

# MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Dean Leavitt, Chairman  
Nelson Stone  
Joy Diaz  
Jay Aston

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Anita Wood, Vice-Chairman  
Marilyn Kirkpatrick  
Jo Cato

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

## January 8, 2003

### CALL TO ORDER:

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

### ROLL CALL:

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

### STAFF PRESENT:

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

### ANNOUNCEMENTS:

Verification of compliance with NRS 241, Open Meeting Law.

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

### PLEDGE OF ALLEGIANCE

Commissioner Nelson Stone

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

## **MINUTES**

Approval of the MINUTES for the Planning Commission meeting of November 26, 2002.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to APPROVE the minutes of the November 26, 2002 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

## **CONSENT AGENDA**

### **A) PW-01-03 (9244) PM 765, LOT 1, CAREY AVENUE & COMMERCE STREET OFFSITE IMPROVEMENTS**

Accept the Subdivision Off-Site Improvements Agreement by the Housing Authority of the City of North Las Vegas and accept the Subdivision Bond in the amount of \$24,000.00.

### **B) PW-02-03 (9245) CENTENNIAL & REVERE, PHASE I, STORMDRAIN ADDITION**

Accept the Subdivision Off-Site Improvements Agreement by Centex Homes, a Nevada General Partnership and accept the Subdivision Bond in the amount of \$337,150.00.

### **C) PW-03-03 (9246) COBBLESTONE MANOR EAST**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by D.R. Horton, Inc. and accept the Performance Bond in the amount of \$394,938.45.

### **D) PW-04-03 (9247) NVE PARCEL 67-20 ACRE PARK**

Accept the Commercial Developments Off-Site Improvements Agreement by North Valley Enterprises, LLC and accept the Performance Bond in the amount of \$660,000.00.

### **E) PW-05-03 (9248) ARROYO GRANDE, UNIT 4A**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Insurance Company of the West to release the Subdivision Bond in the amount of \$529,287.28.

### **F) PW-06-03 (9250) ARROYO GRANDE, UNIT 4B**

Accept the off-site improvements for maintenance and advise the Director of Public Works to advise Insurance Company of the West to release the Subdivision Bond in the amount of \$324,375.76.

### **G) PW-07-03 (9251) ARROYO GRANDE, UNIT 4C**

Accept the off-site improvements for maintenance and advise the Director of Public Works to advise Insurance Company of the West to release the Subdivision Bond in the amount of \$156,027.09.

### **H) PW-08-03 (9252) ARROYO GRANDE, UNIT 4D**

Accept the off-site improvements for maintenance and advise the Director of Public Works to advise Insurance Company of the West to release the Subdivision Bond in the amount of \$490,863.40.

### **I) PW-09-03 (9253) ARROYO GRANDE, UNIT 4E**

Accept the off-site improvements for maintenance and advise the Director of Public Works to advise Insurance Company of the West to release the Subdivision Bond in the amount of \$450,523.51 and \$41,547.55.

### **J) PW-10-03 (9254) ARROYO GRANDE, UNIT 5**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Insurance Company of the West to release the Subdivision Bond in the amount of \$167,430.34.

**K) PW-11-03 (9255) WINDEMERE, PHASE 3**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Insurance Company of the West to release the Subdivision Bond in the amount of \$363,235.00.

**L) PW-12-03 (9257) WINDEMERE, PHASE 4**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Insurance Company of the West to release the Subdivision Bond in the amount of \$449,187.00.

**M) PW-13-03 (9258) DENMAN CONSTRUCTION OFFICE**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Inter Cargo Insurance Company to release the Improvements Bond in the amount of \$23,070.30.

**N) PW-14-03 (9283) CENTENNIAL BRUCE EAST 40 ACRES, UNIT 1**

Approve the Final Map and the Subdivision Off-Site Improvements Agreements by William Lyon Homes, Inc. and accept the Subdivision Bonds in the amount of \$215,162.70 for Phase 1; \$355,592.60 for Phase 2; \$536,162.61 for Phase 3; and \$39,258.34 for the future half street improvements.

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

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

**P) PW-135-02 (8616) LOGISTICENTER, PHASE 1 OFFSITES**

Accept the Commercial Developments Off-Site Improvements Agreement by Dermody Properties and accept the Letter of Credit in the amount of \$1,002,606.00.

Vice-Chairman Anita Wood **MOVED** and Commissioner Joy Diaz **SECONDED** to **APPROVE** Consent Agenda Items A,B,C,E,F,G,H,I,J,K,L,M,N, and P.

The motion carried by **UNANIMOUS** vote.

**Consent Agenda Item 'D' was WITHDRAWN.**

**Commissioner Joy Diaz MOVED and Vice-Chairman Anita Wood SECONDED to CONTINUE Consent Agenda Item 'O' to the 1/22/03 Planning Commission meeting.**

**The motion carried by UNANIMOUS vote.**

# **NEW BUSINESS**

## **1) NEW REDEVELOPMENT AREA (Public Hearing)**

Adoption of Resolution 123 for the selection of boundaries of a new Industrial Based Redevelopment Area. The designated areas would generally incorporate the North Las Vegas Airport, Nellis Industrial Park, the Cheyenne Technology Corridor, industrial areas along Losee Road and Interstate 15 right-of-way and several other areas.

### **RECOMMENDATION:**

The Development Services and Community Development Departments recommend that the Planning Commission **adopt** Resolution No. 123.

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

Kenny Young, Manager, Redevelopment Agency for the City of North Las Vegas, appeared on behalf of the Redevelopment Agency.

Larry Bender, of Bender & Associates, 330 E. Charleston Boulevard, Suite 201, Las Vegas, Nevada 89104 appeared as a consultant to the Redevelopment Agency.

