

# MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Dean Leavitt, Chairman  
Nelson Stone  
Joy Diaz  
Jay Aston

2200 Civic Center Drive  
North Las Vegas, NV 89030  
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Anita Wood, Vice-Chairman  
Marilyn Kirkpatrick  
Jo Cato

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Planning Commission MINUTES are now available on the internet at:  
[www.cityofnorthlasvegas.com](http://www.cityofnorthlasvegas.com)

## **August 14, 2002**

### **CALL TO ORDER:**

Council Chambers, North Las Vegas City Hall  
2200 Civic Center Drive, at 7:00 p.m.

### **ROLL CALL:**

Dean Leavitt - Present  
Anita Wood - Present  
Jo Cato - Present  
Nelson Stone - Present  
Jay Aston - Absent, Excused  
Marilyn Kirkpatrick - Present  
Joy Diaz, Present

### **STAFF PRESENT:**

Marc Jordan, Principal Planner  
Vicki Adams, 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**

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**

Commissioner Marilyn Kirkpatrick MOVED and Chairman Nelson Stone SECONDED to ELECT Commissioner Dean Leavitt as Planning Commission Chairman.

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

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to ELECT Commissioner Anita Wood as Planning Commissioner Vice-Chairman.

The motion carried by UNANIMOUS vote.

## **MINUTES**

Approval of the MINUTES for the Planning Commission meeting of July 24, 2002.

Commissioner Nelson Stone MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE the minutes of the July 24, 2002 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

## **CONSENT AGENDA**

### **A) PW-80-02 (7742) AUTO RETAIL CENTER**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify the Indemnity Company of California to release the Subdivision Bond in the amount of \$9,143.00.

### **B) PW-81-02 (7743) OUTBACK STEAKHOUSE**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Travelers Casualty and Surety Company of America to release the Performance Bond in the amount of \$25,577.53.

### **C) PW-82-02 (7744) NVE ACTIVE ADULT, UNIT 2, PHASES 1 & 2**

Approve the Final Map and the Subdivision Off-Site Improvements Agreements by North Valley Enterprises, LLC and accept the Subdivision Bonds in the amount of \$1,022,189.80 for Phase 1; \$974,582.90 for Phase 2.

### **D) PW-83-02 (7745) DOVE CANYON #3**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by The Developers of Nevada, LLC and accept the Subdivision Bond in the amount of \$120,040.36.

### **E) PW-84-02 (7746) COMMERCE WATER MAIN EXTENSION OF HOMETOWN ENCORE**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify American Insurance Company to release the Subdivision Bond in the amount of \$42,124.50.

### **F) PW-85-02 (7748) ELDORADO 2A R1-75 NO. 1**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify St. Paul Fire and Marine Insurance Company to release the Off-Site Improvement Bond in the amount of \$114,450.55.

**G) PW-86-02 (7749) HIGHLAND HILLS, UNIT 1**

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 \$670,543.50.

**H) PW-87-02 (7750) HIGHLAND HILLS, UNIT 2**

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 \$271,760.83.

**I) PW-88-02 (7751) HIGHLAND HILLS, UNIT 3**

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 \$595,918.79.

**J) PW-89-02 (7752) HIGHLAND HILLS, UNIT 6**

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 \$311,484.58.

**K) PW-90-02 (7897) PARDEE UNIT 2**

Approval of the Final Map.

Commissioner Anita Wood MOVED and Commissioner Nelson Stone SECONDED to APPROVE Consent Agenda Items A, B, and D through J.

The motion carried by UNANIMOUS vote.

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to APPROVE Consent Agenda Item C subject to the following changes:

**Condition #1 Added to Read: “that the applicant shall relocate the sewer lines.”**

**Condition #2 Added to Read: “that the applicant shall pay the water connection fees.”**

The motion carried by UNANIMOUS vote.

**Consent Agenda Item K will be heard following Item #36 as it is a companion item.**

**(Consent Agenda Item ‘K’ is being heard following Item #36 T-944 as it is related)**

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to APPROVE Consent Agenda Item ‘K’.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

## **NEW BUSINESS**

**Items #1 AMP-48-02, #2 AMP-51-02, #3 VAC-20-02, #4 ZN-92-02 and #5 T-939 are related.**

### **1) AMP-48-02 (7313) CENTENNIAL/McCARRAN (Public Hearing)**

An application submitted by Taney Engineering on behalf of Petersen 1994 Trust, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to MDR Medium Density Residential. The property is generally located at the northeast corner of Centennial Parkway and McCarran Street. The Assessor's Parcel Numbers are 124-24-401-005, 124-24-401-006, 124-24-401-007 and 124-24-401-008.

#### **RECOMMENDATION:**

The Development Services Department recommends that AMP-48-02 receive a favorable recommendation and 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.

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-48-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #1 AMP-48-02, #2 AMP-51-02, #3 VAC-20-02, #4 ZN-92-02 and #5 T-939 are related.**

**2) AMP-51-02 (7533) CENTENNIAL/McCARRAN (Public Hearing)**

An application submitted by Taney Engineering on behalf of Petersen 1994 Trust, property owner, for an Amendment to the Master Plan Streets & Highways, to delete approximately 1,270 feet of McCarran Street located between Centennial Parkway and Rome Boulevard. The Assessor's Parcel Numbers are 124-24-401-005, 124-24-401-006, 124-24-401-007 and 124-24-401-008.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-51-02 be denied because the Fire Department has expressed a need to retain McCarran Street for possible emergency service use and a traffic study supporting the request has not been submitted.

Prior to the Planning Commission meeting, the applicant requested the item be continued indefinitely.

Chairman Dean Leavitt opened the Public Hearing. He stated the Public Hearing shall remain open until such time this item is heard in its entirety.

Commissioner Nelson Stone MOVED and Vice-Chairman Anita Wood SECONDED to CONTINUE AMP-51-02 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**Items #1 AMP-48-02, #2 AMP-51-02, #3 VAC-20-02, #4 ZN-92-02 and #5 T-939 are related.**

**3) VAC-20-02 (7316) CENTENNIAL/McCARRAN (Public Hearing)**

An application submitted by Taney Engineering on behalf of Petersen 1994 Trust , property owner, to vacate a portion of McCarran Street commencing at Centennial Parkway and proceeding north approximately 1,270 feet to Rome Boulevard. The Assessor's Parcel Numbers are 124-24-401-005, 124-24-401-006, 124-24-401-007 and 124-24-401-008.

**RECOMMENDATION:**

The Development Services Department recommends that VAC-20-02 be denied because the Fire Department has expressed a need to retain McCarran Street for possible emergency service use and a traffic study supporting the request has not been submitted.

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

1. That the amendment to the Master Plan of Street and Highways (AMP-51-02) to eliminate the 60-foot alignment shall be approved prior to recordation of the vacation.

Prior to the Planning Commission meeting, the applicant requested the item be continued indefinitely.

Chairman Dean Leavitt opened the Public Hearing. He stated the Public Hearing shall remain open until such time this item is heard in its entirety.

Commissioner Nelson Stone MOVED and Vice-Chairman Anita Wood SECONDED to CONTINUE VAC-20-02 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**Items #1 AMP-48-02, #2 AMP-51-02, #3 VAC-20-02, #4 ZN-92-02 and #5 T-939 are related.**

**4) ZN-92-02 (7314) CENTENNIAL/McCARRAN (Public Hearing)**

An application submitted by Taney Engineering on behalf of Petersen 1994 Trust, property owner, for reclassification of property from an R-E Ranch Estate District to a PUD Planned Unit Development District consisting of 54 single family homes. The property is generally located at the northeast corner of Centennial Parkway and McCarran Street. The Assessor's Parcel Numbers are 124-24-401-005, 124-24-401-006, 124-24-401-007 and 124-24-401-008.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-92-02 be continued indefinitely to allow the applicant sufficient time to submit a revised preliminary development plan incorporating McCarran Street.

