

## MINUTES

### CITY OF NORTH LAS VEGAS

#### SPECIAL PLANNING COMMISSION STUDY SESSION

**CALL TO ORDER:** Tuesday, April 4, 2006 at 6:00 P.M.  
North Las Vegas City Hall, City Manager's Conference Room  
2200 Civic Center Drive, North Las Vegas, Nevada

**ROLL CALL:** Chairman Jay Aston - Present  
Vice-Chairman Jo Cato - Present  
Commissioner Dean Leavitt - Present  
Commissioner Harry Shull - Absent  
Commissioner Steve Brown - Present  
Commissioner Dilip Trivedi - Present  
Commissioner Angelo Carvalho - Absent

**STAFF PRESENT:** Jory Stewart, Planning & Zoning Director  
Misty Haehn, Principal Planner

**VERIFICATION:** Jo Ann Lawrence, Recording Secretary

#### BUSINESS:

1. **THE PLANNING COMMISSION WILL MEET WITH THE CONSULTANT FIRM OF MCBRIDE/DALE/CLARION TO DISCUSS THE UPDATE OF THE NORTH LAS VEGAS COMPREHENSIVE PLAN.**

**Ben Herman with Clarion & Associates, 5725 Dragon Way, Suite 22, Cincinnati, OH** explained, from the Joint Meeting with the Planning Commission and City Council that was held on January 10, 2006, when Council and the Planning Commission were asked which land use plan they preferred, a very parcel specific plan or a broader more vision based plan, they answered "yes"; so, what they considered working on was a mock version of the two directions. He indicated they had met with the Focus Group and received some feedback and also wanted comments from the Commission before putting the final document together.

Amy Kacala of Clarion & Associates stated at the previous meeting, they had five focus areas, which were the activity centers and now they were responding to the stable areas. As they started to cut up the stable area, they had about 16 areas, so they took a step back to simplify it and came up with three areas, Residential Neighborhoods, Activity Centers and Employment Districts. The new neighborhood is the master planned communities and the six areas that were the stable areas and those are neighborhoods and they tried to

come up with some divisions and bounced those off of Staff to see if they made sense, in just the stable areas, to try to slice and dice it with the intent that eventually using the general policy directions that would meet those specific area of needs and also to branch the way for there to be more specific neighborhood planning by the City at a later time. So, you add the existing master planned communities and the stable areas to Number 2, which could also be called the Sandstone District, the Ranch Estates District, Cheyenne North, the South District, and the Central District.

Mr. Herman stated there was some confusion with the Focus Group, as they were focusing on the maps and the map was really not the important part; it was really the idea of seeing the delineation of the different areas, where there was something specific to that area in terms of change that might be needed. So, eventually, the idea would be that there would be a section of the plan that would deal with it. There were big differences between existing Aliante neighborhoods versus some more established residential neighborhoods and some of the needs they might have. He explained there was not a lot of detail, it was a framework or an idea and asked if the organizational structure made sense and if there were any comments on the basic structure. Mr. Herman also pointed out the lines on North 5<sup>th</sup> Street were getting changed around as they considered Staff's comments.

Ms. Kacala stated the changes came from the Focus Group meeting as they observed the study area for the North 5<sup>th</sup> Street corridor, it was intended to be a half mile long; so, they moved the lines around a little.

Ms. Kacala showed a map with parcel detail, which also showed some of the larger concepts. She also stated there were two maps, one was very parcel specific and one was more conceptual and presented the hybrid offering based on the two maps. She explained there was a lot of mixed use and activity center mixed use corridors, Cheyenne Avenue, Craig Road and the University area. The North 5<sup>th</sup> corridor was shown in the station areas. Some of the changes were the work being done by the downtown group. They have blanked out any land uses in the downtown area. It was shown as the downtown business district in the blue and the downtown area of employees in the green and that was the medium for the work they were doing. One of the maps was broken up into residential districts, which had been condensed. The very low density was applied to a ranch estates node and the low and medium low density was lumped together into what was being generically called single-family detached and medium density and medium high density were lumped into the single-family attached and high density was in multi-family attached. The very high density category was being lumped into mixed-use categories, so there were a fewer number of categories. Chairman Jay Aston asked if they changed the number of dwelling units on multi-family. Ms. Kacala responded it had been changed. Mr. Herman stated the aspect of classifications was still a work in progress but they were looking for feedback from the Commission. Mr. Herman stated in earlier discussions with the Commission and the development community members, the category thing did not jive with

