

# MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Dean Leavitt, Chairman  
Nelson Stone  
Joy Diaz  
Jay Aston

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Anita Wood, Vice-Chairman  
Marilyn Kirkpatrick  
Jo Cato

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Planning Commission MINUTES are available on the internet at:

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

## March 12, 2003

### CALL TO ORDER:

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

### ROLL CALL:

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

### STAFF PRESENT:

Steve Baxter, Planning Manager  
Marc Jordan, Principal Planner  
Robert Eastman, Planner  
Lenny Badger, Public Works  
Clete Kus, Transportation Services  
Jimmy Johnson, 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 Jo Cato

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 February 26, 2003.

Commissioner Joy Diaz MOVED and Commissioner Nelson Stone SECONDED to APPROVE the minutes of the February 26, 2003 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

Approval of the MINUTES for the Planning Commission meeting of February 12, 2003.

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to APPROVE the minutes of the February 12, 2003 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

## **CONSENT AGENDA**

### **A) PW-36-03 (9879) ARROYO VISTA**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Gulf Insurance Company to release the Subdivision Bond in the amount of \$411,882.57.

### **B) PW-37-03 (9880) MCDONALD'S/CHEVRON @ ANN AND SIMMONS**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Safeco Insurance Company of America to release the Performance Bond in the amount of 103,317.01.

### **C) PW-38-03 (9881) AUTUMN CHASE III**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Temple Development Corporation and accept the Offsite Improvement Bond in the amount of \$385,895.90.

### **D) PW-39-03 (9882) VEGAS VIEW ESTATES II**

Approve the Subdivision Off-Site Improvements Agreement by New York Plastics, LLC and accept the Cash Damage Deposit In-Lieu-Of Bond in the amount of \$9,000.

### **E) PW-40-03 (9883) BRUCE COURT CONDOS**

Approve the Final Map.

### **F) PW-41-03 (9884) NEVADA PIC-A-PART**

Accept the Commercial Developments Off-Site Improvements Agreement by Nevada Pic-A-Part, LLC and accept the Off-Site Improvement Bond in the amount of \$52,238.40.

### **G) PW-42-03 (9941) FIFTH AND FARM, UNIT 1A**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Azure Farms, LLC and accept the Subdivision Bond in the amount of \$1,203,788.74.

Vice-Chairman Anita Wood MOVED and Commissioner Joy Diaz SECONDED to APPROVE Consent Agenda Items A through G.

The motion carried by UNANIMOUS vote.

## **NEW BUSINESS**

**Item #1 AMP-08-03, #2 ZN-13-03, #3 AMP-11-03 and #4 ZN-17-03 are related.**

### **1) AMP-08-03 (9565) CRAIG SIMMONS COMMERCIAL CENTER (Public Hearing)**

An application submitted by MDL Group, on behalf of Robert Cohen, Gerald L. and Nancy L. Erwin, Heidi Boilini and the Matonovich Family Trust, property owners, for an Amendment to the Comprehensive Plan, land use element to change the current designation of VLDR Very Low Density Residential to LDR Low Density Residential. The property is generally located at the northeast corner of Simmons Street and San Miguel Avenue. The Assessor's Parcel Numbers are 139-05-701-008, 139-05-701-009, 139-05-702-004 and 139-05-702-006.

### **RECOMMENDATION**

The Development Services Department recommends that AMP-08-03 be **denied**, because the proposed land use is inconsistent with the Ranch Estates Preservation Area.

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

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:

- ▶ Steve Jackson, 4221 Seth Drive, North Las Vegas, Nevada 89032

Mr. Jackson stated he opposes this application as he does not feel a commercial development would enhance this neighborhood.

Chairman Leavitt closed the Public Hearing.

Vice-Chairman Anita Wood MOVED and Commissioner Joy Diaz SECONDED to CONTINUE AMP-08-03 to the 3/26/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

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

### **Note: Regarding Item #1 AMP-08-03**

**Chairman Dean Leavitt stated the Public Hearing needs to be re-opened on Item #1 AMP-08-03 and remain open until such time that item is heard in its entirety, since the item has been CONTINUED to the 3/26/03 Planning Commission meeting.**

**Commissioner Joy Diaz MOVED and Vice-Chairman Anita Wood SECONDED to RE-OPEN the Public Hearing for Item #1 AMP-08-03.**

The motion carried by UNANIMOUS vote.

**Item #1 AMP-08-03, #2 ZN-13-03, #3 AMP-11-03 and #4 ZN-17-03 are related.**

**2) ZN-13-03 (9566) CRAIG SIMMONS COMMERCIAL CENTER (Public Hearing)**

An application submitted by MDL Group, on behalf of Robert Cohen, Gerald L. and Nancy L. Erwin, Heidi Boilini and the Matonovich Family Trust, property owners, for reclassification of property from an R-E Ranch Estates District to an R-1 Single-Family Residential District. The property is generally located at the northeast corner of Simmons Street and San Miguel Avenue. The Assessor's Parcel Numbers are 139-05-701-008, 139-05-701-009, 139-05-702-004 and 139-05-702-006.

**RECOMMENDATION**

The Development Services Department recommends that ZN-13-03 be denied, as the amendment to the Comprehensive Plan is not warranted.

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 requested this item be continued for two (2) weeks in conjunction with Item #1 AMP-08-03 (its companion item).

Chairman Dean Leavitt opened the Public Hearing. The following participant was acknowledged by Chairman Leavitt:

- ▶ Steve Jackson, 4221 Seth Drive, North Las Vegas, Nevada 89032

Chairman Leavitt asked Mr. Jackson if he wishes to have his comments from Item #1 AMP-08-03 apply to this item, as well.

Mr. Steve Jackson stated he would like his comments from Item #1 AMP-08-03 be applied to this item and is in concurrence with the continuance to the 3/26/03 Planning Commission meeting.

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

Vice-Chairman Anita Wood **MOVED** and Commissioner Joy Diaz **SECONDED** to **CONTINUE** ZN-13-03 to the 3/26/03 Planning Commission meeting.

The motion carried by **UNANIMOUS** vote.

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

**Note: Regarding Item #1 AMP-08-03**

**Chairman Dean Leavitt stated the Public Hearing needs to be re-opened on Item #1 AMP-08-03 and remain open until such time that item is heard in its entirety, since the item has been CONTINUED to the 3/26/03 Planning Commission meeting.**

**Commissioner Joy Diaz MOVED and Vice-Chairman Anita Wood SECONDED to RE-OPEN the Public Hearing for Item #1 AMP-08-03.**

The motion carried by **UNANIMOUS** vote.