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

Vice-Chairman Anita Wood stated she is concerned about the Redevelopment Agency making recommendations to the Planning Commission based on marketing plans alone.

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to APPROVE The NEW REDEVELOPMENT AREA per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #2 AMP-01-03 and #3 ZN-01-03 are related.**

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

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

**RECOMMENDATION:**

The Development Services Department recommends that AMP-01-03 be **denied** as the subject site does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan.

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

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

- ▶ Helen Foley, 515 S. 7<sup>th</sup> Street, Las Vegas, Nevada (no zip code stated)

Ms. Foley stated she represents Pardee Homes and is very concerned that there may be too much commercial in this area. She stated that she has had discussions with the applicant suggesting a continuance to allow her to meet with the applicant to learn more details about the project.

The Public Hearing was closed.

Vice-Chairman Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to CONTINUE AMP-01-03 to the 1/22/03 Planning Commission meeting.

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

**The item was CONTINUED to 1/22/03.**

**Items #2 AMP-01-03 and #3 ZN-01-03 are related.**

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

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

**RECOMMENDATION:**

The Development Services Department recommends that ZN-01-03 be **denied** as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June of 1999.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff is recommending denial 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 would like to have this item continued for two weeks along with the previous, related item #2 AMP-01-03.

Chairman Dean Leavitt opened the Public Hearing and stated the comments from the participant on Item #2 AMP-01-03, Helen Foley, shall be incorporated into this item, as well.

The Public Hearing was closed.

Commissioner Marilyn Kirkpatrick **MOVED** and Commissioner Joy Diaz **SECONDED** to CONTINUE ZN-01-03 to the 1/22/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 1/22/03.**

**Items #4 AMP-02-03, #5 ZN-02-03 and #6 T-972 are related.**

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

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

**RECOMMENDATION:**

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

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

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

- ▶ Joseph Hart, representing Nellis Air Force Base, 6020 Beale Avenue, Nellis Air Force Base, Nevada 89191.

Mr. Hart stated this project may or may not need to be noise attenuated.

The Public Hearing was closed.

Mr. Gronauer stated he would comply with any requirements regarding noise attenuation. He further stated that he would like to trail this item to the end of this Agenda to await the outcome of the related Tentative Map.

**The item was trailed to be heard at the end of this Agenda.**

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***This item was tabled to the end of this Agenda and was heard following Item #6.***

Bob Gronauer, of KKB&R, asked to have this item continued for two (2) weeks to the 1/22/03 Planning Commission meeting.

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

Commissioner Joy Diaz MOVED and Vice-Chairman Anita Wood SECONDED to CONTINUE AMP-02-03 to the 1/22/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 1/22/03.**

**Items #4 AMP-02-03, #5 ZN-02-03 and #6 T-972 are related.**

**5) ZN-02-03 (9013) WESTWIND (Public Hearing)**

An application submitted by Signature Homes on behalf of Plaster Development Co., Inc., property owner, for reclassification of property from an O-L Open Land District to an R-1 Single-Family Residential District. The property is generally located at the southwest corner of Valley Drive and Horse Drive. The Assessor's Parcel Numbers are 124-07-401-005, 124-07-401-006, 124-07-401-007, 124-07-301-002, 124-07-301-003, 124-07-301-011 and 124-07-301-012.

**RECOMMENDATION:**

The Development Services Department recommends that the Planning Commission provide a **favorable recommendation** and that ZN-02-03 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. The following participant came forward:

- ▶ Joseph Hart, representing Nellis Air Force Base, 6020 Beale Avenue, Nellis Air Force Base, Nevada 89191.

Mr. Hart stated this project may or may not need to be noise attenuated.

The Public Hearing was closed.

Vice-Chairman Anita Wood MOVED and Commissioner Jay Aston SECONDED to APPROVE ZN-02-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**



**Items #4 AMP-02-03, #5 ZN-02-03 and #6 T-972 are related.**

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

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

**RECOMMENDATION:**

The Development Services Department recommends that T-972 be **continued indefinitely** to allow the applicant time to address the concerns mentioned above.

If the applicant is unable or unwilling to continue this item, then the Development Services Department has no other option than to recommend that this item be denied.

If the Planning Commission determines that approval is warranted at this time, then the following conditions are recommended:

1. That approval of the site plan submitted is not implied; and
2. That approval of a traffic study with modeling of 20 year projections 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 a water network analysis must be submitted with the civil improvement plan; and
5. That all known geologic hazards shall be shown on the Tentative Map and the Civil Improvement Plans. Subsequent identification of additional hazards may substantially alter the original Tentative Map layout; and
6. That if AMP-02-03 is not approved, the map shall be revised to conform to the Master Plan of Streets and Highways; and
7. That the following right of way dedications are required:
  1. Flared intersection at Horse and Valley and at Grand Teton and Decatur per the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1.
  2. Bus turn out on Grand Teton west of Valley.
  3. Horse, San Mateo, Racel, Valley, Decatur and Grand Teton, widths as delineated on the Master Plan of Streets and Highways; and
8. That if AMP-02-03 is approved, the applicant shall apply for a vacation of the excess portions of Valley Drive right of way; and
9. That the property owner must grant a pedestrian access easement for the portions of the sidewalk outside of the right of way prior to approval of the civil improvement plans; and
10. That the applicant shall be responsible for determining building height restrictions on lots located adjacent to the model airplane field. Coordinate inquiries through Tony Taylor at the North Las Vegas Parks and Recreation Department; and
11. That the developer shall provide an agitation easement prior to the recordation of the final map. Contact Mary Griego, Real Property Agent, at 633-2087 for additional information; and