what the market wanted. They needed more flexibility but he was not sure how that could be done and that was one of the things they wanted to discuss and also how to deal with the small lot, single-family and where it fit and in what categories it would be applicable. The R-E is the easiest, the ranch estates, that's just a single port and was just an acknowledgment of an existing pattern, up to two units per acre and it was unlikely that it was a category that would expand over time. Single-family detached would encompass up to 5.8 units per acre and that corresponded to the zoning districts that fit within that category and within that, you could do conventional, 6,000 square foot lots, 4,500 square foot lots. It was not clear, since City staff had not started doing the work yet, and did not know what size the lots would be but would be capped at 5.8 units per acre. He was concerned that was not the best way to go about it. They were suggesting single-family attached and duplex townhouses could be a combination up to 12 units per acre and they were suggesting the bottom range be dropped because what mattered was the cap; so, attached would be up to 12 units per acre and multi-family would be up to 25 units per acre.

Chairman Jay Aston asked if, on the single-family attached, the density was what fit in that category, so if there were three plexes or four plexes, as long it was not greater than 12 units per acre, it would be okay. Mr. Herman responded that was correct.

Mr. Herman stated they were suggesting how to deal with higher density residential and right now there were a couple of spots in the land use plan, one by Losee Road and the 215 Beltway, that were in the very high density category, up to 50 units per acre. There were two issues, there was the base densities, then there were three different mixed use districts; mixed use neighborhood, mixed use commercial and mixed employment. The primary difference was what the dominant use was in each category. Mixed use neighborhood was meant to be predominantly residential, would have the option of some commercial or other uses. The other factor that played in was in areas along 5<sup>th</sup> Street or perhaps in the other transit corridors in the future, there would be the ability to push the density higher, up to 50 or 60 units per acre. They were suggesting a two-tier density structure, for example a mixed use neighborhood up to 25 units per acre but if it was within a 1/4 mile on each side of a planned transit station area, it could go up to 50 units per acre. A two tier density would be 25/50 units per acre. The concern was that you did not want to suggest that 50 units per acre made sense anywhere and everywhere there was mixed use; it would depend on the location. Mixed use commercial might be appropriate to go higher, with a density of 30 units per acre for the residential and 60 if it was within the transit corridor. You do not want to have mixed use commercial and mixed use employment that were 100 percent residential.

Chairman Jay Aston asked what differentiated between mixed use neighborhood and mixed use commercial. Mr. Herman responded the distinction was the predominant use. If you look at areas that were designated for mixed use commercial along North 5<sup>th</sup> Street

and Losee Road, those were areas where the higher intensity uses belong, that the predominant use should be commercial with residential as a supporting use. Along Cheyenne Avenue, a mixed use employment corridor, the predominant use should be employment uses with residential a support use. In a mixed use commercial, there should be 75 percent of the land area only, be a non-residential use and the mixed employment, 60 to 80 percent should be employment. In a mixed use employment area, you do not want 80 percent residential. You want to retain the areas designated as employment use for the long-term. The flip side of a flex-use district is that you do not want it to totally swing in a different direction; you want to keep your designated areas as planned. There was no magic formula, but there was a land use plan and category designations that basically dictate the uses along Cheyenne Avenue are going to be industrial, unless someone comes in and gets the plan changed. It is predominantly employment, but you want to encourage some of the other uses to support it.

Small lots might be accomplished through an Amendment to the Master Plan (AMP) for a mixed use neighborhood, so there would be the flexibility to go to a higher density than 5.8 units per acre. There was locational criteria, what kind of uses made the most sense and where and the design criteria, how you wanted to see the areas designed. The other commercial category change was that now there was Community Commercial and Regional Commercial and from the discussions with Staff, they are used interchangeably in terms of what the uses are but there was not much distinction as to the type of use in each of the districts. It has evolved as a way to deal with getting locational and the market study criteria. The lines between Community and Regional Commercial are adjusting and collapsing the two categories into the Community Commercial category so the primary Commercial categories would be Neighborhood Commercial, Community Commercial, Mixed Use Commercial and Resort Commercial.

Chairman Jay Aston stated they were looking for some flexibility on the Master Plan but he was concerned about the Single-family detached being too flexible and not defined enough and that all future requests would be for 5.8 units per acre and the Planning Commission would have to field the requests, pointing out it did not fit the area.

