

MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Dean Leavitt, Chairman
Nelson Stone
Jay Aston
Harry Shull

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Jo Cato
Steve Brown
Dilip Trivedi

Planning Commission MINUTES are available on the internet at:
www.cityofnorthlasvegas.com

July 14, 2004

CALL TO ORDER:

Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive, at 7:05 p.m.

ROLL CALL:

Dean Leavitt - Present
Nelson Stone - Present
Jo Cato - Present
Jay Aston - Absent
Steve Brown - Present
Harry Shull - Present
Dilip Trivedi - Present

STAFF PRESENT:

Jory Stewart, Planning and Zoning Director
Marc Jordan, Planning Manager
Vicki Adams, Planner
Randy Cagle, Public Works
Kevin Futch, Transportation Services
Steven DiGiovanni, Fire Department
James Lewis, Senior Deputy City Attorney
Tony Taylor, Parks and Recreation
JoAnn Lawrence, Recording Secretary

VERIFICATION:

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

PLEDGE OF ALLEGIANCE:

Commissioner Nelson Stone

ELECTION OF PLANNING COMMISSION OFFICERS

Action: CONTINUED TO JULY 28, 2004

Commissioner Dean Leavitt introduced the newly appointed Planning Commissioner, Dilip Trivedi, who is an architect living in North Las Vegas.

MINUTES

Approval of the Minutes for the Planning Commission meeting of June 9, 2004.

Commissioner Nelson Stone MOVED and Commissioner Jo Cato SECONDED to APPROVE the minutes of the June 9, 2004 Planning Commission Meeting.

The motion carried by MAJORITY VOTE with Dilip Trivedi Abstaining.

Approval of the Minutes for the Planning Commission meeting of June 23, 2004.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to APPROVE the minutes of the June 23, 2004 Planning Commission Meeting.

The motion carried by MAJORITY vote with Nelson Stone and Dilip Trivedi Abstaining.

CONSENT AGENDA

A) PW-116-04 (16219) THE SHADOWS, UNIT 1

Approve the Subdivision Off-Site Improvements Agreement by Beazer Homes Holdings Corp. and accept the Subdivision Bond in the amount of \$511,842.21.

B) PW-117-04 (16220) COBBLESTONE MANOR EAST

Accept the Off-Site Improvements for maintenance and advise the Director of Public Works to notify Safeco Insurance Company of America to release the Performance Bond in the amount of \$394,938.45.

C) PW-118-04 (16221) AMENDALE, UNIT 1, PHASE 3

Accept the Off-Site Improvements for maintenance and advise the Director of Public Works to

notify American Motorists Insurance Company to release the Subdivision Bond in the amount of \$374,834.41.

D) PW-119-04 (16222) NVE CLUB ALIANTE, UNIT 1, PHASE 1

Approve the Subdivision Off-Site Improvements Agreement by North Valley Enterprises, LLC and accept the Off-Site Improvement Bond in the amount of \$1,016,908.48.

E) PW-120-04 (16223) NVE CLUB ALIANTE, UNIT 1, PHASE 2

Approve the Subdivision Off-Site Improvements Agreement by North Valley Enterprises, LLC and accept the Off-Site Improvement Bond in the amount of \$1,076,590.08.

F) PW-121-04 (16224) NVE ACTIVE ADULT, UNIT 8, PHASE 1

Approve the Subdivision Off-Site Improvements Agreement by North Valley Enterprises, LLC and accept the Off-Site Improvement Bond in the amount of \$634,543.75.

G) PW-122-04 (16225) TROPICAL & BRUCE

Approve the Subdivision Off-Site Improvements Agreement by William Lyon Homes, Inc. and accept the Subdivision Bond in the amount of \$394,374.64.

H) PW-123-04 (16226) TIERRA DE LAS PALMAS, VILLAGE 4-1

Accept the Off-Site Improvements for maintenance and advise the Director of Public Works to notify Reliance Surety Company to release the Off-Site Improvement Bond in the amount of \$39,040.91.

I) PW-124-04 (16227) DOVE CANYON, UNIT 1

Accept the Off-Site Improvements for maintenance and advise the Director of Public Works to notify Gulf Insurance Company to release the Performance Bond in the amount of \$151,835.75.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to APPROVE Consent Agenda Items A through I.

The motion carried by UNANIMOUS vote.

Consent Agenda Items A through I were APPROVED.

NEW BUSINESS

1) AMP-41-04 (15266) CENTENNIAL-SIMMONS/ALIANTE (Public Hearing)

An application submitted by James E. Stroh Architect, Inc., on behalf of Unlimited Holdings Inc., property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential and Neighborhood Commercial to HDR High Density Residential. The property is generally located south of Centennial Parkway and approximately 500 feet east of Ferrell Street. The Assessor's Parcel Number is 124-29-101-002.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the August 11, 2004 Planning Commission meeting.

Chairman Dean Leavitt opened the Public Hearing.

The following people were called for comment but declined at this time.

- Pearson Reyes, 6420 Grayback Drive, North Las Vegas, NV 89084
- Lisa Merrell, 647 Gilded Flicker Street, North Las Vegas, NV 89084
- James Lucey, 3135 Sentimental Court, North Las Vegas, NV 89031
- Christopher Reade, 3117 Greenfriar Avenue, North Las Vegas, NV 89084

Chairman Leavitt stated the Public Hearing would remain open until such time the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commission Nelson Stone SECONDED to CONTINUE AMP-41-04 to the August 11, 2004 Planning Commission meeting.

The motion carried by UNANIMOUS VOTE.

The item was CONTINUED TO AUGUST 11, 2004.

2) ZN-45-04 (15127) CENTENNIAL-SIMMONS/ALIANTE (Public Hearing)

An application submitted by James E. Stroh Architect, Inc., on behalf of Unlimited Holdings, Inc., property owner, for a reclassification of property from an R-1 Single-Family Residential District and C-1 Neighborhood Commercial District to an R-3 Multi-Family Residential District. The property is generally located south of Centennial Parkway and approximately 500 feet east of Ferrell Street. The Assessor's Parcel Number is 124-29-101-002.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the August 11, 2004 Planning Commission meeting.

Chairman Dean Leavitt opened the Public Hearing.

The following people were called for comment but declined at this time.

- Christopher Reade, 3117 Greenfriar Avenue, North Las Vegas, NV 89084
- James Lucey, 3135 Sentimental Court, North Las Vegas, NV 89031
- Lisa Merrell, 647 Gilded Flicker Street, North Las Vegas, NV 89084
- Pearson Reyes, 6420 Grayback Drive, North Las Vegas, NV 89084

Chairman Leavitt stated the Public Hearing would remain open until such time the item was heard in its entirety.

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to CONTINUE ZN-45-04 to the August 11, 2004 Planning Commission meeting.

The motion carried by UNANIMOUS VOTE.

The item was CONTINUED TO AUGUST 11, 2004.

3) AMP-52-04 (15765) CENTENNIAL-SIMMONS/ALIANTE (Public Hearing)

An application submitted by James E. Stroh Architect, Inc., on behalf of Unlimited Holdings Inc., property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to Neighborhood Commercial. The property is located at the northwest corner of Ranch House Road and Simmons Street. The Assessor's Parcel Number is 124-29-101-002.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the August 11, 2004 Planning Commission meeting.

Chairman Dean Leavitt opened the Public Hearing

The following people were called for comment but declined at this time.

- Christopher Reade, 3117 Greenfriar Avenue, North Las Vegas, NV 89084
- James Lucey, 3135 Sentimental Court, North Las Vegas, NV 89031

Chairman Leavitt stated the Public Hearing would remain open until such time the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Nelson Stone SECONDED to CONTINUE AMP-52-04 to the August 11, 2004 Planning Commission meeting.

The motion carried by UNANIMOUS VOTE.

The item was CONTINUED TO AUGUST 11, 2004.

4) ZN-46-04 (15130) CENTENNIAL-SIMMONS/ALIANTE (Public Hearing)

An application submitted by James E. Stroh Architect, Inc., on behalf of Unlimited Holdings, Inc., property owner, for a reclassification of property from an R-1 Single-Family Residential District to a C-1 Neighborhood Commercial District. The property is located at the northwest corner of Ranch House Road and Simmons Street. The Assessor's Parcel Number is 124-29-101-002.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the August 11, 2004 Planning Commission meeting.

Chairman Dean Leavitt opened the Public Hearing.

The following people were called for comment but declined at this time:

- James Lucey, 3135 Sentimental Court, North Las Vegas, NV 89031

Chairman Leavitt stated the Public Hearing would remain open until such time the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to CONTINUE ZN-46-04 to the August 11, 2004 Planning Commission meeting.

The motion carried by UNANIMOUS VOTE.

The item was CONTINUED TO AUGUST 11, 2004.

5) UN-82-04 (15124) CENTENNIAL-SIMMONS/ALIANTE (Public Hearing)

An application submitted by James E. Stroh Architect, Inc., on behalf of Unlimited Holdings, Inc., property owner, for a use permit in an R-1 Single-Family Residential District (proposed C-1 Neighborhood Commercial District) to allow an automobile service facility. The property is located at the northwest corner of Ranch House Road and Simmons Street. The Assessor's Parcel Number is 124-29-101-002.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the August 11, 2004 Planning Commission meeting.