12. That the applicant shall revise the layout to remove offset intersections at Racel and Twisted Vine, Racel and Yellow Thorne and at Trailing Indigo and Featherly Cassia; and
13. That the applicant shall revise the layout to incorporate the 16' northerly shift of the centerline of Grand Teton. The developer will be required to build the 64' wide roadway improvements adjacent to the site; and
14. That no certificate of occupancy will be granted for a residential unit within the development until after Fire Station 56 is in operation; and
15. That a minimum of two remote paved means of access within the corporate limits of the City of North Las Vegas shall be provided from existing streets and infrastructure to the proposed site; and
16. 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
17. That the development comply with the Single Family Development Standards and Design Guidelines including, but not limited to:
  - a. That interior landscaping commonly described as corner side yard landscaping be addressed as allowed for in the North Las Vegas Municipal Code Section 17.24.210(E); and
  - b. Corner side lot landscape areas shall be maintained by the homeowners' association; and
  - c. Perimeter landscaping shall be designated as "Common Elements" and shall be owned and maintained by the homeowners' association; and
18. The applicant has a pending rezoning application (ZN-02-03) to the R-1, Single Family Residential District. The applicant shall obtain permanent zoning to the R-1, Single Family Residential District, otherwise, the tentative map shall be null and void; and
19. That the perimeter walls be owned and maintained by the homeowners' association; and
20. That corner side yard landscaping be maintained by the homeowners' association; and
21. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping; and
22. That CC&R's be reviewed and approved by the Development Services Department prior to recording any final map; and
23. 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
24. 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
25. That, if AMP-02-03 is approved, a five-foot (5.00') concrete sidewalk be separated from the backs-of-curb by a minimum five feet (5.00') of landscaping for all perimeter streets. Perimeter streets shall be Valley Drive, Grand Teton Drive, Horse Drive and Decatur Boulevard. The five-foot sidewalks shall be constructed in accordance with Clark County Standard Drawings; and

26. That all street sections 500 linear feet or longer shall incorporate a curvilinear design, or other form of traffic calming, subject to review and approval by the City Traffic Engineer. If necessary, the map shall be re-designed; and
27. That five (5) copies the conforming tentative map, incorporating all conditions mentioned herein, be submitted to the Department of Public Works prior to the issuance of any construction permits.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff is recommending this item be continued to allow the applicant time to submit a required Impact Statement.

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 read the NRS section which requires an Impact Statement and stated that an Impact Statement is only required on a Final Map, not a Tentative Map.

Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant.

**Mr. Gronauer requested this item be trailed to the end of this Agenda.**

**Chairman Dean Leavitt stated this item shall be trailed to the end of this Agenda.**

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**There was a break in the proceedings at 8:48 PM  
The meeting reconvened at 9:04 PM**

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***This item was tabled to the end of this Agenda and heard following Item #33.***

Bob Gronauer, of KKB&R, asked to have this item continued fo two (2) weeks to the 1/22/03 Planning Commission meeting.

Vice-Chairman Anita Wood MOVED and Commissioner Joy Diaz SECONDED to CONTINUE T-972 to the 1/22/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 1/22/03.**

**Items #7 AMP-03-03, #8 ZN-03-03, #9 AMP-04-03 and #10 ZN-05-03 are related.**

**7) AMP-03-03 (9022) LAMB & TROPICAL PARKWAY (Public Hearing)**

An application submitted by Jim Marsh on behalf of William F. Ressler, Jr., Etal, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Research/Development Business Park and Industrial to Regional Commercial. The property is generally located at the northeast corner of Lamb Boulevard and Tropical Parkway. The Assessor's Parcel Number is 123-29-201-001.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-03-03 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.

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 Joy Diaz MOVED and Commissioner Marilyn Kirkpatrick SECONDED to CONTINUE AMP-03-03 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**Items #7 AMP-03-03, #8 ZN-03-03, #9 AMP-04-03 and #10 ZN-05-03 are related.**

**8) ZN-03-03 (9015) LAMB & TROPICAL PARKWAY (Public Hearing)**

An application submitted by Jim Marsh on behalf of William F. Ressler, Jr., Etal, property owner, for reclassification of property from an M-2 General Industrial District to a C-2 General Commercial District. The property is generally located at the northeast corner of Lamb Boulevard and Tropical Parkway. The Assessor's Parcel Number is 123-29-201-001.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-03-03 be **denied** as the rezoning is not justified by 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 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 Joy Diaz MOVED and Commissioner Jo Cato SECONDED to CONTINUE ZN-03-03 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**Items #7 AMP-03-03, #8 ZN-03-03, #9 AMP-04-03 and #10 ZN-05-03 are related.**

**9) AMP-04-03 (9041) LAMB & TROPICAL PARKWAY (Public Hearing)**

An application submitted by Jim Marsh on behalf of William F. Ressler, Jr., Etal, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Research/Development Business Park and Industrial to HDR High Density Residential. The property is generally located at the southwest corner of Azure Avenue and Novak Street. The Assessor's Parcel Number is 123-29-201-001.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-04-03 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.

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 Joy Diaz MOVED and Commissioner Jo Cato SECONDED to CONTINUE AMP-04-03 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**Items #7 AMP-03-03, #8 ZN-03-03, #9 AMP-04-03 and #10 ZN-05-03 are related.**

**10) ZN-05-03 (9040) LAMB & TROPICAL PARKWAY (Public Hearing)**

An application submitted by Jim Marsh on behalf of William F. Ressler, Jr., Etal, property owner, for reclassification of property from an M-2 General Industrial District to an R-3 Multifamily Residential District. The property is generally located at the southwest corner of Azure Avenue and Novak Street. The Assessor's Parcel Number is 123-29-201-001.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-05-03 be **denied** as the rezoning is not justified by 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 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 Joy Diaz MOVED and Commissioner Jo Cato SECONDED to CONTINUE ZN-05-03 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**Items #11 ZN-04-03 and #12 T-973 are related.**

**11) ZN-04-03 (9016) SUN CITY ALIANTE UNIT 6 (Public Hearing)**

An application submitted by North Valley Enterprises, LLC, property owner, for reclassification of property from an MPC Master Planned Community District to an R-1-MPC Single-Family Residential Master Planned Community District. The property is generally located approximately 2,600 feet east of Simmons Street and 1,600 feet south of Grand Teton Drive. The Assessor's Parcel Number is 124-17-501-001.

