

# 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)

## **June 25, 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 - ABSENT  
Nelson Stone - Present  
Jay Aston - Present  
Marilyn Kirkpatrick - Present  
Joy Diaz - ABSENT

### **STAFF PRESENT:**

Donna Kristaponis, Development Services Director  
Steve Baxter, Planning Manager  
Marc Jordan, Principal Planner  
Vicki Adams, Planner  
Randy Cagle, Public Works  
Clete Kus, Transportation Services  
Jimmy Johnson, Assistant Fire Chief  
Jim Lewis, Deputy City Attorney  
Ted Karant, Recording Secretary

### **ANNOUNCEMENTS:**

Verification of compliance with NRS 241, Open Meeting Law.

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

### **PLEDGE OF ALLEGIANCE**

Chairman Dean Leavitt

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

## **CONSENT AGENDA**

### **A) PW-100-03 (11280) PETERSEN WAREHOUSE 1**

Accept the Commercial Developments Off-Site Improvements Agreement by DM Real Estate Holdings, LLC and accept the Performance Bond in the amount of \$34,431.49.

### **B) PW-101-03 (11281) MIRA VISTA**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Wexford at Mira Vista, LLC and accept the Subdivision Bond in the amount of \$574,581.37.

### **C) PW-102-03 (11282) ELDORADO 8, RCL NO. 16**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Travelers Casualty and Surety Company of America to release the Subdivision Bond in the amount of \$509,296.00.

### **D) PW-103-03 (11283) ELDORADO 2B, R1-70 NO. 1**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify United Pacific Insurance Company to release the Subdivision Bond in the amount of \$431,760.45.

### **E) PW-104-03 (11284) WALMART EXPANSION**

Accept the Commercial Developments Off-Site Improvements Agreement by Walmart Real Estate Business Trust, and accept the Irrevocable Standby letter of Credit in the amount of \$37,807.55

### **F) PW-99-03 (11133) DESERT MESA**

Approve the Final Map and 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 \$1,232,928.68.

Commissioner Nelson Stone MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE Consent Agenda Items A, B, C, D, E and F.

The motion carried by UNANIMOUS vote.

Commissioner Nelson Stone MOVED and Vice-Chairman Anita Wood SECONDED to APPROVE Consent Agenda Item B.

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

## **NEW BUSINESS**

**Item #1 AMP-31-03, #2 ZN-43-03, #3 UN-46-03 and #4 T-1006 are related.**

### **1) AMP-31-03 (10983) COLTON & REVERE (Public Hearing)**

An application submitted by Signature Homes on behalf of Harsch Investments PPTYS, NV LLC, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Office to MDR Medium Density Residential. The property is generally located at the southeast corner of Revere Street and Colton Avenue. The Assessor's Parcel Number is 139-10-401-005.

### **RECOMMENDATION:**

The Development Services Department recommends that AMP-31-03 be **approved** and the Planning Commission forward a recommendation for approval to the City Council.

Chairman Dean Leavitt stated he understands there is an agreement between the applicant and staff and asked if there is anyone present to speak in opposition which there did not appear to be any.

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

Vice-Chairman Anita Wood MOVED and Chairman Dean Leavitt SECONDED to APPROVE AMP-31-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #1 AMP-31-03, #2 ZN-43-03, #3 UN-46-03 and #4 T-1006 are related.**

**2) ZN-43-03 (10985) COLTON & REVERE (Public Hearing)**

An application submitted by Signature Homes on behalf of Harsch Investments PPTYS, NV LLC, property owner, for reclassification of property from a M-2 General Industrial District to an R-2 Two-Family Residential District. The property is generally located at the southeast corner of Revere Street and Colton Avenue. The Assessor's Parcel Number is 139-10-401-005.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-43-03 be **approved** and the Planning Commission forward a recommendation for approval to the City Council.

Chairman Dean Leavitt stated he understands there is an agreement between the applicant and staff and asked if there is anyone present to speak in opposition which there did not appear to be any.

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

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Jay Aston SECONDED to APPROVE ZN-43-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #1 AMP-31-03, #2 ZN-43-03, #3 UN-46-03 and #4 T-1006 are related.**

**3) UN-46-03 (10986) COLTON & REVERE (Public Hearing)**

An application submitted by Signature Homes on behalf of Harsch Investments PPTYS, NV LLC, property owner, for a use permit in a M-2 General Industrial District (proposed R-2 Two-Family Residential District) to allow three (3) single-family dwellings. The property is generally located at the southeast corner of Revere Street and Colton Avenue. The Assessor's Parcel Number is 139-10-401-005.

**RECOMMENDATION**

The Development Services Department recommends that UN-46-03 be **approved** with the following conditions:

1. That the development of this site be in compliance with all applicable conditions of T-1006.
2. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.

Chairman Dean Leavitt stated he understands there is an agreement between the applicant and staff and asked if there is anyone present to speak in opposition which there did not appear to be any.

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

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Jay Aston SECONDED to APPROVE UN-46-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #1 AMP-31-03, #2 ZN-43-03, #3 UN-46-03 and #4 T-1006 are related.**

**4) T-1006 (10984) COLTON & REVERE**

An application submitted by Signature Homes on behalf of Harsch Investments PPTYS-NV LLC, property owner, for a tentative map review in a M-2 General Industrial District (proposed R-2 Two-Family Residential District) consisting of 183 single-family units. The property is generally located at the southeast corner of Revere Street and Colton Avenue. The Assessor's Parcel Number is 139-10-401-005.

**RECOMMENDATION:**

The Development Services Department recommends that T-1006 be approved subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. Approval of a traffic study is required prior to submittal of the civil improvement plans.
4. Label all landscape areas and open spaces as "Common Elements to be maintained by the Homeowner's Association".
5. Per title 16.12.030 contour elevations must be shown.
6. Submittal of sewer force main documentation.
7. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
8. Fire lane width shall be provided and maintained in accordance with the Fire Code.
9. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
10. That 1-, 5- and 15-gallon plants be provided within the pedestrian access easement between the Twilight Blue Avenue and Colton Avenue. The number and species of shrubs shall be sufficient to provide a minimum 60% ground cover at maturity, as approved by staff.
11. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
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.

