

# MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Dean Leavitt, Chairman  
Nelson Stone  
Joy Diaz  
Steve Brown

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Marilyn Kirkpatrick, Vice-Chairman  
Jo Cato  
Jay Aston

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Planning Commission MINUTES are available on the internet at:

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

## August 27, 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  
Marilyn Kirkpatrick - Present  
Nelson Stone - Present  
Jo Cato-Present  
Jay Aston-Present  
Steve Brown-Present

**STAFF PRESENT:**

Donna Kristaponis, Development Services Director  
Marc Jordan, Principal Planner  
Vicki Adams, Planner  
Randy Cagle, Public Works  
Clete Kus, Transportation Services  
Kevin Futch, Transportation Services  
Steven DiGiovanni, Fire Department  
Jim Lewis, Deputy City Attorney  
Ted Karant, Recording Secretary

**ANNOUNCEMENTS:**

Verification of compliance with NRS 241, Open Meeting Law.

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

**PLEDGE OF ALLEGIANCE**

Commissioner Steve Brown

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

**Presentation to outgoing Planning Commissioner  
Joy Diaz**

## MINUTES

Approval of the MINUTES for the Planning Commission meeting of August 13, 2003.

Commissioner Steve Brown MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE the minutes of the August 13, 2003 Planning Commission Meeting.

The motion carried by MAJORITY vote with Commissioner Nelson Stone abstaining from voting on the Minutes due to his absence at the meeting.

## CONSENT AGENDA

### **A) PW-136-03 (12014) PALMILLA TOWNHOMES**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Palmilla, LLC and accept the Subdivision Improvements Performance Bonds in the amounts of \$164,001.75 and \$86,279.46.

### **B) PW-137-03 (12015) STAR NURSERY**

Accept the Commercial Developments Off-Site Improvements Agreement by Craig Keough and accept the Off-Site Improvement Bond in the amount of \$167,795.60.

### **C) PW-138-03 (12016) COMMERCE VILLAGE PHASE 1**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Marge Kratzer, Inc. and accept the Letter of Credit in the amount of \$350,030.40.

### **D) PW-139-03 (12017) COMMERCE VILLAGE PHASE 2**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Marge Kratzer, Inc. and accept the Letter of Credit in the amount of \$269,732.65.

### **E) PW-140-03 (12018) CENTENNIAL BRUCE WEST 40 ACRES, UNIT 1**

Approve the Subdivision Off-Site Improvements Agreement by William Lyon Homes, Inc. and accept the Subdivision Bonds in the amount of \$200,222.00 for Phase 1, \$88,426.25 for Phase 2 and \$387,497.88 for Phase 3.

### **F) PW-141-03 (12019) TESORO UNIT 2**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by American Premier Homes and accept the Subdivision Bond in the amount \$382,954.00.

### **G) PW-142-03 (12020) TRIDENT INDUSTRIAL PARK**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify American Motorists Insurance Company to release the Subdivision Bond in the amount of \$186,589.98.

### **H) PW-143-03 (12021) PEARL HOMES**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify The Hanover Insurance Company to release the Subdivision Bond in the amount of \$74,945.26.

### **I) PW-144-03 (12022) JACKSON ESTATES**

Accept the off-site improvements for maintenance and advise the Director Public Works to notify Gulf Insurance Company to release the Subdivision Bond in the amount of \$434,973.00.

Commissioner Jay Aston MOVED and Commissioner Steve Brown SECONDED to APPROVE Consent Agenda Items A through I.

The motion carried by UNANIMOUS vote.

**Items #29 AMP-32-03, #30 ZN-54-03 and #31 T-1011 were heard first on this Agenda.**

# NEW BUSINESS

Items #1 AMP-39-03 and #2 ZN-76-02 are related.

## **1) AMP-39-03 (11756) CHEYENNE VALLEY (Public Hearing)**

An application submitted by Innovative Resort Communities on behalf of LOLLITO, LLC and GRBSSG, LLC, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of Business, Research / Development Park to MHDR Medium High Density Residential. The property is generally located at the southwest corner of Allen Lane and Colton Avenue. The Assessor's Parcel Numbers are 139-07-801-010 and 139-07-801-011.

### RECOMMENDATION:

The Development Services Department recommends that AMP-39-03 be **continued indefinitely** to allow the applicant time to meet with the Departments of Fire and Parks & Recreation to address the concerns raised in the attached memoranda.

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.

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

- ▶ Lorna Alcott, 3408 Trotting Horse Road, North Las Vegas, Nevada 89032

Ms. Alcott stated she opposes this item as she does not feel it would benefit the neighborhood.

- ▶ Virginia Spencer, 3425 Wild Filloy Lane, North Las Vegas, Nevada 89032

Ms. Spencer stated she purchased her property to live in a low density area. She asked the Planning Commission to deny this application to allow low density to remain in this area.

- ▶ Jay Ketover, 3417 Wild Filly Lane, North Las Vegas, Nevada 89032

Mr. Ketover stated he feels the City's commitment to "Quality Growth" would be compromised if this application is approved.

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

Ms. Rosa stated she opposes this application as she understood this area was to remain a single-family area. Ms. Rosa feels if this application is approved property values in the area would decrease.

- ▶ Candy McGlathery, 3508 Trotting Horse Road, North Las Vegas, Nevada 89032

Ms. McGlathery stated she opposes duplex units in this area as she feels it will cause depreciation of the properties in the area.

Chairman Leavitt closed the Public Hearing.

Commissioner Nelson Stone MOVED and Commissioner Jay Aston SECONDED to APPROVE AMP-39-03 per staff's recommendations subject to the following change:

**Delete MHDR Medium High Density Residential and Add MDR Medium Density Residential.**

The **MOTION TO APPROVED FAILED** for lack of a Super-Majority vote with Vice-Chairman Marilyn Kirkpatrick and Commissioner Jo Cato voting against the motion and there being a total of six (6) Planning Commissioners on the board at this meeting.

Deputy City Attorney, Jim Lewis, stated the Planning Commission needs to continue on this item until an affirmative motion is reached.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to RECONSIDER AMP-39-03.

The motion carried by UNANIMOUS vote.

Commissioner Nelson Stone MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE AMP-39-03 from MHDR Medium High Density Residential to MDR Medium Density Residential.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #1 AMP-39-03 and #2 ZN-76-02 are related.**

**2) ZN-76-02 (11757) CHEYENNE VALLEY (Public Hearing)**

An application submitted by Innovative Resort Communities on behalf of LOLLITO, LLC and GRBSGG, LLC, property owner, to amend a previously approved PUD Planned Unit Development District that consisted of 10.3 acres of neighborhood commercial and 58.28 acres of office and business park. The applicant is proposing to replace 31.28 acres of office, business park with 298 residential duplex units. The property is generally located at the southwest corner of Allen Lane and Colton Avenue. The Assessor's Parcel Numbers are 139-07-801-010 and 139-07-801-011.

**RECOMMENDATION:**

The Parks and Recreation Department has met with the applicant regarding the open space amenities. According to the revised memorandum from the Parks and Recreation Department, the **applicant has agreed** to the following amenities listed as a new condition (number 51).

51. 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 24-inch box 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 open space area for group/organized play; and
  6. 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. Details of the amenities are to be provided.

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

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant who stated he would like to have this item continued for two (2) weeks to allow the applicant an opportunity to meet with the residents to address their concerns.

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

- ▶ Lorna Alcott, 3408 Trotting Horse Road, North Las Vegas, Nevada 89032

Ms. Alcott stated she opposes this item as she does not fee it would benefit the neighborhood.

- ▶ Candy McGlathery, 3508 Trotting Horse Road, North Las Vegas, Nevada 89032

Ms. McGlathery stated she opposes duplex units in this area as she feels it will cause depreciation of the properties in the area.

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

Ms. Rosa stated she opposes this application as she understood this area was to remain a single-family area. Ms. Rosa feels if this application is approved property values in the area would decrease.

