

MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Nelson Stone, Chairman
Marilyn Kirkpatrick
Dean Leavitt
Scott Albright

2200 Civic Center Drive
North Las Vegas, NV 89030
(702) 633-1516
(702) 649-6091

Harry Shull, Vice Chairman
Anita Wood
Tom Langrford

July 25, 2001

CALL TO ORDER:

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

ROLL CALL:

Dean Leavitt - Present
Anita Wood - Present
Tom Langford - Present
Nelson Stone - Present
Harry Shull - Absent
Scott Albright - Present
Marilyn Kirkpatrick - Present

STAFF PRESENT:

Steve Baxter, Planning Manager
Marc Jordan, Senior Planner
Lenny Badger, Public Works
Madeleine Jabbour, Transportation Services
Steven DiGiovanni, Fire Department
Jim Lewis, Deputy City Attorney
Ted Karant, Recording Secretary

PLEDGE OF ALLEGIANCE

Chairman Nelson Stone

ANNOUNCEMENTS:

Verification of compliance with NRS 241, Open Meeting Law.

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

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

MINUTES

Approval of the MINUTES for the Planning Commission meeting of July 11, 2001.

Approval of the amended minutes for the Planning Commission meeting of June 13, 2001.

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE the minutes of the July 11, 2001 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

Commissioner Tom Langford MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE the AMENDED minutes of the Jun3 13, 2001 Planning Commission Meeting with Commissioner Scott Albright abstaining as he was not seated as a Planning Commissioner at the time of the 6/13/01 meeting.

The motion carried by MAJORITY vote with Commissioner Scott Albright abstaining.

CONSENT AGENDA

A) PW-86-01 (4802) ANNENDALE UNIT 1, PHASE 1

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by William Lyon Homes and accept the Subdivision Bond in the amount of \$54,938.73.

B) PW-87-01 (4803) ANNENDALE UNIT 1, PHASE 2

Approve the Subdivision Off-Site Improvements Agreement by William Lyon Homes and accept the Subdivision Bond in the amount of \$273,853.80.

C) PW-88-01 (4804) ANNENDALE UNIT 1, PHASE 3

Approve the Subdivision Off-Site Improvements Agreement by William Lyon Homes and accept the Subdivision Bond in the amount of \$374,834.41.

D) PW-89-01 (4805) ANNENDALE UNIT 2, PHASE 1

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by William Lyon Homes and accept the Subdivision Bond in the amount of \$201,023.52.

E) PW-90-01 (4806) ANNENDALE UNIT 2, PHASE 2

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by William Lyon Homes and accept the Subdivision Bond in the amount of \$112,197.91.

F) PW-91-01 (4807) ELDORADO No. 12, RCL #21

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Pardee Construction Company and accept the Subdivision Bond in the amount of \$665,194.59.

G) PW-92-01 (4808) DESERT HORIZONS UNIT 5

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify National Guaranty Insurance Company to release the Off-Site Improvement Bond in the amount of \$106,029.40.

H) PW-93-01 (4810) DESERT HORIZONS UNIT 8

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Developers Insurance Company to release the performance bond in the amount of \$345,594.95.

I) PW-94-01 (4811) CHEYENNE VALLEY UNIT 1

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Celebrate Homes XI, LLC and accept the Subdivision Bond in the amount of \$244,031.43.

J) PW-95-01 (4812) VEGAS VIEW ESTATES II

Approve the Subdivision Off-Site Improvements Agreement by U.S. Cart, LLC and accept the Cash-in-Lieu of Bond in the amount of \$5,000.00.

K) PW-96-01 (4813) TIERRA DE LAS PALMAS VILLAGE 3, UNIT 2

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify United States Fidelity and Casualty Company to release the Subdivision Bond in the amount of \$168,857.70.

L) PW-97-01 (4809) DESERT HORIZONS UNIT 6

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify National Guaranty Insurance Company to release the off-site improvements bond in the amount of \$395,417.77.