Planning & Zoning Director Jory Stewart explained there might be criteria that could be used to allow a bump up in density, so it was more like a bonus density.

Mr. Herman was concerned that it would be difficult to come up with a criteria because you were talking about the difference between 4.5 and 5.8 units per acre; it was a relatively fine line in terms of two densities in the single-family categories and he was not sure they could come up with a set of categories. Director Stewart asked for some very generalized criteria, more about policy that was interpreted in the zoning code as here you get 4.5 and there you get 5.8, which was currently done with the small lot design standards. You really can't get above 5.8 with small lot design standards because of the open space requirements.

**George Garcia of G.C. Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014** explained the way it worked, because it was averaged, you could not go over 5.8 units, as that was a cap. Director Stewart explained that was the cap, so it was spelled out in the zoning code and the policy could be designed so it was much more general on the master plan. There was a range of density that would be allowed in the residential category range, the density would be determined through analysis of the following factors: open space, amenities, street design, architectural design of the units, building height, etc., then that was implemented in the zoning code.

Chairman Aston stated his company was building some houses in the County with 60' by 100 foot deep lots, 6,000 square foot lots and they were also using 45' by 100' and 35' by 100' lots and the amenities were not that dramatically different from one to the next but there were areas where they could use smaller lots. You could take an 80 acre parcel and have a certain percentage be 35's, or 40's and most of the large builders preferred that because the whole project was not 6,000 square foot lots. Director Stewart stated the County was trying to encourage mixed income potential.

Mr. Herman stated the reason developers had not pulled the 80 acre trigger was because there were 20 acre parcels, 2,000 acre parcels, which may change, and there were in-fill parcels, so you could use percentages and they were still struggling with how to come up with a criteria. There were two sets of criteria, one was by location, what use belonged where and the other criteria was by design; how the neighborhoods would be designed. Chairman Aston was concerned the floodgates would be opened for 3500 square foot lots. Director Stewart explained the size of the lots would be determined by the surrounding development and asked if residential categories could be made more consistent with what was currently in place and implemented through the zoning code and then tackle revising those when the zoning code was redone. She suggested they stay consistent with the zoning code and what was required in terms of PUD's and small lots. Single-family residential lots that were 6,000 square feet were currently the only ones exempt from providing open space.

Principal Planner Misty Haehn stated under the one category they could still do single-family 6,000 square foot lots and still be out of line and 4.5 and 5.8 would still come in with a PUD. Mr. Herman explained the 5.8 density cap did not address the design and the density number did not get you a good project.

Chairman Aston stated he was concerned that if we required too many amenities and raised the design criteria on the small lots and the 3500 square foot lots, it did not pencil out so the developers would go back to 6,000 square foot lots and the products were all cookie cutter. Mr. Herman stated that did not particularly pencil out, but it got you by the density cap. If you could use 6,000 square foot lots and 5.8 units on a parcel, or you could

use smaller lots and spend a lot of money on amenities and yield 5.8 units on a parcel. Chairman Aston stated 6,000 square foot lots yields approximately 4 units per acre. The developers were going to R-2 zoning so they did not have to build parks.

Mr. Garcia stated there were two issues, single-family detached could be built greater than 5.8 units per acre, which was not addressed and then single-family attached were over 13 units per acre and that would force you to do a townhouse basically in a multi-family category or if you were building townhomes at 13 units and meeting all open space requirements, that should be single-family attached and not be forced into multi-family because he did not consider a townhouse multi-family.

Director Stewart stated the density ranges should be revisited. Mr. Herman stated on the single-family the current planning category capped at 6 units per acre. Mr. Garcia stated the small lot was unique because to do small lots, you technically could get densities greater than 5.8 units on the small lot part but the way the ordinance was written, you had to average it out so that you only got 5.8 but that was averaging with everything else on the 80 acres. So, if you want to allow for small lots, the way the categories were written, they did not allow for a small lot land use category because a small lot would be over 5.8 units per acre by definition. Chairman Aston stated the 5.8 units per acre was a combination of 6,000, 4500, and 3500 square foot lots and the open space on an 80 acre parcel. If someone came in with a small lot subdivision on an in-fill piece, the density would exceed 5.8. Mr. Garcia stated there was no category that allowed that to occur. Mr. Herman stated that would be the mixed use residential. Mr. Garcia stated there would not be any mixed use unless you were considering different residential, as there was no commercial. Mr. Herman asked if they wanted more than one residential type. Chairman Aston stated, coming back again, is the single-family detached, to just have one category, he was concerned about what that would create in the development world for Staff, Planning Commission and City Council. Mr. Herman asked if they wanted a category that would allow up to 20 units per acre. Chairman Aston suggested they get more feedback from Council on single-family detached.