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jay Aston SECONDED to CONTINUE ZN-76-02 to the 9/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED TO 9/10/03.**

**Items #3 AMP-41-03, #4 ZN-56-03 and #5 T-1012 are related.**

**3) AMP-41-03 (11759) CENTEX HOMES (Public Hearing)**

An application submitted by Centex Homes dba Real Homes on behalf of Daniel S. Mosley Revocable Trust et al, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of Office to LDR Low Density Residential. The property is generally located approximately 339 feet north of San Miguel Avenue and west of Coleman Street. The Assessor's Parcel Numbers are 139-05-701-007, 139-05-702-005 and 139-05-702-004.

**RECOMMENDATION**

The Development Services Department recommends that AMP-41-03 **receive a favorable recommendation** from the Planning Commission and be forwarded to the City Council for final consideration.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 9/10/03 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 Jay Aston MOVED and Commissioner Nelson Stone SECONDED to CONTINUE AMP-41-03 to the 9/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 9/10/03.**

**Items #3 AMP-41-03, #4 ZN-56-03 and #5 T-1012 are related.**

**4) ZN-56-03 (11761) CENTEX HOMES (Public Hearing)**

An application submitted by Centex Homes dba Real Homes on behalf of Daniel S. Mosley Revocable Trust et al, property owner, for reclassification of property from a CP Professional Office Commercial District to an R-1 Single-Family Residential District. The property is generally located approximately 339 feet north of San Miguel Avenue and west of Coleman Street. The Assessor's Parcel Numbers are 139-05-701-007, 139-05-702-005 and 139-05-702-004.

The Development Services Department recommends, **if AMP-41-03 is acted upon favorably, that ZN-56-03 receive a favorable recommendation** from the Planning Commission and be forwarded to the City Council for final consideration.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 9/10/03 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 Jay Aston MOVED and Commissioner Nelson Stone SECONDED to CONTINUE ZN-56-03 to the 9/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 9/10/03.**



Items #3 AMP-41-03, #4 ZN-56-03 and #5 T-1012 are related.

**5) T-1012 (11763) CENTEX HOMES**

An application submitted by Centex Homes on behalf of the Daniel S. Mosley Rev.Trust Agreement Etal, Dirt Alley LLC, Gerald L & Nancy L Erwin and Heidi Boilini, Robert Cohen and the Matonovich Family Trust, property owners, to approve a tentative map in an R-1 Single-Family Residential District. The property is generally located at the northwest corner of San Miguel Avenue and Coleman Street. The Assessor's Parcel Numbers are 139-05-701-007, 139-05-701-008, 139-05-701-009, 139-05-702-006, 139-05-702-005 and 139-05-702-004.

**RECOMMENDATION:**

The Development Services Department recommends that T-1012 **approved** subject to the following conditions of approval:

1. That T-1012 shall become null and void if AMP-41-03 and ZN-56-03 is not approved by the City Council.
2. That the development comply with the Single Family Design Standards.
3. 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).
4. That the perimeter walls be owned and maintained by the homeowners' association.
5. That all perimeter walls, end walls, return walls and common area walls shall be decorative subject to staff review and approval
6. That corner side yard landscaping shall be maintained by the homeowner of the lot and that provisions and enforcement of such shall be provided within the CC&R's.
7. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
8. 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.
9. The 40-foot Fire Department emergency access and utility easement proposed from Coleman Street to Oscar Mariano Avenue shall also serve as pedestrian access to the development. The proposed easement would need to comply with Section 17.24.10.D.4 of the Municipal Code and be maintained by the homeowners' association.
10. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
11. Approval of a drainage study is required prior to submittal of the civil improvement plans.
12. 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.
14. The following right of way and associated spandrel dedications are required:
  - a. 50 feet for Simmons Street
  - b. 30 feet for San Miguel Avenue
13. The final map must be labeled as a merger and resubdivision.

14. The developer is responsible for relocating power lines and placing them underground.
15. Fuselier Drive must be vacated.
16. 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.
17. A revocable encroachment permit must be obtained for landscape in the right of way.
18. A public utility easement and emergency access easements as indicated on the final map must be granted prior to approval of the civil improvement plans.
19. A traffic mitigation analysis is required.
20. 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.
21. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
22. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 9/10/03 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 Jay Aston MOVED and Commissioner Nelson Stone SECONDED to CONTINUE T-1012 to the 9/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 9/10/03.**

**Items #6 AMP-42-03, #7 ZN-55-03 and #8 T-1013 are related.**

**6) AMP-42-03 (11765) ROSE LAKE (Public Hearing)**

An application submitted by Centex Homes on behalf of Las Vegas Concrete and Chuck Bryner, property owners, for an amendment to the Comprehensive Plan, land use element, to change the current designation of OS Open Space to LDR Low Density Residential. The property is generally located at the northwest corner of Ann Road and Pecos Road. The Assessor's Parcel Numbers are 124-25-701-001 thru 006, 124-25-801-001 thru 004, and 124-25-802-001 thru 002.

**RECOMMENDATION**

The Development Services Department recommends that AMP-42-03 **receive a favorable recommendation** from the Planning Commission and be forwarded to the City Council for final consideration.

The application was presented by Vicki Adams, Planner, who indicated there is an agreement between staff and the applicant and the recommendation is for approval of this item.

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

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE AMP-42-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #6 AMP-42-03, #7 ZN-55-03 and #8 T-1013 are related.**

**7) ZN-55-03 (11766) ROSE LAKE (Public Hearing)**

An application submitted by Centex Homes on behalf of Las Vegas Concrete and Chuck Bryner, property owners, for reclassification of property from a M-1 Business Park Industrial District to an R-1 Single-Family Residential District. The property is located at the northwest corner of Ann Road and Pecos Road. The Assessor's Parcel Numbers are 124-25-701-001 thru 006, 124-25-801-001 thru 004, and 124-25-802-001 thru 002.

The Development Services Department recommends, **if AMP-42-03 is acted upon favorably, that ZN-55-03 receive a favorable recommendation** from the Planning Commission and be forwarded to the City Council for final consideration.

The application was presented by Vicki Adams, Planner, who indicated there is an agreement between staff and the applicant and the recommendation is for approval of this item.

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

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

Commissioner Jo Cato MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE ZN-55-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #6 AMP-42-03, #7 ZN-55-03 and #8 T-1013 are related.**

**8) T-1013 (11764) ROSE LAKE**

An application submitted by Centex Homes on behalf of Las Vegas Concrete, property owner, to approve a tentative map in an R-E Ranch Estates District (proposed to R-1 Single Family Residential District) consisting of 688 single-family dwellings. The property is located at the northwest corner of Ann Road and Pecos Road. The Assessor's Parcel Numbers are 124-25-701-001 thru 006, 124-25-801-001 thru 004, and 124-25-802-001 thru 002.

**RECOMMENDATION:**

The Development Services Department recommends that T-1013 **approved** subject to the following conditions of approval:

1. That T-1013 shall become null and void if AMP-42-03 and ZN-55-03 is not approved by the City Council.
2. That the development comply with the Single Family Design Standards.
3. 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).
4. That the perimeter walls be owned and maintained by the homeowners' association.
5. That all perimeter walls, end walls, return walls and common area walls shall be decorative subject to staff review and approval
6. That corner side yard landscaping shall be maintained by the homeowner of the lot and that provisions and enforcement of such shall be provided within the CC&R's.
7. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
8. 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.
9. The prospective homeowners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm.
10. That the two (2) 30-foot public utility easements proposed from Pecos Road to Green Ice Avenue and from Nostalgia Avenue to Green Ice Avenue shall also serve as pedestrian access to the development. The proposed easement would need to comply with Section 17.24.10.D.4 of the Municipal Code and be maintained by the homeowners' association.
11. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
12. Approval of a drainage study is required prior to submittal of the civil improvement plans.
13. 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* or as directed by the Director of Public Works.
14. 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.
15. A following right of way dedications are required:
  - a. 60 feet and associated spandrels for Tropical Parkway (offset street)

- b. Flared intersection at Tropical Parkway and Pecos Road
  - c. Bus turn out on Tropical Parkway, east of Statz Street
16. The final map must be labeled as a merger and resubdivision.
  17. 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.
  18. A revocable encroachment permit for landscape in the right of way is required prior to approval of the civil improvement plans.
  19. Landscape easements on the corners must be labeled.
  20. The street must be labeled as Tropical Parkway, not Ann Road.
  21. Approval of a master transportation study with twenty year modeling is required prior to submittal of the civil improvement plans.
  22. Medians are required in all full width improvement sections for streets of 100 foot right of ways and greater.
  23. Median cuts are only permitted at a distance of 660 feet from intersections, therefore, the driveways on Tropical Parkway and Pecos Road will be limited to right-in/right-out.
  24. The parcel at the southwest corner of Tropical Parkway and Pecos Road will not have full access drives.
  25. 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.
  26. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
  27. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

The application was presented by Vicki Adams, Planner, on behalf of staff who indicated the applicant has asked staff to amend Condition #8 to read: "plastic, vinyl or similar materials are not permitted for the construction of any perimeter or return walls within this development." Ms. Adams stated staff is in agreement with this request and is recommending approval of this item.