M) PW-71-01 (4686) GLENEAGLES CHANNEL INITIAL IMPROVEMENTS

Approve the Commercial Off-site Improvements Agreement by Wexford at Gleneagles for initial improvements and accept the Bond in the amount of \$443,796.38.

N) PW-72-01 (4694) GLENEAGLES UNIT 4

Approve the Final Map and the Subdivision Off-site Improvements Agreement by Wexford at Gleneagles, a Limited Partnership and accept the Offsite Improvements Bond in the amount of \$500,616.93.

O) PW-73-01 (4697) GLENEAGLES CHANNEL FUTURE IMPROVEMENTS

Approve the Commercial Off-site Improvements Agreement by Wexford at Gleneagles for future improvements and accept the Bond in the amount of \$106,371.10.

P) PW-84-01 (4720) GLENEAGLES CHANNEL

Advise the Director of Public Works to release the Subdivision Bond in the amount of \$456,141.24.

Q) PW-85-01 (4721) GLENEAGLES UNIT 4-DELAYED CONSTRUCTION

Accept the Subdivision Off-Site Improvements Agreement by Wexford and Gleneagles, a Limited Partnership, and accept the Off-Site Improvements Bond in the amount of \$65,942.86.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE Consent Agenda Items M through Q to the 8/8/01 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to APPROVE Consent Agenda Items A through L.

The motion carried by UNANIMOUS vote.

NEW BUSINESS

1) ZN-19-98 (4525) LAKE MEAD AIRPORT BUSINESS PARK (Public Hearing)

An application submitted by Affordable Concepts, Inc., property owner, for an extension of time on the reclassification of property from an R-E Ranch Estates District to an M-1 Business Park Industrial District. The property is generally located at the northwest corner of Coran Lane and Simmons Street. The Assessor's Parcel Numbers are 139-20-210-006 and 139-20-210-007.

Recommendation:

The Development Services Department recommends that ZN-19-98 be extended for one year.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending approval of the one year extension of time.

Robert Potter, President of Affordable Concepts, Inc., 151 W. Brooks Avenue Suite H, North Las Vegas, Nevada 89030 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

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

Commissioner Anita Wood asked the applicant if his plan is to continue the office warehouse.

Mr. Potter replied that is correct.

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-19-98 per staff's recommendations with Commissioner Marilyn Kirkpatrick abstaining as her daughter lives across the street from this location.

The motion carried by MAJORITY vote with Commissioner Marilyn Kirkpatrick abstaining.

2) ZN-20-98 (4524) LAKE MEAD AIRPORT BUSINESS PARK (Public Hearing)

An application submitted by Affordable Concepts, property owner, for an extension of time on the reclassification of property from an R-E Ranch Estates District to a C-1 Neighborhood Commercial District. The property is generally located at the southwest corner of Lake Mead Boulevard and Simmons Street. The Assessor's Parcel Numbers are 139-20-210-002, 139-20-210-003, 139-20-210-004, and 139-20-210-005.

Recommendation:

The Development Services Department recommends that ZN-20-98 be extended for one year.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff is recommending approval of the extension of time.

Robert Potter, President of Affordable Concepts, Inc., 151 W. Brooks Avenue Suite H, North Las Vegas, Nevada 89030 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

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

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-20-98 per staff's recommendations with Commissioner Marilyn Kirkpatrick abstaining as her daughter lives across the street from this location.

The motion carried by MAJORITY vote with Commissioner Marilyn Kirkpatrick abstaining.

3) UN-60-01 (4566) NEXTEL (Public Hearing)

An application submitted by Nextel Communications on behalf of Terry Crawford, property owner, for a use permit in an M-1 Business Park Industrial District to allow an unmanned, digital mobile radio communications facility with a 50 foot high tower. The property is generally located at the southeast corner of Rome Boulevard and Palmer Street. The Assessor's Parcel Number is 124-24-801-001.

RECOMMENDATION:

The Development Services Department recommends that UN-60-01 be denied because the tower would not be desirable and may have a negative impact on future development.

