres to develop a 159-lot single-family residential subdivision. The proposed density would be approximately 4.15 dwelling units per acre. Each lot is proposed to have a minimum lot size of 6,000 square feet.

The boundary map shows a 38-foot wide flood channel that runs through the development. The design of the proposed flood channel is more than 90 percent complete.

A tentative map (T-1003) is also on this agenda for Planning Commission consideration.

RECOMMENDATION:

The Development Services Department recommends that ZN-40-03 be **continued** to allow the applicant time to incorporate the southwest corner of North Fifth Street and Alexander Road into this proposal.

The application was presented by Mary Aldava, Planner, on behalf of staff who indicated staff is recommending this item be continued .

Commissioner Joy Diaz stated she wished to disclose that she has a pending relationship with the applicant, however it should not affect her ability to render a fair vote on Items #13 ZN-40-03 AND #14 T-1003.

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7th 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.

Commissioner Nelson Stone MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE ZN-40-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #13 ZN-40-03 and #14 T-1003 are related.

14) T-1003 (10611) ALEXANDER & NO. 5TH

An application submitted by Celebrate Homes on behalf of the Christina M. Hixson Trust, property owner, for a tentative map review in an M-2 General Industrial District (proposed property reclassification to an R-1 Single-Family Residential District) consisting of 130 single-family dwellings. The property is generally located at the southwest corner of North Fifth Street and Alexander Road. The Assessor's Parcel Numbers are 139-10-501-007 and 139-19-501-008.

This application was continued from the Planning Commission meeting of May 28, 2003, at the request of the applicant. The applicant has submitted a revised tentative map which now shows the northeast corner of Gilmore Street and Goldfield Street included in the application. Therefore, the applicant is requesting a zone change from R-E, Ranch Estates, to the M-2, General Industrial district for approximately 38.35 acres to develop a 159-lot single-family residential subdivision. The proposed density would be approximately 4.15 dwelling units per acre. Each lot is proposed to have a minimum lot size of 6,000 square feet.

The tentative map shows a 38-foot wide flood channel that runs through the development. The design of the proposed flood channel is more than 90 percent complete.

A property reclassification application (ZN-40-03) is also on this agenda for Planning Commission consideration.

RECOMMENDATION:

The Development Services Department recommends that T-1003 be continued to allow the applicant time to incorporate the southwest corner of North Fifth Street and Alexander Road into this proposal.

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

1. This tentative map (T-1003) shall become null and void if City Council approval is not granted for ZN-40-03; and
2. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances; and
3. Approval of a traffic study is required prior to submittal of the civil improvement plans; and
4. Approval of a drainage study is required prior to submittal of the civil improvement plans; and
5. 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
6. The use of a City of North Las Vegas Mini Cul-de-Sac is limited to 100 feet in length and a maximum of 4 lot frontage. Flat Dunes Court is not in compliance; and
7. A water network analysis must be submitted with the civil improvement plans; and
8. All known geologic hazards shall be shown on the Tentative Map and the Civil Improvement Plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans; and
9. Winter Breeze Avenue shall be limited to right in and right out access unless located 660' from an intersection; and
10. The following right-of-way dedications are required:

- a. Fifty feet (50.00') for North Fifth Street;
 - b. Forty feet (40.00') for Alexander Road;
 - c. Thirty feet (30.00') for Goldfield Street and Gilmore Avenue;
 - d. Additional right-of-way for the flared intersection at Alexander and North Fifth Streets per the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1;
 - e. Bus turn-out on North Fifth Street south of Alexander Road; and
11. 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 of the final map; and
 12. That all common elements shall be maintained by the Homeowners Association; and
 13. 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
 14. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping; and
 15. That the tentative map shall show building setback lines in order to determine the minimum lot widths on gore-shaped lots; and
 16. That the perimeter walls be owned and maintained by the homeowners' association; and
 17. 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
 18. 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; and
 20. All conditions of approval shall be incorporated into the notes section of the map and recorded with the Final Map.

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

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

Commissioner Nelson Stone MOVED and Chairman Dean Leavitt SECONDED to APPROVE T-1003 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

15) UN-44-03 (10973) LAS VEGAS BILLBOARDS (Public Hearing)

An application submitted by Las Vegas Billboards on behalf of Craig Road Business Center, LLC, property owner, for a use permit in a M-2 General Industrial District to allow an off-premise sign (billboard) on property with improvements. The property is located at 4570 Donovan Way. The Assessor's Parcel Number is 139-01-611-012.

This item was continued from the June 25th meeting at the applicant's request. A revised site plan has since been submitted that relocates the billboard from its originally proposed location within a parking lot planter island to the planter in the extreme east corner of the site. In order to meet the setbacks for the billboard, the applicant proposes to affix the sign to a horizontal support spanning approximately 27± feet from the vertical anchor. **The Development Services Department has no objection to the proposed relocation.**

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated this item was continued from the 6/25/03 Planning Commission meeting and the applicant has submitted revised plans to staff and therefore staff is recommending approval of this item.

Vicky Troy, 528 Goldhill Road, Henderson, Nevada 89074 appeared on behalf of the applicant and stated she concurs with staff's recommendations.

Commissioner Nelson Stone MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE UN-44-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

PUBLIC FORUM

This is the portion of the meeting devoted to the public. After completing and submitting a yellow card, the public is invited to come forward upon recognition by the Chairman and speak upon any topic. Usually items received under this heading are referred to the appropriate City staff for action at a later date.

The following member of the Public came forward:

- ▶ **Steven Prats, 346 Foxvale Avenue, North Las Vegas, Nevada (no zip code stated or written)**

Mr. Prats stated he is concerned about future building in the area of Wilhelm Elementary School which was built to accommodate 800 students and currently there are 1,334 students and an additional 48 students added by September this year. He stated he would like to see Council to consider any future development in the area before another school is built that can relieve some of the classroom congestion.

DIRECTOR'S BUSINESS: None

CHAIRMAN'S BUSINESS: None

ADJOURNMENT: 8:10 PM

A motion to ADJOURN the July 9, 2003 meeting of the Planning Commission of the City of North Las Vegas was made by Commissioner Marilyn Kirkpatrick. Chairman Dean Leavitt SECONDED the motion.

Dean Leavitt, Chairman

ATTEST:

Ted Karant, Recording Secretary