Chairman Dean Leavitt opened the Public Hearing.

The following person was called for comment but declined at this time:

- James Lucey, 3135 Sentimental Court, North Las Vegas, NV 89031

Chairman Leavitt stated the Public Hearing would remain open until such time the item was heard in its entirety.

Commissioner Harry Shull MOVED and Chairman Dean Leavitt SECONDED to CONTINUE UN-82-04 to the August 11, 2004 Planning Commission meeting.

The motion carried by UNANIMOUS VOTE.

The item was CONTINUED TO AUGUST 11, 2004.

6) UN-78-04 (15133) CENTENNIAL-SIMMONS/ALIANTE (Public Hearing)

An application submitted by James E. Stroh Architect, Inc., on behalf of Unlimited Holdings, Inc., property owner, for a use permit in a C-1 Neighborhood Commercial District to allow a child care facility. The property is located at the southwest corner of Centennial Parkway and Simmons Street. The Assessor's Parcel Number is 124-29-101-002.

Prior to the Planning Commission meeting, the applicant requested the item be continued to August 11, 2004.

Chairman Dean Leavitt opened the Public Hearing.

The following person was called for comment but declined at this time:

- James Lucey, 3135 Sentimental Court, North Las Vegas, NV 89031

Chairman Leavitt stated the Public Hearing would remain open until such time the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE UN-78-04 to the August 11, 2004 Planning Commission meeting.

The motion carried by UNANIMOUS VOTE.

The item was CONTINUED TO AUGUST 11, 2004.

7) SPR-21-04 (15129) CENTENNIAL-SIMMONS/ALIANTE

An application submitted by James E. Stroh Architect, Inc., on behalf of Unlimited Holdings, Inc., property owner, for a site plan review in a C-1 Neighborhood Commercial District and an R-1 Single-Family Residential District (proposed C-1) to allow buildings to be located towards the rear of the property where buildings are required to be oriented towards the front of the property and to allow a 10 foot landscape buffer adjacent to residential developments where 20 feet is required. The property is located at the southwest corner of Simmons Street and Centennial Parkway. The Assessor's Parcel Number is 124-29-101-002.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the August 11, 2004 Planning Commission meeting.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to CONTINUE SPR-21-04 to the August 11, 2004 Planning Commission meeting.

The motion carried by UNANIMOUS VOTE.

The item was CONTINUED TO AUGUST 11, 2004.

8) AMP-51-04 (15735) STARWOOD II (Public Hearing)

An application submitted by Emad Samuel Labib, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to MLDR Medium-Low Density Residential. The property is generally located south of June Street and approximately 260 feet east of Martin Luther King Boulevard. The Assessor's Parcel Number is 139-16-701-008.

The application was presented by Marc Jordan on behalf of Staff who indicated Staff recommended AMP-51-04 be approved and forwarded to City Council for final consideration. Mr. Jordan stated the surrounding area currently has existing single-family to the north which has been developed with 4500 and 5000 square foot lots. At one time it was under a Resolution of Intent for RCL as well as the existing property. The property to the east is zoned R-1, however, is undeveloped at this time and the property to the south has also been developed with single-family development. A portion of the property to the west was originally the Starwood Unit I phase, which were 4500 and 5000 square foot lots and there are a couple of existing churches that are located in the area. He also stated Staff considered this to be an in-fill development and the medium-low density residential would be compatible with the surrounding uses.

Kathryn Grider, of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89128 appeared on behalf of the applicant. She stated the parcel was an odd shaped in-fill parcel located between Cheyenne, Carey and Martin Luther King Boulevard, and Commerce, along Cartier Avenue and June Street just east of Martin Luther King Boulevard. She stated there was currently RCL with 4500 square foot lots, to the west are churches, to the south is the R-1 zoning and to the east is proposed single-family development. She stated there was medium-high density residential development with RCL zoning and 4500 square foot lots and additionally, to the southwest along Martin Luther King Boulevard, there is high density residential and R-4 zoning. She stated this development consists of approximately 93 lots on 16 acres, giving a density of 5.8 dwelling units per acre. The PUD zoning was chosen to allow more flexibility in designing the site to get the lots, the streets and to allow for some open space. Ms. Grider thanked Staff for working with them to resolve some of the issues they needed to take care of and stated she concurred with Staff recommendations and conditions.

Chairman Dean Leavitt opened the Public Hearing.

The following person came forward:

- Sandy Marriott, 2737 Wood Drift Street, North Las Vegas, NV 89030 stated she lived to the north of the proposed development. She asked what size the houses would be and who would be allowed to own them. She stated the subdivision she currently lived in had homes owned by corporations who have gone bankrupt and the houses are now vacant.

Kathryn Grider responded to Ms. Marriott's questions by stating the lots were 4500 square foot lots, similar to those to the north. The homes would be appropriate for the lot size and they were planning to build according to code and meet all of the requirements but she did not have an exact square footage of the homes.

Deputy City Attorney Jim Lewis stated the code required a minimum of a 1200 square foot house with a two car garage.

Chairman Leavitt closed the Public Hearing.

Commissioner Nelson Stone asked Deputy City Attorney Jim Lewis if the Board or the City had any legal basis for discriminating against who bought a home in the City. Mr. Lewis responded it would be dangerous for this Board to condition developments on who could or could not purchase homes in such developments. He stated occasionally developers would specify in their CC&R's that they are for primary residence only, or that someone can only own two or three units. The developer may decide this was going to be a primary residence development only but that would be up to the developer.

Commissioner Jo Cato asked the applicant if this development would be a gated community. Ms. Grider responded it would not. They wanted to keep it open so that the open space would also be usable to the developments to the north and northwest.

Commissioner Leavitt closed the Public hearing.

Commissioner Harry Shull MOVED and Commissioner Nelson Stone SECONDED to APPROVE AMP-51-04 per Staff recommendations.

The motion carried by UNANIMOUS VOTE.

The item was APPROVED.

9) ZN-67-04 (15737) STARWOOD II (Public Hearing)

An application submitted by Emad Samuel Labib, property owner, for a reclassification of property from an R-1 Single-Family Residential District to a PUD Planned Unit Development District consisting of 93 single-family dwellings. The property is generally located south of June Street and approximately 260 feet east of Martin Luther King Boulevard. The Assessor's Parcel Number is 139-16-701-008.

The application was presented by Marc Jordan on behalf of Staff who indicated Staff recommended ZN-67-04 be approved subject to the following conditions with Condition No. 21 added, as shown in the memo to the Planning Commission dated July 14, 2004.

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. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the open space/park areas showing landscaping and amenities. Prior to submittal of the final development plan, the applicant must schedule a meeting with the Parks and Recreation Director or designee to determine what amenities will be required in the private park areas.
5. 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).
6. That the perimeter walls be owned and maintained by the homeowners' association.
7. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
8. All common elements shall be labeled as such and are to be maintained by the homeowners associations.
9. Lots 31 shall be revised to comply with *North Las Vegas Municipal Code* section 16.20.02.B which states: "The side lines of lots shall be approximately at right angles to the street upon which the lot faces, or approximately radial if the street is curved."
10. The modified stub street, which features a minimum back of curb radius of 24 feet, is limited to a maximum lot frontage of four and a maximum length of 150 feet, as measured from the back of curb of the intersecting street to the back of curb at the furthest point of the cul-de-sac. Any cul-de-sac exceeding these standards shall provide a standard cul-de-sac design.
11. Additional right-of-way shall be dedicated to make the total width of Concord Street 51 feet.
12. The proposed Tuskegee street section shall match the existing street geometrics.

13. The radius of the Concord Street/Cartier Avenue curve will be determined during the review of the traffic study.
14. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans.
15. Approval of a drainage study is required prior to submittal of the civil improvement plans.
16. The engineer shall sign and date his seal.
17. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
18. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
19. All common elements shall be labeled and are to be maintained by the homeowners associations.
20. Approval of a traffic study is required prior to submittal of the civil improvement plans.

Kathryn Grider, of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89128 appeared on behalf of the applicant. She stated she had the same comments as the previous item. She stated the parcel was an odd shaped in-fill parcel located between Cheyenne, Carey and Martin Luther King Boulevard, and Commerce, along Cartier Avenue and June Street just east of Martin Luther King Boulevard. She stated there was currently RCL with 4500 square foot lots, to the west are churches, to the south is the R-1 zoning and to the east is a proposed single-family development. This was a medium-high density residential development with RCL zoning and 4500 square foot lots and additionally, to the southwest along Martin Luther King Boulevard, there is high density residential and R-4 zoning. She stated this development consists of approximately 93 lots on 16 acres, giving a density of 5.8 dwelling units per acre. The PUD zoning was chosen to allow more flexibility in designing the site to get the lots, the streets and to allow for some open space. She also stated she agreed with staff on all conditions and agreed with Staff on the addition of Condition No. 21.

Chairman Dean Leavitt opened the Public Hearing.