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

Commissioner Jay Aston MOVED and Chairman Dean Leavitt SECONDED to APPROVE T-1013 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #9 AMP-40-03 and #10 ZN-53-03 are related.**

**9) AMP-40-03 (11753) McCARRAN & CENTENNIAL (Public Hearing)**

An application submitted by Fore Property Company on behalf of Sunrise Oaks 50, the Humphrey 1999 Trust, the Mindy Slavis Family Trust, Mindy G. Slavis, Trustee, property owners, for an amendment to the Comprehensive Plan, land use element, to change the current designation of Neighborhood Commercial to HDR High Density Residential. The property is located at the northwest corner of McCarran Street and Centennial Parkway. The Assessor's Parcel Numbers are 124-24-401-004 and 124-24-401-003.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-04-03 be **denied** as the proposed change does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 9/10/03 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 Jay Aston **MOVED** and Vice-Chairman Marilyn Kirkpatrick **SECONDED** to **CONTINUE** AMP-40-03 to the 9/10/03 Planning Commission meeting.

The motion carried by **UNANIMOUS** vote.

**The item was CONTINUED to 9/10/03.**

**Items #9 AMP-40-03 and #10 ZN-53-03 are related.**

**10) ZN-53-03 (11582) McCARRAN & CENTENNIAL (Public Hearing)**

An application submitted by Fore Property Company on behalf of Sunrise Oaks 50, the Humphrey 1999 Trust, the Mindy Slavis Family Trust, Mindy G. Slavis, Trustee, property owners, for reclassification of property from an R-E Ranch Estates District to a PUD Planned Unit Development District consisting of five (5) acres of Neighborhood Commercial and 272 multi-family units. The property is located at the northwest corner of McCarran Street and Centennial Parkway. The Assessor's Parcel Numbers are 124-24-401-003 and 124-24-401-004.

**RECOMMENDATION**

The Development Services Department recommends that ZN-53-03 be **denied** because the proposal is inconsistent with the purpose of the PUD zoning district, the PUD open space requirements cannot be met, the proposed density would be inappropriate at this location and it does not comply with the Multi-Family Design Standards or the Commercial Design Standards.

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

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. 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* or as directed by the Director of Public Works.
4. The following right-of-way dedications with associated spandrels are required:
  - a. 30 feet for Rome Boulevard
  - b. 30 feet for McCarran Street
  - c. 50 feet for Centennial Parkway
5. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.
6. Approval of a traffic study with queuing analysis is required prior to submittal of the civil improvement plans.
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 of the final map.
8. 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.
9. That the maximum number of dwelling units permitted within this development be 272.
10. That this development be in compliance with the Multi-Family Development Standards and Design Guidelines and the Commercial Design Guidelines, respectively.
  
11. That the developer meet with the Department of Parks and Recreation 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.
12. 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.
13. 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 9/10/03 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.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to CONTINUE ZN-53-03 to the 9/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 9/10/03.**

### **11) UN-31-01 (11780) LAND LUCKY (Public Hearing)**

An application submitted by PBS & J on behalf of Lucky Land, LLC, property owner, for an extension of time for a use permit in a M-2 General Industrial District to allow the outdoor manufacture of precast concrete structures. The property is located at 5390 Donovan Way. The Assessor's Parcel Numbers are 123-31-701-001 and 123-31-602-002.

This extension of time was **previously approved** at the February 5, 2002, City Council meeting. According to the applicant, many of the conditions of approval have been met, and an additional extension of time is requested.

The conditions of approval for the use permit and its extensions are listed below.

1. That all landscaping next to Donovan Way and I-15 shall be installed by December 1, 2002.
2. That all screen walls (next to rights-of-way and interior property lines) be installed by December 1, 2002.
3. A business license shall be obtained by December 15, 2002.
4. An on-site fire hydrant will be required at the southeast end of the fire access lane for fire protection coverage.
5. The fire access lane shall be constructed to access all buildings and work areas in accordance with the requirements of Ordinance 1283.
6. All Fire Department codes and ordinances in effect at the issuance of building plans shall apply.
7. No site plan approval by the Fire Department is implied.
8. With the exception of the temporary buildings, the applicant shall comply with the Industrial Design Guidelines including, but not limited to providing 20 feet of landscaping between the perimeter wall and the Interstate 15 right-of-way.
9. Barricades shall be provided to prevent vehicles from driving or parking on undeveloped areas.
10. All areas intended for vehicle traffic (driving or parking) shall be paved with an asphalt or concrete surface.
11. All outdoor storage and manufacturing areas shall be screened from adjacent properties or rights-of-way by a solid masonry wall, a minimum of eight feet in height.

The applicant has met a number of the conditions but does not comply with all conditions. The walls along I-15 and Donovan Way, are either in place or under construction, but interior walls have been built. Landscaping along Donovan Way is completed, and paving on-site has partially been provided. The applicant has a state business license, but does not have a City business license. Additionally, the landscaping along I-15 has not been started.

As the applicant has made substantial improvements to the site, Development Services is recommending approval of UN-31-01 with the following conditions:

28. That all landscaping next to Donovan Way and I-15 shall be installed by October 1, 2003.
29. That all screen walls (next to rights-of-way and interior property lines) be installed by October 1, 2003.
30. A business license shall be obtained by September 1, 2003.

31. An on-site fire hydrant will be required at the southeast end of the fire access lane for fire protection coverage.
32. The fire access lane shall be constructed to access all buildings and work areas in accordance with the requirements of Ordinance 1283.
33. All Fire Department codes and ordinances in effect at the issuance of building plans shall apply.
34. No site plan approval by the Fire Department is implied.
35. With the exception of the temporary buildings, the applicant shall comply with the Industrial Design Guidelines including, but not limited to providing 20 feet of landscaping between the perimeter wall and the Interstate 15 right-of-way.
36. Barricades shall be provided to prevent vehicles from driving or parking on undeveloped areas.
37. All areas intended for vehicle traffic (driving or parking) shall be paved with an asphalt or concrete surface.
38. All outdoor storage and manufacturing areas shall be screened from adjacent properties or rights-of-way by a solid masonry wall, a minimum of eight feet in height.
39. Applicant shall file an administrative consolidation of parcels. The form is available from the Clark County Assessor's office or on the internet at <http://www.co.clark.nv.us/assessor>
40. The fiber optic conduit lacks connectivity. The conduit constructed with this project will need to tie into the existing conduit.

The application was presented Marc Jordan, Principal Planner, on behalf of staff who indicated he visited the site and it appears they are in compliance with the conditions of approval, therefore staff is recommending approval of this extension of time.

Bill Curran, of Curran & Parry, 300 S. 4<sup>th</sup> Street, Suite 1201, Las Vegas, Nevada 89101 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 MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE UN-31-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

## **12) UN-61-03 (11730) CENTENNIAL COMMERCIAL CENTER (Public Hearing)**

An application submitted by Centennial 5 LLC, property owner, for a use permit in a C-2 General Commercial District to allow the "on sale" of alcoholic beverages in conjunction with a tavern. The property is located at the northeast corner of Centennial Parkway and Goldfield Street. The Assessor's Parcel Number is 124-22-801-013.