Chairman Dean Leavitt stated he understands there is an agreement between the applicant and staff and asked if there is anyone present to speak in opposition which there did not appear to be any.

Commissioner Jay Aston MOVED and Chairman Dean Leavitt SECONDED to APPROVE T-1006 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**5) AMP-29-03 (10928) R.S. & MARTHA S. BHATHAL (Public Hearing)**

An application submitted by R. S. and Martha S. Bhathal, property owners, for an Amendment to the Master Plan of Streets & Highways to remove approximately 600 feet of Rice Avenue located between Decatur Boulevard and Montgomery Street. The Assessor's Parcel Numbers are 124-30-201-002 and 124-30-201-003.

**RECOMMENDATION**

The Development Services Department recommends that AMP-29-03 be **denied** because the applicant has not demonstrated any compelling reasons or justification for the proposed amendment.

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

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

Commissioner Nelson Stone MOVED and Commissioner Jay Aston SECONDED to CONTINUE AMP-29-03 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**6) AMP-30-03 (10941) CLARK COUNTY SCHOOL DISTRICT (Public Hearing)**

An application submitted by the Clark County School District, property owner, for an Amendment to the Master Plan of Streets & Highways to remove approximately 1,360 feet of Goldfield Street between San Miguel Avenue and Alexander Road. The Assessor's Parcel Number is 139-03-801-002.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-30-03 be **approved** and forwarded to City Council for consideration.

Chairman Dean Leavitt stated he understands there is an agreement between the applicant and staff and asked if there is anyone present to speak in opposition which there did not appear to be any.

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

Commissioner Nelson Stone MOVED and Commissioner Jay Aston SECONDED to APPROVE AMP-30-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**



**7) AMP-32-03 (10982) LONE MOUNTAIN & LOSEE (Public Hearing)**

An application submitted by Centex Homes on behalf of Unlimited Holding Inc., property owner, for an Amendment to the Master Plan of Streets and Highways, to delete a portion of La Madre Way commencing at Lawrence Street and proceeding east to Losee Road.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-32-03 be **denied** because a traffic study that justifies the request has not been submitted.

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

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

Commissioner Nelson Stone MOVED and Commissioner Marilyn Kirkpatrick SECONDED to CONTINUE AMP-32-03 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**Commissioner Nelson Stone abstained from voting on this item due to a business interest.**

**8) ZN-16-98 (10967) MOTEL 8 (Public Hearing)**

An application submitted by Tom Jurbala on behalf of David A. Sass, property owner, to amend a previously approved PUD Planned Unit Development District to allow for a motel. The property is located approximately 150 feet south of Highway I-15 and east of Shatz Street. The Assessor's Parcel Number is 123-22-801-016.

**RECOMMENDATIONS:**

The Development Services Department recommends that the proposed amendment to ZN-16-98 receive a favorable recommendation from the Planning Commission and be forwarded to the City Council for final consideration, subject to the following conditions:

All Phases:

1. That the development of this site be in substantial compliance with the preliminary development plan, or as amended herein; and
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances (Standard Condition #1); and
3. That approval of a traffic study is required prior to submittal of the civil improvement plans (Standard Condition #2); and
4. That approval of a drainage study is required prior to submittal of the civil improvement plans (Standard Condition #3); and
5. That the driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in North Las Vegas Municipal Code 17.24.130. Conformance may require modifications to the site (Standard Condition #5); and
6. 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 (Standard Condition #6); and
7. That the North Las Vegas Traffic Engineer may require minor revisions to the interior streets prior to the approval of the tentative map or final map for the project (Standard Condition #7); and
8. That a water network analysis must be submitted with the civil improvement plans (Standard Condition #8); and
9. That all known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geologic hazards such as fault lines or fissures affecting structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans; and
10. That dedication of perimeter streets is required and off-site improvements shall be provided, as required by the Director of Public Works; and
11. That approval of this application does not imply a commitment by the City for utility service to the subject property. A utility commitment will only be issued upon compliance with the requirements and conditions set forth in the Utility Service Commitment Policy Guidelines available from the Department of Public Works; and
12. That approval of the identified uses shall not constitute or imply approval or eligibility of any privileged business license that may be required by the City; and
13. That provisions shall be made for mitigation of off-site drainage. Additional easements and dedications may be required as necessary for drainage improvements; and

14. That street construction shall conform to current engineering standards and City ordinances; and
15. That technical design comments will be made at the time development plans are submitted; and
16. That the owner/developer be responsible for extending public utilities to the site; and
17. That fiber optic conduit shall be installed along the project frontage as determined by the City Traffic Engineer; and
18. That Centennial Parkway and Hollywood Boulevard shall be constructed as 100-foot-wide arterials; and
19. That additional right-of-way for bus turn-outs shall be provided on Centennial Parkway west of Hollywood Boulevard; and
20. That the applicant or successor in interest shall file an administrative consolidation to combine the parcels; and
21. That a parcel map shall be required to divide the property into different uses; and
22. That easements for all commercial driveways and reduced principle pressure assembly valves be provided; and
23. That the uses shown on the preliminary development plan are approved for this site without approval of a special use permit. No other uses are permitted, except as may be determined by the Development Services Department Director to be accessory uses, or by properly amending the Planned Unit Development. A final development plan for each phase of development, or portion thereof, shall be reviewed and approved by the Planning Commission prior to the issuance of building permits for any structure within that phase; and
24. That complete building elevations, colors and materials shall be submitted with each final development plan and shall be subject to Planning Commission review and approval. All buildings and structures within the PUD shall have a similar appearance, including but not limited to, architectural style, materials and colors; and
25. That no exterior roof ladders shall be permitted. Access to the roof shall be from within the building; and
26. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, unless otherwise stipulated herein; and
27. That a minimum 15 feet of landscaping shall be provided adjacent to the Hollywood Boulevard, Centennial Parkway and I-15 rights-of-way. The landscape area shall incorporate a three-foot-high barrier in the form of a berm, wall, hedge or any combination thereof. A minimum one tree per 25 feet of frontage shall be provided. The required trees shall be a minimum 24-inch box; and
28. That a minimum 10 feet of landscaping shall be provided adjacent to the interior streets of the development. A minimum one tree per 25 feet of frontage shall be provided. The required trees shall be a minimum 24-inch box; and
29. That henceforth the development of this site shall conform to the following:
  - a. **Phase 1** shall be identified as the Nevada Power Company substation; and
  - b. **Phase 2** shall be identified as the Truck Stop with gas pumps and service facility, Convenience Store with gas pumps, Restaurant, and two convenience food restaurants; and
  - c. **Phase 3** shall be identified as the Truck Wash; and
  - d. **Phase 4** shall be identified as the Hotel and Casino, and overflow parking area; and
  - e. **Phase 5** shall be identified as the Motel; and