The following people were called forward:

- Sandy Marriott, 27637 Wood Drift Street, North Las Vegas, NV 89030 stated she had no additional concerns other than what was stated in the previous item.
- Sean Chacksfield, 1228 Star Meadow Drive, North Las Vegas, NV 89030 asked how many houses would be two-story, if they would be low-income housing, and what type of residents would be living in the homes.
- Leo Gay, 1729 Woodward Heights Way, North Las Vegas, NV 89032 appeared on behalf of the North Las Vegas Church of Christ. He stated they had tried to purchase property to

add another entryway into their church. They were hoping to gain an access to the rear of their property. He was told a traffic analysis would need to be done and asked what kind of options they had between the City and the property owners to gain access to their property.

Deputy City Attorney Jim Lewis stated it was up to the property owner whether they desired to sell an access way to the Church. If the map was approved, the church could continue to negotiate with the property owner for such an access easement or some sort of access to the rear of their property. He stated if something were arranged, the map may have to come back to Planning for approval.

Kathryn Grider stated the development would have both single and two-story homes as allowed per code. She stated the homes were geared toward first time buyers, not low-income. She stated she would contact the developer regarding the North Las Vegas Church of Christ gaining an access to the rear of their property.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to APPROVE ZN-67-04 per Staff recommendations with the addition of condition No. 21 as follows:

21. The applicant shall meet with the Parks and Recreation Department and shall provide the following minimum amenities to be provided in the Developed Open Space.
 - a. circuitous lighted paths
 - b. 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, and accompanying shade ramada
 - d. a 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. details (cut sheets) of amenities to be provided

The motion carried by UNANIMOUS VOTE.

The item was APPROVED with Staff recommendations.

10) T-1115 (15734) STARWOOD II

An application submitted by Emad Samuel Labib, property owner, for approval of a tentative map in an R-1 Single-Family Residential District (proposed PUD Planned Unit Development District) consisting of 93 single-family dwellings. The property is generally located south of June and approximately 260 feet east of Martin Luther King Boulevard. The Assessor's Parcel Number is 139-16-701-008.

The application was presented by Marc Jordan on behalf of Staff who indicated Staff recommended that T-1115 be approved subject to the following conditions:

1. That the development shall comply with the Single-Family Development Design Standards.
2. That T-1115 shall be null and void if ZN-67-04 is not approved.
3. That T-1115 shall comply with all conditions of ZN-67-04.
4. 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).
5. That the perimeter walls be owned and maintained by the homeowners' association.
6. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
7. All common elements shall be labeled as such and to be maintained by the homeowners associations.
8. Lots 31 shall be revised to comply with *North Las Vegas Municipal Code* section 16.20.02.B which states: "The side lines of lots shall be approximately at right angles to the street upon which the lot faces, or approximately radial if the street is curved."
9. The modified stub street, which features a minimum back of curb radius of 24 feet, is limited to a maximum lot frontage of four and a maximum length of 150 feet, as measured from the back of curb of the intersecting street to the back of curb at the furthest point of the cul-de-sac. Any cul-de-sac exceeding these standards shall provide a standard cul-de-sac design.
10. Additional right-of-way shall be dedicated to make the total width of Concord Street 51 feet.
11. The proposed Tuskegee street section shall match the existing street geometrics.
12. The radius of the Concord Street/Cartier Avenue curve will be determined during the review of the traffic study.
13. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative

map which must be approved by the City prior to final approval of the civil improvement plans.

14. Approval of a drainage study is required prior to submittal of the civil improvement plans.
15. The engineer shall sign and date his seal.
16. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
17. Street names must be approved by the City of Las Vegas Central Fire Alarm Office.
18. All common elements shall be labeled and are to be maintained by the Home Owners Association.
19. Approval of a traffic study is required prior to submittal of the civil improvement plans.

Kathryn Grider, of Orion Engineering, 7391 Prairie Falcon Road, Suite 150, Las Vegas, NV 89128 appeared on behalf of the applicant and stated her comments from the previous two items, AMP-51-04 and ZN-67-04, would also apply to this item.

Commissioner Nelson Stone asked Tony Taylor of the Parks and Recreation Department if the parks amenities were with the zoning, final development plan or the tentative map. He asked if this item was serving as the Final Development Plan or if there would be another item coming to the Planning Commission. Marc Jordan, Planning Manager stated there would be a Final Development Plan required for this project. Mr. Stone also asked if the number of picnic tables and barbeque grills would be defined on the Final Development Plan. Mr. Taylor stated they would.

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to APPROVE T-1115 per Staff recommendations.

The motion carried by UNANIMOUS VOTE.

The item was APPROVED.

11) AMP-53-04 (15764) AZURE COMMERCIAL CENTER (Public Hearing)

An application submitted by JPH Management, Inc., on behalf of Azure Park 20, LLC and Tropical 20, LLC, et al, property owners, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to Regional Commercial. The property is located at the northeast corner of Tropical Parkway and Losee Road. The Assessor's Parcel Numbers are 124-25-201-001 and 124-25-201-002.

Nelson Stone stated the company he works for prepared the zoning exhibit on this item so he would abstain from voting on the item.

The application was presented by Marc Jordan on behalf of Staff who indicated Staff recommended approval of AMP-53-04 and that it be forwarded to City Council for final consideration.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Henderson, NV 89014 appeared on behalf of the applicant and stated he concurred with Staff recommendations.

Chairman Dean Leavitt opened the Public Hearing. There were no participants.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to APPROVE AMP-53-04 per Staff recommendations.

The motion carried by MAJORITY VOTE with Commissioner Nelson Stone abstaining.

The item was APPROVED.

12) ZN-68-04 (15763) AZURE COMMERCIAL CENTER (Public Hearing)

An application submitted by JPH Management, Inc., on behalf of Azure Park 20, LLC and Tropical 20, LLC, et al, property owners, for a reclassification of property from an R-E Ranch Estates District to a PUD Planned Unit Development District consisting of 104 units of senior housing, 230 beds of assisted living, 104,000 sq. ft. medical offices, 16,800 sq. ft. of surgical center, and 81,000 sq. ft. of retail. The property is located at the northeast corner of Tropical Parkway and Losee Road. The Assessor's Parcel Numbers are 124-25-201-001 and 124-25-201-002.

The application was presented by Marc Jordan who stated there were some items of concern but nothing major to warrant a recommendation of continuance. Some of the items would be the perimeter landscaping. The applicant would have to comply with 20 feet of perimeter landscaping on all four sides of the development as there were four streets surrounding the development. There are also concerns about the landscaping in the parking areas. The applicant would comply with all landscape requirements at the end of the parking rows. For every fifteen parking spaces in a row, and also between every other row of parking. Staff also recommended that next to 80 foot and 100 foot rights-of-way, the applicant is required to separate the sidewalk from the back of curb by five feet and is required to have a meandering sidewalk throughout that portion. Because there are four streets, Staff is recommending that the meandering sidewalk continue to the other two streets, even though they are 60 foot rights-of-way. The applicant is complying with the parking requirements. There are a number of uses in the area, so it is difficult to determine, at this time until there is a more detailed site plan that shows the number of units, number of beds, number of doctors that might be in the complex that would help in determining the amount of parking required which could be done with the Final Development Plan. Mr. Jordan stated there were issues regarding the drive aisles. The applicant was proposing four major entrances into the development with a round-about in the center and staff is recommending that all the entrances converge onto the round-about. The current design could encourage traffic to go the wrong direction, so Staff is recommending changes to that and the applicant could comply with all the pedestrian open space requirements as part of that change. Because of the mixed use development, this project requires compliance with the Commercial Design Standards for the commercial part and the Multi-family Design Standards for the living areas; therefore, based upon the preliminary development plan, Staff has no objections to the item going forward and Staff would review the items when the Final Development Plan is submitted. Mr. Jordan also stated Staff was recommending approval of ZN-68-04 subject to the following conditions and be forward to City Council for final consideration:

ALL LOTS:

1. That, unless AMP-53-04 is approved by the City Council, this application shall be considered null and void; and
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
3. Approval of a traffic study is required prior to submittal of the civil improvement plans. The traffic study must include a master transportation plan with modeling containing 20-year projections.
4. Right-of-way dedication and construction of a flared intersection is required at Tropical Parkway and Losee Road per Uniform Standard Drawings for Public Works' Construction

Off-Site Improvements Drawing Number 201.1.