Commissioner Steve Brown asked why there was an 80 acre requirement for anything. Chairman Aston responded that was because they did not want anymore small lot applications. Commissioner Leavitt stated that was their way of stifling that type of development. Chairman Aston stated someone could submit an application for a PUD but the problem was that Parks and Recreation requested everything they could think of in amenities and then the package for the small lot ordinance with the pop-outs on every window, along with other requirements, it did not pencil out. Director Stewart stated the idea was to achieve density through design and they had agreed they had to revisit the small lot ordinance to see if there was a reasonable way to get density through design. Staff did not have the answers to that yet, but were receptive to the Commission's input. Director Stewart stated that was a part of the zoning code that would need to be reviewed, but right now we need to establish the master plan that was the foundation for the zoning

code and was wondering if they could give up on the detail of the residential land use designations in place at this time, until the zoning code was reviewed. Mr. Herman stated they could do that or define what type of zoning was wanted at a plan level, that would be by definition broader than what was addressed at the zoning level. He was concerned if it was not addressed at this point, they were not achieving one of the issues that came up early on and in it's current form, the City was not getting the type of projects they wanted. That could be accomplished using a brand new approach, either through mixed product type or through amenities. There was a scale of density according to what it was to provide. It was easier to make a change at the plan level than at the zoning level and he did not feel it was wise to dodge it and fall back on what existed because it did not work.

Director Stewart asked Chairman Aston, to get to that kind of mixed residential product, if the merchant builder was ready to do that and if the City was at that stage. She stated they were seeing a lot of it in places that have had affordability issues for many years, like the California Coast, but the mixing of residential densities had not been seen locally. There had been some resistance to mixed use housing, mixed use residential, not with a commercial component, but mixed use where there were some townhomes, single-family detached, maybe even 6,000 square foot lots in the same development. Mr. Herman stated the issue came up when you were starting to deal with the smaller parcels. If there was an 80 acre parcel, if somebody wanted to do a mixed use development, they could do it, but on a 10 or 20 acre parcel, they would have to use two or more product types. Director Stewart explained one of the projects they had a problem with was Desert Mesa at the corner of Carey Avenue and Commerce Street, a development the Housing Authority was doing. It was intended to be a starter product, low income, which, for a variety of reasons, did not get fully developed. Now, there was a property owner who wanted to develop and the neighboring community only wants single-family detached homes, but to get it to pencil out, he has soils issues, remediation issues because of housing that must be removed and infrastructure that had to be reconfigured, he wanted to increase the density, but he had to transition to a higher density towards Carey. It was very difficult to work with the property owner on the design as it was a PUD and there were open space issues. Misty Haehn, Principal Planner stated, if they were doing a mixture of uses, they could either come in under a mixed use neighborhood or they could actually come in with a single-family detached if they got up to 6 units per acre, they could put a 4500 square foot lot, a 6,000 square foot lot, they could be mixed. Director Stewart stated it could be called a mixed use neighborhood and just do different residential housing types. Mr. Herman stated they would need to incorporate that land use category, based on the discussion, would be a stepping stone, tiers and density. If everybody wants to apply for 18 to 25 units per acre, the only way you can get to it is with amenities and a mix of housing types. It was not going to make the zoning simple and that would be the challenge. Chairman Aston explained on International Village they used R-2 zoning and took the Z-lots and attached them, so they did not have to provide a park. Ms. Haehn asked if they could have done a PUD. Chairman Aston stated they did a PUD on the 4500 square foot lots, so that minimized the parks for the whole subdivision. Director Stewart asked Chairman Aston if

they had the mixed used residential, if they would have considered that for International Village instead of coming up with other ways to configure the development. Chairman Aston stated they would have, if it lowered the amenity package. Mr. Herman stated the mantra was more amenities, more mix gets you more density. Chairman Aston agreed with Director Stewart and Mr. Garcia that the densities needed to be reviewed. Director Stewart stated they needed to be put into a real world context to see if they are working and if they would be able to attain their objective they were after. The city has evolved and they were no longer just trying to have 6,000 square foot lots and they have recognized that 4500 square foot lots and smaller lots with an amenity package could actually be a nicer development in many respects because of the common open space, the connectivity, and the community feel. Chairman Aston asked when the small lot ordinance was reviewed, if there could be a better balance. Commissioner Dilip Trivedi asked if the zoning ordinance was more stringent than neighboring communities in terms of land use. Director Stewart stated it was; in fact, the County used the City's Small Lot Ordinance and PUD Ordinance as a model to put open space into their PUD requirements. The County now has open space requirements in PUD's where they did not before.