**RECOMMENDATION**

The Development Services Department recommends that ZN-04-03 be **approved**.

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

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

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

Vice-Chairman Anita Wood MOVED and Commissioner Joy Diaz SECONDED to APPROVE ZN-04-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**



**Items #11 ZN-04-03 and #12 T-973 are related.**

**12) T-973 (9023) SUN CITY ALIANTE UNIT 6**

An application submitted by North Valley Enterprises LLC, property owner, for a tentative map review in an MPC Master Planned Community District (proposed to an R-1-MPC Single Family Residential Master Plan Community District) consisting of 189 dwellings. The property is located north of Elkhorn Drive and east of Simmons Street. The Assessor's Parcel Number 124-17-501-001.

**RECOMMENDATION**

The Development Services Department recommends that T-973 be **approved** subject to the following conditions:

1. Standard Conditions: 4, 6, 11 and 15.
2. That lot number 188 be re-dimensioned to meet the minimum width and area requirements of 40' and 4,000 ft<sup>2</sup> respectively.
3. That the required six-foot-wide side-yard landscape easement be added to all corner lots consistent with the typical lot detail.
4. That the correct scale shall be indicated on the map.
5. The following revisions are required in order for the tentative map to conform to Municipal Code 16.12.030:
  - a. Add the approximate grades of all streets within the proposed subdivision.
  - b. Add approximate radii of all curves
  - c. Add the direction of flow of the proposed sewers.
  - d. A statement regarding protective covenants and deed restrictions which the subdivider intends to enforce.
6. New Street names must be submitted to the City of Las Vegas Central Fire Alarm Office and the U.S. Postal Service for review and approval prior to submittal of the conforming tentative map.
7. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted to the Public Works Department (and routed to Development Services) for review prior to submittal of the final map.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated 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.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to APPROVE T-973 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Commissioner Joy Diaz abstained from voting on this item due to a business interest.**

**13) VAC-03-03 (9007) THE COURT AT ALIANTE (Public Hearing)**

An application submitted by D. R. Horton on behalf of North Valley Enterprises, property owner, for a vacation of approximately 681 feet of a 36" water easement commencing at the northeast corner of Allen Lane and Deer Spring Way and proceeding north to the 215 Beltway. The Assessor's Parcel Number is 124-20-000-002.

**RECOMMENDATION**

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

1. The vacation shall record concurrently with the dedication of the new easement.
2. The plat map for the site shall reflect the location of the new easements.

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

David Moran, of SouthWest Engineering, 3610 N. Rancho Drive, Las Vegas, Nevada 89130 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 Jo Cato MOVED and Commissioner Jay Aston SECONDED to APPROVE VAC-03-03 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Joy Diaz abstaining from voting on this item due to a business interest.

**The item was APPROVED.**

**14) SNC-01-03 (8842) ALIANTE (Public Hearing)**

An application submitted by North Valley Enterprises, LLC, for a street name change to rename a portion of Simmons Street and Allen Lane to Aliante Parkway. The street name change commences at the north side of the intersection of Centennial Parkway and Simmons Street and proceeds northerly along the realigned Simmons Street to Farm Road and continues northerly along Allen Lane north to Grand Teton Drive.

**RECOMMENDATION**

The Development Services Department recommends that SNC-01-03 be **approved** subject to the following condition:

1. That the entire Simmons Street/Allen Lane alignment north of Centennial Parkway to Moccasin Road be renamed to Aliante Parkway.

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 SNC-01-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #15 AMP-44-02 and #16 ZN-85-02 are related.**

**15) 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 originally scheduled for the July 10, 2002, Planning Commission meeting. After several continuances, the applicant requested an indefinite continuance at the September 25, 2002, Planning Commission meeting. The applicant has submitted a letter requesting that these items be placed on this agenda. At this time, no new information or different circumstances have been presented that would warrant a different recommendation. Therefore, staff's recommendation of denial for both applications still stands.**

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

J.T. Moran, 630 S. 4<sup>th</sup> Street, Las Vegas, Nevada 89101 appeared on behalf of the applicant.

Jaime Butler, 2202 N. Westshore Boulevard, 5<sup>th</sup> Floor, Tampa, Florida 33607 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 AMP-44-02.

The **MOTION TO APPROVE FAILED** with Chairman Dean Leavitt, Vice-Chairman Anita Wood, Commissioner Nelson Stone, Commissioner Joy Diaz and Commissioner Jay Aston voting against the motion.

**SECOND MOTION:**

Commissioner Joy Diaz MOVED and Vice-Chairman Anita Wood SECONDED to DENY AMP-44-02 per staff's recommendations.

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

**The item was DENIED.**

**Items #15 AMP-44-02 and #16 ZN-85-02 are related.**

**16) 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.

**These items were originally scheduled for the July 10, 2002, Planning Commission meeting. After several continuances, the applicant requested an indefinite continuance at the September 25, 2002, Planning Commission meeting. The applicant has submitted a letter requesting that these items be placed on this agenda. At this time, no new information or different circumstances have been presented that would warrant a different recommendation. Therefore, staff's recommendation of denial for both applications still stands.**

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

J.T. Moran, 630 S. 4<sup>th</sup> Street, Las Vegas, Nevada 89101 appeared on behalf of the applicant.