5. Right-of-way dedication and construction of a CAT bus turn-out is required on Losee Road near Tropical Parkway per Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 234.1.
6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Losee Road and Tropical Parkway.
7. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
8. A revocable encroachment permit for landscaping within the public right of way is required.
9. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
10. The property owner is required to grant a roadway easement for commercial driveway(s).
11. The property owner is required to sign a restrictive covenant for utilities.
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 otherwise approved by the Director of Public Works or his designee.
14. That this preliminary development plan is divided into "lots" for reference purposes only and does not imply, grant or indicate any future subdivision of land into individual parcels; and
15. That all perimeter sidewalks be separated from the backs-of-curb along McCarran Street, Tropical Parkway, Losee Road and Azure Avenue by a minimum five feet (5.00') of landscaping and each said sidewalk shall be meandering; and
16. That the submitted preliminary development plan be approved in concept and for the identified uses only. All reviewing departments reserve the right to comment on dimensional issues until such time that revised plans are submitted using a standard scale of measurement or until such time that the final development plan(s), using a standard scale of measurement, is (are) submitted for Planning Commission consideration; and
17. That prospective residents and/or live-in patients shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the development may be subject to odors created by the pig farm; and
18. That, for the purposes of this Planned Unit Development, Lots 1, 2, 3, 6 and 9 shall be

considered "Commercial"; Lots 5, 7, 8, 10, 11, 12 and 13 shall be considered "Medical / Professional Offices"; and Lots 4 and 14 shall be considered "Multi-family"; and

19. That this development shall have at least one unifying theme or design element(s) incorporated into the architecture of each building. The unifying theme or design element(s) shall be approved by the Planning Commission in conjunction with the first final development plan approved for this Planned Unit Development; and
20. That the landscaping materials, theme and ground cover shall be consistent throughout this Planned Unit Development, except those areas designated as recreational open spaces within the Senior Independent Living and Assisted Living and Acute Care facilities; and
21. That ADA-compliant pedestrian access ways and interconnected paths be provided between all buildings. Additional ADA-compliant pedestrian access ways shall be provided from each perimeter street; and
22. That all proposed trash enclosures be identified on the final development plan(s). All trash enclosures shall be designed to match the buildings and shall include roofs; and
23. That the proposed round-about be located such to allow all four of the main driveways (one each from McCarran Street, Tropical Parkway, Losee Road and Azure Avenue) to converge at the round-about; and
24. That utility vaults not be located within required landscape or pedestrian plaza areas; and

COMMERCIAL & MEDICAL / PROFESSIONAL OFFICES:

25. That Lots 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12 and 13 shall comply with the Commercial Development Standards and Design Guidelines; and
26. That Lots 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12 and 13 shall provide adequate on-site parking for each phase of development based on the requirements set forth in the Zoning Ordinance for said uses; and
27. That a minimum 1,100 square feet of pedestrian plaza area be provided for the commercial and office portions of this development. A minimum 350 square feet of plaza area shall be required as part of the first building permit issued for said areas. An additional 350 square feet shall be provided in conjunction with the building permit that causes the total square feet to meet or exceed 60,000 square feet of office and/or retail. The remaining 400 square feet of pedestrian plaza area shall be provided in conjunction with the building permit that causes the total square feet to meet or exceed 120,000 square feet of office and/or retail; and
28. That bicycle parking areas shall be provided throughout the office and retail areas. Bicycle parking areas shall not interfere with pedestrian access routes or required landscape and

pedestrian plaza areas. No bicycle parking rack shall be further than 100 feet from the primary entrance of the building which it serves; and

29. The uses allowed in the commercial areas shall be consistent with those permitted in the C-2, General Commercial District; and

MULTI-FAMILY:

30. That Lots 4 and 14 shall comply with the Multi-Family Development Standards; and
31. That the parking areas for Lots 4 and 14 provide one landscape island at each end of all parking rows with a minimum one landscape island provided for every fifteen (15) stalls within a row; and
32. That Lot 4 be restricted to an assisted living and acute care facility only, wherein the occupancy shall be limited to patients under the care of and as prescribed by a medical professional; and
33. That a maximum 230 beds be allowed for Lot 4; and
34. That on-site parking shall be provided for Lot 4 based on a minimum one space per bed; and
35. That a minimum 92,000 square feet (2.11 acres) of recreational open space be provided for Lot 4. Said open space, including amenities, shall be clearly indicated and all areas shall be dimensioned on the final development plan(s); and
36. That Lot 14 be limited to those persons 55 years and older only; and
37. That Lot 14 be allowed a maximum 104 units; and
38. That on-site parking shall be provided for Lot 14 based a minimum one space per unit; and
39. That a minimum 41,600 square feet (0.96 acre) of recreational open space be provided for Lot 14. Said open space, including amenities, shall be clearly indicated and all areas shall be dimensioned on the final development plan; and
40. That each parking stall be located within 300 feet of the unit which it serves; and
41. That the parking lot and drive aisle encompass the Senior Independent Living building, as is the case with the Assisted Living and Acute Care Facility.

George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Henderson, NV 89014 appeared on behalf of the applicant and indicated the front "L" was mainly retail and medical office building area. He stated the applicant would comply with Commercial Design Guidelines by the architecture

and buildings forward and with the meandering sidewalk. He stated the intent was to comply with the requirements in terms of the landscape requirements and the meandering sidewalk. He requested in the front "L", commercial area, that they be allowed to put a four story building at a height of 75 feet with a parking garage. He stated if that were approved they would comply with the Design Guidelines and parking requirements and the character of the buildings and the details at the final development stage would reflect the necessary standards and guidelines of the City. On the back "L" he stated they would work with Staff on the open space and parking requirements for the multi-family area. He also stated along the back of the property, since it was residential on both sides, that within 100' of the east property line, along McCarran, that no bar/taverns be allowed within 150'.

Chairman Dean Leavitt opened the Public Hearing. There were no participants.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull asked Staff when it would be appropriate to add the language about the restriction to bar/taverns. Sr. Deputy City Attorney Jim Lewis stated it would be appropriate to add the condition at this time. Commissioner Shull asked if this would be Condition No. 42. Mr. Lewis stated it would. Commissioner Shull asked if Staff could recommend some verbiage for the condition.

Planning Manager Marc Jordan stated the bar/tavern restriction should be added after Condition No. 29. Mr. Jordan asked Mr. Garcia what area the restriction covered. Mr. Garcia stated it was within 150' of the McCarran east property line. 150' to the west of McCarran, not permitted at all within 150' of McCarran right-of-way with the property line, whichever is preferred. Mr. Jordan asked Mr. Garcia what the width of Lot 14 was. Mr. Garcia stated the width was approximately 300'. He stated he had no intention of building a bar/tavern, but because the zoning allowed for the potential of the use to change, they would add that condition. Mr. Jordan stated, as it was, they couldn't be on-sale on Lot 14. Mr. Garcia stated, since the use allows for C-2, they decided to add this condition as it would be an appropriate buffer to the residential. Mr. Jordan stated, some of the information was new to Staff, the height of the building, the on-sale condition, but looking at the Preliminary Development Plan, which is something that is being considered tonight, and something that would be approved if the item were approved, and on Lot 14, if it is 300' in depth, measuring from McCarran Street, it is proposed as senior independent living, which would not be allowed to have on-sale anyway. The only way to potentially have it through a use permit is in the commercial areas as indicated on the conditions of approval by adding a condition stating it couldn't be within 150'. Mr. Jordan stated he did not feel the condition needed to be added at this time.

Mr. Jordan stated if the Commission approved a 75 foot high building, for the multi-story office buildings, within Lots 11 and 12, then Staff would recommend that there be a condition that says the multi-story office buildings shall not exceed a height of 75 feet and add that as Condition No. 29.1 and when the zoning ordinance is prepared the numbering would be corrected.

Commissioner Dilip Trivedi asked Mr. Garcia if a bar/tavern was contemplated elsewhere on the property beyond the 150'. Mr. Garcia responded no, but given the likelihood of a commercial area of this size it was possible someone could request to add a bar/tavern.

Commissioner Shull asked Staff if the height was restricted to 75 feet, where that would be added as a condition. Mr. Jordan stated it would be added as Condition No. 29.1.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to APPROVE ZN-68-04 per Staff recommendations with the addition of Condition No. 29.1 as follows:

Condition No. 29.1 That the height of the multi-story buildings would not exceed 75 feet in height.

The motion carried by MAJORITY VOTE with Commissioner Nelson Stone abstaining.

The item was APPROVED.

13) ZN-65-04 (15611) COBBLESTONE MANOR VI (Public Hearing)

An application submitted by DR Horton on behalf of Washburn Property Investment, LLC, property owner, for a reclassification of property from an R-E Ranch Estates District to an R-1 Single-Family Residential District. The property is located at the northeast corner of Goldfield Street and Lone Mountain Road. The Assessor's Parcel Number is 124-34-804-001.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated Staff recommended that ZN-65-04 be approved and forwarded to City Council with a recommendation for permanent zoning to R-1, Single-Family Residential District.

Airalea Newman with D.R. Horton, Inc., 6845 Escondido Street, Bldg. 6, Suite 105, Las Vegas, NV 89119 stated they concurred with Staff recommendations.

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

- John Kusler, 252 E. Lone Mountain Road, North Las Vegas, NV 89030 asked if the R-1 was four houses per acre. He thought having 42 homes on 10 acres was dense. He also asked if the homes would be single story, two story or both. Since the property was being rezoned from R-E to R-1 he requested that D.R. Horton notify the home buyers they would be close to property that was zoned R-E.

Ms. Newman stated they were developing single-family homes in the area and would have no problems disclosing to the home buyers there were existing R-E lots that could potentially have animals or horses on them.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Nelson Stone SECONDED to APPROVE ZN-65-04 per Staff recommendations.

The motion carried by UNANIMOUS VOTE.

The item was APPROVED.

14) T-1111 (15612) COBBLESTONE MANOR VI

An application submitted by DR Horton on behalf of Washburn Property Investment, LLC, property owner, for approval of a tentative map in an R-1 Single-Family Residential District consisting of 42 single-family dwellings. The property is located at the northeast corner of Lone Mountain Road and Goldfield Street. The Assessor's Parcel Number is 124-34-804-001.