Mr. Herman asked the Commission what they thought about the concept of, in the non-residential mixed use, of capping the amount of residential that was allowed. He explained it was common to see no more than 25 or 30 percent of the land area that could be used for residential purposes. Chairman Aston stated they just approved The Lofts on the Cheyenne Corridor and asked if they looked at the square footage of the overall buildings versus the square footage of the residential. Mr. Herman explained that was where it got tricky, because if the parcel being developed was small, that could be a factor. Chairman Aston stated he did not want things so restrictive they would realize the mixed use commercial would be cut out.

**Bill Welter, 8064 W. Sahara #103, Las Vegas, NV 89117** stated he was at the last meeting and one of the things he was intrigued with, as a business owner, was helping to redevelop the downtown area because he thought there was an area of the City that needed to be developed for professional people, architects, accountants, lawyers, etc. He felt calling it the mature area was not good as it made it sound run down and suggested it might be called the Downtown Business District. He also stated if there was a minimum of 20 percent 3500 square foot lot; 20 percent 4500 and 20 percent 6,000 square foot lots for each category, someone could come in and develop 3500 and 4500 lots and load up on one of the other size lots.

Mr. Herman stated if it was mixed use verticle, there should not be any restrictions. Chairman Aston stated he envisioned most of the mixed use as "The District" in Henderson, where there are stores on the bottom and condo flat above. Mr. Herman stated you could also go horizontal but should restrict the amount of land area. You could designate an area of mixed use without providing any limits on it, particularly with the market being what it is, there has been some erosion of the industrial land for single-family residential and this was a way to try to preclude that.



Commissioner Dilip Trivedi asked if the zoning ordinance would be revised. Director Stewart responded the zoning ordinance would follow the Master Plan; Ms. Haehn asked for it in the budget and was successful in getting it funded in the next fiscal year.

**Dave Garrison, 24001 Muirlanos Blvd #205, Lake Forest, CA 92630** stated with the different kinds of residential development, he heard nothing about apartments and he understood apartments in some people's minds had a very negative connotation, but, with the things coming into play like, Ladera Ranch, one of the finest residential developments in Southern California had apartments in it. He felt apartments needed to come into play because that could be a nice mixed neighborhood. Director Stewart agreed, that with housing prices going up so drastically, that was the starter product for the most moderate income families and they needed a place to move into the community and start their life when they got a job; so that did need to be accounted for. Apartment rents in the valley were not high enough to pencil out the cost involved in acquiring land and building the apartments without going to a higher density.

Mr. Herman stated the multi-family attached and all through the mixed use categories provided for multi-family because the multi-family attached was 25 units per acre and the mixed used commercial, employment and neighborhood went up to 50 to 60 units per acre. They were trying it in the proximity of the transportation corridor where that type of density could be handled, but was not sure if 25 units was high enough for multi-family residential.

Chairman Aston felt the proposed plan was going in the right direction.

Mr. Garrison asked how they would determine the location for the attached housing in a mixed neighborhood development, whether it made sense to look at the adjacent neighborhood and take an average. If they were trying to do a mixed use neighborhood and it was surrounded by 6,000 square foot lots, did it make sense for it to be there. Chairman Aston responded they talked about preparing an existing map to get more finality into what went where. Mr. Garrison stated the plan today, was design criteria and a site was identified that was called mixed use neighborhood and whether what they were getting met the objective.

Ms. Haehn stated the next step was to have the Joint City Council Meeting and after that, in May, there would be enough information to come together with a draft plan that would be reviewed by Staff and a final draft should be ready in June and there would be a meeting to go over the plan.

Mr. Herman stated once the Commission was comfortable with the plan, it would be released to the public for review.

**PUBLIC FORUM:**

There was no public participation.

**ADJOURNMENT:**

The meeting adjourned at 7:23 p.m.

APPROVED:      May 10, 2006

/s/ Jay Aston  
Jay Aston, Chairman

/s/ Jo Ann Lawrence  
Jo Ann Lawrence, Recording Secretary