If, however, the Planning Commission were to determine that approval is warranted, then staff recommends the following conditions:

1. Standard conditions 4, 6, 8, 10, 11 and 12.
2. Applicant must provide paved access to the site.
3. The monopole tower is to be designed for co-location.
4. The height of the tower shall not exceed 50 feet.
5. The tower shall be a monopole design.
6. Any expansion to the tower would require Planning Commission approval.
7. The tower shall be painted tan or another light color to be reviewed and approved by the Development Services staff.
8. That an 8-foot-high block wall with a solid metal gate shall be provided along the perimeter of the development, with that portion adjacent to public rights-of-way being decorative.
9. A minimum 20 feet of landscaping adjacent to public rights-of-way shall be required.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated the Comprehensive Plan for this site designates it as Medium Density and is presently zoned M-1 Business Park Industrial District. He stated the site is apparently developed with a junk yard which is not properly licensed, as well as an M-1 District does not allow a junk yard for this area and the site would not be able to develop legally as a junk yard. He stated the applicant can develop this site as an office/business complex, however it is probably not anticipated that it would develop that way, and instead would develop as a residential area which is more in line with the Comprehensive Plan. Mr. Jordan stated staff is recommending denial of this item due to the potential for the residential development. In addition, he stated that approximately 1/4 mile to the south there is an existing Nevada Power substation which is zoned M-2 and the proposed cell tower would be a more appropriate located in an M-2 area, therefore staff is also recommending this item be denied based on this reason. He stated if the Planning Commission were to determine that an approval was warranted, staff has listed nine (9) conditions in which are recommended.

Nefi Garcia, 750 E. Warm Springs #120, Las Vegas, Nevada 89119 appeared on behalf of the applicant who stated he disagrees with staff's recommendations. He stated that Nextel's position is that, though the property is undeveloped, Nextel would like to be the first to be in the area.

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

Terry Crawford, property owner, 2409 E. Gowan Road, North Las Vegas, Nevada 89030 appeared as well, and stated staff is correct in stating his property is a junk yard, however he is in the process of cleaning it up. Mr. Crawford stated that the future proposed beltway is coming through this area in the near future and he believes this cell tower is necessary in this area. He stated he has contacted some of the neighboring property owners and that none of them have indicated they have a problem with this project.

Commissioner Marilyn Kirkpatrick asked Mr. Garcia to show the Commission (on a map) where Nextel's grid is located.

Mr. Garcia stated he did not understand what Commissioner Kirkpatrick is inquiring about when referring to a grid.

Jim Lewis, Deputy City Attorney, stated when other carriers come before the Planning Commission they have a grid pattern for the valley, showing five (5) to eight (8) mile radius showing where the antenna needs to be located for their customers to be able to use their system. He stated the Planning Commission is responsible for determining if Nextel's cell tower meets with the City's land use concerns and whether or not it is necessary for Nextel to be in that area.

Mr. Garcia stated that he has not heard the term "grid" in the past, however Nextel wants to place this tower in an area where the future development of the beltway will be served by the cell tower.

Commissioner Kirkpatrick stated to the applicant that she basically wants this tower in this area, but there is no compelling reason to place this cell tower in this particular area.

Mr. Crawford stated he believes this cell tower is necessary to keep up with the projected growth in the area.

Commissioner Kirkpatrick asked the applicant if they had another cell tower to the east of this site.

Mr. Crawford replied that they do have a tower at Range Road and Interstate 15.

Commissioner Tom Langford asked the applicant if this is intended for future speculation of the growth in the area and if there is anything out there currently.

Mr. Garcia stated that there is nothing out there currently, but he anticipates there will be and Nextel would like to be the first to put their tower in the area.

Commissioner Anita Wood stated that currently there is nothing out there and the Comprehensive Plan shows this area for Medium Density Residential and if this tower is allowed the future development may be required to build around the cell tower and she does not believe, with regards to land use, that this is a wise thing to do.

Mr. Crawford stated that staff has written a clause stating this is on a renewable contract with him and he wanted to know that if this project did not meet with the Master Plan's requirements in the future, could this project be recalled.