If, however, the Planning Commission determines that approval of ZN-92-02 is warranted at this time, then the Development Services Department recommends the following conditions of approval:

2. Approval of a traffic study is required prior to submittal of the civil improvement plans.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Approval of this application does not imply a commitment by the City for utility service to the subject property.
5. The amendment (AMP-51-02) to remove McCarran Street from the North Las Vegas Master Plan of Street and Highways must be approved by the City. If the amendment is denied, the preliminary development plan must be revised to include McCarran Street.
6. The vacation request (VAC-20-02) to allow the vacation of McCarran Street must be approved by City. If the vacation is denied, the preliminary development plan must be revised to include McCarran Street.
7. The installation of sprinklers for fire suppression in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
8. Fire access lanes shall be maintained at a minimum width as required by the Fire Code.
9. Development of the subject site shall not exceed 54 detached single-family dwelling units or a density of 5.4 dwelling units per acre.
10. The minimum lot size shall be 4,500 square feet with a minimum lot width of 45 feet.
11. Development shall comply with the following setbacks:
  - 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) feet.
12. The development shall comply with the Single Family Design Standards, including, but not limited to ten feet of landscaping, which may include the sidewalk, shall be provided adjacent to the corner side of all corner lots within the development.

13. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development.
14. 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. Prior to submittal of the final development plan, the applicant must schedule a meeting with the Parks and Recreation Director or designee to determine what amenities will be required of the private park areas.
15. 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. The notice shall also state that R.C. Farms, in part, is protected by state statutes as an agricultural use.
16. All dwelling units shall be designed to decrease the day/night average level of sound, outdoor to indoor, by 25 decibels.
17. 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.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 8/28/02 Planning Commission meeting.

Chairman Dean Leavitt opened the Public Hearing. 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 ZN-92-02 to the 8/28/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 8/28/02.**



**Items #1 AMP-48-02, #2 AMP-51-02, #3 VAC-20-02, #4 ZN-92-02 and #5 T-939 are related.**

**5) T-939 (7317) CENTENNIAL/McCARRAN**

An application submitted by Taney Engineering on behalf of Petersen 1994 Trust, property owners, for a tentative map review in an R-E Ranch Estate Residential District (proposed PUD Planned Unit Development). The property is generally located on the northeast corner Centennial Parkway and McCarran Street. The Assessor's Parcel Number is 124-24-401-005, 006, 007 and 008.

**RECOMMENDATION:**

The Development Services Department recommends that T-939 be continued indefinitely to allow the applicant sufficient time to submit a revised tentative map incorporating McCarran Street. 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-939 be denied.

If, however, the Planning Commission determines that approval of T-939 is warranted at this time, then the Development Services Department recommends the following conditions of approval:

1. Standard conditions 15, 17, 19, 24 and 27.
2. The development shall comply with all conditions of approval for ZN-92-02.
3. This tentative map (T-939) shall become null and void if City Council approval is not granted for AMP-48-02 and ZN-92-02
4. The amendment (AMP-51-02) to remove McCarran Street from the North Las Vegas Master Plan of Street and Highways must be approved by the City. If the amendment is denied, the tentative must be revised to include McCarran Street.
5. Entrance streets must be revised to a minimum sixty-foot (60') right-of-way width.
6. Include a tangent between the curves to lessen the severity of the curves. Contact Clete Kus, Transportation Planner, at 633-1235 for additional information.
7. Section 16.12.030 of North Las Vegas Municipal Code requires the following information on the tentative map:
  1. Other rights-of-way and easements (specifically Kern River) showing location, width and purpose;
  2. Map scale (two different ones shown);
  3. Approximate radii of all curves;
  4. A statement regarding protective covenant and deed restriction which the subdivider intends to enforce;
  5. The location of existing power, telephone facilities and existing gas mains.
8. Remove section thickness from the typical sections. The off-site pavement sections shown on the civil plans will be designed in accordance with Standard Specifications Section 401 using the ASSHTO model.
9. 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).

10. That the perimeter walls be owned and maintained by the homeowners' association.
11. 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.
12. That the developer disclose to prospective home buyers that corner side setback areas are reserved exclusively for landscaping.
13. That CC&R's be reviewed and approved by the Development Services Department prior to recording any final map.
14. The tentative map shall demonstrate compliance with the all open space requirements.
15. 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 8/28/02 Planning Commission meeting.

Vice-Chairman Anita Wood MOVED and Commissioner Joy Diaz SECONDED to CONTINUE T-939 to the 8/28/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 8/28/02.**

**Items #6 AMP-52-02, #7 ZN-101-02 and #8 T-947 are related.**

**6) AMP-52-02 (7523) ROME AND BRUCE (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 & Highways to delete approximately 2,650 feet of Bruce Street between Centennial Parkway and Deer Spring Way, and approximately 2,650 feet of Rome Boulevard between Donna Street and Lawrence Street. The Assessor's Parcel Numbers are 124-23-301-009, 124-23-701-001, 124-23-701-002 and 124-23-801-001.

**RECOMMENDATION**

The Development Services Department recommends that AMP-52-02 be denied due to opposition to the removal of Rome Boulevard and Bruce Street by the Fire Department and the Department of Public Works.

Prior to the Planning Commission meeting, the applicant requested the item be continued indefinitely.

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 Nelson Stone MOVED and Commissioner Marilyn Kirkpatrick SECONDED to CONTINUE AMP-52-02 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**Items #6 AMP-52-02, #7 ZN-101-02 and #8 T-947 are related.**

**7) ZN-101-02 (7522) ROME AND BRUCE (Public Hearing)**

An application submitted by Centex Homes on behalf of Rome Bruce LLC, property owner, for reclassification of property from an R-E Ranch Estates District to a PUD Planned Unit Development District consisting of 517 single family homes. The property is generally located at the northwest corner of Lawrence Street and Centennial Parkway. The Assessor's Parcel Numbers are 124-23-801-001, 124-23-701-001, 124-23-701-002 and 124-23-301-009.

**RECOMMENDATION**

The Development Services Department recommends that ZN-101-02 be continued at the request of the Public Works Department.

If however a continuance is unacceptable at this time the Development Services Department recommends that ZN-101-02 be denied due to opposition to the removal of Rome Boulevard and Bruce Street by the Departments of Fire and Public Works.

If however in light of the opposition to this proposal the Planning Commission determines that approval is warranted at this time, the following are recommended as conditions of approval:

1. Standard Conditions:
2. That the development shall comply with the PUD open space requirements and that the right-of-way required to mitigate the channel may not be included in determining compliance with these standards.
3. The following right of way dedications are required:
  1. Forty feet (40.00') for Deer Springs Way
  2. Thirty feet (30.00') for Lawrence Street and Donna Street.
  3. Fifty feet (50.00') for Centennial Parkway
  4. Las Vegas Wash Channel, trail system and the confluence with the Centennial Channel; width to be determined.
  5. Bus turn out on Centennial Parkway west of Lawrence Street.
4. The following easement must be dedicated:
  1. Centennial Parkway Channel East, width to be determined.
5. If AMP-52-02 is denied, the site must be redesigned to include Bruce Street and Rome Boulevard.
6. That the minimum lot size for this development be 4,500 square feet.
7. That all lots conform to the R-1 setbacks.
8. That the development generally conform to the preliminary development plan (T-947) as submitted or as amended herein.
9. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.

Prior to the Planning Commission meeting, the applicant requested the item be continued indefinitely.

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 Nelson Stone MOVED and Vice-Chairman Anita Wood SECONDED to CONTINUE ZN-101-02 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**Items #6 AMP-52-02, #7 ZN-101-02 and #8 T-947 are related.**

**8) T-947 (7521) ROME AND BRUCE**

An application submitted by Centex Homes on behalf of Rome Bruce LLC, property owner, for a tentative map review in an R-E Ranch Estate Residential District (proposed to an PUD Planned Unit Development District). The property is generally located at the northwest corner of Centennial Parkway and Lawrence Street. The Assessor's Parcel Numbers are 124-23-301-009, 124-23-701-001, 124-23-701-02 and 124-23-801-001.

**RECOMMENDATION**

The Development Services Department recommends that T-947 be continued at the request of the Public Works Department and the Clark County School District.