**Item #1 AMP-08-03, #2 ZN-13-03, #3 AMP-11-03 and #4 ZN-17-03 are related.**

**3) AMP-11-03 (9587) CRAIG SIMMONS COMMERCIAL CENTER (Public Hearing)**

An application submitted by MDL Group, on behalf of the Matonovich Family Trust, Kershaw Canyon, LLC, Thomas Lozzi and C.A.K. Limited Partnership, and the Daniel S. Mosely Rev. Trust Agreement 1996, property owners, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of VLDR Very Low Density Residential to Community Commercial. The property is generally located at the northwest corner of Coleman Street and San Miguel Avenue. The Assessor's Parcel Numbers are 139-05-702-004, 139-05-702-005, 139-05-701-005, 139-05-701-007, 139-05-701-011 and 139-05-701-012.

**RECOMMENDATION**

The Development Services Department recommends that AMP-11-03 be **denied**, because the proposed land use is inconsistent with the Ranch Estates Preservation Area.

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 requested this item be continued to the 3/26/03 Planning Commission meeting in conjunction with its companion items.

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

Vice-Chairman Anita Wood MOVED and Commissioner Joy Diaz SECONDED to CONTINUE AMP-11-03 to the 3/26/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

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

**Item #1 AMP-08-03, #2 ZN-13-03, #3 AMP-11-03 and #4 ZN-17-03 are related.**

**4) ZN-17-03 (9588) CRAIG SIMMONS COMMERCIAL CENTER (Public Hearing)**

An application submitted by MDL Group, on behalf of the Matonovich Family Trust, Kershaw Canyon, LLC, Thomas Lozzi, C.A.K. Limited Partnership, and the Daniel S. Mosely Rev. Trust Agreement 1996, 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 at the northwest corner of Coleman Street and San Miguel Avenue. The Assessor's Parcel Numbers are 139-05-702-004, 139-05-702-005, 139-05-701-005, 139-05-701-007, 139-05-701-011 and 139-05-701-012.

**RECOMMENDATION**

The Development Services Department recommends that ZN-17-03 be **denied**, as the amendment to the Comprehensive Plan is not warranted.

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 requested this item be continued to the 3/26/03 Planning Commission meeting in conjunction with its companion items.

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 Vice-Chairman Anita Wood SECONDED to CONTINUE ZN-17-03 to the 3/26/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

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

**5) AMP-35-02 (6697) ANN AND COMMERCE (Public Hearing)**

An application submitted by Specialty Holdings, Inc. on behalf of Capital City Enterprises, 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 at the southwest corner of Ann Road and Commerce Street. The Assessor's Parcel Number is 124-34-101-015.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-35-02 be **denied** for the reasons stated above.

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

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

Commissioner Joy Diaz **MOVED** and Vice-Chairman Anita Wood **SECONDED** to **CONTINUE** AMP-35-02 to the 3/26/03 Planning Commission meeting.

The motion carried by **UNANIMOUS** vote.

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

**6) ZN-14-03 (9571) TROPICAL HILLS (Public Hearing)**

An application submitted by Notre Dame Development Co. on behalf of R. N. Scott, property owner, for reclassification of property from an R-E Ranch Estates District to a PUD Planned Unit Development District consisting of 98 single-family dwellings. The property is generally located at the southeast corner of Tropical Parkway and Donna Street. The Assessor's Parcel Number is 124-26-302-001.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-14-03 **continued to allow** the applicant additional time to address the concerns of both the Parks and Recreation Department and the Public Works Department.

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

1. The minimum lot size shall be 4,500 square feet with a minimum lot width of 45 feet.
2. That the final development plan for the site shall be subject to Planning Commission review and approval.
3. That development shall comply with all applicable requirements of Title 16 and N.R.S. 278.
4. The following setbacks are required:  
  
Front: Fifteen (15) feet, provided a 20 foot setback is maintained to the garage.  
Corner side: Ten (10) feet;  
Side: Five (5) feet; and  
Rear: Fifteen (15) feet.
5. That street construction must conform to current engineering standards and City ordinances.
6. That technical design comments will be made at the time development plans are submitted.
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
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. A water network analysis must be submitted with the civil improvement plans.
12. Revise the center cul-de-sac so that its total length does not exceed 500.'
13. The following right-of-way dedications are required:
  - a. Forty feet (40.00') for Tropical Parkway and Bruce Street; and
  - b. Thirty feet (30.00') for Donna Street
  - c. Flared intersection at Bruce and Tropical per the Uniform Standard Drawings for Public Works' Construction Off-site Improvements Drawing Number 201.1.

14. 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.
15. The developer must meet with Parks and Recreation Department staff to discuss the planned amenities for the open space prior to approval of a final development plan.
16. The development shall comply with the Single Family Design Standards.

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 requested this item be continued to two (2) weeks to the 3/26/03 Planning Commission meeting in order to work out some outstanding issues with the property owner.

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 Vice-Chairman Anita Wood **SECONDED** to **CONTINUE** ZN-14-03 to the 3/26/03 Planning Commission meeting.

The motion carried by **UNANIMOUS** vote.

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

**Item #7 ZN-15-03 and #8 T-986 are related.**

**7) ZN-15-03 (9593) TROPICAL & BRUCE (Public Hearing)**

An application submitted by Taney Engineering on behalf of the Linfra R. Wright Living Trust, property owner, for reclassification of property from an R-E Ranch Estates District to an R-1 Single-Family Residential District. The property is generally located at the northwest corner of Tropical Parkway and Bruce Street. The Assessor's Parcel Number is 124-26-202-010.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-15-03 **receive a favorable recommendation** and that this item be forwarded to the City Council for permanent zoning to the R-1 Single Family Residential District by ordinance.

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

Scott Prokopchuk, of William Lyon Homes, 500 Pilot Road, Suite G, Las Vegas, Nevada 89119 appeared on behalf of the applicant.

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 Marilyn Kirkpatrick **MOVED** and Commissioner Joy Diaz **SECONDED** to **APPROVE** ZN-15-03 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

**The item was APPROVED.**

**Item #7 ZN-15-03 and #8 T-986 are related.**

**8) T-986 (9595) TROPICAL & BRUCE**

An application submitted by Taney Engineering , on behalf of Linfra R. Wright Living Trust, property owner, for a tentative map review in an R-E Ranch Estates District (proposed R-1 Single-Family Residential District) consisting of 41 single family dwellings . The property is generally located at the northwest corner of Tropical Parkway and Bruce Street. The Assessor's Parcel Number is 124-26-202-010.