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who stated the applicant was proposing 42 lots with a minimum lot size of 6,000 square feet, which is a density of approximately 4.5 units per acre, and is consistent with the Comprehensive Plan designation for that site. Staff was originally recommending continuance; however, based upon the submittal there are some applications the applicant would need to file for vacations of Lone Mountain Road and Eagle Way and the applicant has filed those applications, which will go to the August 25, 2004 Planning Commission meeting. Based on that and the proposed development, the applicant is complying with the R-1 requirements and Staff recommends approval subject to the following conditions listed in the memo to the Planning Commission dated July 13, 2004:

1. Unless expressly authorized through a variance, waiver, or another approved method, development shall comply with all applicable codes and ordinances.
2. This application shall be considered null and void if ZN-65-04 is not approved.
3. The 30-foot utility easement located between Lots 8 and 9 and Lots 40 and 41 shall be labeled on the tentative map as a "Public Utility and Pedestrian Access Easement" and landscaped in accordance with Section 17.24.210.D.4 of the Municipal Code.
4. Per *City of North Las Vegas Municipal Code* section 16.20.050.I, Eagle Way must be dedicated or the applicant may choose to submit an application to vacate the street. If dedicated, Eagle Way shall terminate in a cul-de-sac entirely within the developer's property.
5. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100.B:
 1. Goldfield Street
 2. Verde Way
 3. Lone Mountain Road
 4. Eagle Way
6. The plans shall comply with *City of North Las Vegas Municipal Code* section 17.24.210.E.9 which states: "Sidewalks are required along all streets. Sidewalks along arterial streets with a right-of-way eighty (80) feet or wider must be separated from the back of the street curb by a minimum of five feet, except in bus turnout areas. Meandering curvilinear sidewalks must be placed within the perimeter landscape area outside of the right-of-way." However, in areas where the sidewalk is placed next to the block wall, the width must be increased to six feet. Landscaping would then be required between the sidewalk and the back of street curb.
7. The applicant shall apply for a vacation for the northerly ten (10) feet of Lone Mountain Road,

which has a total right-of-way width of eighty (80) feet.

8. Remove the street section thickness from the typical sections. The pavement sections will be determined by the Department of Public Works.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.
10. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geologic hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans.
11. Approval of a drainage study is required prior to submittal of civil improvement plans.
12. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
13. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
14. Street names shall be approved by the City of Las Vegas Central Fire Alarm Office.
15. All common elements shall be labeled and are to be maintained by the homeowners associations.
16. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Lone Mountain Road.
17. 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.
18. The perimeter walls shall be owned and maintained by the Homeowners' Association.

Mr. Jordan stated it was a State law that the seller disclose the zoning and the Comprehensive Land Use Designation to potential buyers so it was not necessary to add that condition.

Sr. Deputy City Attorney Jim Lewis stated he agreed with Mr. Jordan. However, if the concern was to disclose it was horse property, that would be different. Home buyers may or may not know that Ranch Estates means horse property, so adding a condition to that effect would be at the discretion of the Commission.

Airalea Newman with D.R. Horton, 6845 Escondido Street, Bld. 6, Suite 105, Las Vegas, NV 89119 stated they concurred with Staff recommendations and have submitted the necessary verifications

to move the tentative map forward.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to APPROVE T-1111 per Staff recommendations with the addition of the following condition:

That the owner would disclose they were surrounded by horse property.

The motion carried by UNANIMOUS VOTE.

The item was APPROVED.

15) ZN-66-04 (15700) FAMILY MEDICAL CLINIC (Public Hearing)

An application submitted by Cynthia P. Villaluz on behalf of the Villaluz Family Trust, property owners, for a reclassification of property from an R-1 Single-Family Residential District to a C-P Professional Office Commercial District. The property is located at 2312 Perliter Avenue. The Assessor's Parcel Number is 139-23-712-058.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the August 11, 2004 Planning Commission meeting.

Chairman Dean Leavitt opened the Public Hearing.

There were no requests to speak on the item.

Chairman Leavitt stated the Public Hearing would remain open until such time the item was heard in its entirety.

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to CONTINUE ZN-66-04 to the August 11, 2004 Planning Commission meeting.

The motion carried by UNANIMOUS VOTE.

The item was CONTINUED TO AUGUST 11, 2004.

16) ZN-69-04 (15756) CASTLEBERRY & I-15 (Public Hearing)

An application submitted by Gary Johnson and Andy Cox on behalf of Gary and Sandra Johnson, property owners, for a reclassification of property from an O-L Open Land District to a C-2 General Commercial District. The property is located at the southeast corner of Christy Lane and Centennial Parkway. The Assessor's Parcel Number is 123-28-501-007.

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff recommended approval of ZN-69-04 and that it be forwarded to City Council for final consideration.

Vicky Troy with Total Scope, 528 Goldhill Road, Henderson, NV 89074 appeared on behalf of the applicant and stated she concurred with Staff recommendations.

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

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Nelson Stone SECONDED to APPROVE ZN-69-04 per Staff recommendations.

The motion carried by UNANIMOUS VOTE.

The item was APPROVED.

17) UN-92-04 (15643) STARBUCKS COFFEE (Public Hearing)

An application submitted by James Allen & Company on behalf of the Joan G. Zimmerman 1988 Rev. Trust, property owner, for a use permit in an M-2 General Industrial District to allow a convenience food restaurant with drive thru. The property is located at the southeast corner of Craig Road and Losee Road. The Assessor's Parcel Number is 139-01-301-006.

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff recommended approval of UN-92-04 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 proposed site plan and restaurant building shall comply with the commercial design standards.
3. Approval of a traffic study is required prior to submittal of the civil improvement plans.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. 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 otherwise approved by the Director of Public Works or his designee.

The applicant, or his representative, was not available for comment or questions.

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

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull suggested the item be moved forward.

Commissioner Nelson Stone stated since this was a special use permit, he felt the item should be continued.

Marc Jordan, Planning Manager let the Commission know the July 28, 2004 agenda had over 60 items on it.

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to CONTINUE UN-92-04 to the July 28, 2004 Planning Commission meeting.

The motion carried by UNANIMOUS VOTE.

The item was CONTINUED TO JULY 28, 2004.

18) UN-93-04 (15649) DEL TACO (Public Hearing)

An application submitted by James Allen & Company on behalf of the Joan G. Zimmerman 1988 Rev. Trust, property owner, for a use permit in an M-2 General Industrial District to allow a convenience food restaurant with drive thru. The property is located at the southeast corner of Craig Road and Losee Road. The Assessor's Parcel Number is 139-01-301-006.

The application was submitted by Vicki Adams, Planner on behalf of Staff who indicated Staff recommended approval of UN-93-04 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 proposed site plan and restaurant building shall comply with the commercial design standards.
3. Approval of a traffic study is required prior to submittal of the civil improvement plans.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. 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 otherwise approved by the Director of Public Works or his designee.

The applicant, or his designee, was not available for comment or questions.

Commissioner Nelson Stone stated he felt the items should be continued for two weeks.

Commissioner Nelson Stone MOVED and Commissioner Jo Cato SECONDED to CONTINUE UN-93-04 to the July 28, 2004 Planning Commission meeting.

The motion carried by UNANIMOUS VOTE.

The item was APPROVED.

19) UN-94-04 (15678) MR. MONEY (Public Hearing)

An application submitted by Hiromi Fuchigami on behalf of Dahls J. Antoku, property owner, for a use permit in a R-A/CR Redevelopment-Area/Commercial Retail Subdistrict to allow a financial institution (automobile title loan, check cashing and money order etc.)The property is located at 2127 Civic Center Drive. The Assessor's Parcel Number is 139-23-610-001.

The application was presented by Vicki Adams on behalf of Staff who stated there were no details pertaining to the floor plan, number of employees or the hours of operation submitted for Staff review; therefore, Staff recommended UN-94-04 be denied. The Redevelopment Agency indicated the proposed use at this location is neither desirable nor contributes to the general well-being of the neighborhood or the community. The Business License Division indicated there are 16 similar or identical types of financial institutions located within close proximity in the downtown area.

Michael Rasmussen, 7401 West Charleston, Las Vegas, NV 89107 appeared on behalf of the applicant and stated they were proposing a payday loan, auto title loan, money wire transfer service as well as several other services. He stated they were providing a necessary service. He stated there were many individuals who needed checking cashing services. There are individuals who do not qualify for conventional loans, so they go to a secondary subprime market for the service. In addition, to the general community of North Las Vegas, it would generate tax revenue for the City. He stated if this item were approved, they would be happy to comply with the conditions required and stated they operated from 9 a.m. to 9 p.m. and had no more than two to three employees on site, so parking issues are adequately provided for in the shopping plaza.

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

Chairman Leavitt closed the Public Hearing.

Commissioner Nelson Stone stated he felt this type of use preyed upon the lower income population and the interest rates were exorbitant and would not be supporting this item.

Commissioner Jo Cato asked Staff if another one of these type uses came to Planning Commission within the past several months. Vicki Adams, Planner, stated it was sometime in May, 2004. Commissioner Cato confirmed that it was an existing facility and they were expanding to add these services. Ms. Adams responded that was correct.

Commissioner Dilip Trivedi asked Staff if there was a definition for close proximity. Vicki Adams, Planner, responded there was not. Commissioner Trivedi asked if a definition was being worked on. Ms. Adams responded no.