If however the applicant is not agreeable to a continuance at this time the Development Services Department recommends that ZN-101-02 be denied due to opposition to the removal of Rome Boulevard and Bruce Street by the Departments of Fire and Public Works.

If however in light of the opposition to this proposal the Planning Commission determines that approval is warranted at this time, the following are recommended as conditions of approval:

1. Standard Conditions: 4, 6, 11, and 15.
2. Approval of AMP-52-02 is required prior to approval of the tentative map. If AMP-52-02 is denied, the site must be redesigned to include Bruce Street and Rome Boulevard.
3. The Centennial Parkway Channel East, Revere Street to the upper Las Vegas Wash, is under design. The current design plans show a 63.25' easement that increases to 80' at major intersections. The tentative map must be revised to include the correct easement width.
4. The following right of way dedications are required:
  1. Forty feet (40.00') for Deer Springs Way
  2. Thirty feet (30.00') for Lawrence Street and Donna Street.
  3. Fifty feet (50.00') for Centennial Parkway
  4. Las Vegas Wash Channel, trail system and the confluence with the Centennial Channel; width to be determined.
  5. Bus turn out on Centennial Parkway west of Lawrence Street.
5. The following easement must be dedicated:
  1. Centennial Parkway Channel East, width to be determined.
6. Applicant must submit a master transportation plan with modeling of 20 year projections.
7. A transportation study must be submitted that supports the elimination of Bruce Street and Rome Boulevard.
8. Approval of a drainage study is required prior to submittal of the civil improvement plans.
9. 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.
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. Interior streets may require minor revisions as required by the Traffic Engineer.

12. A water network analysis must be submitted with the civil improvement plans.
13. Any known geologic hazards shall be shown on all plans. The presence of such hazards may substantially alter the layout of the project.
14. That the minimum lot size for this development be 4,500 square feet.
15. That all lots conform to the R-1 setbacks.
16. That all requirements and concerns of the school district be satisfied prior to the approval of a conforming tentative map, and that the applicant submit documentation from the school district indicating such.
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.
18. That perimeter landscaping be designated as "Common Elements" and maintained by the homeowners association.
19. That the perimeter walls be owned and maintained by the homeowners' association.
20. That 10 feet of landscaping (which may include the sidewalk) shall be installed along the side-yards of corner lots. Such landscaping shall be maintained by the homeowners association or the homeowner of the respective lot, and that provisions for enforcement of such maintenance shall be included within the CC&R's.
21. 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 Division prior to submittal of the final map.
22. 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.

Prior to the Planning Commission meeting, the applicant requested the item be continued indefinitely.

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to CONTINUE T-947 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**9) ZN-98-02 (7444) SANTA ROSA (Public Hearing)**

An application submitted by Centex Homes, on behalf of R.M.N.L.V. II, P. Yedidsion, property owner, for reclassification of property from an R-E Ranch Estates District to an R-1 Single-Family Residential District. The property is 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 ZN-98-02 be approved and forwarded to the City Council with a recommendation for hard zoning to the R-1, Single-Family Residential District.

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

Dean Rasmussen, 3068 E. Sunset Road Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman 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-98-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**



**10) AMP-50-02 (7392) CITY OF NORTH LAS VEGAS/ANN ROAD (Public Hearing)**

An application submitted by the City of North Las Vegas for an Amendment to the Master Plan of Streets and Highways to realign Ann Road between Lawrence Street and Statz Street by adding approximately 290 feet to the Tropical Parkway alignment between the new Ann Road alignment and Tropical Parkway, the removal of approximately 998 feet of Tropical Parkway between McCarran Street and Statz Street and the addition of approximately 2,600 feet to the Ann Road alignment between Statz Street and Pecos Road. The Assessor's Parcel Numbers are:

124-25-201-002	124-25-401-001	124-25-701-002	124-25-701-007
124-25-202-002	124-25-401-002	124-25-701-003	124-25-801-002
124-25-301-004	124-25-601-006	124-25-701-004	124-26-801-004
124-25-301-005	124-25-601-007	124-25-701-005	124-26-802-001
124-25-301-006	124-25-701-001	124-25-701-006	

**RECOMMENDATION**

The Development Services Department recommends that AMP-50-02 be approved and forwarded to City Council for final consideration.

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

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-50-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**11) UN-42-01 (7390) WINCHELL'S PUB & GRILL (Public Hearing)**

An application submitted by Ronald Winchell on behalf of the Winchell Family Trust, property owner, for an extension of time on a use permit in a C-1 Neighborhood Commercial District to allow the "On Sales" of alcoholic beverages in conjunction with a pub and grill. The property is generally located at the southwest corner of Ann Road and Simmons Street. The Assessor's Parcel Number is 124-32-102-003.

**RECOMMENDATION:**

The Development Services Department recommends that the Planning Commission grant a six-month extension of time for UN-42-01, subject to the following amended conditions:

1. That development of the proposed bar and grill shall comply with the revised floor plan and building elevations approved on August 14, 2002, with the exception that seamed metal roofing materials shall be prohibited. Roofing materials shall match those of the shopping center, which consist of Monier Lifetile.
2. That UN-42-01 shall expire on December 27, 2002.

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.

Vice-Chairman Anita Wood MOVED and Commissioner Joy Diaz SECONDED to APPROVE UN-42-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

## **12) SPR-25-02 (7525) SIMMONS MARKETPLACE**

An application submitted by Marathon Development on behalf of Simmons Properties, LLC, property owner, for a Final Development Plan review in a C-1 Neighborhood Commercial District. The property is at the southwest corner of Ann Road and Simmons Street. The Assessor's Parcel Number is 124-32-102-003.

### **RECOMMENDATION**

The Development Services Department recommends that SPR-25-02 be approved subject to the following conditions:

1. That Standard Conditions 1, 2, 5, 6, 11, 22, 26, 27, 29 and 32 apply; and
2. That the development of this site shall be in general compliance with the site plan submitted for review. Minor modifications will be required and shall be subject to review and approval by staff; and
3. That Fire access widths and turning radii shall be in accordance with the requirements of the Fire Code; and
4. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
5. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
6. That 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
7. That the following right-of-way dedications are required:
  1. An additional ten feet (10.0') for Simmons Street.
  2. Flared intersection at Ann Road and Simmons Street per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
  3. Bus turn-out on Simmons Street south of Ann Road; and
8. That the development shall be in compliance with the Commercial Design Standards including, but not limited to, the following, which shall be subject to review and approval by staff:
  1. All buildings shall be of a uniform architectural design. The design shall conform to the elevations contained herein; and
  2. Foundation landscaping shall be provided, where appropriate, adjacent to all buildings including the pads; and
  3. Only monument-type freestanding signs with height no greater than 8' shall be allowed. All site signage must be of a uniform design consistent with that of the shopping center; and
  4. The sidewalks along Ann Road and Simmons Street must be relocated and separated from the back-of-curb by a minimum five (5) feet of landscaped area. The sidewalks should be curvilinear in design; and
  5. The trash collection and compaction area behind Building 6 must be screened by an opaque wall designed to match the building. The enclosure shall be provided with a solid metal gate; and

6. One landscape island, minimum six feet in width, shall be provided at each end of all parking rows. One additional island shall be provided for every fifteen (15) parking spaces within a row; and
7. Every other double row of parking shall be designed to include a landscape strip down the middle with a minimum width of six feet; and
8. Bicycle parking racks shall be provided within 100 feet of the primary entrances of Buildings 3 and 6. Additional bike racks shall be located within 100 feet of the pedestrian plaza areas. Bike parking areas shall not interfere with pedestrian access ways and shall accommodate a minimum two bicycles; and
9. A minimum 20 feet of landscaping shall be provided adjacent to the western property line; and
10. All structures, parking areas and drive aisles shall maintain a minimum setback of 20 feet from the front property line(s); and
11. Pedestrian plaza areas shall be interspersed throughout the site. No pedestrian plaza area shall be smaller than 250 square feet; and
12. Exterior roof ladders shall be prohibited. Access to the roofs shall be from within the buildings; and
13. The pedestrian plaza area identified nearest to the intersection of Ann Road and Simmons Street shall be designed to deter pedestrians from impeding the flows of traffic. The area shall also include design measures to prevent automobiles from encroaching into the plaza area. The plaza area shall be set back from each right-of-way by a minimum 20 feet of landscaping; and
14. A minimum ten (10) feet of landscaping shall be provided adjacent to the southern property line if a shared-use path is planned along the north side of the Las Vegas Wash, Western Tributary. If a shared-use path is not planned along the north side of the channel, a minimum fifteen (15) feet of landscaping shall be provided.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 8/28/02 Planning Commission meeting.