**RECOMMENDATION:**

The Development Services Department recommends that T-986 be **approved** with the following conditions of approval:

1. That development shall comply with all applicable requirements of Title 16 and N.R.S. 278.
2. This tentative map (T-986) shall become null and void if City Council approval is not granted for ZN-15-03.
3. That street construction must conform to current engineering standards and City ordinances.
4. That technical design comments will be made at the time development plans are submitted.
5. Approval of a traffic study is required prior to submittal of the civil improvement plans.
6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
7. A water network analysis must be submitted with the civil improvement plans.
8. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
9. Construction of the off-site storm drain facilities must conform to the City of North Las Vegas North Neighborhood Flood Control Master Plan.
10. The drainage and utility easement must be revised to a public pedestrian access / drainage / public utility easement that conforms to North Las Vegas Municipal code 17.24.210(D)(4)(a).
11. 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.
12. The following right-of-way dedications are required:
  1. Forty feet (40.00') for Tropical Parkway and Bruce Street; and
  2. Flared intersection at Bruce and Tropical per the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1.
13. The landscape area along Tropical Parkway shall be increased as needed to accommodate the Nevada Power transmission line easement.
14. 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; and

15. The development shall comply with the Single Family Design Standards.
16. 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
17. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

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

Scott Prokopchuk, of William Lyon Homes, 500 Pilot Road, Suite G, Las Vegas, Nevada 89103 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Vice-Chairman Anita Wood **MOVED** and Commissioner Joy Diaz **SECONDED** to **APPROVE** T-986 per staff's recommendations subject to the following change:

**Condition #10 Changed to Read:** "The drainage and utility easement must be revised to a public pedestrian access / drainage / public utility easement that conforms to North Las Vegas Municipal code 17.24.210(D)(4)(a) **or as approved by the Development Services Department and Public Works Department.**"

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**9) ZN-16-03 (9591) LA MADRE/FERRELL (Public Hearing)**

An application submitted by US Homes Corporation on behalf of the Eugene C. and D. Gail Diedrich Trust, property owner, for reclassification of property from an R-E Ranch Estates District to an R-1 Single-Family Residential District. The property is generally located east of Simmons Street and approximately 630 feet north of Ann Road. The Assessor's Parcel Number is 124-32-301-007.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-16-03 **receive a favorable recommendation** and that this item be forwarded to the City Council for permanent zoning to the R-1 Single Family Residential District by ordinance.

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

Russell Skuss, 401 N. Buffalo Drive, Suite 100, Las Vegas, Nevada 89145 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 Jay Aston **SECONDED** to **APPROVE** ZN-16-03 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

**The item was APPROVED.**

**10) UN-12-03 (9454) CITY OF NORTH LAS VEGAS (Public Hearing)**

An application submitted by the City of North Las Vegas Police Department, property owner, for a use permit in an R-E Ranch Estates District to allow a public building (community police center). The property is generally located at the southwest corner of Washburn Road and Allen Lane. The Assessor's Parcel Number is 124-31-701-032.

**RECOMMENDATION**

The Development Services Department recommends that UN-12-03 be approved subject to the following conditions:

1. That building colors shall be earth tone, natural colors, consistent with those of the surrounding area, subject to review and approval by staff.
2. That a queuing analysis is required for the gated employee entrances.
3. That civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Washburn and Allen.
4. That turning radii along the fire access lane shall comply with Fire Code Requirements.
5. That perimeter parking lot screen wall shall be decorative. Such a wall should match, or be consistent with other walls in the area, particularly the Nevada Power screen wall to the south, subject to review and approval by staff.
6. That a decorative screen wall or landscape berm with a minimum height of three feet above parking lot grade shall be installed within the landscape area between the visitor parking lot and Washburn Road. The maximum tree spacing within this landscape area shall be 15 feet on-center (trees may be staggered to accommodate landscape design).

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

Jim Lord, 4170 S. Decatur Boulevard, Las Vegas, Nevada 89103 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

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

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**11) UN-13-03 (9542) S & L HOME LOAN, INC. (Public Hearing)**

An application submitted by S & L Home Loan, Inc., on behalf of Becker Commercial Group L P, property owner, for a use permit in a PUD Planned Unit Development District to allow a financial institution (home title loan store). The property is located at 3925 North Martin Luther King Boulevard. The Assessor's Parcel Number is 139-09-101-003.

**RECOMMENDATION:**

As the use is appropriate to the location and the Planning Commission has allowed similar uses, the Development Services Department recommends that UN-13-03 be **approved** with the following condition:

1. Unless expressly authorized through a variance, waiver or other approved method, the development shall comply with all applicable codes and ordinances.

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

Spencer Canfill, 3925 N. Martin Luther King Boulevard, North Las Vegas, Nevada 89030 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

Commissioner Nelson Stone disclosed the Becker Commercial Group has donated funds to his current political campaign, however he believes he would be able to maintain a fair and impartial view on this particular application.

Commissioner Joy Diaz MOVED and Vice-Chairman Anita Wood SECONDED to APPROVE UN-13-03 per staff's recommendations subject to the following change:

**Condition #2 Added to Read: "That the Special Use Permit be applicable to the applicant for a mortgage loan business."**

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**12) UN-14-03 (9548) EAGLE DISPLAY SERVICES OF NEVADA (Public Hearing)**

An application submitted by Eagle Display Services of Nevada, LLC, on behalf of Wilson Logistics Nevada, Inc., property owner, for a use permit in an M-2 General Industrial District to allow a billboard sign. The property is located at 3420 Losee Road. The Assessor's Parcel Number is 139-11-702-005.

**RECOMMENDATION:**

The Development Services Department recommends that UN-14-02 be approved with the following condition:

1. Applicant shall provide a registered survey proving, distances from existing billboards in conjunction with submittal of an application for a building permit.

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

David Lindsey, 8697 N. Fuller Avene, Fresno, California, 93720 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

Vice-Chairman Anita Wood MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-14-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**13) VAC-06-03 (9522) CRAIG COMMERCE “A” CHANNEL (Public Hearing)**

An application submitted by Craig King Nevada, Inc., on behalf of Craig Commerce Plaza, No. 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 Limited Partnerships, property owners, for a vacation of a blanket drainage easement. The property is generally located at the southwest corner of Craig Road and Commerce Street. The Assessor's Parcel Numbers are 139-03-311-002, 139-03-311-003, 139-03-311-004, 139-03-311-005, 139-03-311-006, 139-03-311-007, 139-03-311-008, 139-03-311-009, 139-03-311-010, 139-03-311-011 and 139-03-311-012.