Sr. Deputy City Attorney Jim Lewis stated the words are not defined in the code but a common sense definition should be applied when voting on this item.

Commissioner Harry Shull MOVED and Commissioner Nelson Stone SECONDED to DENY UN-94-04.

The motion carried by UNANIMOUS VOTE.

The item was DENIED.

20) UN-95-04 (15723) THE CLOUD COMMERCIAL CENTER (Public Hearing)

An application submitted by Mike and Jeannette Del Fante on behalf of Cloud 2000 Ins. Trust, property owner, for a use permit in a M-2 General Industrial District to allow a convenience food restaurant with drive thru. The property is located approximately 180 feet south of Colton Avenue and east of Losee Road . The Assessor's Parcel Number is 139-11-801-006.

The application was presented by Vicki Adams, Planner on behalf of Staff who stated Staff had no objection to the use at this location, the elevations do not comply with the City's Industrial Development Standards. Neither the floor plan for the proposed restaurant nor the office warehouse buildings were submitted and; therefore, Staff cannot determine whether or not adequate parking is being provided. Additionally, the landscaping requirements have not been met. Staff is recommending the application be continued to allow the applicant time to address all of the design issues.

The applicant, or his representative, was not available for comment or questions.

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

Chairman Leavitt closed the Public Hearing.

Commissioner Nelson Stone stated he felt the item should be continued. He asked if the application was incomplete. Ms. Adams stated the application was complete, it did not give the details needed to make a determination for the parking.

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to CONTINUE UN-95-04 indefinitely.

The motion carried by UNANIMOUS VOTE.

The item was CONTINUED INDEFINITELY.

21) UN-96-04 (15699) THAI BASIL ASIAN DINER (Public Hearing)

An application submitted by Frank Ngo on behalf of Barry Ford, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow the "on-sale" of alcoholic beverages in conjunction with a restaurant. The property is located at 2696 West Ann Road. The Assessor's Parcel Number is 124-29-811-002.

The application was presented by Vicki Adams, Planner on behalf of Staff who stated the site was located next to the Timbers Tavern in the Ann Market Place Commercial Center. Because the proposed restaurant has less than 100 seats, the applicant cannot qualify for any type of on-sale license, except the restaurant limited license which allows the applicant to sell beer or wine only. Staff has no objection to the use of this site; however, the use does not fit the requirements for a supper club and is recommending the application be continued to allow the applicant time to submit a floor plan that meets the requirements of Title 5.

Frank Ngo, 2696 West Ann Road, Suite 101, North Las Vegas, NV 89031 stated he needed a service bar. He stated the current capacity of the restaurant was 92 but they could add more seating. He stated the restaurant had been opened for two months and showed a picture of the current seating arrangement and showed where more seating could be added.

Commissioner Nelson Stone asked Vicki Adams what Plan B was. Ms. Adams stated in order to qualify for a supper club, according to the Business License Division, you need a bar and 100 seats. Commissioner Stone asked about the Restaurant Limited license. Ms Adams responded that you do not need a bar but 100 seats are still necessary if anything other than beer or wine is being sold. Mr. Stone stated the site plan was incorrect, so the item might need to be continued and reworked with Staff so the applicant understands what is needed.

Commissioner Harry Shull concurred with Commissioner Stone. The applicant needs to resubmit the floor plan.

Commissioner Dilip Trivedi asked if this was an existing restaurant. Mr. Ngo responded it was. Mr. Trivedi suggested moving some walls to add more room to the dining area to accommodate more seating. Mr. Ngo stated there was already room for more seating.

Commissioner Jo Cato suggested the item be continued so the seating issues could be worked out with Staff but asked if the bar area could be added as part of the 100 seats. Ms. Adams stated it could be used as seating if it was a counter people could actually sit at. She stated the floor plan received by Staff did not have seating in that area.

Chairman Leavitt asked the applicant if he understood what the Commission was suggesting, having him work with Staff then coming back before the Commission showing the 100 seats were available and the application met other areas of concern.

Mr. Ngo stated he was unable to serve his full menu without the use permit.

Commissioner Steve Brown asked Staff if the use permit could be conditioned that the applicant show they have 100 seats. Ms. Adams agreed it could be a condition of approval.

Planning and Zoning Director Jory Stewart stated the Fire Department had indicated with the square footage shown in the application submitted, there would be sufficient square footage to accommodate 100 seats.

Commissioner Harry Shull stated with that information, he would be in favor of approving the use permit with a condition regarding the 100 seats.

Commissioner Nelson Stone stated he was not in favor of approving this item without a current floor plan, as he did not want to set a precedent and suggested the item be continued for two weeks.

Commissioner Shull agreed with Commissioner Stone but felt since this business was already in operation, the application could be approved with conditions.

Commissioner Stone asked if this item needed to be approved by super majority. Sr. Deputy City Attorney Jim Lewis stated it did not need a super majority for approval.

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

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Steve Brown SECONDED to APPROVE UN-96-04 per Staff recommendations with the deletion of Condition No. 2 and add a condition that the applicant would submit a floor plan with a minimum of 100 seats.

The motion FAILED with Chairman Dean Leavitt, Commissioner Nelson Stone and Commissioner Jo Cato VOTING NO.

Commissioner Nelson Stone MOVED and Commissioner Steve Brown SECONDED to CONTINUE UN-96-04 to the July 28, 2004 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED TO JULY 28, 2004.

22) UN-97-04 (15739) COIN LAUNDRY (Public Hearing)

An application submitted by PWS, Inc., on behalf of LMPC, LLC, property owner, for a use permit in an R-A/CR Redevelopment Area/Commercial/Retail Subdistrict to allow a self-service laundromat. The property is generally located south of Lake Mead Boulevard and approximately 413 feet west of Pecos Road. The Assessor's Parcel Number is 139-24-701-008.

The application was presented by Vicki Adams, Planner on behalf of Staff who stated the site was already under development and the proposed use would necessitate some tenant improvements to the suite; therefore, Staff is recommending approval subject to the following condition:

1. That unless expressly authorized through a variance, waiver or another approved method, the use shall comply with all applicable codes and ordinances.

The applicant, or his representative, was not available for comment or questions.

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

Chairman Leavitt stated the Public Hearing would remain open until the item was heard in its entirety.

Commissioner Harry Shull MOVED and Commissioner Steve Brown SECONDED to CONTINUE UN-97-04 to the July 28, 2004 Planning Commission meeting.

The motion carried by UNANIMOUS VOTE.

The item was CONTINUED TO JULY 28, 2004.

23) FDP-12-04 (15742) SUPER MOTEL 8

An application submitted by Red Vistas Development, on behalf of Speedway Hospital Development, LLC, property owner, for a Final Development Plan review in a PUD Planned Unit Development District, consisting of a 99 room motel. The property is generally located south of Rome Boulevard and approximately 406 feet east of Shatz Street. The Assessor's Parcel Number is 123-22-801-021.

Commissioner Nelson Stone stated he would be abstaining from the vote on this item due to the fact his company was involved in the Final Development Plan.

The application was presented by Marc Jordan on behalf of Staff who stated this item was part of a PUD presently being developed with the Nevada Power Substation, the Petro Stopping Center and Charlie's Truck Wash along with other uses that have been approved. According to the PUD conditions of approval, the applicant is complying with those conditions and Staff requested to see colors for the building and the applicant has submitted the color scheme to Staff which appear to be a sand color with reddish brown accents and the applicant has indicated a concrete tile roof is being proposed for the motel; therefore, Staff is recommending approval subject to the following conditions:

1. That the development of this site be in compliance with the conditions set forth in Ordinance No. 1837 (ZN-16-98) and the associated preliminary development plan, unless otherwise amended herein; and
2. That unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
3. That exterior drain downspouts be removed, covered by a pop-out or located internally so as not to be distinguishable from the outside of the building; and
4. That Barrel Tile Metal Roof Panels be replaced with clay or concrete tiles, unless otherwise approved by staff; and
5. That landscaping be provided in all areas indicated on the submitted landscape plan. Specific landscape materials shall be reviewed and approved by staff during the building permit application process; and
6. The site plan indicates that there is an access easement along the east side of the parcel. Provide documentation that this access easement exists. If access is public, a roadway easement will be required; and
7. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
8. That approval of a drainage study is required prior to submittal of the civil improvement plans.

JD Abbott with the WLB Group, 2551 North Green Valley Parkway, Suite A-425 Henderson, NV 89014 appeared on behalf of the applicant and stated they concurred with Staff recommendations.

Commissioner Harry Shull MOVED and Commissioner Steve Brown SECONDED to APPROVE FDP-12-04 per Staff recommendations.

The motion carried by MAJORITY VOTE with Commissioner Nelson Stone abstaining.

The item was APPROVED.

24) SPR-29-04 (15706) DEPARTMENT OF EMPLOYMENT, TRAINING & REHABILITATION (D.E.T.R.)

An application submitted by State of Nevada , D.E.T.R. on behalf of William Coleman, LLC, property owner, for a site plan review in a C-2 General Commercial District to allow a waiver for the height of a sign to be thirty feet where 18 feet is the maximum allowable. The property is located at 2827 North Las Vegas Boulevard. The Assessor's Parcel Number is 139-13-601-007.