### **RECOMMENDATION**

The Development Services Department recommends that UN-61-03 be **denied**.

If the Planning Commission feels that **approval** is **warranted** the following conditions are recommended:

1. Approval of a drainage study is required prior to submittal of the civil improvement plans.
2. 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* or as directed by the Director of Public Works.
3. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
4. The following right of way dedications are required:
  - a. 50 feet for Centennial Parkway and associated spandrel
  - b. 30 feet for Goldfield Street and associated spandrel
5. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.
6. The Nevada Power Company poles and easement must be shown.
7. An underground drainage easement for the Centennial Parkway East channel must be granted in accordance with GC Wallace plans within ninety days of approval.
8. Approval of a traffic study is required prior to submittal of the civil improvement plans.
9. 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.
10. That the applicant shall submit a survey, stamped by a surveyor licensed in the State of Nevada, to the Development Services Department as proof of compliance with the 1,500-foot separation requirement prior to the issuance of a business license or building permit.
11. That customers entering the establishment and/or waiting to be seated shall be separated from the bar area by a 100% opaque wall not less than 8 feet in height.
12. That the restrooms be located such that patrons are not required to go through the bar area to access those facilities.
13. That windows be provided throughout the building, except where the kitchen and restrooms are proposed to be located, and the windows shall match the style of the proposed retail center.
14. That the floor area of the bar shall not exceed 50% of the total public restaurant floor area.
15. Unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 9/10/03 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 Jay Aston MOVED and Commissioner Jo Cato SECONDED to CONTINUE UN-61-03 to the 9/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 9/10/03.**

### **13) UN-62-03 (11744) SHOW MEDIA (Public Hearing)**

An application submitted by Show Media on behalf of Jim Dodge, property owner, for a use permit in a M-2 General Industrial District to allow an off-premise sign (billboard) and to allow 65 feet in height where 50 feet is the maximum. The property is located at 4611 Mitchell Street . The Assessor's Parcel Number is 140-06-110-005.

#### **RECOMMENDATION:**

The Development Services Department recommends that UN-62-03 be **continued** to allow the applicant time to revise the site plan to show that the sign does not sit within any existing rail road easements or public utility easements.

**If, however,** the Planning Commission determines that a **favorable recommendation** is warranted at this time, then following conditions are recommended and that this item be forwarded to the City Council for final consideration:

1. That, unless expressly authorized through a variance, waiver or other approved method, the development shall comply with all applicable codes and ordinances; and
2. That the height of the structure not exceed 50.00 feet; and
3. That the site plan be revised to show that the sign does not sit within any existing rail road easements or public utility easements; and
4. That paved access be provided to the base of the pole; and
5. That the applicant provide a survey clearly indicating that there are no other existing or approved billboards within 750 feet, no residential districts within 300 feet, and no on-premise signs within 150 feet of the proposed location. A surveyor licensed in Nevada shall be required to stamp the survey; and
6. That UN-62-03 be reviewed by the Planning Commission on August 27, 2008, in accordance with Section 17.24.110.1.3(b)(iii)(4) of the Municipal Code.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated, according to the Public Works Department, staff is recommending this item be continued to allow the applicant time to demonstrate to staff that the billboard would not be located within an existing railroad easement or public utility easement. He also stated staff has no objection once that request is satisfied, however staff is not supporting the increase in height of the billboard as he feels there is no justification to warrant a higher billboard at this particular location.

Chris Yergensen, 4680 S. Polaris, 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 Nelson Stone MOVED and Commissioner Jay Aston SECONDED to APPROVE UN-62-03 per staff's recommendations subject to the following changes:

#### **Condition #3 Deleted.**

**Condition #5 Changed to Read:** "That the applicant provide a survey clearly indicating that there are no other existing or approved billboards within 750 feet, no residential districts within 300 feet, and no on-premise signs within 150 feet of the proposed location, **and not located within any railroad easement or public utility easement.** A surveyor licensed in Nevada shall be required to stamp the survey; and

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**14) UN-64-03 (11750) SECURED FIBRES, INC. (Public Hearing)**

An application submitted by Secured Fibres Inc. on behalf of GBS Two Limited Partnership, property owner, for a use permit in a M-2 General Industrial District to allow a recycling center with outside facilities. The property is located at 4751 Vandenberg Drive. The Assessor's Parcel Number is 140-06-610-002.

**RECOMMENDATION**

The Development Services Department recommends that UN-64-03 be **approved** with the following conditions:

1. The outside processing area must be paved.
2. Unless expressly authorized through a variance, waiver or another approved method, the 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 approval of this item.

Howard Goldstein, 3320 W. Sahara Avenue, Suite 380, Las Vegas, Nevada 89102 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 Jay Aston MOVED and Chairman Dean Leavitt SECONDED to APPROVE UN-64-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

Items #15 UN-65-03 and #16 UN-66-03 are related.

**15) UN-65-03 (11754) ELDORADO VILLAGE II (Public Hearing)**

An application submitted by Donahue-Schriber on behalf of Pardee Homes of Nevada, property owner, for a use permit in an OL/DA Open Land/ Development Agreement District to allow an automobile service facility. The property is located approximately 400 feet north of Hammer Lane and west of Camino Al Norte. The Assessor's Parcel Number is 124-33-501-001.

**RECOMMENDATION**

The Development Services Department recommends that UN-65-03 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. 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* or as directed by the Director of Public Works.
4. Parcel Map 873 must be filed prior to the issuance of a building permit.
5. A copy of the shared access and parking agreement must be provided prior to approval of the civil improvement plans.
6. Approval of a traffic study update is required prior to submittal of the civil improvement plans.
7. Due to the fact that the driveway is to be a shared access, the lot line between the bank and the auto facility will need to be relocated to the middle of the driveway.
8. Eliminate the southern driveway access to the "future pad" via the shared access driveway.
9. Subsequent expansion or additions to the use shall be subject to Planning Commission review and approval.
10. The use is limited to an automobile service facility.

The application was presented by Vicki Adams, Planner, on behalf of staff who indicated the applicant has met with the Public Works and staff has agreed to eliminate Conditions #7 and #8 and replace them with a new Condition #7 which read: "eliminate the southern driveway access to the future pad, access to the future pad shall be via shared access or an alternative location approved by the City Traffic Engineer that moves the driveway further south." She stated staff is in concurrence with this change and is recommending approval of this item.

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

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-65-03 per staff's recommendations subject to the following changes:



**Condition #7 Changed to Read: ““eliminate the southern driveway access to the future pad, access to the future pad shall be via shared access or an alternative location approved by the City Traffic Engineer that moves the driveway further south.”**

**Condition #8 Deleted.**

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #15 UN-65-03 and #16 UN-66-03 are related.**

**16) UN-66-03 (11755) ELDORADO VILLAGE II (Public Hearing)**

An application submitted by Donahue-Schriber on behalf of Pardee Homes of Nevada, property owner, for a use permit in an OL/DA Open Land/ Development Agreement District to allow a financial institution (bank). The property is located approximately 400 feet north of Hammer Lane and west of Camino Al Norte. The Assessor's Parcel Number is 124-33-501-001.

**RECOMMENDATION**

The Development Services Department recommends that UN-66-03 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. 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* or as directed by the Director of Public Works.
4. Parcel Map 873 must be filed prior to the issuance of a building permit.
5. A copy of the shared access and parking agreement must be provided prior to approval of the civil improvement plans.
6. Approval of a traffic study update is required prior to submittal of the civil improvement plans.
7. Due to the fact that the driveway is to be a shared access, the lot line between the bank and the auto facility will need to be relocated to the middle of the driveway.
8. Eliminate the southern driveway access to the "future pad" via the shared access driveway.
9. Subsequent expansion or additions to the use shall be subject to Planning Commission review and approval.
10. The use is limited to a financial institution regulated by the federal government.