**RECOMMENDATION:**

The Development Services Department recommends that VAC-06-03 be approved subject to the condition listed below and that this item be forwarded to City Council for final consideration:

1. The vacation must record concurrently with the new easement for the drainage channel.

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

Greg Walker, 4496 S. Pecos Road, Las Vegas, Nevada 89121 appeared on behalf of the applicant and 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 VAC-06-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**14) FDP-04-03 (9143) CENTENNIAL HIGHLANDS**

An application submitted by Pageantry Communities on behalf of Sunflower Properties, property owner, for a Final Development Plan review in a PUD Planned Unit Development District consisting of a 306-unit condominium development. The property is generally located at the southeast corner of Centennial Parkway and Walnut Road. Assessor's Parcel Number is 123-30-501-001.

**RECOMMENDATION:**

The Development Services Department recommends that FDP-04-03 be continued indefinitely in order to allow the applicant sufficient time to submit revised site plans addressing all issues of concern outlined within the analysis section.

If however the Planning Commission determines that approval is warranted at this time, the Development Services Department recommends that an approval of FDP-04-03 be subject to the following conditions:

1. That the development comply with all conditions of approval of ZN-72-02.
2. That the final development plan be redesigned to comply with all applicable codes and ordinance.
3. That the applicant shall provide calculations and dimensions on the square footage proposed within the individual lot areas in order to determine whether the open space proposed within the lot areas can be counted toward the open space requirement.
4. That the applicant shall schedule a meeting with the Parks and Recreation Director or designee to determine what amenities will be required of the private park areas.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated the applicant has requested this item be continued for two (2) weeks.

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant and requested this item be continued to the 3/26/03 Planning Commission meeting.

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to CONTINUE FDP-04-03 to the 3/26/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

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

**Item #15 FDP-08-03 and #16 T-987 are related.**

**15) FDP-08-03 (9586) CENTENNIAL/LOSEE**

An application submitted by Greystone Homes on behalf of the Kavoossi Family Trust, LLC and Nevcan Development, property owners, for a Final Development Plan review in a PUD Planned Unit Development District consisting of 282 single family dwellings. The property is generally located at the northeast corner, northwest corner and the southwest corner of Azure Avenue and Statz Street. The Assessor's Parcel Number is are 124-25-102-002.

The applicant submitted revised plans for the subject site on March 4, 2003. Based on the comments provided in the Staff Report (dated March 12, 2003), the Development Services Department does not object to the approval of this request at this time. Attached hereto is a copy of the revised site plan (dated March 4, 2003.)

The primary concern was the re-alignment of Tropical Parkway, which now satisfies the concerns of Public Works. As conditioned on the associated tentative map (T-987), the applicant will be required to record a vacation for the northern half-street of Tropical Parkway concurrently with the final map. Therefore, all concerns pertaining to the re-alignment appear to have been addressed, or are addressed in the conditions below.

Another item submitted on March 4<sup>th</sup> was the proposed colors for the dwellings and those are attached hereto, as well.

**RECOMMENDATION:**

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

1. That the development of this site be in compliance with all applicable conditions of Ordinance No. 1680 (ZN-53-02), Ordinance No. 1682 (ZN-55-02) and Ordinance No. 1681 (ZN-54-02); and
2. That the development of this site be in compliance with all applicable conditions of T-987; and
3. That the site must be re-designed to conform to the Master Plan of Streets and Highways, specifically the re-alignment of Tropical Parkway and Ann Road; and
4. That a second means of access is required to Community 1680; and
5. That the following minimum features be provided within the open space areas, subject to review and approval by the Department of Parks & Recreation prior to recording any final map:
  - a. Circuitous lighted paths; and
  - b. A minimum 20 trees per acre; and
  - c. At least two differing age appropriate play structures for children with EPDM resilient fall protection and accompanying shade ramada; and
  - d. At least one large open space area for group / organized play
  - e. One large group shade area / gazebo (30' diameter), lighted; and
  - f. Benches spaced along park pathways; and
  - g. A list of amenities; and
6. That all conditions mentioned herein be satisfied prior to recording any conforming tentative map; and
7. That the site design must be modified to incorporate the existing Tropical Parkway right-of-way north of the center section line. This area includes a Nevada Power transmission line and its associated easement, which also must be delineated on the final development plan. Further, the transmission line easement must be located entirely within a common element or landscape easement.

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

Rebecca Ralston, of Carter Burgess, 6655 Bermuda, Las Vegas, Nevada 89119 appeared on behalf of the applicant and stated she concurs with staff's recommendations.

Commissioner Joy Diaz MOVED and Commissioner Nelson Stone SECONDED to APPROVE FDP-08-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #15 FDP-08-03 and #16 T-987 are related.**

**16) T-987 (9592) CENTENNIAL/LOSEE**

An application submitted by Graystone Homes on behalf of Kavoossi Family Trust, LLC and Nevcan Development, property owners, for a tentative map review in a PUD Planned Unit Development consisting of 282 single family dwellings. The property is generally located at the northeast corner, northwest corner and the southwest corner of Azure Avenue and Statz Street. The Assessor's Parcel Numbers 124-25-501-005, 124-25-202-001, 124-25-202-002 and 124-25-102-002.

The applicant submitted revised plans for the subject site. Based on the comments provided in the Staff Report (dated March 12, 2003), the Development Services Department does not object to the approval of this request at this time. Attached hereto is a copy of the revised site plan.

The primary concern was the re-alignment of Tropical Parkway, which now satisfies the concerns of Public Works. As conditioned below, the applicant will be required to record a vacation for the northern half-street of Tropical Parkway concurrently with the final map. Therefore, all concerns pertaining to the re-alignment appear to have been addressed, or are addressed in the conditions below.

**RECOMMENDATION:**

The Development Services Department recommends that T-987 be approved subject to the following conditions:

1. That the development of this site be in compliance with all applicable conditions of Ordinance No. 1680 (ZN-53-02), Ordinance No. 1682 (ZN-55-02) and Ordinance No. 1681 (ZN-54-02); and
2. That the applicant apply for a vacation of the portions of Tropical Parkway right of way outside of the new alignment. The vacation must record concurrently with the final map; and
3. That the site be re-designed to conform to the Master Plan of Streets and Highways, specifically the re-alignment of Tropical Parkway and Ann Road; and
4. That construction of off-site storm drain facilities must conform to the CNLV North Neighborhood Flood Control Master Plan; and
5. That a minimum two remote paved streets shall be provided to connect this development to existing streets; and
6. That cul-de-sacs provided for fire apparatus turnaround shall have the minimum turning radii required by the Fire Code; and
7. That the following minimum features be provided within the open space areas, subject to review and approval by the Department of Parks & Recreation prior to recording any final map:
  - a. Circuitous lighted paths; and
  - b. A minimum 20 trees per acre; and
  - c. At least two differing age appropriate play structures for children with EPDM resilient fall protection and accompanying shade ramada; and
  - d. At least one large open space area for group / organized play
  - e. One large group shade area / gazebo (30' diameter), lighted; and
  - f. Benches spaced along park pathways; and
  - g. A list of amenities.
8. 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
9. That all conditions mentioned herein be satisfied prior to recording any conforming tentative map; and

10. That the site design must be modified to incorporate the existing Tropical Parkway right-of-way north of the center section line. This area includes a Nevada Power transmission line and its associated easement, which also must be delineated on the tentative and final map. Further, the transmission line easement must be located entirely within a common element or landscape easement.