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff recommended approval subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or other approved method, the development shall comply with all applicable codes and ordinances.
2. That the height of the sign shall not exceed 30 feet.

Ron Fletcher, 7729 Prairie Corners Drive, Las Vegas, NV 89128 appeared on behalf of the applicant and stated the office had been in that location for over 20 years and concurred with Staff recommendations.

Commissioner Harry Shull MOVED and Commissioner Steve Brown SECONDED to APPROVE SPR-29-04 per Staff recommendations.

The motion carried by UNANIMOUS VOTE.

The item was APPROVED.

25) T-1112 (15613) COLEMAN AIR PARK

An application submitted by AMTI Sunbelt, LLP, on behalf of Conde Del Mar Properties, LLC, property owner, for approval of a tentative map in an M-1 Business Park Industrial District consisting of 16 single-story concrete tilt up buildings. The property is located at the southwest corner of Coleman Street and Brooks Street. The Assessor's Parcel Number is 139-17-601-005.

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated Staff recommended approval subject to the following conditions:

3. Unless expressly authorized through a variance, waiver, or another approved method, the development shall comply with all applicable codes and ordinances.
2. All applicable conditions of SPR-17-04, as previously approved by the Planning Commission, shall apply. If a conflict occurs with the conditions stated herein, the more restrictive standard shall apply. Furthermore, all reviewing departments and agencies shall reserve the right to provide comments, corrections and conditions related to the site until final approval of a building permit is granted.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
5. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 28 feet as measured from lip of gutter to lip of gutter.
6. Actual driveway locations are subject to review and approval by the City Traffic Engineer and must meet City of North Las Vegas standards for design and separation.
7. The property owner is required to grant a roadway easement for commercial driveway(s).
8. The property owner is required to sign a restrictive covenant for utilities.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.
10. Appropriate subdivision and/or parcel mapping may be required if the intent is to sell off any portion(s) of the site. All mapping shall be in conformance with NRS Chapter 278 and North Las Vegas Municipal Code Title 16.

Kirby Adams, 720 Suzanna Way, Henderson, NV 89014 appeared on behalf of the applicant and stated he concurred with Staff recommendations.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to APPROVE T-1112 per Staff recommendations.

The motion carried by UNANIMOUS VOTE.

The item was APPROVED.

26) T-1113 (15609) PARK CENTRAL PLAZA

An application submitted by Lochsa Engineering on behalf of Park Central Plaza 32, LLC, property owner, for approval of a tentative map in a C-1 Neighborhood Commercial District consisting of retail stores. The property is located at the southeast corner of Losee Road and Tropical Parkway. The Assessor's Parcel Number is 124-25-301-016.

The application was presented by Marc Jordan, Planning Manager who stated the applicant indicated a 10 foot set-back on the tentative map for something that appears to be a set-back requirement. Under the C-1 requirements, all buildings are required to be set-back 20 feet. Furthermore, any landscaping surrounding the perimeter of this site is also required to be 20 feet so those corrections would need to be made when a major site plan came before the Planning Commission; however, Staff is recommending approval subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The tentative map, T-1113, shall comply with all conditions of ZN-62-03.
3. The development shall comply with the Commercial Development Standards and Design Guidelines, including, but not limited to the following:
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. 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 otherwise approved by the Director of Public Works or his designee.
6. Remove the street section thickness from the typical sections. The pavement sections will be determined by the Department of Public Works.
7. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
8. The property owner is required to grant a roadway easement for commercial driveway(s).
9. The property owner is required to sign a restrictive covenant for utilities.
10. The public street sections shall be revised to separate the sidewalk from the curb.
11. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
12. A revocable encroachment permit for landscaping within the public right of way is required.
13. Approval of a traffic study is required prior to submittal of the civil improvement plans.
14. Right-of-way dedication and construction of a CAT bus turn-out is required on Tropical Parkway near Losee Road per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.

15. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Losee Road and Tropical Parkway.

Michele Gripon, 6345 South Jones, Suite 100, Las Vegas, NV 89118 appeared on behalf of the applicant and stated they concurred with Staff recommendations and had addressed Staff's concerns and added 20 foot set-backs.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to APPROVE T-1113 per Staff recommendations.

The motion carried by UNANIMOUS VOTE.

The item was APPROVED.

27) T-1114 (15608) LONE MOUNTAIN ESTATES

An application submitted by Celebrate Properties, Inc., property owner, for approval of a tentative map in an R-E Ranch Estates District consisting of 28 single-family dwellings. The property is at the southeast corner of Lone Mountain Road and Allen Lane. The Assessor's Parcel Numbers are 139-05-02-001, 139-05-102-002 and 19-05-101-003.

Commissioner Harry Shull stated he had an interest in the property associated with T-1114 and would be abstaining from the vote on this item.

Prior to the Planning Commission meeting the applicant requested the item be continued to the July 28, 2004 Planning Commission meeting.

Chairman Dean Leavitt called on the following persons who declined to comment at this time:

- Sherry Messer, 3330 W. Wedo Way, North Las Vegas, NV 89031
- Tom Messer, 3330 W. Wedo Way, North Las Vegas, NV 89031
- Steve Werk, 3390 W. Lone Mountain Road, North Las Vegas, NV 89031

Commissioner Nelson Stone MOVED and Commissioner Jo Cato SECONDED to CONTINUE T-1114 to the July 28, 2004 Planning Commission Meeting.

The motion carried by MAJORITY VOTE with Commissioner Harry Shull abstaining.

The item was CONTINUED TO JULY 28, 2004.

OLD BUSINESS

28) AMP-49-04 (15421) PERLITER FAMILY CARE CENTER (Public Hearing)

An application submitted by Gary Guy Wilson Architects on behalf of Ram K. Singh, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to Office. The property is located at 2500 Perliter Avenue. The Assessor's Parcel Number is 139-24-312-076. **(Continued June 23, 2004)**

The application was presented by Vicki Adams, Planner who stated this item was continued from the June 23, 2004 Planning Commission meeting in order for the applicant to redesign the site and meet the parking criteria in conjunction with the PUD request. Staff has met with the applicant and it was determined that only two employees, in addition to the doctor, would be working at this site; therefore, the applicant would be required to provide six parking spaces rather than the seven as outlined in the original Staff Report. Additionally, the applicant has agreed to remove a portion of the existing building to provide for the additional parking space required. Staff is now recommending approval of this application and that it be forwarded to City Council for final consideration.

Gary Wilson, Architect, 7625 South Industrial Road, #100, Las Vegas, NV 89139 appeared on behalf of the applicant and stated they had the opportunity to meet with Staff and came to an agreeable resolution and concurred with Staff recommendations.

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

Commissioner Jo Cato MOVED and Commissioner Steve Brown SECONDED to APPROVE AMP-49-04 per Staff recommendations.

The motion carried by UNANIMOUS VOTE.

The item was APPROVED.

29) ZN-58-04 (15419) PERLITER FAMILY CARE CENTER (Public Hearing)

An application submitted by Gary Guy Wilson Architects on behalf of Ram K. Singh, property owner, for a reclassification of property from an R-1 Single-Family Residential District to a PUD Planned Unit Development District consisting of one (1) medical office building. The property is located at 2500 Perliter Avenue. The Assessor's Parcel Number is 139-24-312-076. **(Continued June 23, 2004)**

The application was presented by Vicki Adams, Planner on behalf of Staff who indicated due to the parking issues being resolved, Staff is recommending approval subject to the following conditions and the item be forwarded to City Council for final consideration:

1. That, unless otherwise approved through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the driveway and drive aisle must be a minimum of 18 feet wide.
3. That unless otherwise indicated herein, the redevelopment of this site shall comply with the Commercial Development Standards and Design Guidelines including, but not limited to:
 - a. The building must incorporate jogs, offsets or architectural features;
 - b. The building exterior must be constructed of preferred materials;
 - c. All sides of the building must be coherently designed and treated;
 - d. Any building design utilizing a flat roof shall incorporate a parapet wall and /or cornice elements;
 - e. All mechanical equipment must be screened from view;
6. That the trash enclosure be located as indicated on the site plan and match the materials of the office building.
7. The use of this building shall be limited to a medical or professional office only.
8. Approval of a traffic study is required prior to submittal of the civil improvement plans.
9. The property owner is required to grant a roadway easement for commercial driveway(s).
10. That a minimum of six (6) parking stalls be provided.
11. That a minimum of five (5) feet of landscaping shall be provided along the eastern and northern property lines. Said landscape areas shall be provided with 24-inch box trees spaced not greater than ten (10) feet on center. In addition to the trees, the landscape areas shall be provided with shrubs, and ground cover in accordance with the Commercial Design Standards.
12. That a minimum of 14.6 feet of landscaping, not including the sidewalk, shall be provided along Civic Center Drive. The landscape area shall include a three (3) foot berm. The landscaping along Civic Center shall include a minimum of eight (8) palm trees (Date Palm, minimum 10

brown trunk feet in height), in addition to other required landscape materials as set forth in the Commercial Design Standards.

13. That a minimum of six (6) feet of landscaping be provided along Perliter Avenue. The landscape area shall include a three-foot berm or decorative wall between the parking stall and the sidewalk.
14. Patient hours shall be limited between 8:00 a.m. and 6:00 p.m.