Jim Lewis, Deputy City Attorney, stated that the City could not recall this tower in the future without incurring an expense.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Tom Langford SECONDED to DENY UN-60-01 per staff's recommendations as it this location is not necessary or desirable to provide a service or facility which will contribute to the general well-being of the neighborhood or the community.

The motion carried by MAJORITY vote with Chairman Nelson Stone voting against the motion.

4) VAC-10-01 (4576) CAMINO AL NORTE (Public Hearing)

An application submitted by Richmond American Homes on behalf of Los Reyes, Corp., property owner, for vacation of the south 30 feet of the Hammer Lane right-of-way commencing at Camino Al Norte and continuing 1,250 feet in a westerly direction. The Assessor's Parcel Numbers are 124-33-601-002 and 124-33-601-004.

RECOMMENDATION:

The Development Services Department recommends that VAC-10-01 be continued indefinitely to allow the applicant time to submit all the necessary information the Department of Public Works has requested.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff originally recommended this item be continued to allow the applicant sufficient time to meet with staff regarding a realignment of a sewer line and the applicant did meet with Public Works. He stated the applicant has met Public Works and staff is recommending approval subject to the following condition:

Condition #1 Added to Read: "That approval be conditioned on the construction on an alternative sewer line and the acceptance of said sewer line by the Department of Public Works."

Mark Jones, 3610 N. Rancho Road, Las Vegas, Nevada 89130 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

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

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE VAC-10-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

Item #5 AMP-19-01 and Item #6 ZN-27-01 are related.

5) AMP-19-01 (4572) ANN & WILLIS (Public Hearing)

An application submitted by Tiberti-Blood on behalf of the Shearing Family Trust, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to MDR Medium Density Residential. The property is generally located at the northwest corner of Ann Road and Willis Street. The Assessor's Parcel Numbers are 124-30-801-002, 124-30-801-004 and 124-30-801-005.

RECOMMENDATION:

The Development Services Department recommends that AMP-19-01 and ZN-27-01 be denied because the proposed amendment to the Comprehensive Plan and the proposed zone change are not supported by the guidelines for Medium Density Residential and because the proposed changes are not supported by the Visions, Goals, Objectives and Policies within the Comprehensive Plan.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated he will be presenting both Items #5 AMP-19-01 and #6 ZN-27-01 at the same time, however each item will require a separate action. He stated the applicant is proposing to complete a single family detached residential product. Mr. Jordan stated that according to the guidelines within the Comprehensive Plan the subject site for medium density should be located adjacent to two 100-foot wide or larger streets or immediately adjacent to community commercial areas. He stated Ann Road is a 100-foot right-of-way, however the other streets proposed are 60-foot right-of-ways, likewise the subject site is not located immediately adjacent to any commercial areas. Mr. Jordan stated that according to the preliminary development plan for the rezoning the applicant is proposing some lots that are approximately 4,000 square feet in size where as the Comprehensive Plan recommends those lots to be 4,500 square feet. He stated that when looking at the Comprehensive Plan where the subject site is located, immediately to the west there would be property that would be designated as low density residential and west of that property there would be property that was designated as medium density residential, therefore if this application was approved there would be "sandwiched" in between the two medium density residential areas property that is low density, therefore that would not be an appropriate buffer for it, and staff is recommending denial of the Comprehensive Plan as it is not supported by the guidelines within the Comprehensive Plan.

Chairman Nelson Stone reminded the Planning Commission that AMPs need a supermajority vote in order to pass, and asked Mr. Jordan to confirm that would be a 5 to 1 vote (as one of the Planning Commissioners is not present at this meeting).

Mr. Jordan confirmed for Chairman Stone that was correct.

Mark Jones, 3610 N. Rancho Road, Las Vegas, Nevada 89130 appeared on behalf of the applicant who stated in the land use plan of the City of North Las Vegas the purpose of the medium density residential designation is meant to provide areas for the development of single family homes at densities at higher than typical. He stated that generally this housing is attached such as town homes or patios. Mr. Jones stated that in this case this development will be single family detached and will offer open space of just over two (2) acres. He stated that also within the land use plan the applicant is required to meet six (6) guidelines to obtain an approval. He stated the guidelines are as follows:

1) New medium density residential should only be considered where City services can be provided without adverse impacts on other currently developed areas. Availability of public services and facilities should be considered before allowing development.