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

Rebecca Ralston, of Carter Burgess, 6655 Bermuda, Las Vegas, Nevada 89119 appeared on behalf of the applicant and stated she concurs with staff's recommendations.

Commissioner Joy Diaz MOVED and Commissioner Jay Aston SECONDED to APPROVE T-987 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**17) FDP-09-03 (9590) CHEYENNE BUSINESS PARK**

An application submitted by C. P. Development on behalf of Alan & Patty Dondero 1992 Rev. Trust, property owners, for a Final Development Plan review in a PUD Planned Unit Development District consisting of a single-story Office Professional. The property is generally located at the northwest corner of Cheyenne Avenue and Simmons Street. The Assessor's Parcel Number is are 139-08-401-003.

**RECOMMENDATION:**

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

1. That the development of this site be in compliance with the conditions of approval of ZN-08-97; and
2. That the development of this portion of the PUD be consistent with the submitted elevation drawings and site plan.

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

Bill Curran, of Curran & Parry, 300 S. 4<sup>th</sup> Street, Suite 1201, Las Vegas, Nevada 89101 appeared on behalf of the applicant.

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to APPROVE FDP-09-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #18 SPR-05-03 and #19 T-982 are related.**

**18) SPR-05-03 (9158) PALMILLA TOWNHOMES**

An application submitted by American Premiere Homes, property owner, for a site plan review in an R-3 Multifamily Residential District. The property is generally located at the northeast corner of El Campo Grande Avenue and San Mateo Street. The Assessor's Parcel Number is 124-30-303-002.

**RECOMMENDATION:**

The Development Services Department recommends that SPR-05-03 be **approved** with the following conditions:

1. Applicant shall abide by the conditions of approval of T-982.
2. 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.
3. Unless authorized through a variance, waiver or other approved method, the development shall comply with all applicable codes and ordinances.
4. That landscaping shall be provided as proposed in the applicant's landscape plan.
5. Every unit shall have a balcony with a minimum dimension of 3' by 8', for a total of 24 square feet.
6. That the development shall contain the following open space amenities:
  - a. Two age playgrounds with resilient surfaces for the following age groups 2-5 and 5-12
  - b. A large gazebo at the playground sites
  - c. A full basketball court in one of the small open areas
  - d. A swimming pool and cabana/restroom building
  - e. Covered picnic tables and grills next to the two pond features in two of the small open areas
  - f. Lighted pathways around the small open areas with benches.

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

Greg Strube, 8 W. Pacific, Henderson, Nevada 89015 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to DENY SPR-05-03 as he does not see a compelling reason to reduce the patios.

The motion carried by MAJORITY vote with Commissioner Jay Aston voting against the motion.

**RECONSIDERATION OF ITEM #18 SPR-05-03**

Vice-Chairman Anita Wood MOVED and Commissioner Nelson Stone SECONDED to APPROVE SPR-05-03 subject to the following changes:

**Delete Condition #4.**

**Condition #6 Added to Read: "The installation of sprinklers for fire suppression is required in each residential unit, with alarms transmitted off-site to a central station."**

**Condition #7 Added to Read: "1/3 of all amenities shall be constructed with each phase of the development."**

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #18 SPR-05-03 and #19 T-982 are related.**

**19) T-982 (9462) PALMILLA TOWNHOMES**

An application submitted by American Premiere Homes, on behalf of Palmilla, LLC, property owners, for a tentative map review in an R-3 Multiple-Family Residential District consisting of 300 townhouses. The property is generally located at the northeast corner of El Campo Grande Avenue and San Mateo Street. The Assessor's Parcel Numbers is 124-30-303-002.

**RECOMMENDATION:**

The Development Services Department recommends that T-982 be **approved** with the following conditions:

1. Approval of a traffic study is required prior to submittal of the civil improvement plans.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. A water network analysis must be submitted with the civil improvement plans.
4. 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.
5. 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.
6. Construction of off-site storm drain facilities must conform to the CNLV North Neighborhood Flood Control Master Plan.
7. Due to the realignment of Tropical Parkway, construction of the street section adjacent to the site cannot be completed satisfactorily. The developer shall terminate Tropical Parkway at a point 65' west of the centerline of the entry street. Prior to approval of the civil improvement plans, the developer must post a cash deposit, or other surety deemed acceptable by the City, for the future cost of the remaining Tropical Parkway roadway improvements, with an agreement that stipulates that the applicant will be responsible to complete construction of said improvements in a manner satisfactory to the City within 120 days after the remaining Tropical Parkway right-of-way is obtained and the improvements are requested by the Director of Public Works.
8. The following right of way dedications are required:
  1. Thirty feet (30.00') for El Campo Grande;
  2. Forty feet (40.00') for Tropical Parkway
9. 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 widths to the interior streets and label with the corresponding typical section;
  - b. Show where the proposed water ties into existing water;
  - c. Show where the proposed sewer ties into existing sewer;
  - d. Add a statement regarding protective covenants and deed restrictions which the subdivide intends to enforce.
10. Parking will be prohibited on the interior streets.
11. The installation of sprinklers for fire suppression is required in each residential unit, with alarms transmitted off-site to a central station.

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

Denise Burton, 8 W. Pacific, Henderson, Nevada 89015 appeared on behalf of the applicant who stated if the only concern on this Tentative Map is balconies then the applicant will remove the waiver and go with the larger balconies.

Vice-Chairman Anita Wood stated that perhaps the previous, related item (SPR-05-03) should be reconsidered.

Ms. Burton agreed.