30. That free-standing signage shall be restricted to the following:
  - a. One 120-foot-high sign for the hotel / casino; and
  - b. One 60-foot-high sign shared by the restaurants with a maximum of 200 square feet per side per restaurant; and
  - c. One 60-foot-high sign for the truck stop with a maximum of 300 square feet per side; and
  - d. One 60-foot-high sign for the truck wash with a maximum of 200 square feet per side; and
  - e. One 60-foot-high sign for the motel with a maximum of 200 square feet per side; and
  - f. One sign per parcel per street frontage not to exceed 20 feet in height with area as determined by the Zoning Ordinance for C-2 zoning districts; and

Phase 1:

31. That subsequent expansions or additions to the electrical substation and transmission line shall be subject to Planning Commission review and approval; and
32. That the use permit for Phase 1 is site-specific and non-transferable; and
33. That the development of Phase 1 shall be subject to the specific conditions of approval. If any new conditions conflict with the original conditions of approval, the more restrictive shall prevail; and
34. That the maximum height of the wall encompassing the electrical substation shall not exceed 14 feet and shall match the wall elevations as indicated; and
35. That the maximum height of the electrical substation's transmission poles shall not exceed 130 feet; and
36. That a minimum 10 feet of landscaping shall be provided outside the perimeter wall. A minimum one tree per 25 linear feet of wall shall be provided. The required trees shall be a minimum 24-inch box in size. Dense shrubs or vines shall be used immediately adjacent to the wall to deter graffiti; and

Phase 2:

37. That the fueling island shall be located to the south of the truck stop building; and
38. That the truck stop and truck parking areas shall be separated from the adjacent commercial development by a 10-foot-wide landscape strip. The landscape strip shall be planted with dense landscaping to screen the truck stop from the remainder of the development; and
39. That no vehicle repair shall take place outside of an enclosed building; and
40. That all storage of parts or waste shall be contained within a solid enclosure which adequately screens the materials from adjacent rights-of-way and properties. The enclosure shall be constructed of materials, design and colors similar to those of the principal building; and
41. That trash receptacles shall be provided throughout the truck parking areas and in the vehicle wash areas; and
42. That a trash receptacle shall be provided in each fueling island; and
43. That all drive-thru service lanes shall be a minimum 12 feet in width with flared turns, unless otherwise approved by the City Traffic Engineer; and
44. That a photometric lighting plan shall be submitted to Planning staff for review and approval prior to the issuance of a building permit. The plan shall be prepared by a licensed electrical engineer and shall show the light intensity in foot-candles on a 10-foot grid and the location of proposed structures, parking areas, drive aisles and pedestrian walkways. The minimum light intensity for all vehicle and pedestrian traffic areas shall be 1.0 foot-candles maintained, with a maximum ratio of 10:1. Parking lot lighting shall be installed prior to the issuance of a certificate of occupancy. Light standards shall not exceed 40 feet in height; and

Phase 3:

45. That a water recycling system shall be required for the truck and car washes; and
46. That a six-foot-high solid decorative masonry wall shall be provided between the truck wash and Centennial Parkway; and
47. That trash receptacles shall be provided throughout the truck parking areas and in the vehicle wash areas; and

Phase 4:

48. That the applicant or successor in interest shall be responsible for filing an application for a Gaming Enterprise District for the hotel/casino. If a Gaming Enterprise District is not approved for the hotel/casino site, this approval for a casino shall be null and void; and

Phase 5:

49. That the maximum number of rooms be 99; and
50. That a cross-access easement shall be provided from the private drive to the hotel/casino (Phase 4) site prior to approval of the civil improvement plans.

Chairman Dean Leavitt stated he understands there is an agreement between the applicant and staff and asked if there is anyone present to speak in opposition which there did not appear to be any.

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

John Meng, with the WLB Group, 2551 N. Green Valley Parkway, Suite A-425, Henderson, Nevada 89014 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

David Sass, of Unlimited Holdings, Inc., 2865 S. Jones Boulevard, Las Vegas, Nevada 89102 appeared on behalf of the applicant.

Vice-Chairman Anita Wood MOVED and Commissioner Jay Aston SECONDED to APPROVE ZN-16-98 per staff's recommendations.

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

**The item was APPROVED.**

**Item #9 VAC-12-03 and #10 SPR-18-03 are related.**

**9) VAC-12-03 (10981) WESTLAKE HOUSING DEVELOPMENT (Public Hearing)**

An application submitted by the Holy Trinity AME Church, property owner, to vacate approximately 300 feet of an unnamed street commencing at Carey Avenue and proceeding south to Miller Avenue. The Assessor's Parcel Number is 139-22-110-024.

**RECOMMENDATION:**

The Development Services Department recommends that VAC-12-03 be **continued** in order to address the concerns of the Public Works Department as outlined in the Analysis section above.

Chairman Dean Leavitt stated staff is recommending this item be continued indefinitely to allow the applicant time to work with the church across the street and to address staff's concerns.

Winston Henderson, Architect, 1555 E. Flamingo Road, Las Vegas, Nevada (no zip code stated) appeared on behalf of the applicant and stated he concurs with staff's recommendation of a continuance.