The application was presented by Vicki Adams, Planner, on behalf of staff who indicated the applicant has met with the Public Works and staff has agreed to eliminate Conditions #7 and #8 and replace them with a new Condition #7 which read: "eliminate the southern driveway access to the future pad, access to the future pad shall be via shared access or an alternative location approved by the City Traffic Engineer that moves the driveway further south." She stated staff is in concurrence with this change and is recommending approval of this item.

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

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-66-03 per staff's recommendations subject to the following changes:

**Condition #7 Changed to Read: ““eliminate the southern driveway access to the future pad, access to the future pad shall be via shared access or an alternative location approved by the City Traffic Engineer that moves the driveway further south.”**

**Condition #8 Deleted.**

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**17) VAC-15-03 (11681) LUIS O. PEREZ (Public Hearing)**

An application submitted by Luis O. Perez, property owner, to vacate 5 ½ feet of right-of way on Loyola Street commencing at Mardi Gras Lane and proceeding north approximately 62 feet. The property is located at 3617 Loyola Street. The Assessor's Parcel Number is 139-12-212-036.

**RECOMMENDATION**

The Development Services Department recommends that VAC-15-03 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. The legal description must be changed to remove the radius and reserve the public utility easement.

The application was presented by Vicki Adams, Planner, on behalf of staff who indicated there is an agreement between staff and the applicant and staff's recommendation is for approval of this item.

Luis Perez, 3614 Loyola Street, North Las Vegas, Nevada 89030 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

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

Commissioner Jay Aston MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE VAC-15-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**18) VN-10-03 (11752) GILBERT P. CHILDERS (Public Hearing)**

An application submitted by Gilbert P. Childers, property owner, for a variance in an R-1 Single-Family Residential District to allow an 11 foot front yard setback where 20 feet is required. The property is located at 3029 Vandermeer Street. The Assessor's Parcel Number is 139-13-510-014.

**RECOMMENDATION:**

The Development Services Department recommends that VN-10-03 be **denied** as the applicant has not demonstrated an unique circumstance or condition that would warrant the requested variances.

If the Planning Commission feels that **approval is warranted** the following conditions are recommended:

1. Unless expressly authorized through a variance, waiver or other approved method the development shall comply with all applicable codes and ordinances.
2. The applicant shall obtain an approved "as built" building permit for the existing carport or VN-10-03 shall be null and void.

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

Gilbert Childers, 3029 Vandermeer Street, North Las Vegas, Nevada 8900 appeared on behalf of the applicant.

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE VN-10-03 as the findings show that such a variance is necessary for the preservation of a substantial property right which is possessed by the property in the same vicinity and zoning district.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

### **19) FDP-18-03 (11706) MERIDIAN HILLS**

An application submitted by Richmond American Homes, property owner, for a Final Development Plan review in a PUD Planned Unit Development District consisting of 68 single-family dwellings. The property is located at the northeast corner of Scott Robinson Boulevard and Alexander Road. The Assessor's Parcel Numbers are 139-04-410-016, 139-04-410-017, 139-04-410-018, 139-04-410-019, 139-04-410-020, 139-04-410-021 and 139-04-410-022.

### **RECOMMENDATION**

The Development Services Department recommends that FDP-18-03 be **approved** with the following conditions:

1. That the development be in conformance with all conditions of Ordinance No. 1767 (ZN-10-03). If there is a conflict with the conditions mentioned herein, the more restrictive shall apply; and
2. That the applicant adhere to the conditions of approval for T-981. If there is a conflict with the conditions mentioned herein, the more restrictive shall apply; and
3. That the development be in substantial compliance with the submitted elevation drawings.
4. The drainage and utility easements 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).
5. Remove section thickness from the typical sections. The off-site pavement sections will be determined by the Department of Public Works.

The application was presented by Vicki Adams, Planner, on behalf of staff who indicated staff and the applicant are in agreement with the conditions of approval and staff is recommending approval of this item.

Greg Bargull, of WRG Design, 2260 Corporate Circle Suite #430, Henderson, Nevada 89074 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Jay Aston MOVED and Commissioner Nelson Stone SECONDED to APPROVE FDP-18-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**20) FDP-19-03 (11739) MIRA VISTA**

An application submitted by Wexford at Mira Vista, LLC, property owner, for a Final Development Plan review in a PUD Planned Unit Development District consisting of 67 single-family dwellings. The property is located at the northwest corner of Scott Robinson Boulevard and Gowan Road. The Assessor's Parcel Number is 139-09-210-004.

**RECOMMENDATION:**

The Development Services Department recommends that FDP-19-03 be **approved** subject to the following conditions:

1. That the development comply with all conditions of approval of ZN-3-89 and T-957.
2. That all perimeter walls, end walls, return walls and common area walls shall be decorative.
3. That all windows throughout the dwellings shall be recessed, provided with pop-outs or other architectural detailing.
4. The following park amenities shall be provided within the open space:
  - a. Circuitous lighted paths;
  - b. A minimum of 20 24-inch box trees per acres;
  - c. At least two (2) differing age appropriate play structures for children with EPDM resilient fall protection and accompanying shade ramada;
  - d. At least one large open space area for group/organized play;
  - e. One large group shade area/gazebo (20' diameter), lighted;
  - f. Picnic tables and barbecue grills;
  - g. Benches spaced along park pathways
  - h. Horseshoe pits; and
  - i. Details of amenities to be provided.
5. No wall height to exceed 24-inches (24") within the sight visibility triangle.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff and the applicant are in agreement with the conditions of approval.

George Garcia, of G.C.Garcia, 2501 N. Green Valley Parkway, Suite 108, Henderson, Nevada 89014 appeared on behalf of the applicant and asked to have condition #3 deleted.

Commissioner Nelson Stone MOVED and Vice-Chairman Nelson Stone SECONDED to APPROVE FDP-19-03 per staff's recommendations.

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

**The item was APPROVED.**

**Items #21 SPR-20-03 and #22 SPR-21-03 are related.**

**21) SPR-20-03 (11590) GOLDEN TRIANGLE**

An application submitted by Operating Engineers Trust Funds, property owner, for a site plan review in a M-2 General Industrial District for two buildings totaling approximately 192,000 square feet of industrial office and warehouse space. The property is located at the northwest corner of Lone Mountain Road and Pecos Road. The Assessor's Parcel Number is 124-36-811-002.

**RECOMMENDATION:**

The Development Services Department recommends **approval** of SPR-20-03 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. Approval of a drainage study update is required prior to submittal of the civil improvement plans.
3. 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* or as required by the Director of Public Works.
4. Approval of a traffic study update is required prior to submittal of the civil improvement plans.
5. Eliminate or relocate the driveway at the southeast corner of the site. Driveways must maintain 100 feet of separation.
6. The minimum driveway width is 32 feet and entry drives must be radial.
7. A truck staging area must be provided.
8. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvements plans.
9. A restrictive covenant for utilities is required to be signed prior to approval of the civil improvement plans.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff and the applicant are in agreement with the conditions of approval and staff is recommending approval of this item.

Michael Urbin, 4270 S. Decatur Boulevard, Suite B-11, Las Vegas, Nevada (no zip code stated) appeared on behalf of the applicant.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE SPR-20-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**



**Items #21 SPR-20-03 and #22 SPR-21-03 are related.**

**22) SPR-21-03 (11589) GOLDEN TRIANGLE**

An application submitted by Operating Engineers Trust Funds, property owner, for a site plan review in a M-2 General Industrial District for two buildings totaling approximately 393,000 square feet of industrial office and warehouse space. The property is located at the northwest corner of Lone Mountain Road and Engineers Way. The Assessor's Parcel Number is 124-36-811-001.

**RECOMMENDATION:**

The Development Services Department recommends **approval** of SPR-21-03 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. Approval of a drainage study update is required prior to submittal of the civil improvement plans.
3. 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* or as required by the Director of Public Works.
4. Approval of a traffic study update is required prior to submittal of the civil improvement plans.
5. A truck staging area must be provided along with a shared access agreement for such an area.
6. The property owner shall grant and easement for the commercial driveways prior to approval of the civil improvements plans.
7. A restrictive covenant for utilities is required to be signed prior to approval of the civil improvement plans.