**Vice-Chairman Anita Wood MOVED and Commissioner Nelson Stone SECONDED to RECONSIDER SPR-05-03.**

**The motion carried by UNANIMOUS vote.**

**Chairman Dean Leavitt stated the currently-heard item shall be tabled to allow the reconsidered Item #18 SPR-05-03 to be re-heard first.**

***(this item is being re-heard following the reconsideration of the previous item #18 SPR-05-03)***

Commissioner Nelson Stone MOVED and Commissioner Joy Diaz SECONDED to APPROVE T-982 per staff's recommendations subject to the following change:

**Condition #12 Added to Read: "*Phasing shall be subject to the phasing plan.*"**

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**20) SPR-09-03 (9771) PAWN PLUS & POPPA'S SPORTS GRILL**

An application submitted by Poppa's Sports Bar and Grill on behalf of Andrew E. Miller, property owner, for a site plan review in an M-2 General Industrial District to allow a 198.6-square-foot sign where 125 square feet is the maximum area allowed and to allow a height of 30 feet where 18 feet is the maximum height; and to allow a sign separation of 90 feet for freestanding signs where the minimum separation is 150 feet; and to allow two (2) 58.5-square-foot directional signs where the maximum area allowed is 10 square feet, and to allow a height 7.5 feet where 6 feet is the maximum height allowed. The property is generally located at the northeast corner of Craig Road and Berg Street. The Assessor's Parcel Number is 139-01-201-015.

**RECOMMENDATION**

The Development Services Department recommends that SPR-09-03 be **denied**.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff is recommending denial of this item as it does not meet the criteria that would warrant this waiver request.

Bill Curran, of Curran and Parry, 300 S. 4<sup>th</sup> Street, Suite 1201, Las Vegas, Nevada 89101 appeared on behalf of the applicant.

Frank Bruno, 2040 e. Craig Road, North Las Vegas, Nevada 89032 appeared on behalf of the applicant.

**This is not a Public Hearing item, however 2 members of the public requested to speak on this item. Chairman Dean Leavitt allowed the participants to speak on this item.**

The following participants came forward:

- ▶ Craig McCall, 4230 N. Pecos, North Las Vegas, Nevada (no zip stated)

Mr. McCall stated his case will be appearing before the Planning Commission at the next meeting.

- ▶ Bob Borgersen, 4751 Possum Berry, North Las Vegas, Nevada 89031

Mr. Borgersen stated he opposes this item as he does not feel it would benefit the neighborhood.

Commissioner Joy Diaz **MOVED** and Vice-Chairman Anita Wood **SECONDED** to **CONTINUE** SPR-09-03 to the 3/26/03 Planning Commission meeting.

The motion carried by **UNANIMOUS** vote.

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

**There was a break in the proceedings at 9:09 PM**  
**The meeting reconvened at 9:26 PM**

**21) T-898 (9596) NORTH VALLEY ENTERPRISES**

An application submitted by North Valley Enterprises, LLC, property owner, for a tentative map review in an MPC Master Planned Community District. The property is generally located at the northwest corner of Centennial Parkway and Clayton Street. The Assessor's Parcel Numbers are 124-16-000-003, 124-17-000-002, 124-17-000-004, 124-17-000-005, 124-17-501-001, 124-18-000-005, 124-20-000-003, 124-20-000-005, 124-20-000-006, 124-21-101-002, 124-19- 201-001 and 124-19-701-001.

**RECOMMENDATION**

The Development Services recommends that the amendment to Tentative Map 898 be **approved** subject to the following condition:

1. That a traffic study update is required.

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 and stated he concurs with staff's recommendations.

Vice-Chairman Anita Wood MOVED and Commissioner Jo Cato SECONDED to APPROVE T-898 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #22 T-984 and #23 T-985 are related.**

**22) T-984 (9514) DECATUR 10 COMMERCIAL SUBDIVISION**

An application submitted by Wright Civil Engineers, on behalf of Decatur 46 LLC et al., property owners, for a tentative map review in a PUD Planned Unit Development District for a commercial subdivision. The property is generally located at the southeast corner of Decatur Boulevard and El Campo Grande Avenue. The Assessor's Parcel Numbers are 124-30-401-001, 124-30-401-002, 124-30-401-007 and 124-30-401-008.

**RECOMMENDATION:**

The Development Services Department recommends that T-984 be **approved** subject to the following conditions:

- a. The development shall comply with all conditions of approval for ZN-50-02.
- b. Approval of a traffic study is required prior to submittal of the civil improvement plans.
- c. Approval of a drainage study is required prior to submittal of the civil improvement plans.
- d. A water network analysis must be submitted with the civil improvement plans.
- e. 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.
- f. In order for the tentative map to conform to North Las Vegas Municipal Code 16.12.030 the following corrections / revisions are required:
  - a. Correct the 1/4 section and the Assessor's Parcel Numbers in the legal description;
  - b. Add the proposed zoning;
  - c. It appears there are some building structures within the proposed subdivision; state whether they are to remain or be removed;
  - d. Add the size of the existing storm drain and sanitary sewer.
7. Remove section thickness from the typical sections. The off-site pavement sections will be determined by the Department of Public Works.
8. The following right of way dedications are required:
  - a. Fifty feet (50.00') for Decatur Boulevard;
  - b. Thirty feet (30.00') for El Campo Grande Avenue;
  - c. 25' radius spandrel at the intersection of Decatur and El Campo Grande.
9. The "STREET VACATION NOTE" is not applicable to the site and should be removed from the map prior to submitting the conformed tentative map.
10. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

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

John Osborne, of Wright Engineering, 7310 Smoke Ranch Road, Las Vegas, Nevada 89128 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Joy Diaz MOVED and Vice-Chairman Anita Wood SECONDED to APPROVE T-984 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #22 T-984 and #23 T-985 are related.**

**23) T-985 (9515) DECATUR 40 COMMERCIAL SUBDIVISION**

An application submitted by Wright Civil Engineers, on behalf of Decatur 46 LLC et al., property owners, for a tentative map review in a PUD Planned Unit Development District for a commercial subdivision. The property is generally located at the southeast corner of Decatur Boulevard and Tropical Parkway. The Assessor's Parcel Numbers are 124-30-301-001, 124-30-302-001, 124-30-302-002, 124-30-304-001 and 124-30-305-001.