Jaime Butler, 2202 N. Westshore Boulevard, 5<sup>th</sup> Floor, Tampa, Florida 33607 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-85-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was DENIED.**

**17) UN-01-03 (8862) CINGULAR WIRELESS, LLC (Public Hearing)**

An application submitted by Cingular Wireless, LLC., on behalf of Jose Garcia et ux., property owners, for a use permit in an R-1 Single-Family Residential District to allow a telecommunication tower (63' tower and related facilities) with a setback of twenty (20) feet where one hundred eighty-nine (189) feet is required. The property is generally located at the southeast corner of Valley Drive and Gowan Road. The Assessor's Parcel Number is 139-07-701-001.

**RECOMMENDATION:**

The Development Services Department recommends that UN-01-03 be **denied**.

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

1. Ten (10) feet of landscaping shall be provided along the exterior of the block wall on all sides. A minimum of one 24-inch box tree shall be planted every 15 feet on center within the required landscaping. Alternative tree spacing, appropriate to the tree plant variety may be allowed subject to staff review and approval.
2. The required landscaped area shall also contain a minimum 60% ground coverage of plants at maturity. Bare soil is not permitted.
3. Landscape and irrigation plans shall be submitted in conjunction with the building permit application for review and approval. All landscaping and irrigation materials shall be installed prior to a final inspection.
4. That a minimum eight-foot high block wall designed to match the adjacent pumping facility shall be provided to surround the cellular facility, with solid metal gates.
5. The facility shall be enlarged to accommodate equipment for three individual carriers.
6. The tower shall be set back a minimum 20 feet from the south and east property lines.
7. The overall height of the tower and antennas shall not exceed 63 feet.
8. The tower shall be a slimline design to accommodate up to three carriers.
9. The tower shall be painted tan or beige.
10. The applicant shall provide paved access to the site.
11. The property owner will be required to dedicate forty feet (40.00') of right-of-way for Gowan road and forty feet (40.00') of right-of-way for Valley Drive along with the associated spandrel.
12. Applicant shall provide half street improvements on Valley Drive and Gowan Road.

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

Tracy Cline, 1211 Town Center Drive, Suite 100, Las Vegas, Nevada 89144 appeared on behalf of the applicant.

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

- ▶ Catherine D. McGlathery, 3508 Trotting Horse Road, North Las Vegas, Nevada 89032

Ms. McGlathery stated she opposes this item as she does not feel it would be a benefit to the neighborhood.

- ▶ Glen Newbry, 3431 Side Saddle Court, North Las Vegas, Nevada 89032

Mr. Newbry stated he opposes this cell tower as he feels it will take away from his subdivision.

- ▶ Paula Rosa, 3528 Trotting Horse Road, North Las Vegas, Nevada 89032

Ms. Rosa stated she opposes this tower as it is not needed due to the lack of commercial developments in the area.

The Public Hearing was closed.

Commissioner Joy Diaz MOVED and Vice-Chairman Anita Wood SECONDED to DENY UN-01-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was DENIED.**

**Commissioner Jay Aston abstained from voting on this item due to a personal interest.**

**18) UN-02-03 (8918) LDS CHURCH-HIGHLAND HILLS (Public Hearing)**

An application submitted by Alton Dean Jensen, Architect, on behalf of the Church of Jesus Christ of Latter-Day Saints, property owner, for a use permit in an R-1 Single-Family Residential District to allow an 1,800 square foot recreation pavilion. The property is generally located west of Ferrell Street and approximately 471 feet north of Alexander Road. The Assessor's Parcel Number is 139-05-402-002.

**RECOMMENDATION**

The Development Services Department recommends that UN-02-03 be **approved** subject to the following conditions:

1. The property owner shall grant an easement for the commercial driveways.
2. An amended parcel map, submitted to Real Property Services on November 19, 2002, modifies the property line and must record prior to issuance of the building permits.
3. That a block wall be located adjacent to the north and east property lines and shall meet the requirements of the Commercial Design Standards.
4. Perimeter landscaping shall be in conformance with the Commercial Design Standards. A minimum of one 24-inch box tree shall be planted every 15 feet on center along the northern, western and eastern property lines. Alternative tree spacing, appropriate to the tree plant variety may be allowed subject to staff review and approval.
5. Landscape and irrigation plans shall be submitted in conjunction with the building permit application for review and approval. All landscaping and irrigation materials shall be installed prior to a final inspection.
6. The accessory structure shall use the same colors, materials and style as the main building.

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

Alton Dean Jensen, 3 Cactus Garden Drive, Henderson, Nevada 89014 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 Joy Diaz SECONDED to APPROVE UN-02-03 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Jay Aston abstaining from voting on this item due to a personal interest.

**The item was APPROVED.**



**19) UN-03-03 (8996) JOHN A. SEENO (Public Hearing)**

An application submitted by John A. Seeno, property owner, for a use permit in an R-E Ranch Estates District to allow a 1,600 square foot accessory building. The property is located at 3728 West La Madre Way. The Assessor's Parcel Number is 124-31-701-025.

**RECOMMENDATION:**

The Development Services Department recommends that UN-03-03 be **denied** because Title 17 does not allow the construction of more than one accessory, detached, private garage for each dwelling.

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

1. Paved access to the accessory structure shall be required.
2. The property owner shall provide a restrictive covenant for the off-site improvements. Contact Mary Griego, Real Property Agent, at 633-2087.

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

John Seeno, 3728 W. LaMadre Way, North Las Vegas, Nevada 89031 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 Joy Diaz SECONDED to DENY UN-03-03 per staff's recommendations.