- 2) New medium density residential development should only occur near the intersection of two 100-foot wide or larger streets or immediately adjacent to community and regional commercial. He stated no matter how you look at this project it is immediately adjacent to community commercial. The site is 300 feet away from a fast food restaurant with drive-thru service, less than 500 feet away from 125,000 square feet home improvement big-box store, and a "Tiger Woods nine iron" from a drug store. He stated this is an approved site plan by this Planning Commission as of last year. In addition, he stated that to the west of the site is approved by this Planning Commission a Master Plan amendment for medium density residential on 80 acres bounded by Ann Road, San Mateo, Valley and Tropical Parkway. In addition to that currently hard zoned is 15 acres of multi family. Under resolution of intent is another additional 20 acres of multi family, both of which have been approved by this Commission. Mr. Jones stated he believes this project clearly meets the objective that this is adjacent to intense uses of both commercial rights-of-way and multi family.
- 3) Medium density residential should only be considered as a transitional use between more intense uses and single family residential. He stated he is concerned about a comment staff has made: "Since Willis Street (60-foot wide) is immediately adjacent to the east and cannot be considered as a more intense use, the site does not satisfy the standard." Mr. Jones stated, with regards to the land planning he is familiar with, road width has nothing to do with zoning use. Zoning classification has everything to do with road width. He stated the roads do not drive where the uses are. The uses drive where the roads should go. He used the example of, he could place a 100-foot right-of-way in the middle of a residential estates subdivision, 2-units per acre, that starts nowhere and goes nowhere, and that road is not going to get any more use than 2 units per acre. He stated this site clearly meets the intent, the transitional use.
- 4) Detached housing in this area should not be allowed with a lot size of less than 4,500 square feet. Mr. Jones stated this plan has 115 lots, 30 of them which are 4,000 square feet. The balance of the 115 is exceeding the minimum of 4,500 square feet, and 41 of them are greater than 5,000 square feet. In addition, they offer just over 2 acres of usable, open space, and he believes the applicant has met that guideline.
- 5) Single family development should not be allowed with a density of over seven (7) dwelling units per acre, and this project is 5.63 dwelling units per acre.
- 6) Residential lots which are adjacent to 80-foot rights-of-way and wider should provide additional area for buffering. He stated they have provided 20 feet of buffering on Ann Road lots, stating that the applicant has also met this guideline. He believes the applicant has met all the guidelines. He stated that he does, in fact, agree with staff's position of: "if this site is approved for medium density residential the 20 acres adjacent to the west would be low density residential located between two higher density residential developments, which is not considered a responsible planning practice." Mr. Jones stated if the Planning Commission does not approve this, and thinks that R-1 is good here, he stated that is what this is with commercial use, a multi family use, sandwiching a low density use.

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

Commissioner Scott Albright stated that it appears clear to him that to the north of the subject property it is low density residential, to the west is low density residential and to the south is low density residential and he believes that it would be an intrusion to include a medium density residential parcel within this low density, emerging neighborhood. With regards to the commercial development to the east of the subject property, his Comprehensive Plan shows it as Office, which he has always viewed as a good buffer between commercial use and lower density residential uses, therefore he would not be able to support an amendment to the Comprehensive Plan.

Chairman Stone asked staff to discuss Commissioner Albright's comment regarding the office/professional to the east of the subject property.

Mr. Jordan stated that Commissioner Albright is correct since according to the Comprehensive Plan, just to the east of the subject site, it is office designation and that was approved back in the year 2000 as part of the development agreement for that site, therefore that area is going to develop as office only, and not as commercial retail. He stated that likewise the area to the north will be developed as R-1 single family, as there is a tentative map currently in process for that and the area not only west of the subject site but the area that is designated as medium density, though there is a resolution of intent for R-3 development for that site, that resolution of intent is due to expire in September, 2001. As part of the conditions of approval, they are required to get a tentative map as it is a condominium development and also a final development plan and they have not submitted anything as of this date so it is anticipated that resolution will expire and that property will also have to be developed as medium density.