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

Commissioner Nelson Stone MOVED and Vice-Chairman Anita Wood SECONDED to CONTINUE VAC-12-03 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**Item #9 VAC-12-03 and #10 SPR-18-03 are related.**

**10) SPR-18-03 (10980) WESTLAKE HOUSING DEVELOPMENT**

An application submitted by Holy Trinity AME Church, property owner, for a site plan review in a R-CL Single-Family Compact Lot Residential District for eight (8) single-family dwellings. The property is located north of Miller Avenue approximately 255 feet east of Revere Street. The Assessor's Parcel Number is 139-22-110-024.

**RECOMMENDATION:**

The Development Services Department recommends that SPR-18-02 be **approved** with the following conditions of approval:

1. Development of the eight (8) homes shall substantially comply with the site plan submitted.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. The applicant must make the necessary half-street improvements to Miller Street.
4. If VAC-12-03 is denied, the applicant must make the necessary half-street improvements to the unnamed street and dedicate the radius at Miller Street and the unnamed street.
5. If VAC-12-03 is approved, the owner is required to dedicate property for the cul-de-sac bulb at the terminus of the unnamed street. This will allow the parcels to the north to have access via a private drive to the unnamed street.

Winston Henderson, Architect, 1555 E. Flamingo Road, Las Vegas, Nevada (no zip code stated) appeared on behalf of the applicant.

Commissioner Nelson Stone MOVED and Vice-Chairman Anita Wood SECONDED to APPROVE SPR-18-03 subject to the following change:

**Condition #2 Changed to Read:** "Approval of a drainage study is required prior to submittal of the civil improvement plans **or as approved by the Director of Public Works.**"

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**11) UN-42-03 (10962) L.279 NORTHERN PASSAGE (Public Hearing)**

An application submitted by AT&T Wireless on behalf of St. Marks Place, LLC, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow a telecommunication tower (80' tower and related facilities) with a zero (0) setback to the east and 90 foot setback to the north where 200 feet is required from a residential district. The property is located at the northeast corner of Losee Road and Centennial Parkway. The Assessor's Parcel Number is 124-24-401-002.

**RECOMMENDATION**

The Development Services Department recommends that UN-42-03 be **denied**.

**If however** the Planning Commission determines that **approval** the use and the deviations in set back is appropriate at this time, the Development Services Department recommends the following conditions of approval:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. That the tower must be of stealth design subject to review and approval by staff.
3. That landscaping with a minimum depth of 20 feet, planted in accordance with the Commercial Design Standards, shall be provide along Rome Boulevard and the east property line along the length of the improvements proposed herein.
4. That paved access to the site shall be provided.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 7/23/03 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 Nelson Stone MOVED and Commissioner Jay Aston SECONDED to CONTINUE UN-42-03 to the 7/23/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 7/23/03.**



**Item #12 UN-43-03 and #13 UN-45-03 are related.**

**12) UN-43-03 (10964) THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS (Public Hearing)**

An application submitted by The Church of Jesus Christ of Latter-Day Saints on behalf of Pardee Homes of NV, property owner, for a use permit in an R-E Ranch Estates District to allow a church. The property is located at the southwest corner of Clayton Street and Tropical Parkway. The Assessor's Parcel Number is 124-29-702-003.

**RECOMMENDATION:**

The Development Services Department recommends that UN-43-03 be approved subject to the following conditions:

1. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
2. That Clark County Regional flood Control District (CCRFC) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans; and
3. That all local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*; and
4. That North Las Vegas Municipal Code 16.20.050 (G) states "Whenever a subdivision abuts upon an undedicated and/or unimproved street, the subdivider shall provide as part of the subdivision, the necessary improvements and/or dedication for the portion of the street contained within the subdivision boundaries". Therefore, applicant must make the necessary half-street improvements for Clayton Street and Tropical Parkway; and
5. That a parcel map must be filed to create the parcel as proposed; and
6. That the following right of way dedications are required:
  - a. 25.5' for Soaring Bluff Street; and
  - b. Right of way for a flared intersection at Tropical Parkway and Clayton Street; and
7. Show the Nevada Power Company easement and poles which must be fully located within the landscape area; and
8. That a traffic mitigation letter is required; and
9. That the driveway on Clayton Street is limited to right-in/right-out; and
10. That the development comply with the Commercial Design Guidelines; and
11. That landscape "diamonds" be provided as identified on the site plan; and
12. That the elevations generally conform to those submitted with this request, unless otherwise addressed herein, and that clay or concrete roof tiles be provided; and
13. That the special use permit is site-specific and non-transferable; and
14. That UN-43-03 shall expire on June 25, 2005.

Chairman Dean Leavitt stated he understands there is an agreement reached between staff and the applicant and asked if there was anyone present who opposes this application. No one came forward.

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

Dave Pugsley, of Welles-Pugsley Architects, 2480 E. Tompkins Avenue, #222, Las Vegas, Nevada 89121 appeared on behalf of the applicant.

Vice-Chairman Anita Wood MOVED and Commissioner Jay Aston SECONDED to APPROVE UN-43-03 per staff's recommendations subject to the following change:

**Condition #9 Changed to Read:** "That the driveway on Clayton Street is limited to right-in/right-out; and **or as approved by the City's Traffic Engineer.**"

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #12 UN-43-03 and #13 UN-45-03 are related.**

**13) UN-45-03 (10974) THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS (Public Hearing)**

An application submitted by The Church of Jesus Christ of Latter-Day Saints on behalf of Unlimited Holdings, property owner, for a use permit in an R-E Ranch Estates District to allow a church. The property is located at the northeast corner of Azure Avenue and Goldfield Street. The Assessor's Parcel Number is 124-27-504-003.

**RECOMMENDATION:**

The Development Services Department recommends that UN-45-03 be approved subject to the following conditions:

1. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
2. That Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans; and
3. That North Las Vegas Municipal Code 16.20.050 (G) states "Whenever a subdivision abuts upon an undedicated and/or unimproved street, the subdivider shall provide as part of the subdivision, the necessary improvements and/or dedication for the portion of the street contained within the subdivision boundaries". Therefore, applicant must make the necessary half-street improvements for Goldfield Street and Azure Avenue; and
4. That the property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans; and
5. That a traffic mitigation letter is required; and
6. That the development comply with the Commercial Design Guidelines; and
7. That landscape "diamonds" be provided as identified on the site plan; and
8. That the elevations generally conform to those submitted with this request, unless otherwise addressed herein, and that clay or concrete roof tiles be provided; and
9. That the special use permit is site-specific and non-transferable; and
10. That UN-45-03 shall expire on June 25, 2005.