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

Michael Urbin, 4270 S. Decatur Boulevard, Suite B-11, Las Vegas, Nevada (no zip code stated) appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE SPR-21-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**23) SPR-22-03 (11646) CLARENCE NOBLE**

An application submitted by Clarence Noble III, property owner, for a site plan review in an R-EL Ranch Estates Limited District for a single family dwelling. The property is generally located west of Ernest Street approximately 150 feet south of Cole Street. The Assessor's Parcel Number is 139-08-810-038.

**RECOMMENDATION:**

The Development Services Department recommends that SPR-22-03 be **approved** with the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. A reversionary map is required to remove the non-parcel lot line prior to issuance of the building permit.
3. A restrictive covenant is required for deferment of the off-site improvements. Contact Mary Griego, Real Property Agent, at 633-2087 for additional information.
4. The applicant is required to file FAA form 7460-1, "Notice of Proposed Construction or Alternation" with the FAA, and depending upon the FAA's determination, obtain either a permit from the Clark County Director of Aviation or a variance from the AHABA prior to construction.

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

Clarence Noble, 4300 Ira Street, Las Vegas, Nevada 89130 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Jay Aston MOVED and Commissioner Jo Cato SECONDED to APPROVE SPR-22-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

#### **24) T-1007 (11273) LAUREL CANYON**

An application submitted by Richmond American Homes on behalf of Revere, LLC, property owner, to approve a tentative map in a PUD Planned Unit Development District consisting of 469 single-family dwellings. The property is generally located at the southwest corner of Hammer Lane and Donovan Way. The Assessor's Parcel Numbers are 123-31-501-001, 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, 123-31-301-006, 123-31-301-011, 123-31-601-001.

#### **RECOMMENDATION:**

As the proposed tentative map does not have the underlining landuse designation or the required residential zoning, the Development Services Department recommends that T-1007 be **denied**. If the Planning Commission feels that **denial is not warranted**, then the tentative map should be **continued** to allow the applicant time to meet with the Public Works Development Services and Fire Departments, as well as the Clark County School District to address their concerns.

If the Planning Commission feels that **approval** is warranted the following conditions are recommended:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This Tentative Map shall be null and void if AMP-19-03 and ZN-36-03 are not approved by the City Council.
3. All conditions for ZN-36-03 shall also apply, if a conflict occurs, the more restrictive shall apply.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*.
7. Remove section thickness from the typical sections. The off-site pavement sections shown on the civil plans will be designed in accordance with Standard Specifications Section 401 using the AASHTO model.
8. The drawing must be revised to show the Southern Nevada Water Authority (SNWA) water-line 60' acquisition and additional 60' easement adjacent to drainage channel dedication.
9. The Nevada Power Company power poles and easement must be delineated per document 418073 recorded on March 4, 1964 in book 519 per the preliminary title report.
10. The property owner must file a reversionary parcel map to combine parcels prior to approval of the civil improvement plans.
11. The plans must be revised to label the area south of Washburn Road and adjacent to the Union Pacific Railroad (UPRR) as public or private. Responsibility for maintenance of this area will need to be shown.
12. Label all landscape areas and open spaces as "Common elements to be maintained by the homeowner's association".
13. The Master Plan of Streets and Highways (MPSH) must be amended to show Ann Road between Pecos Road and Lamb Boulevard (Ann Road was realigned to Walnut).

14. The rights-of-way of adjacent streets must be dedicated in accordance with the MPSH.
15. Roadway easements must be granted where public and private streets intersect.
16. A portion of Fisher Avenue must be vacated where the street transitions from sixty feet to fifty-one feet.
17. The 50-feet of existing right-of-way along the old Ann Road alignment will need to be vacated, reserving a Public Utility Easement for drainage and SNWA right-of-way.
18. The word "easement" must be removed from the drainage channel adjacent to UPRR. This was dedicated per instrument 98116:01899.
19. Approval of a traffic study with modeling to demonstrate the adequate capacity of internal streets and two entry points is required prior to submittal of the civil improvement plans.
20. Parking on the internal streets is limited to one side. Developer must install "No Parking" signs.
21. There is no implied approval of the water and sanitary sewer facilities as shown. The need for a sanitary sewer lift station and force mains must be sufficiently demonstrated; the City of North Las Vegas does not normally accept maintenance for these facilities.
22. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
23. A minimum of two paved means of access from existing streets to this development will be provided.
24. Fire hydrants shall be designed and installed in accordance with Fire Code requirements.
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. Fisher Way shall conform to the Curvilinear Street Requirement as described in 16.20.050 of the Municipal Code.
35. Measures to achieve a noise level reduction, outdoor-to-indoor, of 25 decibels must be incorporated into the design and construction.
36. The following Park and Recreation amenities shall be provided:
  1. circuitous lighted paths
  - b. a minimum of 20 24-inch box trees per acre
  3. at least 2 differing age appropriate play structures for children with EPDM resilient fall protection, and accompanying shade ramada
  4. a large open space area for group / organized play
  5. one large group shade area / gazebo (30' diameter), lighted
  6. picnic tables and barbecue grills
  7. benches spaced along park pathways
  8. A minimum of one half-court basketball area
  9. Open Space amenities are to be ADA accessible
36. All conditions of the approved Tentative Map shall be placed as notes on the Final Map.
37. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 9/24/03 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.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to CONTINUE T-1007 to the 9/24/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 9/24/03.**

## OLD BUSINESS

Items #25 AMP-36-03, #26 ZN-49-03 and #27 T-1009 are related.

### **25) AMP-36-03 (11331) LA MADRE COURT (Public Hearing)**

An application submitted by D. R. Horton, Inc. on behalf of David R. Belding, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential and Office to M-HDR Medium-High Density Residential. The property is located at the northwest corner of La Madre Way and Camino Al Norte. The Assessor's Parcel Number is 124-23-702-001.

**This application was continued from the July 23, 2003 Planning Commission Meeting. To date, no additional information has been received by the Planning Division.**

### **RECOMMENDATION:**

The Development Services Department recommends that AMP-36-03 **receive a favorable recommendation** from the Planning Commission and be forwarded to the City Council for final consideration.

The application was presented by Vicki Adams, 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.

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

- ▶ Jacqueline Adoski, 1232 Hickory Grove Circle, North Las Vegas, Nevada 89031

Ms. Adoski stated she opposes this item as she feels it will cause property values to decline and will have a negative impact on the crime rate in the area.

- ▶ Joseph Lucia, 1228 Hickory Grove Circle, North Las Vegas, Nevada 89031

Mr. Lucia stated he opposes this application as he feels it will negatively affect the neighborhood.

- ▶ Sal Savini, 1242 Taramar Street, North Las Vegas, Nevada 89031

Mr. Savini stated he opposes this item as he feels it does not comply with the Master Plan.

- ▶ David Sudweeks, 5104 Milange, North Las Vegas, Nevada (no zip code stated)

Mr. Sudweeks stated he opposes this item as he feels this would cause the crime rate to rise.

- ▶ Donna Cregar, 4936 Goldeneye Way, North Las Vegas, Nevada 89031

Ms. Cregar stated she opposes this item as these types of application have been denied in the past and she agrees with the previous speakers and does not wish to see the zoning changed.

- ▶ Darryl Brock, 1247 Pagentry Drive, North Las Vegas, Nevada 89031

Mr. Brock stated he opposes this item as he does not agree with staff's recommendations since this type of zone change had been denied in the past.

- Bob Borgersen, 4251 Possum Berry, North Las Vegas, Nevada 89031

Mr. Borgersen stated he believes R-1 would be a better fit for this zoning.

▶ Don Haymaker, 1246 Tamarac Street, North Las Vegas, Nevada 89031

Mr. Haymaker stated he opposes this item as he feels the current zoning should remain and changing it would be negative for the community.

Chairman Leavitt closed the Public Hearing.

Commissioner Steve Brown MOVED and Chairman Dean Leavitt SECONDED to APPROVE AMP-36-03 per staff's recommendations.