**RECOMMENDATION:**

The Development Services Department recommends that T-985 be **approved** subject to the following conditions:

1. The development shall comply with all conditions of approval for ZN-50-02.
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. A water network analysis must be submitted with the civil improvement plans.
5. 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.
6. The tentative map must be revised to conform to the approved alignment of Tropical Parkway as shown on the Master Plan of Streets and Highways.
7. Applicant shall apply for a vacation of the portions of Tropical Parkway outside of the new alignment. This vacation shall record concurrently with the final map for the project.
8. 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 proposed zoning;
  - b. Add the size of the existing storm drain and sanitary sewer.
9. Remove section thickness from the typical sections. The off-site pavement sections will be determined by the Department of Public Works.
10. The following right of way dedications are required:
  - a. Fifty feet (50.00') for Decatur Boulevard;
  - b. Fifty feet (50.00') for Tropical Parkway to a point east of the Montgomery alignment as depicted on the current Master Plan of Streets and Highways
  - c. Thirty feet (30.00') for El Campo Grande Avenue;
  - d. Flared intersection at Decatur Boulevard and Tropical Parkway per the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1;
  - e. Bus turnout on Tropical Parkway east of Decatur Boulevard.
11. The final map for the project will record concurrently with VAC-11-02, the vacation of Corbett, Montgomery and San Mateo.
12. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

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

John Osborne, of Wright Engineering, 7310 Smoke Ranch Road, Las Vegas, Nevada 89128 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to APPROVE T-985 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

#### **24) T-988 (9584) ELDORADO R-CL TM #120**

An application submitted by Pardee Homes of Nevada, property owner, for a tentative map review in an OL-DA Open Land - Development Agreement District consisting of 294 single family dwellings. The property is generally located at the southeast corner of Anne Road and Clayton Street. The Assessor's Parcel Number is 124-33-101-001.

#### **RECOMMENDATION:**

The Development Services Department recommends that T-988 be **approved** subject to the following conditions:

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.
4. Approval of a drainage study is required.
5. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required.
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.
7. A water network analysis is required.
8. 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.
9. The street suffixes shall be revised to conform the North Las Vegas Street Naming and Address Assignment Standard.
10. Intersections must be revised to be radial.
11. 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 a basic legal description to the map;
  - b. Add a statement regarding the protective covenants and deed restrictions that the developer intends to enforce.
12. The following right of way dedications are required:
  - a. Thirty feet (30.00') for Hammer Lane;
  - b. Bus turn out on Ann Road east of Clayton Street.
13. A minimum of two means of access are required for each group of 25 or more residential units.
14. That the developer meet with the Parks and Recreation Department to discuss how the open space being provided will be developed.
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 withdrawn.

**The item was WITHDRAWN.**

## **OLD BUSINESS**

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

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

**This application was continued from the Planning Commission meeting of January 22, 2003, at the request of the applicant. There has not been any new information submitted to warrant a change in the original recommendation. Please see the attached minutes and Staff Report for reference purposes.**

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

#### **RECOMMENDATION:**

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

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

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

#### Residential and Commercial

1. That Standard Conditions 6, 7, 9, 11, 18, 19 and 27 apply; and
2. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
3. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
4. That additional right-of-way dedication is required for the flared intersection at Ann Road and Commerce Street per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.0; and
5. That Fire access lanes and turnarounds must be designed and installed in accordance with Fire Code requirements; and
6. That Fire lane width shall be marked to maintain the minimum width as required by the Fire Code; and
7. That a parcel map is required to create parcels of different land uses; and
8. That the five-foot (5.00') sidewalk along Ann Road be separated from the back-of-curb by a minimum five feet (5.00') of landscaping; and
9. That the development of this site be in compliance with all Codes and Ordinances in effect at the time of building permit issuance. If there is a conflict with the conditions mentioned herein, the more restrictive shall apply; and
10. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development; and

11. That all conditions mentioned herein be satisfied prior to recording any final map; and

Residential

12. That the installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map; and

13. That the developer meet jointly with the Departments of Parks and Recreation and Development Services to discuss amenities and usability of the proposed open space areas prior to submitting a final development plan; and

14. That the following minimum amenities be provided for the open space areas:

- a. circuitous lighted paths; and
- b. a minimum 20 trees per acre; and
- c. at least 2 differing age appropriate play structures for children with EPDM resilient fall protection and accompanying shade ramada; and
- d. at least one large group shade area / gazebo (30' diameter), lighted; and
- e. benches spaced along park pathways; and
- f. a list of amenities; and

15. That the residential portion of this development be in compliance with the Single Family Development Standards and Design Guidelines; and

16. That an adequate amount of open space be provided in accordance with Section 17.20.160.12 of the Municipal Code; and

17. That noise attenuation measures be incorporated into the design and construction of each dwelling to reduce exterior-to-interior noise levels by 25 dB; and

18. That lot numbers, sizes (in square feet), and dimensions be provided on the revised preliminary development plan. The minimum lot size shall be 4,500 square feet with a minimum lot width of 45 feet; and

19. That the maximum number of dwelling units permitted within this PUD be 64; and

20. That prospective home owners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm. The notice shall also state that R.C. Farms, in part, is protected by State Statutes as an agricultural use; and

21. That the preliminary development plan be revised to identify ADA-compliant pedestrian access ways between lots 16 and 17, and between the residential and commercial portions of the development. The access ways shall be owned by the homeowners' association, provided with adequate lighting, decorative walls and shall be a minimum fifteen feet in width. Without additional amenities, these areas shall not be counted toward the open space requirements; and

22. That the following setbacks apply:

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); and

23. That a final development plan be submitted for review and approval of the commercial portion by the Planning Commission prior to the issuance of any construction permits. The final development plan shall identify colors, materials and elevations, as well as all amenities and design elements pertaining to the parks, recreation areas and open space; and

24. That a minimum one-third of the required open space area be constructed prior to the issuance of the 20<sup>th</sup> building permit; and

25. That all of the required open space areas be constructed prior to the issuance of the 40<sup>th</sup> building permit; and
26. That the perimeter walls be owned and maintained by the homeowners' association; and
27. That corner side yard landscaping be maintained by the homeowners' association; and
28. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping; and
29. That CC&R's be reviewed and approved by the Development Services Department prior to recording any final map; and
30. That perimeter landscaping of the exterior street perimeter be designated as "Common Elements" and that interior perimeter landscaping commonly described as corner side yard landscaping be addressed as allowed for in the North Las Vegas Municipal Code Section 17.24.210(E); and
31. That open space calculations, including dimensions and square feet, be provided for each individual area on the revised preliminary development plan; and

#### Commercial

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

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

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

Commissioner Joy Diaz MOVED and Vice-Chairman Anita Wood SECONDED to CONTINUE ZN-124-02 to the 3/26/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

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

**26) T-970 (8714) ANN & COMMERCE**

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

**This application was continued from the Planning Commission meeting of January 22, 2003, at the request of the applicant. There has not been any new information submitted to warrant a change in the original recommendation. Please see the attached minutes and Staff Report for reference purposes.**