Chairman Dean Leavitt stated he understands there is an agreement reached between staff and the applicant and asked if there was anyone present who opposes this application. No one came forward.

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

Dave Pugsley, of Welles-Pugsley Architects, 2480 E. Tompkins Avenue, #222, Las Vegas, Nevada 89121 appeared on behalf of the applicant.

Vice-Chairman Anita Wood MOVED and Chairman Dean Leavitt SECONDED to APPROVE UN-45-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

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

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

**RECOMMENDATION**

The Development Services Department recommends that UN-44-03 be **approved** subject to the following conditions:

1. That prior to the issuance of a building permit the applicant provide documentation stamped by a licensed surveyor attesting that there are no existing or permitted billboards within 750' of the billboard proposed herein.
2. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 7/9/03 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 Nelson Stone MOVED and Commissioner Jay Aston SECONDED to CONTINUE UN-44-03 to the 7/9/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 7/9/03.**

## **OLD BUSINESS**

### **15) UN-46-02 (10608) CENTENNIAL & PECOS (Public Hearing)**

An application submitted by Pecos & Centennial Parkway Trust, property owner, for an extension of time for a use permit in a C-1 Neighborhood Commercial District to allow the "on sale" of alcoholic beverages in conjunction with a tavern. The property is located north of Centennial Parkway and approximately 470 feet west of Pecos Road. The Assessor's Parcel Number is 124-24-801-008.

### **RECOMMENDATION**

The Development Services Department recommends that UN-46-03 be **approved** with the following conditions:

1. That the development of this site be in compliance with all applicable conditions of T-1006.
2. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.

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

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

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

Vice-Chairman Anita Wood **MOVED** and Commissioner Jay Aston **SECONDED** to **APPROVE** UN-46-03 subject to 10 conditions from the 5/22/02 Planning Commission meeting which is as follows:

- 1. Standard Conditions 1,2,3,5,6,7,8,10,11,12,14,15,23,25,26,27,29 and 32.**
- 2. Fiber optic as required in Centennial Parkway and Pecos Road frontages.**
- 3. Dedication of right-of-way for intersection of Centennial Parkway and Pecos Road (201.1 requirements).**
- 4. Dedication of right-of-way for bus turn-out on Centennial Parkway.**
- 5. The applicant shall comply with Commercial Development Standards and Design Guidelines.**
- 6. The applicant shall comply with all applicable conditions of approval prior to issuance of a building permit.**
- 7. Construction shall begin within six months of the date of this approval.**
- 8. A minimum of two windows shall be incorporated into the design of the building. The windows shall be of the same design and size as the windows used elsewhere on the building.**
- 9. The applicant shall submit a detailed floor plan for review and approval by the Planning Commission prior to the issuance of a building permit.**
- 10. The applicant shall maintain a floor ratio of 40% to 60% ratio, bar to restaurant.**

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**16) ZOA-04-03 (10886) CITY OF NORTH LAS VEGAS (Public Hearing)**

An ordinance amendment initiated by the City of North Las Vegas to amend Title 17 (Zoning Ordinance) Sections 17.12.020 and 17.24.100 of the North Las Vegas Municipal Code to provide landscaping requirements related to various drought conditions, and providing for other matters properly related thereto.

**This item was continued from the June 11, 2003 Planning Commission at the request of the Planning Staff.**

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

**RECOMMENDATION:**

Due to lower than normal snow-pack conditions in the Rocky Mountains, the water levels of Lake Mead and Lake Powell are at their lowest levels in 30 years. Without the implementation of drought planning, water shortages will have a severe impact on southern Nevada. This City and the other jurisdictions in the Valley have recently adopted the Southern Nevada Water Authority (SNWA) Drought Plan. The Plan will be implemented in several ways. The staff of the SNWA has been working with the staffs of the Valley's jurisdictions to develop an ordinance to require greater water conservation. Since the greatest percentage of water is lost from the lawn sprinklers of individual home owners, the primary goal of this ordinance is to reduce the amount of water used on lawns during periods of drought. All of the jurisdictions will be adopting ordinances similar to our draft.

The primary requirements during a drought alert are as follows:

- New turf is prohibited in front yards.
- The use of turf in back yards is limited to 50% of the yard area.
- The planting of cool-season grasses is prohibited from May through August; but warm-season grasses may be planted all year.

The Development Services Department recommends approval of the proposed ordinance.

Prior to the Planning Commission meeting, staff 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 Marilyn Kirkpatrick MOVED and Commissioner Jay Aston SECONDED to CONTINUE ZOA-04-03 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**Item #127 ZN-41-03 and #18 VAC-11-03 are related.**

**17) ZN-41-03 (10806) WASHBURN CREEK (Public Hearing)**

An application submitted by Tru-West Development Inc. on behalf of Washburn 5 LLC, property owner, for reclassification of property from an R-E Ranch Estates District to a PUD Planned Unit Development District consisting of 99 single-family dwellings. The property is generally located at the southeast corner of Washburn Road and North Fifth Street. The Assessor's Parcel Numbers are 124-35-301-001, 124-35-301-002, 124-35-301-003, and 124-35-301-004.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-41-03 be approved with the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances.
2. That approval of a traffic study is required prior to submittal of the civil improvement plans.
3. That 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. A merger and resubdivision map is required.
6. Additional right-of-way dedication is required for the flared intersection at North Fifth Street and Washburn per the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1.
7. 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.
8. An encroachment permit for landscaping in the right-of-way will be required prior to approval of the civil improvement plans.
9. All common areas shall be labeled "Common Area to be maintained by the Homeowner's Association."
10. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' North Neighborhood Flood Control Master Plan.
11. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording of the final map.
12. Fire access lanes must be designed and installed in accordance with Fire Code requirements.
13. That a final development plan for this portion of the development be reviewed and approved by the Planning Commission prior to recording any final map.
14. 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. The amenities to be included in the open space which shall contain, at a minimum, the following items:
  - a. Circuitous lighted paths; and
  - b. A minimum of 20 trees per acre; and
  - c. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection and accompanying shade ramada; and
  - d. A large open space area for group/organized play; and
  - e. One large group shade area/gazebo (30' diameter), lighted; and