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to CONTINUE SPR-25-02 to the 8/28/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 8/28/02.**

**13) UN-55-00 (7491) AIRCENTER NORTH (Public Hearing)**

An application submitted by Aircenter North LLC, property owner, for an extension of time on a use permit in an M-2 General Industrial District to allow a convenience food store with gas pumps and a car wash. The property is generally located at the southeast corner of Cheyenne Avenue and Simmons Street. The Assessor's Parcel Number is 139-17-501-001.

**RECOMMENDATION:**

The Development Services Department recommends UN-55-00 be approved subject to the following conditions:

1. Standard numbers condition: 4, 6, 7, 8, 10, 11 and 12.
2. The applicant shall comply with the industrial design guidelines, including the requirement for 20 feet of landscaping next to perimeter streets unless waived by the Planning Commission in conjunction with the site plan review (SPR-22-00).
3. The applicant shall comply with all Fire Department codes and ordinances.
4. An avigation easement shall be completed and submitted to the Clark County Department of Aviation for recordation.
5. That the applicant shall be required to file FAA form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, and may, depending upon the FAA's determination, also be required to obtain a permit from the Clark County Director of Aviation.

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

Marshall Morton, 4040 N. Tenaya Way, Las Vegas, Nevada 89129 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 Vice-Chairman Anita Wood SECONDED to APPROVE UN-55-00 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**14) UN-59-02 (7361) ANN & FERRELL CAR WASH (Public Hearing)**

An application submitted by Gerald Garapich, AIA, LLC, on behalf of Madison B. Graves III, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow an automobile washing establishment (drive through service). The property is located east of Ferrell Street approximately 300 feet north of Ann Road. The Assessor's Parcel Number is 124-29-402-010.

**RECOMMENDATION:**

The Development Services Department recommends that UN-59-02 be approved with the following conditions:

9. Standard conditions: 4, 8, 10, 11, and 12.
10. Approval of a traffic study with queuing analysis is required prior to submittal of the civil improvement plans; and
11. Driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in North Las Vegas Municipal Code 17.24.130 and the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 225. Conformance may require modifications to the site; and
12. The proposed facility shall conform to the Commercial Design Standards; and
13. The facility will match the Kavanaugh's Pub & Grill in materials, design and color.

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

Chairman Dean Leavitt called for the applicant to come forward. The applicant was not present. Chairman Leavitt stated this item shall be postponed to the end of tonight's meeting to allow the applicant time to be present.

Gerald Garapich, 10 Commerce Center Drive, Henderson, Nevada 89014 appeared on behalf of the applicant who stated he concurs with staffs' recommendations.

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

Commissioner Joy Diaz MOVED and Vice-Chairman Anita Wood SECONDED to APPROVE UN-59-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**15) UN-60-02 (7398) PETE KING CORPORATION (Public Hearing)**

An application submitted by Pete King Corporation, property owner, for a use permit in a M -2 General Industrial District to allow a 500-gallon above-ground propane tank for the storage of hazardous materials. The property is located at 2575 East Lone Mountain Road. The Assessor's Parcel Number is 139-01-101-010.

**RECOMMENDATION:**

The Development Services Department recommends that UN-60-02 be approved subject to the following conditions:

1. Standard condition numbers: 4, 8, 10, 11, 12, 15, and 27.

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

Rex Holman, of Pete King Corporation, 4520 Mitchell Road, North Las Vegas, Nevada 89030 appeared n 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 Vice-Chairman Anita Wood **SECONDED** to **APPROVE** UN-60-02 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

**The item was APPROVED.**

**16) UN-61-01 (7504) ST. JOHN NEUMANN CATHOLIC CHURCH (Public Hearing)**

An application submitted by Lucchesi Galati Architects on behalf of Brother John J. Dodd, Las Vegas Roman Catholic Church, property owner, for an amendment to conditions associated with the use permit in an R-E Ranch Estates District to allow a church. The property is generally located at the southwest corner of El Campo Grande Avenue and Coleman Street. The Assessor's Parcel Numbers are 124-29-801-003 and 124-29-801-004.

**RECOMMENDATION:**

The Development Services Department recommends that the request to amend condition 2d only be approved to read as follows:

2d. That a patina copper colored metal roof shall be allowed subject to staff review and approval.

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

Ron Singer, of Lucchesi Architects, 500 Pilot Road Suite A, 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.

Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to APPROVED UN-61-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**



**17) UN-63-02 (7524) CENTURY ONE (Public Hearing)**

An application submitted by Centex Homes (AKA Real Homes) on behalf of Centennial Parkway-Commerce LLC, property owner, for a use permit in an R-E Ranch Estates District (proposed R-2 Two-Family Residential District) to allow two (2) single family detached dwelling units. The property is generally located at the southwest corner of Kitamaya Street and Centennial Parkway. The Assessor's Parcel Number is 124-27-101-002.

**RECOMMENDATION**

The Development Services Department recommends that UN-63-02 be approved with the following condition:

1. All applicable conditions for T-941 shall apply to UN

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

Dena Rasmussen, 3068 E. Sunset Road Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman 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 UN-63-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

### **18) UN-72-00 (7485) STORAGE WEST (Public Hearing)**

An application submitted by Thompson Neon Sign Co., on behalf of LAACO Ltd., property owner, for review of previously approved condition of a use permit in a C-2 General Commercial District to allow for increased sign height and square footage. The property is located at 2480 W. Craig Road. The Assessor's Parcel Number is 139-05-601-036.

#### **RECOMMENDATION:**

This item was originally denied by the Planning Commission meeting on November 8, 2000. The Development Services Department had recommended approval of UN-72-00. The applicant subsequently appealed the Planning Commission's decision and the City Council approved UN-72-00 on January 17, 2001, subject to 23 conditions.

This same applicant had requested a zone change (ZN-26-00) at the Planning Commission meeting on September 13, 2000. The Development Services Department had recommended approval because the proposed zone change was in compliance with the Comprehensive Plan and the Zoning Ordinance. The Planning Commission had denied the zone change request. The applicant appealed the decision of the Planning Commission to the City Council and on October 18, 2000, the City Council overturned the Planning Commission's decision and granted the zone change from R-E, Ranch Estates, to C-2, General Commercial.

The applicant obtained a building permit (A/P# 13777) on January 29, 2002, and this site is currently under construction.

The issue before the Planning Commission with this request is signage. In the letter of intent, the applicant, Thompson Neon Sign Company (on behalf of LAACO LTD., property owner), is requesting a 20-foot-tall internally-illuminated sign with dimensions (11'-3" wide by 20'-0" tall) equaling 225 square feet. Condition #21 of the approved special use permit reads:

- "21. That a monument sign be incorporated into the landscaped area adjacent to the Craig Road right-of-way. The sign shall have a housing element designed to match the caretaker's residence in material, design and colors. The sign shall meet all City of North Las Vegas size and location requirements."

The applicant is requesting a sign that they feel "is more attractive than (a) standard pole sign..." To eliminate any confusion, the size of a sign cannot be protected by trademark laws. A logo can be protected by copyright laws and may be included on the sign, but the applicant has no "rights" to the size of a sign with his preferred design simply because that size of sign with his preferred design has been approved by other jurisdictions.

Although not under review at this time, Condition #23 reads: "That, unless specifically mentioned herein, this site (shall) be developed in accordance with the Commercial Development Standards and Design Guidelines."