The motion carried by MAJORITY vote with Chairman Dean Leavitt voting against the motion.

**The item was DENIED.**

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

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

**RECOMMENDATION**

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

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

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 1/22/03 Planning Commission meeting.

Chairman Dean Leavitt opened the Public Hearing. No participants came forward. He stated the Public Hearing shall remain open until such time this item is heard in its entirety.

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to CONTINUE UN-05-03 to the 1/22/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 1/22/03.**

**21) UN-68-99 (8761) ARBY'S RESTAURANT (Public Hearing)**

An application submitted by NRB Partnership on behalf of Chung Cho et. al., property owner, for an extension of time for a use permit in an R-A/CR Redevelopment Area/Commercial/Retail Subdistrict for a convenience food restaurant. The property is located at 1300 E. Lake Mead Boulevard. The Assessor's Parcel Number is 139-23-601-021.

**RECOMMENDATION:**

The Development Services Department recommends that the Planning Commission **grant** a two-year extension of time for UN-68-99 subject to the following conditions:

1. All conditions of approval for UN-68-99 shall apply.
2. That the development shall comply with the Commercial Development Design Standards, with the exception that landscaping may be allowed as shown on the site plan.
3. That UN-68-99 shall expire on December 6, 2004.
4. That the existing Arby's sign be retained on the site after the reconstruction.

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

Jerome Bartman, 9120 Eagle Ridge Drive, Las Vegas, Nevada 89134 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-68-99 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**22) UN-86-01 (9018) CENTENNIAL MARKET PLACE (Public Hearing)**

An application submitted by Mark Lefkowitz on behalf of the Losee Center, LLC, property owner, for an extension of time for a use permit in a C-2 General Commercial District to allow the “on-sale” of alcoholic beverages in conjunction with a tavern. The property is generally located at the northeast corner of Losee Road and Centennial Parkway. The Assessor’s Parcel Numbers are 124-24-401-001 and 124-24-401-002.

**RECOMMENDATION**

The Development Services Department Recommends that UN-86-01 be **denied** because construction of the Tavern is not imminent.

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

1. That UN-86-01 shall expire on May 28, 2003.
2. That all applicable conditions of the original approval extensions of time shall apply.
3. That all right-of-way dedications required by the prior conditions of approval shall be completed within 90 days.

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

George Garcia, 2501 N. Green Valley Parkway, Suite 108, Henderson, Nevada 89014 appeared on behalf of the applicant.

Chairman 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-86-01 subject to the following change:

**Condition #4 Added to Read: “*Floor Plan is subject to Planning Commission review and approval.*”**

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**23) VAC-01-03 (8928) SANTA ROSA (Public Hearing)**

An application submitted by Centex Homes, property owners, to vacate a portion of Revere Street commencing approximately 790 feet north of Ann Road and proceeding north approximately 558 feet. The Assessor's Parcel Number is 139-10-501-003.

**RECOMMENDATION:**

The Development Services Department recommends that VAC-01-03 be **continued** to allow the applicant to address the concerns of the Public Works Department.

If, however, the Planning Commission determines that approval of this application is warranted at this time, staff recommends the following condition of approval:

1. The applicant shall provide additional survey data that delineates the right-of-way location and demonstrates the need for the vacation.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff is recommending this item be continued as the applicant has not clearly demonstrated to staff the need to actually vacate this right away.

Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 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 Commissioner Jo Cato SECONDED to APPROVE VAC-01-03.

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

**The item was APPROVED.**

**24) VAC-02-03 (8946) SHADOW SPRINGS (Public Hearing)**

An application submitted by KB Homes of Nevada, Inc., property owner, to vacate the northerly 10 feet of Tropical Parkway commencing at Statz Street and proceeding east approximately 2,300 feet to Pecos Road and to vacate the westerly 10 feet of Pecos Road commencing at Tropical Parkway and proceeding north approximately 300 feet. The Assessor's Parcel Numbers are 124-25-601-006 and 12-25-601-007.

**RECOMMENDATION:**

The Development Services Department recommends that VAC-02-03 be **approved** and forwarded to City Council for final consideration with the following conditions:

1. The vacation of the portion of Tropical Parkway and Pecos Road shall record concurrently with the final map.
2. The City shall retain the right of way for the flared intersection based upon the Tropical Parkway forty foot (40.00') half street section.

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

Laura Dreja, 2727 S. Rainbow Boulevard, Las Vegas, Nevada 89146 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-02-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**25) FDP-01-03 (8783) ROME 20**

An application submitted by Lyle Brennan, property owner, for a Final Development Plan review in a (PUD) Planned Unit Development District consisting of 182 single family dwellings . The property is generally located at the northwest corner of Centennial Parkway and Goldfield St. The Assessor's Parcel Number is 124-22-801-005 and 124-22-801-006.

**RECOMMENDATION:**

As the development is in general compliance with the single-family design standards and conforms to the tentative map, the Development Services Department recommends that FDP-01-03 be **approved** with the following conditions:

1. The applicant shall comply with all conditions of approval for the Planned Unit Development (ZN-95-01).
2. The applicant shall comply with all conditions of approval for the Tentative Map (T-941).
3. The sidewalk next to Centennial Parkway shall be separated from the back-of-curb by a minimum five feet and shall be meandering and curvilinear in design.
4. Drought-resistant, water efficient plants shall be planted within the planter areas next to the perimeter streets. Turf shall be prohibited within the perimeter landscaped areas.
5. A photometric lighting plan shall be submitted for the Development Services and the Parks and Recreation Departments for review and approval. The lighting plan shall indicate the type of lights proposed along the walking path and a minimum one (1) candle foot of lighting along the walking path and under the covered picnic areas.
6. Label all landscape areas and open spaces as "COMMON ELEMENTS TO BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION."
7. That the development comply with the Single Family Design Guidelines, including, but not limited to ten (10) feet of landscaping, which may include the sidewalk, shall be provided adjacent to the corner side of all corner lots within the development.
8. 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).
9. That the perimeter walls be owned and maintained by the homeowners' association.
10. 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.
11. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
12. That CC&R's be reviewed and approved by the Development Services Department prior to recording any final map.
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. That the development of this site shall be in compliance with all Codes and Ordinances in effect at the time of building permit issuance. If there is a conflict with the conditions mentioned herein, the more restrictive shall apply.