Gary Wilson, 7625 South Industrial Road, #100, Las Vegas, NV 89139 appeared on behalf of the applicant stating he concurred with Staff recommendations.

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

Chairman Leavitt closed the Public Hearing.

Commissioner Jo Cato MOVED and Commissioner Steve Brown SECONDED to APPROVE ZN-58-04 per Staff recommendations.

The motion carried by UNANIMOUS VOTE.

The item was APPROVED.

30) VN-15-04 (15180) PICERNE AT ROME & VALLEY APTS. (Public Hearing)

An application submitted by Picerne Development Corporation on behalf of 215 Properties, LLC, property owner, for a variance in a C-2 General Commercial District (proposed R-4 High Density Residential District) to allow a zero (0) foot setback on the west property line where 20 feet is required. The property is located at the southwest corner of Valley Drive and Rome Boulevard. The Assessor's Parcel Numbers are 124-19-401-003, 124-19-401-004, 124-19-401-005, 124-19-401-006, 124-19-401-007 and 124-19-401-008. **(Continued June 23, 2004)**

Prior to the Planning Commission meeting, the applicant requested the item be withdrawn without prejudice.

The item was WITHDRAWN BY THE APPLICANT WITHOUT PREJUDICE.

31) SPR-24-04 (15176) PICERNE AT ROME & VALLEY APTS.

An application submitted by Picerne Development Corporation on behalf of 215 Properties, LLC, property owner, for a site plan review in a C-2 General Commercial District (proposed R-3 Multifamily Residential District) to allow 625 units. The property is located at the northeast corner of Centennial Parkway and San Mateo Street. The Assessor's Parcel Numbers are 124-19-401-003, 124-19-401-004, 124-19-401-005, 124-19-401-006, 124-19-401-007 and 124-19-401-008.

(Continued June 23, 2004)

The application was presented by Marc Jordan, Planning Manager on behalf of Staff who indicated the applicant was requesting a waiver with this application to allow a five foot landscaped area along all interior property lines where 20 feet is normally required. However, the applicant has indicated in a letter that they are requesting that the width of the landscape area be 10 feet and they would plant trees every 10 feet on center instead of 20 feet on center. In reviewing this waiver request, Staff does not support that type of request on every property line unless there is adequate justification for it. In this case Staff is only supporting the waiver request for the 10 feet of landscaping along the southern most property line, near 215. There is a remnant parcel there that probably will not be developed at this time. Therefore, Staff is recommending approval of this item with the conditions listed in the Memo to the Planning Commission dated July 14, 2004 as listed below. Condition 20 is the condition showing where Staff is supporting the waiver for the 10 feet of landscaping on the southernmost property line.

1. The elevations submitted shall be approved, as submitted, unless otherwise amended herein; and
2. That, unless otherwise mentioned herein, the development shall comply with the Multi-Family Design Standards; and
3. No more than 25 units per acre be permitted.
4. Parking shall be provided based on the requirements set forth in the Zoning Ordinance.
5. The maximum height of all buildings shall not exceed 35.0 feet.
6. The outside-facing elevations of the single-story and multi-story storage / garage buildings shall include architectural details such that they match the elevations of the club house including, but not limited to, pop-outs and false or real windows.
7. The installation of sprinklers for fire suppression is required in each residential unit, with alarms transmitted to a central monitoring station.
8. Fire access lane turn radii must be designed and installed in accordance with Fire Code requirements.
9. Should VAC-18-04 and/or VAC-24-04 be denied, this site plan shall be deemed null and void.
10. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the North Las Vegas Municipal Code.

11. The property owner is required to grant a roadway easement for commercial driveway(s).
12. The street names and building numbers shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards.
13. Street names must be approved by the City of Las Vegas Central Fire Alarm Office and shown on the conformed tentative map prior to final signature.
14. Approval of a traffic study is required prior to submittal of the civil improvement plans.
15. A queuing analysis is required.
16. Approval of a drainage study is required prior to submittal of the civil improvement plans.
17. 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.
18. 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 otherwise approved by the Director or Public Works or his designee.
19. The following minimum amenities shall be provided, subject to review and approval of the Department of Parks & Recreation:
 1. Circuitous lighted paths
 2. 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 over a non-porous surface and accompanying shade ramada
 4. At least one 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. 2 pools w/cabanas
 9. 2 pool/spas (spools)
 10. 1 clubhouse
 11. Details of amenities to be provided
20. That a minimum ten feet (10.00') of landscaping be provided adjacent to the southernmost property line. In addition to all other required landscape materials, one 24-inch box tree shall be provided within said area not more than 10 feet on-center.

Bob Gronauer of Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, NV 89109 appeared on behalf of the applicant, stating he believed a 10 foot landscape buffer could be approved adjacent to abutting properties where a 20 foot landscape buffer was required. He stated a waiver of a design standard should still meet the intent of the multi-family design guideline, which is the intent of the buffer yard landscaping. He went over a section of the Multi-family design guidelines, (17.24.195 C).

Mr. Gronauer stated they were proposing one tree for every ten feet on center. He stated when looking at the waiver requirements, the first thing to look at was whether the 10' landscape buffer along with the added landscaping would be detrimental to the adjacent properties. He stated he believed it would not be and do they still comply with the intent of the buffer landscape area and he stated he felt they did by giving a better buffer with the amount of trees along the perimeter in the areas of the waiver request.

Commissioner Steve Brown asked Staff if the southernmost portion was okay for a 10 foot landscape buffer, the part along 215. Mark Jordan, Planning Manager, stated that was correct. Mr. Jordan stated there was a small remnant parcel between this property and 215. Commissioner Brown stated Condition No. 20 made it look like the 10 foot landscape buffer was okay but he doesn't see where it was for the southernmost property line. He asked Mr. Jordan for his comments on Mr. Gronauer's presentation. Mr. Jordan stated as far as the buffering goes, it is not something Staff would support unless there was a good reason for it. The argument he could make was that in this particular case, with the number of units the applicant was proposing on the property, 612, the density is almost 25 units per acre. The designation for this site is high density which allows up to 18 units but the zoning is R-3 which allows up to 25 units. Mr. Jordan stated maybe the density was too high for the property and they should reduce the number of units in order to comply with the multi-family design standards. Commissioner Brown asked Staff if they were complying with the parking standards as based on the new design standards. Commissioner Brown asked if they were to comply with the 20 foot landscape buffer, if they would lose some parking spaces. Mr. Jordan stated they could not lose any required parking. If there was excess parking, they could lose that. At the bare minimum if they were required 20 feet of landscaping, they would have to reduce everything proportionately. Mr. Gronauer stated they had done a study on the landscape buffer. They would lose a couple of units just like they would maybe lose a couple of units by doing the 10 feet instead of the five but more importantly, if anything the 10 extra feet would be put in as decomposed granite or as rocks instead of keeping it in the open space area that was usable. So, basically, they would be squeezing the park areas out to put in the landscape buffer. He stated they would lose some units and open space because the amount of open space would not be required because it was all built on density calculations.

Mr. Jordan stated if there was a full 20 feet of landscaping, the extra 10 feet of area would not be dead space with decomposed granite. It would be landscaping. The requirements are for 60 percent ground coverage. He stated, unlike a commercial center where there might be landscaping on the back side of the building, where there are only delivery trucks, this is an apartment complex where there would be people facing that area, so the landscaping was not only for a buffer yard for the adjacent development, but was also interior beautification for those who are living there. Mr. Gronauer stated that was the decision to make, they could put 20 feet of rock or 10 feet of rock.

Commissioner Brown asked Staff if there were major concerns that could not be ironed out easily. Mr. Jordan stated everything was fine with the exception of the landscaping.

Commissioner Dilip Trivedi asked the length of the buffer along the two commercial parcels. Mr. Gronauer stated approximately 676 feet. He asked when the buffer was reduced from 20 feet to 10 feet, there could be an increase of 20,000 feet of paved area and the run-off could be increased by that much. City Attorney Jim Lewis stated the question was whether there would be more run-off from rain or landscaping and if it would be better to have rock and landscaping or impervious surface. Mr. Jordan stated it would be better to have landscaping than increased run-off.

Commissioner Harry Shull MOVED and Commissioner Nelson Stone SECONDED to APPROVE

SPR-24-04 subject to Staff recommendations.

The motion carried by UNANIMOUS VOTE.

The item was APPROVED.

PUBLIC FORUM:

No members of the Public came forward

DIRECTOR'S BUSINESS:

Planning and Zoning Director Jory Stewart handed out information regarding Ordinance No. 1578. This is the ordinance regarding screening of storage yards. The existing ordinance will be brought before the Commission for discussion of changes to the ordinance.

Ms. Stewart stated the other handout was for a workshop on July 20, 2004.

CHAIRMAN'S BUSINESS:

Chairman Dean Leavitt gave an envelope he received on an item to Staff for review.

ADJOURNMENT:

9:25 p.m.

A motion to ADJOURN the July 14, 2004 meeting of the Planning Commission of the City of North Las Vegas was made by Chairman Dean Leavitt. Commissioner Jo Cato SECONDED the motion.

/s/ Dean Leavitt
Dean Leavitt, Chairman

ATTEST:

/s/ JoAnn Lawrence
JoAnn Lawrence, Recording Secretary