Contrary to what the applicant implies that a sign atop a single steel pole is what the alternative is to the proposed sign, is somewhat misleading. The Commercial Development Standards and Design Guidelines (§17.24.200.I.1) require every sign to "be an integral design element of a building's architecture, compatible with the site's overall character and building design." Furthermore, the materials and colors used in the construction of freestanding post or monument signs shall be compatible to those used in the construction of the primary buildings (North Las Vegas Municipal Code §17.24.200.I.1.a.)

Based on those requirements, a steel pole in a concrete footing with a sign at the top would not be permitted in the City of North Las Vegas under any circumstances today. The pole would be required to have a housing designed to match the primary buildings. In this case, the minimum housing requirement would be stucco with architectural embellishments to match the caretaker's apartment/office building.

If the Planning Commission were to require the condition to remain unchanged, then the applicant would still have every right to include his design within the allotted sign area. None of the applicant's rights pertaining to corporate logo, trademarks or copyrights would be infringed upon if this request is denied.

**RECOMMENDATION:**

The Development Services Department recommends that the applicant's request to remove condition #21 from UN-72-00 be denied because of the reasons listed above.

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

Jim Thompson, 3316 Wild Blossom Drive, Las Vegas, Nevada 89129 appeared on behalf of the applicant who stated the sign being proposed for this location is more attractive. He stated he believes that the monument sign seems inappropriate on Craig Road due to the high traffic nature and the other signs in that area.

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

Commissioner Marilyn Kirkpatrick stated she travels Craig Road and Ann Road and she stated Ann Road has nice monument signs, as well as the City of North Las Vegas has just put up monument signs.

Commissioner Nelson Stone stated he does not support this application as he feels the Commercial Design Standards need to be followed.

Vice-Chairman Anita Wood asked staff if the applicant is entitled to have a 35-foot sign based on the C-2 Zoning.

Mr. Jordan replied that the applicant is not entitled to such, and according to the conditions of this use permit the applicant is subject to monument signage. He stated if that condition was not in this the applicant would then be allowed a higher sign as part of the C-2 Zoning, but at this time the applicant is subject to the monument signage.

Vice-Chairman Anita Wood stated that she believes, in order to maintain the integrity of Craig Road, which she traveled on today, the conditions need to remain as they are.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to DENY UN-72-00 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was DENIED.**

**19) UN-94-97 (7534) FORT CHEYENNE (Public Hearing)**

An application submitted by Boyd & Patricia Bulloch, property owners, for an amendment to conditions of approval for an existing use permit allowing an expansion to the existing Fort Las Vegas casino in a C-2 General Commercial District. Specifically, conditions requiring a four week notification for special events. The property is located at 2428 E. Cheyenne Ave. The Assessor's Parcel Number is 139-11-816-020.

The applicant, Mr. Boyd Bulloch, is requesting Planning Commission consideration for clarification and deletion of certain conditions of the approved use permit. The applicant has not specifically stated which conditions are to be considered.

Shortly after submitting the application, the applicant was notified, in person, that a new letter was required specifically addressing what condition(s) were requested to be either amended, clarified or deleted. The applicant was given until July 8, 2002 to submit a new letter.

On July 15, 2002, a letter was sent to the applicant informing the applicant that the only items that would be considered by the Planning Commission would be conditions B-7 and B-11, as the last paragraph refers to the notification time which is stipulated in these two conditions. The letter, sent by staff, further informed the applicant that should the applicant desire to have the Planning Commission review any other condition(s), such desire would need to be specific and in writing.

At the writing of this memorandum, a new letter had not been submitted, therefore, only conditions B-7 and B-11 will be addressed. Conditions B-7 and B-11 are listed as follows:

- B-7: Four weeks prior to holding a special event activity within the Special Event Center, the applicant must apply for and obtain an assembly permit from the North Las Vegas Fire Department in accordance with UFC Section 105.8 for such event. The permit application must include a scaled plan indicating the seating arrangements, location and width of exit ways and aisles, and calculation determining the maximum proposed occupant load, in accordance with UFC Section 2501.14. Such permit must be obtained prior to utilizing the Special Event Center for any special event activity. Any use of this building that occurs without the appropriate Fire Department permit may result in an immediate cease and desist order and a possible fine of up to \$1,000.00 pursuant to the Uniform Fire Code, as adopted by the City.
- B-11: Four weeks prior to holding a special event activity within the Special Event Center, the applicant must apply for and obtain a permit from the North Las Vegas Police Department ("NLVPD") for such event. The applicant shall comply with each and every NLVPD condition of approval for each special event activity. Failure to comply will be cause for the immediate revocation of the specific event permit and immediate cancellation of the special event activity.

Such conditions may include, but are not limited to the following: events with an anticipated attendance in excess of 1,000 may require an NLVPD presence with the cost for such police present to be incurred by the applicant – representatives from the NLVPD and the applicant will determine the need for such NLVPD presence prior to permit approval; events with an anticipated attendance in excess of 500 may require a private security presence to monitor surveillance equipment and maintain a presence throughout the interior and exterior of the building before, during, and after the event, and assist with traffic control, if necessary. The need for such personnel or required number of personnel shall be determined by representatives of the NLVPD and the applicant.

**Analysis:**

The Fire and Police Departments have submitted memorandums which oppose a reduction in the four week notification for special events. The Fire Department has indicated that the four-week notification requirement is a conservative estimate based upon plans check and inspection times. The Police Department has indicated that the four-week notification is needed to schedule the needed personnel to provide security for the special events.

However, the Fire Department has presented amended language that would only require a one week notification, provided a standard special event plan is approved and on file with the Fire Department. Likewise, the Police Department has also submitted amended language that would only require a one week notification for events with less than 500 people.

**Recommendation:**

The Development Services Department recommends that UN-94-97 be amended as follows:

B-7: Four weeks prior to holding a special event activity within the Special Event Center, the applicant must apply for and obtain an assembly permit from the North Las Vegas Fire Department in accordance with UFC Section 105.8 for such event. ***Alternatively, a special event permit application may be submitted to the Fire Department a minimum of one week prior to the scheduled event provided that the special event applied for complies with a standard special event plan approved by the Fire Department prior to application for the specific special event permit.*** The permit application must include a scaled plan ***or refer to a standard plan*** indicating the seating arrangements, location and width of exit ways and aisles, and calculation determining the maximum proposed occupant load, in accordance with UFC Section 2501.14. Such permit must be obtained prior to utilizing the Special Event Center for any special event activity. Any use of this building that occurs without the appropriate Fire Department permit may result in an immediate cease and desist order and a possible fine of up to \$1,000.00 pursuant to the Uniform Fire Code, as adopted by the City.

B-11: Four weeks prior to holding a special event activity within the Special Event Center, the applicant must apply for and obtain a permit from the North Las Vegas Police Department (“NLVPD”) for such event. ***However, for events which total less than 500 people, a one week notice is needed to determine if additional security or staffing measures are warranted.*** The applicant shall comply with each and every NLVPD condition of approval for each special event activity. Failure to comply will be cause for the immediate revocation of the specific event permit and immediate cancellation of the special event activity.

Such conditions may include, but are not limited to the following: events with an anticipated attendance in excess of 1,000 may require an NLVPD presence with the cost for such police present to be incurred by the applicant – representatives from the NLVPD and the applicant will determine the need for such NLVPD presence prior to permit approval; events with an anticipated attendance in excess of 500 may require a private security presence to monitor surveillance equipment and maintain a presence throughout the interior and exterior of the building before, during and after the event, and assist with traffic control if necessary. The need for such personnel or required number of personnel shall be determined by representatives of the NLVPD and the applicant.

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

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

Boyd Bulloch, 821 E. Lone Mountain Road, North Las Vegas, Nevada 89031 appeared on behalf of the applicant.

Troy Bulloch, 821 E. Lone Mountain Road, North Las Vegas, Nevada 89031 appeared on behalf of the applicant.

Jerry Lozano, 1541 Wilshire Boulevard Suite 302, Los Angeles, California 90017 appeared on behalf of the applicant.