15. That the open space areas shall contain at a minimum, the following items:
- a. Circuitous lighted paths
  - b. A minimum of 20 trees per acre
  - c. A minimum of two (2) differing age appropriate play structures for children with EPDM resilient fall protection, and accompanying shade ramada
  - d. A large open space area for group / organized play
  - e. One large (30' diameter) lighted group shade area / gazebo
  - f. Picnic tables and barbecue grills
  - g. Benches spaced along park pathways

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

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

Commissioner Joy Diaz MOVED and Commissioner Jay Aston SECONDED to APPROVE FDP-01-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**



**26) FDP-02-03 (8927) MARAVILLA**

An application submitted by Maravilla LLC., c/o Amstar Homes(Dave McEntire) property owner, for a Final Development Plan review in a PUD Planned Unit Development District consisting of a mixed use of residential and commercial. The property is generally located at the northeast corner of Ann Road and San Mateo Street. The Assessor's Parcel Number is 124-30-401-020 and 124-30-401-021.

**RECOMMENDATION**

The Development Services Department recommends that FDP-02-03 be **continued** until such time that the gross acreage of the commercial portion of this PUD is clearly defined to be not greater than 4.00 acres. As submitted, the final development plan does not indicate total compliance with Ordinance No. 1715.

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

1. That the applicant abide by the conditions of T-916 and ZN-49-02 (Ordinance No. 1715); and
2. That Fire access lanes shall be designed and installed in accordance with Fire Code requirements. All gates across the fire access lane shall comply with all applicable Fire Code guidelines; and
3. That the Open Space areas shall contain at a minimum, the following items:
  - a. Circuitous lighted paths
  - b. A minimum of 20 trees per acre
  - c. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection, and accompanying shade ramada
  - d. A large open space area for group / organized play
  - e. A swimming pool and cabana
  - f. Picnic tables and barbecue grills
  - g. Benches spaced along park pathways
4. That the acreage of the commercial portion of this development be clearly identified as not greater than 4.00 gross acres on all relevant documents, including but not limited to the Civil Improvement Plans and conforming tentative map; and
5. That a minimum three (3) different color schemes be provided for the dwellings. The color schemes shall be reviewed and approved by staff as part of the building permit application process; and
6. That a minimum one 24" box tree (minimum 1-1/2" caliper measured 6" above the top of the root ball) be planted between each rear-loading garage and the side property line. The planting of said trees shall be within a five-foot (5.00') landscape easement and shall be maintained by the homeowners' association. Additional shrubs shall be planted to provide 60% ground cover. The landscape easements shall be identified on the conforming tentative map(s), final map(s) and building plans.

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

George Garcia, 2501 N. Green Valley Parkway, Suite 108, Henderson, Nevada 89014 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to APPROVE FDP-02-03 subject to the following change:

**Condition #4 Changed to Read:** That the acreage of the commercial portion of this development **shall be consistent with condition 41 of the PUD** on all relevant documents, including but not limited to the Civil Improvement Plans and conforming tentative map; and

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**27) FDP-03-03 (9008) HARTRIDGE**

An application submitted by Capital City Enterprises, property owner, for a Final Development Plan review in a PUD Planned Unit Development District, consisting of 143 lots. The property is generally located south of Ann Road and approximately 850 feet west of Commerce Street. The Assessor's Parcel Numbers are 124-34-101-015 and 124-34-101-016.

**RECOMMENDATION**

The Development Services Department recommends that FDP-03-03 be **continued** to allow the applicant time to revise the final development plan to address the concerns mentioned above.

If the Planning Commission chooses to approve the final development plan at this time, the following conditions are recommended:

1. That the development of this site comply with all conditions of T-923 and ZN-61-02 (Ordinance No. 1684); and
2. That approval of this site plan is not implied; and
3. That a minimum three (3) different color schemes be provided for the dwellings. The color schemes shall be reviewed and approved by staff as part of the building permit application process; and
4. That all open space areas be provided with sod, shade trees and shrubs throughout, unless specified as a concrete sidewalk or structural platform. The final open space plans, including planting and structural materials, shall be subject to review and approval by the Department of Parks & Recreation prior to the issuance of any construction permits.

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

Ron Jackson, of SouthWest Engineering, 3610 N. Rancho Drive, Las Vegas, Nevada 89130 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-03-03 per staff's recommendations subject to the following changes:

**Condition #2 Deleted.**

**Color Board to be Exhibit 1.**

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**28) SPR-01-03 (8857) JASMINE CONDOMINIUMS**

An application submitted by Bramble Development, on behalf of Jasmine Valley LLC., property owner, for a site plan review in an R-3 Multi-Family Residential District to allow a waiver of the Multifamily Development Standards regarding trash enclosures. The property is located at 5855 Valley Drive. The Assessor's Parcel Number is 124-30-310-001.

**RECOMMENDATION:**

The Development Services Department recommends that SPR-01-03 be **denied**.