The MOTION TO APPROVE FAILED for lack for a SuperMajority vote with Chairman Dean Leavitt, Vice-Chairman Marilyn Kirkpatrick, Commissioner Jo Cato, Commissioner Nelson Stone and Commissioner Jay Aston voting against the motion.

Vice-Chairman Marilyn Kirkpatrick MOVED and Chairman Dean Leavitt SECONDED to DENY AMP-36-03.

The motion carried by MAJORITY vote with Commissioner Steve Brown voting against the motion.

**The item was DENIED.**

**Items #25 AMP-36-03, #26 ZN-49-03 and #27 T-1009 are related.**

**26) ZN-49-03 (11333) LA MADRE COURT (Public Hearing)**

An application submitted by D. R. Horton Inc. on behalf of David R. Belding, property owner, for reclassification of property from an R-1 Single-Family Residential District to a PUD Planned Unit Development District consisting of 207 condominium dwelling units. The property is located at the northwest corner of La Madre Way and Camino Al Norte. The Assessor's Parcel Number is 124-33-702-001.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-49-03 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. The following right of way dedications are required:
  - a. Additional right-of-way dedication required for the flared intersection at Camino al Norte and La Madre Way per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1; and
  - b. Ten (10) feet additional right of way for La Madre Way.
3. A roadway easement is required where public and private streets intersect.
4. Approval of a traffic study with queuing analysis is required prior to submittal of the civil improvement plans.
5. An emergency access at the end of private street "D" is required.
6. Approval of a drainage study update is required prior to submittal of the civil improvement plans.
7. 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.
8. 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.
9. Fire lane width shall be maintained in accordance with Fire Code requirements.
10. 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.
11. If a trail is provided along the southern edge of the Western Tributary of the Las Vegas Wash, the applicant will be required to provide two means of pedestrian access to the trail.
12. At least one means of pedestrian access to Camino al Norte shall be required.
13. That all landscape areas and open spaces shall be labeled as "COMMON ELEMENTS TO BE MAINTAINED BY THE HOMEOWNERS' ASSOCIATION"; and
14. 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 24-inch box trees per acre; and
  - c. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and;
  - d. One large group shade area/gazebo, lighted; and
  - e. At least one large open space area for group/organized play; and
  - f. Four (4) individually sheltered picnic tables and barbecue grills; and
  - g. Benches spaced along park pathways; and
  - h. Parcourse exercise stations along the pathway; and
  - i. Swimming pool and restroom/cabana; and
  - j. Details of the amenities are to be provided.
15. That the maximum number of dwelling units permitted within this development be 207.
16. That all conditions mentioned herein be satisfied prior to recording any final map.
17. That this development be in compliance with the Multi-Family Development Standards and Design Guidelines with the following exceptions:
- a. A minimum of twelve (12) feet between buildings rather than the twenty (20) feet required may be allowed; and
  - b. A minimum size of not less than nineteen (19) square feet for an upper story balcony may be allowed rather than the required minimum forty (40) square feet.
18. That the perimeter walls be owned and maintained by the homeowners' association.
19. 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.

The application was presented by Vicki Adams, Planner, on behalf of staff who stated, based on the results of the previous item, #25 AMP-36-03, staff cannot recommend 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.

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

- ▶ Jacqueline Adoski, 1232 Hickory Grove Circle, North Las Vegas, Nevada 89031

Ms. Adoski stated she opposes this item as she feels it will cause property values to decline and will have a negative impact on the crime rate in the area.

- ▶ Joseph Lucia, 1228 Hickory Grove Circle, North Las Vegas, Nevada 89031

Mr. Lucia stated he opposes this application as he feels it will negatively affect the neighborhood.

- ▶ Sal Savini, 1242 Taramar Street, North Las Vegas, Nevada 89031

Mr. Savini stated he opposes this item as he feels it does not comply with the Master Plan.

- ▶ David Sudweeks, 5104 Milange, North Las Vegas, Nevada (no zip code stated)

Mr. Sudweeks stated he opposes this item as he feels this would cause the crime rate to rise.

- ▶ Donna Cregar, 4936 Goldeneye Way, North Las Vegas, Nevada 89031

Ms. Cregar stated she opposes this item as these types of application have been denied in the past and she agrees with the previous speakers and does not wish to see the zoning changed.

- ▶ Darryl Brock, 1247 Pagentry Drive, North Las Vegas, Nevada 89031

Mr. Brock stated he opposes this item as he does not agree with staff's recommendations since this type of zone change had been denied in the past.

- Bob Borgersen, 4251 Possum Berry, North Las Vegas, Nevada 89031

Mr. Borgersen stated he believes R-1 would be a better fit for this zoning.

- ▶ Don Haymaker, 1246 Taramar Street, North Las Vegas, Nevada 89031

Mr. Haymaker stated he opposes this item as he feels the current zoning should remain and changing it would be negative for the community.

Chairman Leavitt closed the Public Hearing.

Commissioner Jay Aston MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to DENY ZN-49-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was DENIED.**

**Items #25 AMP-36-03, #26 ZN-49-03 and #27 T-1009 are related.**

**27) T-1009 (11332) LA MADRE COURT**

An application submitted by D. R. Horton on behalf of David R. Belding, property owner, to approve a tentative map in an R-1, Single-Family Residential District (proposed property reclassification to the PUD Planned Unit Development District consisting of 207 condominium dwelling units). The property is located at the northwest corner of LaMadre Way and Camino Al Norte. The Assessor's Parcel Number is 124-33-702-001.

**This application was continued from the July 23, 2003 Planning Commission Meeting.  
To date, no additional information has been received by the Planning Division.**

**RECOMMENDATION:**

The Development Services Department recommends that T-1009 be **continued** to allow the applicant time to meet with the Parks and Recreation 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. ZN-49-03 must first be approved; if ZN-49-03 is not approved, T-1009 will be null and void.
2. All conditions of approval of ZN-49-03 shall be met.
3. 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.
4. Notes shall be placed on the final map addressing approved conditions as deemed appropriate by the Development Services staff.

The application was presented by Vicki Adams, Planner, on behalf of staff who stated, based on the results of the previous items, #25 AMP-36-03 and #26 ZN-49-03, staff cannot recommend approval of this item.

Commissioner Jay Aston MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to DENY T-1009 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was DENIED.**

**28) 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.

**This item was continued from the June 25<sup>th</sup> and July 23<sup>rd</sup> Planning Commission meetings at the applicant's request.**

**(from the 7/23/03 Planning Commission meeting):**

**This item was continued from the June 25<sup>rd</sup> Planning Commission meeting at the applicant's request.**

**(from the 6/25/03 Planning Commission meeting):**

**RECOMMENDATION**

The Development Services Department recommends that UN-55-03 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. That a temporary barrier must be installed along the edge of the new paving to prevent vehicles from driving on unimproved surfaces.
3. Approval of a traffic study update is required prior to submittal of civil improvement plans.
4. The pending improvements to Craig Road may impact the access to the site.
5. A copy of the shared parking and access agreement must be provided.
6. APN 139-01-611-007 and APN 139-01-611-008 must be consolidated to remove the parcel line.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 10/08/03 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.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to CONTINUE UN-42-03 to the 10/08/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 10/08/03.**

**Items #29 AMP-32-03, #30 ZN-54-03 and #31 T-1011 are related.**

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

**29) 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:**

This application was continued from the Planning Commission meeting of August 13, 2003, in order to allow the Department of Public Works sufficient time to review the traffic study submitted by the applicant.

**At the time this memorandum was prepared, the Development Services Department had not received a revised recommendation from the Department of Public Works. Therefore, staff's recommendation for denial has not changed.**

The accompanying applications (ZN-54-03) a reclassification to a PUD, Planned Unit Development and (T-1011) a tentative map review were also continued from the Planning Commission meeting of August 13, 2003 and are on this agenda for Planning Commission consideration.