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

- ▶ Mike Winne, 3005 Emmons Avenue, North Las Vegas, Nevada 89030

Mr. Winne stated he would like to see this facility become open for business.

Chairman Leavitt closed the Public Hearing.

Vice-Chairman Anita Wood MOVED and Commissioner Joy Diaz SECONDED to APPROVE UN-94-97 per staff's recommendations.

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

**The item was APPROVED.**

**20) VN-07-02 (7519) LOSEE WASHBURN PLAZA (Public Hearing)**

An application submitted by Acclaim MTI, LLP, on behalf of Rocklin, LLC, property owner, for a variance in an M -2 General Industrial District to allow a twenty-three (23) foot front set setback where thirty-five (35) feet is required. The property is generally located at the southeast corner of Losee Road and Washburn Road. The Assessor's Parcel Number is 124-36-301-001.

**RECOMMENDATION**

The Development Services Department recommends that VN-07-02 be denied because the proposal fails to meet the criteria set forth in State Law and the City of North Las Vegas Municipal Code.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 8/28/02 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 Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to CONTINUE VN-07-02 to the 8/28/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO 8/28/02.**

**21) ZN-99-02 (7446) CENTENNIAL/BRUCE WEST 40 (Public Hearing)**

An application submitted by Taney Engineering on behalf of William Lyon Homes, property owner, for reclassification of property from an R-2 Two-Family Residential District to a PUD Planned Unit Development District consisting of 364 single family homes. 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 ZN-99-02 be continued indefinitely to allow the applicant time to meet with the appropriate departments and the Clark County School District to resolve the concerns mentioned above.

If, however, the Planning Commission finds that a favorable recommendation is warranted for ZN-99-02, as submitted, then the following conditions are recommended:

1. That Standard Conditions 1, 2, 3, 5, 7, 9, 11, 15, 16, 17, 18, 19, 24, 26, 27, 28, 29, 31 and 32 apply; and
2. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
3. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
4. That 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
5. That the following right-of-way dedications are required:
  1. Forty feet (40.00') for Bruce Street; and
  2. Fifty feet (50.00') for Centennial Parkway; and
  3. Thirty feet (30.00') for Azure Avenue and Donna Street; and
  4. Bus turn out on Bruce Street south of Centennial Parkway; and
  5. Flared intersection at Centennial Parkway and Bruce Street per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1; and
1. That the landscape area along Centennial Parkway shall be increased as needed to accommodate the Nevada Power transmission line easement; and
2. That an administrative consolidation of parcels is required. The form is available from the Clark County Assessor's office or on the internet at <http://www.co.clark.nv.us/assessor>; and
3. That all open space acreage, amenities and requirements be provided in accordance with Section 17.20.160 of the Zoning Ordinance; and
4. Each residential unit shall be provided with fire sprinklers for fire suppression, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map; and
5. That fire lane widths shall be maintained in accordance with the Fire Code; and
6. That the applicant meet with the Clark County School District (Mr. Ernest Rubi, AICP, 799-6435) to resolve problems associated with the impacts of this development on local schools. The applicant shall provide written confirmation from the Clark County School District as to the outcome of those discussions prior to submittal of a tentative map or final development plan; and



7. That the preliminary development plan be revised to identify an ADA-compliant pedestrian access ways to all open space areas. The access ways shall be owned by the homeowners' association, provided with adequate lighting, decorative walls and identified as part of the usable open space; and
8. That the development comply with the Single Family Design Guidelines, unless otherwise mentioned herein; and
9. That the following setbacks apply:
  1. Front: Fifteen (15) feet, provided all garages maintain a 20-foot front setback.
  2. Interior side: Five (5) feet.
  3. Corner side: Ten (10) feet.
  4. Rear yard: Fifteen (15) feet.
  5. Covered patios: Five (5) feet from side and rear property lines; and
16. That a final development plan be submitted for review and approval by the Planning Commission prior to the issuance of any residential construction permits. The final development plan shall identify colors, materials and elevations for the dwellings, as well as all amenities and design elements pertaining to the parks, recreation areas and open space; and
17. That a minimum one-fourth of the required open space area (65,405 square feet) be constructed prior to the issuance of the 90<sup>th</sup> building permit; and
18. That a minimum one-half of the required open space area (130,810 square feet) be constructed prior to the issuance of the 180<sup>th</sup> building permit; and
19. That all of the required open space areas be constructed prior to the issuance of the 270<sup>th</sup> building permit; and
20. That a minimum one ADA-compliant drinking fountain be provided in the immediate vicinity of the soccer field; and
21. That the Nevada Power Company easement adjacent to Centennial Parkway be provided with one 24-inch box tree for every 225 square feet of unpaved ground area. The trees shall be of a species so as not to interfere with the power lines; and
22. That the maximum width of the meandering sidewalk adjacent to Centennial Parkway be five feet (5.00'); and
23. That the meandering sidewalk along Centennial Parkway be separated from the back-of-curb by a minimum five feet (5.00') of landscaping; and
24. That the perimeter walls be owned and maintained by the homeowners' association; and
25. That corner side yard landscaping, if applicable, be maintained by the homeowners' association; and
26. That the developer disclose to prospective home buyers that corner side yard landscape areas, if applicable, are reserved exclusively for landscaping; and
27. That CC&R's be reviewed and approved by the Development Services Department prior to recording any final map; and

28. 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
29. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development; and
30. That lot numbers, sizes (in square feet), and dimensions be provided on the revised preliminary development plan; and
31. That open space calculations, including dimensions and square feet, be provided for each individual area on the revised preliminary development plan; and
32. That 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
33. That eight (8) copies of the revised preliminary development plan, incorporating all conditions mentioned herein, be submitted to the Development Services Department prior to the issuance of any construction permits; and
34. That all conditions mentioned herein be satisfied prior to recording any final map.

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

Terry Connelly, 500 Pilot Road, Suite G, Las Vegas, Nevada 89119 appeared on behalf of the applicant.

Ed Taney, of Taney Engineering, 4445 S. Jones Boulevard, Las Vegas, Nevada 89103 appeared on behalf of the applicant.

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

Commissioner Joy Diaz MOVED and Vice-Chairman Anita Wood SECONDED to DENY ZN-99-02.

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

**The item was DENIED.**

**There was a break in the proceedings at 8:56 p.m.  
The meeting reconvened at 9:11 p.m.**

**22) T-946 (7530) CENTENNIAL/BRUCE NORTH 40**

An application submitted by Taney Engineering on behalf of William Lyon Homes, property owner, for a tentative map review in a PUD Planned Unit Development District consisting of 209 single family homes. The property is generally located at the northwest corner of Bruce Street and Centennial Parkway. The Assessor's Parcel Numbers are 124-23-401-003, 124-23-401-004 and 124-23-401-005.

**RECOMMENDATION**

The Development Services Department recommends that T-946 be approved subject to the following conditions:

1. That Standard Conditions 4, 11, 18, 19, 22, 24 and 27 apply; and
2. That AMP-40-02 be approved by the City Council for Medium Density Residential; and
3. That ZN-70-02 be approved by the City Council for the Planned Unit Development District. Otherwise, T-946 shall be considered null and void; and
4. That T-946 comply with all conditions of approval for ZN-70-02; and
5. 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
6. That fire hydrants shall be provided in accordance with the Fire Code; and
7. That the street cross-section drawing be revised to identify a minimum five feet (5.00') of landscaping between the back-of-curb and the meandering sidewalk; and
8. That a minimum one tree (minimum 24-inch box size) be provided for every 225 square feet of area within the drainage easement adjacent to Centennial Parkway (i.e., Common Lot A and Common Lot B); and
9. That a minimum one bench be provided every 150 feet adjacent to the meandering sidewalk within the drainage easement adjacent to Centennial Parkway (i.e., Common Lot A and Common Lot B); and
10. That the maximum number of lots for this development be 209; and
11. That the applicant must submit a master transportation plan with modeling of 20 year projections; and
12. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
13. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
14. That 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

15. That the following right of way dedications are required:
  1. Forty feet (40.00') for Bruce Street.
  1. Fifty feet (50.00') for Centennial Parkway.
  1. Thirty feet (30.00') for Rome Boulevard and Donna Street.
  1. Bus turn out on Centennial Parkway west of Bruce Street.
  1. Flared intersection at Centennial Parkway and Bruce Street per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1; and
15. That an easement for flood control facilities is required along Centennial Parkway in accordance with plans prepared by G.C. Wallace. Upon completion of the final design of the Centennial Channel, the applicant may be required to revise the width of the drainage channel; and
16. Remove section thickness from the typical 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.