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

Dan Nash, 2590 Lindell Road, Las Vegas, Nevada 89146 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Joy Diaz MOVED and Commissioner Jay Aston SECONDED to APPROVE SPR-01-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**29) SPR-02-03 (8911) LAS VEGAS CORPORATE CENTER**

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

**RECOMMENDATION:**

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

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

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 1/22/03 Planning Commission meeting.

Commissioner Joy Diaz MOVED and Chairman Dean Leavitt SECONDED to CONTINUE SPR-02-03 to the 1/22/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 1/22/03.**

**30) T-971 (8964) ELDORADO R1-70 NO.9 TM #19R**

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

**RECOMMENDATION:**

The Development Services Department recommends that T-971 be **continued indefinitely** to allow the applicant sufficient time to submit a revised tentative map that addresses the Department of Public Works issues of concern.

State Statutes requires 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-971 be denied.

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

1. That all lands, areas, and open spaces are to be developed and maintained per the Development Agreement between the City of North Las Vegas and Pardee Homes of Nevada (formerly Pardee Construction Company) dated December 10, 1988, or as amended.
2. That the development shall comply with all applicable codes and ordinances.
3. Approval of a traffic study update is required prior to submittal of the civil improvement plans.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. A water network analysis must be submitted with the civil improvement plans.
6. All known geologic hazards shall be shown on the Tentative Map and the Civil Improvement Plans. Subsequent identification of additional hazards may substantially alter the original Tentative Map layout.
7. 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.
8. The street suffixes shall be revised to conform the North Las Vegas Street Naming and Address Assignment Standard.
9. Realign Silent Sunset Avenue and Black Oak Street to intersect at a 90-degree angle.
10. Revise hammerhead streets to conform to the standard cul-de-sac design. The "mini" cul-de-sac design, which features a minimum twenty-four foot (24.0') back-of-curb radius can also be utilized.
11. Add site distance triangles at Silent Sunset Avenue and Black Oak Street.
12. The dedication of the right of way for the Centennial Parkway Channel is required.
13. In order for the tentative map to conform to North Las Vegas Municipal Code 16.12.030 the following corrections / revisions are required:
  - a. Add the direction of flow of the proposed sanitary sewers.
  - b. Add a statement regarding the protective covenants and deed restrictions that the developer intends to enforce.
14. 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 WITHDRAWN.**

## **OLD BUSINESS**

### **31) AMP-68-02 (8516) CITY OF NORTH LAS VEGAS (Public Hearing)**

A comprehensive plan amendment initiated by the City of North Las Vegas to the North Las Vegas Comprehensive Plan adding Section 4.1.6.a (4.5) to create a new land use category titled Medium Low Density Residential (4.5 to 6 dwelling units per acre). Amend the existing Section 4.1.6.a (5) to Medium Density Residential (6 to 10 dwelling units per acre).

#### **Recommendation:**

The Development Services recommends **approval** of AMP-68-02 to amend the Medium Density Residential land use category and create a new Medium Low Density Residential category in the North Las Vegas Comprehensive Plan.

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

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

Commissioner Jay Aston MOVED and Chairman Dean Leavitt SECONDED to APPROVE AMP-68-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Commissioner Joy Diaz abstained from voting on this item due to a business interest.**

**32) T-950 (8705) NORTH VALLEY COURT**

An application submitted by D. R. Horton on behalf of North Valley Enterprises, LLC., property owner, for a tentative map review in an R-3 Multi Family Residential District to review *previously approved Condition 5*. The property is generally located at the northeast corner of Allen Lane and Deer Springs Way. The Assessor's Parcel Number is 124-20-000-006.

This application was continued from the December 11, 2002 Planning Commission Meeting at the request of the applicant. The applicant met with staff on December 16<sup>th</sup> to discuss some of the issues in regard to vinyl fencing, as the applicant is requesting to remove a condition of approval prohibiting the use of vinyl fences.

The Development Services Department **remains opposed** to the use of vinyl fences at this location because they do not appear to be durable in under the harsh summer conditions in the Valley. Premature deterioration of the fences in this community could lead to reduced property value. Furthermore, the sturdiness of the fences has not been proven, and it appears that they could be easily de-constructed thus offering very little security.

A project similar to North Valley Court has previously been approved in Henderson and has made use of the vinyl fences in the same application. However, that development is brand new, and cannot offer any evidence of the long term durability and overall function of vinyl fencing.

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.

Commissioner Nelson Stone MOVED and Commissioner Jay Aston SECONDED to APPROVE T-950 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Joy Diaz abstaining from voting on this item due to a business interest.

**The item was APPROVED.**



**33) SPA-02-02 (8695) STORAGE WEST**

An application submitted by Thompson Neon Sign Co. on behalf of LAACO Ltd., property owner, for an appeal of an administrative decision to deny a freestanding sign. The property is located at 2840 W Craig Road. The Assessor's Parcel Number is 139-05-601-036.

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

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

**RECOMMENDATION**

The Development Services Department recommends that SPA-02-02 be **denied**.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 2/12/02 Planning Commission meeting.

Commissioner Joy Diaz **MOVED** and Vice-Chairman Anita Wood **SECONDED** to **CONTINUE** SPA-02-02 to the 2/12/03 Planning Commission meeting.

The motion carried by **UNANIMOUS** vote.

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

## PUBLIC FORUM

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

**No members of the public came forward.**

**DIRECTOR'S BUSINESS:** None

**CHAIRMAN'S BUSINESS:** None

**ADJOURNMENT:** 11:35 PM

A motion to ADJOURN the January 8, 2003 meeting of the Planning Commission of the City of North Las Vegas was made by Chairman Dean Leavitt. Vice-Chairman Anita Wood SECONDED the motion.

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Dean Leavitt, Chairman

**ATTEST:**

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Ted Karant, Recording Secretary