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

Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant 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 Marilyn Kirkpatrick MOVED and Commissioner Steve Brown SECONDED to APPROVE AMP-32-03 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.**

**Items #29 AMP-32-03, #30 ZN-54-03 and #31 T-1011 are related.**

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

**30) ZN-54-03 (11587) LONE MOUNTAIN AND LOSEE (Public Hearing)**

An application submitted by Centex Homes on behalf of Unlimited Holdings, Inc., property owner, for reclassification of property from an R-E Ranch Estates District to a PUD Planned Unit Development District consisting of 357 detached single family residential dwelling units. The property is located at the northeast corner of Lawrence Street and Lone Mountain Road. The Assessor's Parcel Numbers are 124-35-703-003 and 124-35-803-001.

This application was continued from the Planning Commission meeting of August 13, 2003, in order to allow the Department of Public Works sufficient time to review the traffic study submitted by the applicant for AMP-32-03.

The accompanying applications (AMP-32-03) to delete a portion of La Madre Way and (T-1011) a tentative map review were also continued from the Planning Commission meeting of August 13, 2003 and are on this agenda for Planning Commission consideration.

**At the time this memorandum was prepared, the Development Services Department had not received a revised recommendation from the Department of Public Works regarding AMP-32-03. Therefore, staff's recommendation for continuance of ZN-54-03 has not changed.**

**RECOMMENDATIONS:**

The Development Services Department recommends that ZN-54-03 be **continued indefinitely** to allow the applicant sufficient time to submit a traffic study that supports the deletion of a portion of La Madre Way for AMP-32-03.

**If however**, the Planning Commission determines that **approval is warranted** at this time, the Development Services Department recommends that an approval of ZN-54-03 be subject to the following conditions:

1. That the development shall comply with the Single-Family Development Design Standards.
2. That the minimum lot size shall be 4,500 square feet.
3. That the following setbacks shall 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); and
4. That Lots 32, 79, 80, 208, 209 and 256 shall be removed and applied toward the open space.
5. That at least 25% of the required open space be installed prior to the issuance of a building permit for the 64<sup>th</sup> residential dwelling unit; and that 50% be installed prior to the issuance of a building permit for the 128<sup>th</sup> residential dwelling unit; and that 100% be installed prior to the issuance of a building permit for the 192<sup>nd</sup> residential dwelling.
6. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of all open space / park areas.

7. The following amenities shall be provided within the open space:
  - a. circuitous lighted paths;
  - b. a minimum of 20 24-inch box trees per acre;
  - c. at least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada. A third play structure and a hard surface for games such as hop-scotch;
  - d. at least one large open space area for group / organized play;
  - e. one large group shade area / gazebo (30' diameter), lighted;
  - f. picnic tables and barbecue grills;
  - g. benches spaced along park pathways;
  - h. 3 10' x 10' shade structures;
  - i. 1 12' x 12' shade structure; and
  - j. details of amenities to be provided
8. That perimeter landscaping of the exterior street perimeter be designated as "Common Elements" and that interior perimeter landscaping commonly described as corner side yard landscaping be addressed as allowed for in the North Las Vegas Municipal Code Section 17.24.210(E).
9. That the perimeter walls be owned and maintained by the homeowners' association.
10. That corner side yard landscaping shall be maintained by the homeowner of the lot and that provisions and enforcement of such shall be provided within the CC&R's.
11. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
12. That plastic, vinyl and similar materials shall not be permitted as part, or in whole, for the construction of any perimeter or turn walls within this development.
13. The prospective homeowners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm.
14. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
15. Approval of a drainage study is required prior to submittal of the civil improvement plans.
16. 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.
17. 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* or as required by the Director of Public Works.
18. The limits of the Federal Emergency Management Agency's Special Flood Hazard Area Zone A must be delineated on the Tentative Map and subsequent improvement plans.
19. 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.
20. Approval of a traffic study that justifies the vacation of La Madre Way is required prior to submittal of the civil improvement plans.
21. As stipulated in City of North Las Vegas' Master Plan of Streets and Highways, all 100-foot and greater right-of-way streets must incorporate a centerline median; therefor, a median must be constructed on Losee Road.

22. Median cuts are limited to a spacing of 660 feet; therefore, the driveways on Losee Road will be limited to right-in/right-out.
23. The curvilinear road section south of Jasmine Avenue from Lots 107-110 and Lots 252-256 must be eliminated.
24. The common elements shall be linked with a pedestrian footbridge.
25. Pedestrian access point to be provided from the common elements to the external sidewalks.
26. The Master Plan of Streets and Highways must be amended to allow for La Madre Way to be removed. If AMP32-03 is denied, dedication of the 30' of right-of-way for La Madre Way is required.
27. The following right-of-way dedications are required:
  - a. Bus turnout on Losee Road, south of Washburn Road and on Lone Mountain Road near Losee Road.
  - b. Flared intersection at Washburn Road and Losee Road and at Lone Mountain Road and Losee Road.
  - c. 40' for Washburn Road, 40' for Lone Mountain Road, 30' for Lawrence Street, and all with associated spandrels.
  - e. Upper Las Vegas Wash Channel.
28. 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.
29. A revocable encroachment permit for landscaping in the right of way will be required prior to approval of the civil improvement plans.
30. The Parcel Map 855, which is currently in process to create a parcel of a different land use, must be recorded prior to approval of the civil improvement plans.
31. Additional information will need to be provided regarding the Kern River Gas Line exception per document #950410:00855.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff is recommending approval of this item, noting that the applicant has agreed to remove six (6) lots and convert to open space which is listed as a condition of approval, as well as staff is recommending the deletion of Condition #27e.

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

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Steve Brown SECONDED to APPROVE ZN-54-03 per staff's recommendations subject to the following changes:

**Condition #12a Changed to Read:** "That plastic, vinyl and similar materials shall not be permitted as part, or in whole, for the construction of any perimeter or **return** walls within this development."

**Condition #27e Deleted.**

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.**



**Items #29 AMP-32-03, #30 ZN-54-03 and #31 T-1011 are related.**

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

**31) T-1011 (11588) LONE MOUNTAIN AND LOSEE**

An application submitted by Centex Homes on behalf of Unlimited Holdings, Inc., property owner, to approve a tentative map in an R-E Ranch Estates Residential District (proposed PUD Planned Unit Development District) consisting of 357 single-family dwellings. The property is located at the northeast corner of Lawrence Street and Lone Mountain Road. The Assessor's Parcel Numbers are 124-35-703-003 and 124-35-803-001.

This application was continued from the Planning Commission meeting of August 13, 2003, in order to allow the Department of Public Works sufficient time to review the traffic study submitted by the applicant for AMP-32-03.

The accompanying applications (AMP-32-03) to delete a portion of La Madre Way and (ZN-54-03) a reclassification to a PUD, Planned Unit Development were also continued from the Planning Commission meeting of August 13, 2003 and are on this agenda for Planning Commission consideration.

**At the time this memorandum was prepared, the Development Services Department had not received a revised recommendation from the Department of Public Works regarding AMP-32-03. Therefore, staff's recommendation for continuance of T-1011 has not changed.**

**RECOMMENDATIONS:**

The Development Services Department recommends that T-1011 be **continued indefinitely** to allow the applicant sufficient time to submit a traffic study that supports the deletion of a portion of La Madre Way for AMP-32-03.

**If however**, the Planning Commission determines that **approval is warranted** at this time, the Development Services Department recommends that an approval of T-1011 be subject to the following conditions:

1. That T-1011 shall become null and void if AMP-38-03 and ZN-54-03 are not approved by City Council.
2. That the development shall comply with all conditions of approval for ZN-54-03.
3. That the tentative map shall be redesigned to incorporate La Madre Way if AMP-32-03 is denied.
4. 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.
5. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
6. 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.

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

Commissioner Jay Aston MOVED and Commissioner Jo Cato SECONDED to APPROVED T-1011 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 #1 AMP-39-03 was heard next.**

**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:** 10:05 PM

A motion to ADJOURN the August 27, 2003 meeting of the Planning Commission of the City of North Las Vegas was made by Chairman Dean Leavitt. Vice-Chairman Marilyn Kirkpatrick SECONDED the motion.

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Dean Leavitt, Chairman

ATTEST:

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Ted Karant, Recording Secretary