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

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

Commissioner Jo Cato MOVED and Commissioner Joy Diaz SECONDED to APPROVE T-946 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**23) VAC-21-02 (7502) LOGISTICENTER @ NORTH LAS VEGAS (Public Hearing)**

An application submitted by DP Partners on behalf of J.L. Beam, LLC, property owner, to vacate private streets and utility easements within the boundaries of the project and including private streets. The property is generally located at the southeast corner of Belmont Street and Alexander Road. The Assessor's Parcel Numbers are 139-12-511-001 thru 139-12-511-058.

**RECOMMENDATION**

The Development Services Department recommends that VAC-21-02 be approved, and forwarded to the City Council for final consideration with the following conditions:

- 1;      Revise the legal description to remove Bay Lake Trail and add the blanket easement granted in the Owner's Certificate of Plat Book 84, Page 39.
  
- 2;      Public easements shall be retained at Belmont Street and Alexander Road and at Bay Lake Trail and Alexander Road per Plat Book 84, Page 39.

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

Treasea Crotchett, 444 E. Warm Springs Road Suite 110, Las Vegas, Nevada 89119 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 Jo Cato SECONDED to APPROVE VAC-21-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**24) VAC-22-02 (7503) LOGISTICENTER @ NORTH LAS VEGAS (Public Hearing)**

An application submitted by DP Partners on behalf of JL Beam, LLC , property owner, to vacate the public drainage easement located at the northeast corner of Belmont Street and Gowan Road. The Assessor's Parcel Number is 139-12-601-002.

**RECOMMENDATION**

The Development Services Department recommends that VAC-22-02 be approved, and forwarded to the City Council for final consideration with the following condition:

1. Approval of the replacement facility's civil improvement plans and bonds required prior to recordation of the vacation.

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

Treasea Crotchett, 444 E. Warm Springs Road Suite 110, Las Vegas, Nevada 89119 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 VAC-22-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**25) ZOA-09-02 (7505) BAT-R-UP (Public Hearing)**

An ordinance amendment initiated by Alvino Ramirez, III to amend Section 17.20.140(C) of Title 17 of the North Las Vegas Municipal Code (Zoning Ordinance) to allow Indoor Batting Cages as a Special Use in the M -2 General Industrial District.

**RECOMMENDATION:**

The Development Services Department recommends that ZOA-09-02 be approved as follows:

17.20.140 General Industrial District (M-2).

C. Special Uses Subject to Section 17.24.020.

(Add) ***Indoor recreational uses or indoor athletic training facilities;***

Section 17.12.020 Definitions

(Add)

***“Indoor recreational uses or indoor athletic training facilities” means an establishment with the primary function of providing a climate-controlled fully-enclosed environment for such indoor activities as, but not limited to, batting cages, golf driving ranges, swimming natatorium, bicycling velodrome, gymnastics training facility, shooting range, skateboard facility or roller rink. All activities, including but not limited to, spectator seating and participant waiting areas, shall take place within the building.***

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

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 8/28/02 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 Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to CONTINUE ZOA-09-02 to the 8/28/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 8/28/02.**

**26) ZOA-10-02 (7527) SECURED FIBRES (Public Hearing)**

An ordinance amendment initiated by Secured Fibres to amend Section 17.20.140(B) of Title 17 of the North Las Vegas Municipal Code (Zoning Ordinance) to include outdoor baling and storage of corrugated materials as a principal use in the M -2 General Industrial District.

**RECOMMENDATION:**

The Development Services Department recommends that ZOA-10-02 be denied.

If however, the Planning Commission were to determine that the proposed ordinance amendment is warranted, then staff recommends the following:

17.20.140 General Industrial District (M-2).

2. Principally Permitted Uses.

Recycling center, *indoor*,

C. Special Uses Subject to Section 17.24.020.

(Add) *Recycling center, with outside activities or storage;*

17.20.150 Heavy Industrial District (M-3).

2. Principally Permitted Uses.

Recycling center, *indoor*,

C. Special Uses Subject to Section 17.24.020.

(Add) *Recycling center, with outside activities or storage;*

Section 17.12.020 Definitions

(Amend the definition of Recycling Center as follows:)

“Recycling Center” means an establishment with the primary function of collecting, sorting and distribution of nonferrous metal products for recycling such as aluminum, glass, paper, plastic and other related items. All operations such as collection, sorting, distributing and storage shall be conducted totally within an enclosed building and there shall be no outside storage, ***unless approved as a special use.***

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

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 8/28/02 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 Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to CONTINUE ZOA-10-02 to the 8/28/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 8/28/02.**



### **27) T-945 (7528) AUTUMN CHASE PHASE III**

An application submitted by Temple Development on behalf of Cohen 1969 Trust & Philip Joseph Cohen, property owner, for a tentative map review in an R-E Ranch Estate Residential District (proposed to an R-1 Single Family Residential District). The property is generally located at the northwest corner of Lone Mountain Road and Simmons Street. The Assessor's Parcel Number is 124-32-402-002.

#### **RECOMMENDATION:**

The Development Services Department recommends that T-945 be continued to allow the applicant time to revise the tentative map incorporating the Verde Way alignment and the required traffic calming elements, as well as address other concerns of the Public Works Department outlined in the analysis section above.

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-945 be denied.

If, however, the Planning Commission determines that approval of T-945 is warranted, staff recommends the following conditions:

1. Standard Conditions 11, 15, 16, 17, 18, 24, 26, 27, 28, 29, 31 and 32;
2. That the development meet the Single-Family Design Guidelines including, but not limited to, all landscaping requirements; and
3. That corner side yard landscaping be maintained by the homeowners' association; and
4. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping; and
5. 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
6. Fire lane widths shall be maintained in accordance with the Fire Code; and
7. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within the development; and
8. 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
9. That the perimeter wall, or those wall sections facing Simmons Street, be decorative and that the wall sections be owned and maintained by the Homeowners' Association; and
10. The applicant has a pending rezoning application (ZN-93-02) to the R-1 Single Family Residential District. The applicant shall obtain permanent zoning to the R-1 Single Family Residential District, otherwise, the tentative map shall be null and void; and
11. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

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

Gus Velez, 6280 S. Valley View Boulevard Suite 200, Las Vegas, Nevada 89118 appeared on behalf of the applicant.

**Commissioner Nelson Stone MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE T-945 subject to the following:**

The applicant met with the Public Works Department and resolved the issues concerning the Verde Way configuration that were outlined in the original staff report.

The applicant also submitted a revised tentative map on August 14, 2002 which shows the two streets, Macey Creek Avenue and Smokey River Avenue, previously in excess of 500 feet without any curvilinear elements, as now being less than 500 feet in length.

As indicated in the original staff report, a portion of the parcel, approximately 10 acres, is not included as part of this application. It appears that a portion of the parcel is being held out for the purpose of higher density residential or commercial zoning. According to the Comprehensive Plan guidelines, higher density residential or commercial zoning may not be supported at this location. Staff's recommendation is for continuance to allow the applicant time to amend the tentative map to include the entire parcel.

**Recommendation:**

The Development Services Department recommends that T-945 be continued to allow the applicant time to revise the tentative map incorporating the entire 20 acres of the parcel.

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-945 be denied.