- f. Picnic tables and barbecue grills; and
  - g. Benches spaced along park pathways; and
  - h. All Open Space amenities are to be ADA accessible.
- 
- 15. That the maximum number of dwelling units permitted within this portion of the development be 101.
  - 11. The minimum lot size shall be 4,500 square feet with a minimum lot width of 45 feet.
  - 12. That all conditions mentioned herein be satisfied prior to recording any final map.
  - 13. That this development be in compliance with the Single Family Development Standards and Design Guidelines.
  - 14. That the following setbacks apply:
    - a. Front: Fifteen (15) feet, provided all garages maintain a 20-foot front setback.
    - b. Interior side: Five (5) feet.
    - c. Corner side: Ten (10) feet.
    - d. Rear yard: Fifteen (15).
  - 15. That the perimeter walls be owned and maintained by the homeowners' association.
  - 16. That corner side yard landscaping be maintained by the homeowners' association.
  - 17. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
  - 18. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development.

Chairman Dean Leavitt stated he understands there is an agreement between staff and the applicant and asked if there was anyone present who opposes this application.

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

Carl Rogers, 9960 W. Cheyenne Avenue, Suite 210, Las Vegas, Nevada 89129 appeared on behalf of the applicant and stated he concurs with staff's recommendations. He also stated he wishes to add, for the record, parcel numbers which should be listed, but are not. The parcel numbers are:

124-35-302-004  
124-35-302-005  
124-35-304-002

Jim Lewis, Deputy City Attorney, stated these are not additions of parcels which are different from the map that is sent out with the Public Notice. It just so happens the parcel numbers were left off the agenda, however the parcels affected were publicly and correctly noticed and the boundaries are the same.

Vice-Chairman Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE ZN-41-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**



**Item #127 ZN-41-03 and #18 VAC-11-03 are related.**

**18) VAC-11-03 (10807) WASHBURN CREEK (Public Hearing)**

An application submitted by Tru-West Development Inc. on behalf of Washburn 5 LLC, property owner, to vacate Rosada Way commencing at Donna Street and proceeding west to Hope Street and to vacate Hope Street commencing at Rosada Way and proceeding north approximately 300 feet. The Assessor's Parcel Numbers are 124-35-304-002 and 124-35-302-005.

**RECOMMENDATION:**

The Development Services Department recommends that VAC-11-03 be **approved** with the following conditions of approval:

1. The applicant must provide a traffic study that supports and vacation.
2. The vacation shall record concurrently with the final map.

Carl Rogers, 9960 W. Cheyenne Avenue, Suite 210, Las Vegas, Nevada 89129 appeared on behalf of the applicant

Vice-Chairman Anita Wood MOVED and Chairman Dean Leavitt SECONDED to APPROVE VAC-11-03 per staff's recommendations subject to the following change:

**Condition #1 Changed to Read:** "The applicant must provide a traffic study that supports **the** vacation."

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Item #19 AMP-19-03 and #20 ZN-36-03 are related and were heard first on this agenda.**

**19) AMP-19-03 (10157) PECOS 90 (Public Hearing)**

An application submitted by Richmond American on behalf of Revere, LLC, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designations of Industrial and Light Industrial to MDR Medium Density Residential. The property is generally located at the southwest corner of Ann Road and Donovan Way. The Assessor's Parcel Numbers are 123-31-501-001, 123-31-202-001, 123-31-203-002, 123-31-203-003, 123-31-203-004, 123-31-204-001, 123-31-204-002, 123-31-204-004, 123-31-301-003, 123-31-301-006, 123-31-301-011, 123-31-301-002 and 123-31-601-001.

**This application was continued from the Planning Commission meeting of May 28, 2003, to allow staff to gather additional information for the Planning Commission.**

**RECOMMENDATION:**

As the Development Services, Fire Department, and Community Development Departments are opposed to AMP-19-03 and do not feel that residential development should replace potential industrial uses adjacent to the railway, the department recommends that AMP-19-03 and ZN-36-03 be **denied**.

If the Planning Commission feels that **approval** is warranted the following conditions are recommended for ZN-36-03.

1. Unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances.
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. 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.
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. A water network analysis must be submitted with the civil improvement plans.
7. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans.
8. Right of way dedications are required as delineated on the MPSH.
9. The applicant shall apply for a vacation of Hammer Lane and the excess portions of Fisher Avenue. If these vacations are not approved, the applicant must revise the site plan to include existing dedicated right of way.
10. The applicant shall apply for an amendment to the MPSH to add Ann Road between Pecos Road and Lamb Boulevard.
11. The drainage facilities and associated easements along Hammer Lane and the railroad will be designed in accordance with an approved drainage study. Revisions to the site layout may be required.

12. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' North Neighborhood Flood Control Master Plan.
13. Revise the site plan to show the limits of FEMA Special Flood Hazard Area Zone A.
14. Remove section thickness from the typical sections. The off-site pavement sections will be determined by the Department of Public Works.
15. Parking on the internal streets will be limited to one side of the street. The developer will be required to install "NO PARKING" signs.
16. The area south of Washburn Road, west of the UPRR tracks must be labeled.
17. Identify the limits of the existing SNWA easement that parallels the UPRR.
18. The common elements will need to be labeled as "Common Element to be maintained by the Homeowners Association."
19. The Nevada Power Company poles and easements per Document 418073, recorded 3/4/64 in Book 519, will need to be shown.
20. Delineate reservation and exception of "railroad trackage and track appurtenances" per Document 00288, recorded 12/27/90 in Book 901227.
21. Grant roadway easements where public and private streets intersect.
22. Remove the word "easement" from the drainage channel adjacent to the UPRR. This land was dedicated per Instr. 98116:01899.
23. Ann Road shall terminate at the Fisher Parkway alignment and the cul-de-sac shall be removed.
24. 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.
25. That the maximum number of dwelling units permitted within the development be 469.
26. The minimum lot size shall be 4,500 square feet with a minimum lot width of 45 feet.
27. That all conditions mentioned herein be satisfied prior to recording any final map.
28. That the following setbacks apply:
  - a. Front: Fifteen (15) feet, provided all garages maintain a 20-foot front setback.
  - b. Interior side: Five (5) feet.
  - c. Corner side: Ten (10) feet.
  - d. Rear yard: Fifteen (15) feet.
29. That the perimeter walls be owned and maintained by the homeowners' association.
30. That corner side yard landscaping be maintained by the homeowners' association.
31. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
32. 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.

33. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the park areas showing landscaping and amenities.
34. All conditions of the approved PUD shall be placed as notes on the Final Map.
35. 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.
36. A minimum of two remote means of access from existing streets to this site shall be provided.
37. A minimum of two remote means of access to each group of 25 homes shall be provided.
38. Fisher Way shall conform to the Curvilinear Street Requirement as described in 16.20.050 of the Municipal Code.
39. Measures to achieve a noise level reduction, outdoor-to-indoor, of 25 decibels must be incorporated into the design and construction.

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

Chief Jimmy Stubler, Fire Chief, stated the Fire Department firmly opposes this application as he feels safety may be compromised.

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

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

- ▶ Zachary Shaw, with the Operating Engineers Fund, Inc., 4270 S. Decatur Boulevard, Las Vegas, Nevada 89103

Mr. Shaw stated he opposes this item as he feels this would not benefit the neighborhood.

- ▶ George Garcia, 2501 N. Green Valley Parkway, Suite 108, Henderson, Nevada 89014

Mr. Garcia stated he is not present to speak for or against this application, but to ensure the letter he sent to staff is made part of the record.

Chairman Leavitt closed the Public Hearing.

Vice-Chairman Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to DENY AMP-19-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was DENIED.**

**Item #19 AMP-19-03 and #20 ZN-36-03 are related.**

**20) ZN-36-03 (10569) LAUREL CANYON (Public Hearing)**

An application submitted by Richmond American Homes on behalf of Pecos 90, LLC, Revere, LLC and Silver Bowl Investment LLC, etal, property owners, for reclassification of property from a M-2 General Industrial District to a PUD Planned Unit Development District consisting of 490 single-family dwellings. The property is generally located at the southwest corner of Ann Road and Donovan Way. The Assessor's Parcel Numbers are 123-31-202-001, 123-31-203-001, 123-31-203-002, 123-31-203-003, 123-31-203-004, 123-31-204-001, 123-31-204-002, 123-31-204-004, 123-31-301-002, 123-31-301-003, 123-31-301-006, 123-31-301-011, 123-31-501-001, 123-31-601-001.

**RECOMMENDATION:**

As the Development Services, Fire Department, and Community Development Departments are opposed to AMP-19-03 and do not feel that residential development should replace potential industrial uses adjacent to the railway, the department recommends that AMP-19-03 and ZN-36-03 be **denied**.

If the Planning Commission feels that **approval** is warranted the following conditions are recommended for ZN-36-03.

1. Unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances.
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. 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.
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. A water network analysis must be submitted with the civil improvement plans.
7. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans.
8. Right of way dedications are required as delineated on the MPSH.
9. The applicant shall apply for a vacation of Hammer Lane and the excess portions of Fisher Avenue. If these vacations are not approved, the applicant must revise the site plan to include existing dedicated right of way.
10. The applicant shall apply for an amendment to the MPSH to add Ann Road between Pecos Road and Lamb Boulevard.
11. The drainage facilities and associated easements along Hammer Lane and the railroad will be designed in accordance with an approved drainage study. Revisions to the site layout may be required.
12. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' North Neighborhood Flood Control Master Plan.
13. Revise the site plan to show the limits of FEMA Special Flood Hazard Area Zone A.

14. Remove section thickness from the typical sections. The off-site pavement sections will be determined by the Department of Public Works.
15. Parking on the internal streets will be limited to one side of the street. The developer will be required to install "NO PARKING" signs.
16. The area south of Washburn Road, west of the UPRR tracks must be labeled.
17. Identify the limits of the existing SNWA easement that parallels the UPRR.
18. The common elements will need to be labeled as "Common Element to be maintained by the Homeowners Association."
19. The Nevada Power Company poles and easements per Document 418073, recorded 3/4/64 in Book 519, will need to be shown.
20. Delineate reservation and exception of "railroad trackage and track appurtenances" per Document 00288, recorded 12/27/90 in Book 901227.
21. Grant roadway easements where public and private streets intersect.
22. Remove the word "easement" from the drainage channel adjacent to the UPRR. This land was dedicated per Instr. 98116:01899.
23. Ann Road shall terminate at the Fisher Parkway alignment and the cul-de-sac shall be removed.
24. 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.
25. That the maximum number of dwelling units permitted within the development be 469.
26. The minimum lot size shall be 4,500 square feet with a minimum lot width of 45 feet.
27. That all conditions mentioned herein be satisfied prior to recording any final map.
28. That the following setbacks apply:
  - a. Front: Fifteen (15) feet, provided all garages maintain a 20-foot front setback.
  - b. Interior side: Five (5) feet.
  - c. Corner side: Ten (10) feet.
  - d. Rear yard: Fifteen (15) feet.
29. That the perimeter walls be owned and maintained by the homeowners' association.
30. That corner side yard landscaping be maintained by the homeowners' association.
31. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
32. 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.
33. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the park areas showing landscaping and amenities.
34. All conditions of the approved PUD shall be placed as notes on the Final Map.