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

**RECOMMENDATION:**

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

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

1. That Standard Conditions 6, 7, 9, 11, 18, 19 and 27 apply; and
2. That ZN-124-02 be approved by the City Council for permanent zoning to the PUD district. Otherwise, T-970 shall be considered null and void; and
3. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
4. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
5. That new street names must be submitted to the City of Las Vegas Central Fire Alarm Office and the U.S. Postal Service for review and approval prior to submittal of the conformed tentative map; and
6. That a water network analysis must be submitted with the civil improvement plans; and
7. That all known geologic hazards shall be shown on the Tentative Map and the Civil Improvement Plans. Subsequent identification of additional hazards may substantially alter the original Tentative Map layout; and
8. That additional right-of-way dedication is required for the flared intersection at Ann Road and Commerce Street per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.0; and
9. That, prior to submitting the conformed tentative map, remove section thickness from the typical street sections. The off-site pavement sections shown on the civil plans will be designed in accordance with Standard Specifications Section 401 using the AASHTO model; and
10. That the areas between lots 63 and 64, 54 and 55, and 41 and 42 shall be labeled and dimensioned; and
11. That all landscape areas and open spaces shall be labeled as "COMMON ELEMENTS TO BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION"; and
12. That the commercial area be labeled as "NOT A PART"; and
13. That the installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map; and

14. That Fire access lanes and turnarounds must be designed and installed in accordance with Fire Code requirements; and
15. That Fire lane width shall be marked to maintain the minimum width as required by the Fire Code; and
16. That the developer meet jointly with the Departments of Parks and Recreation and Development Services to discuss amenities and usability of the proposed open space areas prior to submitting a final development plan; and
17. That the developer meet with Clark County School District staff to evaluate impacts on educational facilities in the areas as soon as possible and prior to the submission of any conforming tentative map for the project pursuant to NRS 278.346; and
18. That the development of this site be in compliance with all conditions of ZN-124-02. Where there is a conflict with the conditions mentioned herein, the more restrictive shall apply; and
19. That the maximum number of dwelling units permitted within this development be 64; and
20. That five (5) copies of the revised conforming tentative map, incorporating all conditions mentioned herein, be submitted to the Public Works Department prior to the issuance of any construction permits; and
21. That all conditions mentioned herein be satisfied prior to recording any final map.

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

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to CONTINUE T-970 to the 3/26/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

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

**27) UN-84-02 (7964) DECATUR CROSSING, LLC (Public Hearing)**

An application submitted by Decatur Crossing, LLC, on behalf of Tighi Family, LP, property owner, for a use permit in a PUD Planned Unit Development District to allow the "on sale" of alcoholic beverages in conjunction with a tavern. The property is generally located at the northeast corner of Decatur Boulevard and Ann Road. The Assessor's Parcel Number is 124-30-401-010.

This application was continued from the Planning Commission meeting of October 23, 2002 to allow the applicant time to develop an acceptable floor plan for the proposed tavern. The applicant has submitted a floor plan without changing the overall site plan of the center or the building elevations.

The interior of the proposed tavern contains 56 seats in the bar area, 58 seats in the restaurant, and 20 seats in a meeting room located off of the dining area. Kitchen and restroom facilities are located at the rear of the building, with access through the dining area. A half wall separates the dining/meeting area from the bar area. The floor plan indicates six areas that appear to be windows. The building elevations do not show these windows. As the City Council and Planning Commission have previously requested windows to be placed in taverns, the proposed tavern should contain windows as shown on the floor plan.

The proposed building elevations depict the use of a stucco exterior finish with a parapet. The applicant has proposed 25 feet of landscaping along Decatur Boulevard. The applicant is proposing a 15-foot wide sidewalk along the front of the building and eight feet along the east side. Landscaping will be located in the front of the sidewalk in planters and seven feet of landscaping along the east side of the building. The applicant has requested a waiver from the commercial design standards for the foundation landscaping requirement.

The proposed tavern appears appropriate and compatible with the proposed shopping center. The proposed building elevations and materials appear to be consistent with the Commercial Design Standards. As the use is appropriate to the area, and should not create a negative impact on the surrounding neighborhood, approval could be warranted.

The applicant has requested a waiver from the foundation landscaping request as the soils do not support the proximity of landscaping. The applicant is proposing to place planters with palm trees along the front of the building away from the foundation. Development Services supports the waiver request as the soils report does not recommend the placement of the foundation landscaping and the applicant has provided a suitable alternative.

The Development Services Department recommends **approval** of UN-84-02 subject to the following conditions:

1. Applicant shall abide by the conditions of approval of FDP-07-02.
2. That the applicant shall provide proof to the City that no other tavern is within 1,500 feet of the proposed location. The evidence shall be provided prior to the application for a building permit.
3. Windows shall be placed in the tavern as proposed in submitted floor plan.
4. The applicant shall provide landscaping along the front of the development using above ground planters that are designed and constructed in such a manner to prevent drainage onto any sidewalk.
5. That UN-84-02 shall expire on September 12, 2003.

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

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

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

- ▶ Justin Stoker, 5680 Arrow Tree Street, Las Vegas, Nevada 89130

Mr. Stoker stated he opposes this item as he does not feel it will bring benefit to the neighborhood.

- ▶ Shad Hales, 4851 Milorie Court, Las Vegas, Nevada 89130

Mr. Hales stated he opposes this item as he does not wish to see this type of business in the neighborhood.

Chairman Leavitt closed the Public Hearing.

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-84-02 per staff's recommendations subject to the following change:

**Condition #6 Added to Read: "that this application comply with the floor plan that was submitted to staff."**

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**28) UN-99-02 (8671) LAKE MEAD SELF STORAGE (Public Hearing)**

An application submitted by the Lake Mead Property, LLC, property owner, for a use permit in an R-E Ranch Estates District (ROI to M-1) to allow mini-warehousing. The property is generally located approximately 304 feet west of Simmons Street and north of Coran Lane. The Assessor's Parcel Number is 139-20-210-006.

This application was continued from the Planning Commission meeting of December 11, 2002 to allow the applicant time to modify the site plan to comply with ordinance requirements or obtain a variance. On February 5, 2003 the City Council approved VN-12-02. Therefore, the applicants are requesting the use permit to be reheard.

The site plan has not been modified, however with the variance approval the site plan is more acceptable. The Fire Department still has requirements for two means of access to the site, which will require some redesign.

The Development Services Department recommends **approval** of UN-99-02 subject to the following conditions:

1. Approval of an updated parking study is required prior to submittal of the civil improvement plans.
2. Approval of an updated traffic study is required prior to submittal of the civil improvement plans.
3. A minimum of two means access acceptable to the Fire Department are required for this development.
4. The applicant shall comply with all conditions of ROI # 2037.

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

Dick Bonar, 8275 S. Eastern Avenue, Las Vegas, Nevada 89123 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 Chairman Dean Leavitt SECONDED to APPROVE UN-99-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**29) Discussion on the proposed new By-Laws for the Planning Commission**

**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 March 12, 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