If, however, the Planning Commission determines that approval of T-945 is warranted, staff recommends the following conditions:

1. Standard Conditions 11, 15, 16, 17, 18, 24, 26, 27, 28, and 32; and
2. Approval of a traffic study is required prior to submittal of the civil improvement plans; and
3. 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
4. Driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in North Las Vegas Municipal Code 17.24.130 and the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 225. Conformance may require modifications to the site; and
5. A water network analysis must be submitted with the civil improvement plans; and
6. Any known geologic hazards shall be shown on all plans. The presence of such hazards may substantially alter the layout of the project; and
7. Remove section thickness from the typical 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

8. The map shall be revised to provide a minimum of sixty foot (60.0') right-of-way width for the entrance street; and
9. The applicant shall reconstruct, to the satisfaction of the Director of Public Works or his designee, the portion of Verde Way adjacent to Lots 10 and 11 of Lone Mountain Estates Unit 2, Plat Book 61, Page 64 to accommodate drainage and street maintenance issues; and
10. The property owner shall grant a twenty foot (20') public drainage easement, to be privately maintained, adjacent to the southerly boundary of the tentative map commencing at Verde Way and terminating at Simmons Street; and
11. That the development meet the Single-Family Design Guidelines including, but not limited to, all landscaping requirements; and
12. That corner side yard landscaping be maintained by the homeowners' association; and
13. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping; and
14. 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
15. Fire lane widths shall be maintained in accordance with the Fire Code; and
16. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within the development; and
17. 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
18. That the perimeter wall, or those wall sections facing Simmons Street, be decorative and that the wall sections be owned and maintained by the Homeowners' Association; and
19. The applicant has a pending rezoning application (ZN-93-02) to the R-1 Single Family Residential District. The applicant shall obtain permanent zoning to the R-1 Single Family Residential District, otherwise, the tentative map shall be null and void; and
20. 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 motion carried by UNANIMOUS vote.**

**The item was APPROVED.**

## **28) FDP-03-00 (7427) RANCHO DELNORTE SPORTS COMPLEX**

An application submitted by Rancho Del Norte Plaza, Inc., property owner, for an amended final development plan review in a PUD Planned Unit Development District to allow a sports complex with restaurants. The property is generally located approximately 100 feet south of Rancho Del Norte Drive on the east side of Camino Al Norte Drive. The Assessor's Parcel Number is 124-34-410-011.

### **RECOMMENDATION**

The Development Services Department recommends that the amendment to FDP-03-00 be approved subject to the following conditions:

1. Standard conditions 4, 7, and 11 must be met.
2. The developer must relocate the present utility and access easement away from the proposed building.
3. If the owner intends to sell off the pads, a commercial subdivision map and CC&R's must be filed at the City of North Las Vegas Property Management Division.
4. Easements are required for commercial driveways and RPPA valves.
5. All applicable conditions of the previously approved tentative map (T-921) must be met.
6. A traffic study by a Nevada registered engineer is required.
7. The driveway number and location are subject to review and approval by the CNLV Traffic Engineer.
8. Parking layout is subject to review and approval by the City of North Las Vegas Traffic Engineer.
9. The North Las Vegas Master Plan shows a bike path along the channel.
10. The southern driveway on Camino Al Norte must align with the median opening.
11. The northern driveway on Camino Al Norte must align with the La Madre Way alignment.
12. The applicant must sign the Traffic Signal Cost Participation Agreement or make payment for signal improvements. Contact Sonya Spears, Management Analyst, at 633-1975 for additional information.
13. The site plan shall meet approval of the North Las Vegas Fire Department's Uniform Fire Code with amendments as adopted by Ordinance 1283 including, but not limited to, fire access turning radii.
14. The applicant must sign an encroachment permit for the landscaping in the Camino al Norte right-of-way.
15. A landscape island shall be installed between the parking rows in front of the sports facility and approved by staff.
16. That the proposed development shall be in general conformance to the final development plan as submitted or amended herein, and where specific details of the development plan are not addressed, the development shall be in conformance with the Commercial Design Standards.

17. That the color scheme shall be revised to earth-tone and neutral colors indigenous to the Las Vegas Valley and its surrounds.

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

Jim Childs, 4010 Ali Baba Suite B, Las Vegas, Nevada 89118 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to APPROVE FDP-03-00 per staff's recommendations subject to the following change:

**Condition #10 Changed to Read:** "The southern driveway on Camino Al Norte **must be approved by the City's Traffic Engineer.**"

The motion carried by UNANIMOUS vote.

## **OLD BUSINESS**

### **29) UN-43-94 (1637) SPRINT CELLULAR (Public Hearing)**

An application submitted by Verizon Wireless on behalf of the City of North Las Vegas, property owner, for an annual review of landscaping and blockwall installation requirements for an approved cellular radio transmission facility (unmanned) and a 110 foot high tower in an R-1 Single-Family Residential District. The property is generally located on the west side of Allen Lane approximately 566 feet north of El Campo Grande Avenue. The Assessor's Parcel Number is 124-30-701-003.

#### **RECOMMENDATION:**

The Development Services Department recommends approval of the annual review for UN-43-94.

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

Julie Brooks, 7351 W. Charleston Boulevard Suite 120, Las Vegas, Nevada 89117 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.

Vice-Chairman Anita Wood MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-43-94 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

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

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

**These items were continued from the June 12<sup>th</sup> and the July 10<sup>th</sup> Planning Commission meetings at the request of the applicant.**

**RECOMMENDATION:**

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

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

**The item was WITHDRAWN.**

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

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

**RECOMMENDATION:**

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

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

**The item was WITHDRAWN.**

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



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

**These items were continued from the July 10<sup>th</sup> and 24<sup>th</sup> Planning Commission meetings at the request of the applicant.**

**RECOMMENDATION:**

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

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 9/11/02 Planning Commission meeting.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. He stated the Public Hearing shall remain open until such time this item can be heard in its entirety.

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to CONTINUE AMP-44-02 to the 9/11/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 9/11/02.**

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

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

**RECOMMENDATION:**

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

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 9/11/02 Planning Commission meeting.

Chairman Nelson Stone opened the Public Hearing. No participants came forward. He stated the Public Hearing shall remain open until such time this item can be heard in its entirety.

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to CONTINUE ZN-85-02 to the 9/11/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 9/11/02.**

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

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

**This item was continued from the Planning Commission meetings of June 26, 2002, and July 24, 2002, to allow the applicant time to meet with the Department of Public Works to resolve some outstanding issues.**

**RECOMMENDATION**

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

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

Susan Johnston, of G.C. Garcia, 2501 N. Green Valley Parkway Suite 108, Henderson, Nevada 89014 appeared on behalf of the applicant.

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 Marilyn Kirkpatrick MOVED and Vice-Chairman Anita Wood SECONDED to CONTINUE AMP-42-02 per staff's recommendations to the 9/11/02 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 9/11/02.**

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

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

**This item was continued from the May 8, 2002, the June 12, 2002, and the July 10, 2002 Planning Commission meetings at the request of the applicant. The applicant indicated that he wished to have time to review further options involving the variance request.**

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

**RECOMMENDATION:**

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

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

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

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

Brad Burns, of Real Homes, 3600 N. Rancho Drive, Las Vegas, Nevada 89130 appeared on behalf of the applicant.

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 VN-06-02 per staff's recommendations subject to the following change:

**Condition #3 Added to Read: "developer shall provide a disclosure to the buyer with regards to the patio."**

The motion carried by UNANIMOUS vote.

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

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

**This item was continued from the July 24<sup>th</sup> Planning Commission meeting at the request of the applicant.**

**RECOMMENDATION**

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

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.

Commissioner Joy Diaz MOVED and Vice-Chairman Anita Wood SECONDED to APPROVE T-944 per staff's recommendations subject to the following change:

**Delete Condition #10 as it is a duplicate of Condition #7.**

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Consent Agenda Item 'K' was heard next as it is a companion item to Item #36 T-944.**

## 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 August 14, 2002 meeting of the Planning Commission of the City of North Las Vegas was made by Chairman L. Dean Leavitt. Vice-Chairman Anita Wood SECONDED the motion.

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L. Dean Leavitt, Chairman

**ATTEST:**

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Ted Karant, Recording Secretary