35. 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.
36. A minimum of two remote means of access from existing streets to this site shall be provided.
37. A minimum of two remote means of access to each group of 25 homes shall be provided.
38. Fisher Way shall conform to the Curvilinear Street Requirement as described in 16.20.050 of the Municipal Code.
39. Measures to achieve a noise level reduction, outdoor-to-indoor, of 25 decibels must be incorporated into the design and construction.

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

Chief Jimmy Stubler, Fire Chief, stated the Fire Department firmly opposes this application as he feels safety may be compromised.

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

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

- ▶ Zachary Shaw, with the Operating Engineers Fund, Inc., 4270 S. Decatur Boulevard, Las Vegas, Nevada 89103

Mr. Shaw stated he opposes this item as he feels this would not benefit the neighborhood.

- ▶ George Garcia, 2501 N. Green Valley Parkway, Suite 108, Henderson, Nevada 89014

Mr. Garcia stated he is not present to speak for or against this application, but to ensure the letter he sent to staff is made part of the record.

Chairman Leavitt closed the Public Hearing.

Commissioner Marilyn Kirkpatrick MOVED and Vice-Chairman Anita Wood SECONDED to DENY ZN-36-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was DENIED.**

**Item #1 AMP-31-03 was heard next.**

**21) UN-36-03 (10600) NORTH COAST HOTEL & CASINO (Public Hearing)**

An application submitted by Exber Inc., property owner, for a use permit in an M-2 General Industrial District (proposed C-2 General Commercial District) to allow a hotel and casino; and to allow a building to exceed the maximum height of 60 feet (approximately 190 feet). The property is generally located at the southwest corner of Centennial Parkway and Lamb Boulevard. The Assessor's Parcel Numbers are 123-30-501-002 and 123-30-501-003.

**This application was continued from the Planning Commission meetings of May 28 and June 11, 2003, to allow the applicant time to meet with staff to modify the recommended conditions of approval.**

**RECOMMENDATION:**

The Development Services Department recommends that UN-36-03 be approved subject to the following conditions:

1. That AMP-25-03, ZN-37-03 and GED-01-03 be approved by the City Council. If any one of the three items are not approved, this request shall be considered null and void; and
2. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
3. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
4. That Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans; and
5. That driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in North Las Vegas Municipal Code 17.24.130. Conformance may require modifications to the site; and
6. That a water network analysis must be submitted with the civil improvement plans; and
7. That all local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' North Neighborhood Flood Control Master Plan; and
8. That the following right of way dedications are required:
  - a. Sixty feet (60.0') for Lamb Boulevard;
  - b. Thirty feet (30.00') for Azure Avenue;
  - c. Additional right of way for the flared intersection at Centennial Parkway and Lamb Boulevard per the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1;
  - d. Bus turn out on Lamb Boulevard near Centennial Parkway.
9. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, with the exception of the building orientation/placement, whereby the principal structure may be located as identified on the site plan; and
10. That the principal structure be designed and constructed to support wireless communications facilities; and
11. That direct outside-to-inside access to the movie theater be provided without requiring the patrons to walk through the casino area(s); and
12. That signage be permitted in accordance with the following:
  - a. That one 60-foot (maximum) sign be permitted along Centennial Parkway in the immediate vicinity of the second (i.e., main) entrance, as identified on the site plan; and



- b. That one 60-foot (maximum) sign be permitted along Lamb Boulevard in the immediate vicinity of the northern (i.e., main) entrance, as identified on the site plan; and
  - c. That all other free-standing signage be limited to monument signs not taller than eight feet (8.00'); and
13. That the parking structures be constructed as part of the first phase of development; and
14. That all sides of the parking structures be designed and constructed with facades to match the principal structure, including but not limited to:
  - a. Landscape planters (exposed to the exterior) on every even-numbered level shall be provided; and
  - b. One continuous landscape planter along the exterior side(s) of the ramp(s) shall be provided; and
  - c. The landscape planters shall be a minimum four feet (4.00') in width (inside-to-inside); and
  - d. Every even-numbered level shall be stepped back a minimum four feet (4.00'); and
  - e. The planting materials within the planters shall provide 100% coverage and are encouraged to "spill-over" the exterior sides; and
15. That a minimum thirty feet (30.00') of landscaping be provided along the western and southern property lines. The landscape areas shall include two rows of 36-inch box trees spaced not greater than 25 feet on-center. The rows shall be staggered with centers equally offset and the interior row shall be planted upon a berm. The berm shall be a minimum four feet (4.00') in height. The trees shall be of an evergreen variety/species that provides for maximum screening. The required trees shall be in addition to other required landscape materials; and
16. That all structures shall recognize a minimum 71-foot (71.00') setback from the southern and western property lines; and
17. That a minimum 16-plex theater be provided as part of the first phase of development; and
18. That a minimum 64-lane bowling alley be provided as part of the first phase of development; and
19. That the maximum height of the principal structure be 190 feet; and
20. That UN-36-03 shall expire in accordance with the requirements set forth in the Zoning Ordinance.

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.

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

Vice-Chairman Anita Wood MOVED and Commissioner Nelson Stone SECONDED to APPROVE UN-36-03 per staff's recommendations subject to the following changes:

**Condition #8 Changed to Read:** "That the following right of way dedications, **or as required by the City's Traffic Engineer:**

**Condition #11 Changed to Read:** "that the most direct route as is reasonable shall be

provided from the casino to the movie theatres.”

**Condition #14 Changed to Read:** “That all sides of the parking structures be designed and constructed with facades to match the principal structure. **The western parking structure shall include, but not be limited to Conditions A through E.**”

**Condition #16 Changed to Read:** “That all structures shall recognize a minimum **90-foot (90.00')** setback from the southern and western property lines; and”

**Condition #21 Added to Read:** “**that a recessed loading dock, as depicted on elevations shall be included.**”

**Condition #22 Added to Read:** “**that 30,000 square fee of independent meeting rooms and/or convention space be provided similar to those facilities provided at the Sun Coast Hotel and Casino.**”

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

## **PUBLIC FORUM**

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

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

**DIRECTOR'S BUSINESS:** None

**CHAIRMAN'S BUSINESS:** None

**ADJOURNMENT:** 9:10 PM

A motion to ADJOURN the June 25, 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