Commissioner Anita Wood stated the plan indicates there are many 4,000 square foot lots and questioned the 1,888 square foot minimum she read in the plan.

Mr. Jones stated that was an error in the plan. He stated the minimum is 4,000 square feet (40x100s) the maximum is 5,360, of which 41 are 5,360 square feet.

Commissioner Anita Wood stated one of the biggest problems staff has with this project is that lots are not 4,500 square feet. She asked since there are some above 4,500 square feet and some just under 4,500 square feet, if there is a way to get the minimum of 4,500 square feet.

Joe Kennedy, of Tiberti-Blood, 8506 W. Desert Inn Road, Las Vegas, Nevada 89117 appeared on behalf of the applicant. Mr. Kennedy stated he doesn't see any reason why they can't reduce a couple lots and get up over the 4,500 square feet, from an owners standpoint and he would not have a problem if the Planning Commission placed a condition of approval that they not have a lot smaller than 4,500 square feet.

Commissioner Marilyn Kirkpatrick asked Mr. Kennedy if he was present at the meeting with the Commission was looking at this entire area.

Mr. Kennedy stated he was not present at that meeting.

Commissioner Kirkpatrick stated the Commission tried to meet with all the developers in the area. She asked staff if the impact of the schools and the Fire Station is being taken into consideration in the area.

Mr. Jordan stated that the services have been considered with this request and likewise with the new Fire Station that will be built. With regards to the school, he stated the School District will be notified when a tentative map is submitted and they will have the opportunity to comment on that.

Commissioner Anita Wood asked staff if the applicant is meeting all the setback requirements.

Mr. Jordan replied that he does not believe the applicant is proposing any deviation from the requirement.

Mr. Jones stated he wanted to address Commissioner Albright's comments about this project. He stated the choice is already bad planning if the Commission decides to keep this as R-1, denying their own rule as a planner to sandwich more intense uses between an R-1 low density. He stated this is the Commission's approved site plan with office, a low intense use. He stated there is 500 feet from 125,000 square feet of big box, therefore he does not consider this a buffer, and stated they can agree to disagree on this.

Chairman Nelson Stone MOVED and Commissioner Anita Wood SECONDED to APPROVE AMP-19-01 per staff's recommendations.

The motion to APPROVE FAILED.

Steve Baxter, Planning Manager, suggested to Chairman Stone that a second motion be made for denial.

Commissioner Anita Wood MOVED and Commissioner Dean Leavitt SECONDED to DENY AMP-19-01.

The motion carried by MAJORITY vote, with Chairman Nelson Stone and Commissioner Anita Wood voting against the motion.

Item #5 AMP-19-01 and Item #6 ZN-27-01 are related.

6) ZN-27-01 (4573) ANN & WILLIS (Public Hearing)

An application submitted by Tiberti-Blood on behalf of the Shearing Family Trust, property owner, for reclassification of property from an R-1 Single-Family Residential District to a Planned Unit Development District (PUD) consisting of 115 single-family homes. The property is generally located at the northwest corner of Ann Road and Willis Street. The Assessor's Parcel Numbers are 124-30-801-002, 124-30-801-004 and 124-30-801-005.

RECOMMENDATION:

The Development Services Department recommends that AMP-19-01 and ZN-27-01 be denied because the proposed amendment to the Comprehensive Plan and the proposed zone change are not supported by the guidelines for Medium Density Residential and because the proposed changes are not supported by the Visions, Goals, Objectives and Policies within the Comprehensive Plan.

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

Commissioner Anita Wood MOVED and Commissioner Scott Albright SECONDED to DENY ZN-27-01 per staff's recommendations.

The motion carried by MAJORITY vote, with Chairman Nelson Stone voting against the motion.

7) SPR-22-01 (4582) McDONALD'S

An application submitted by Cornerstone Company on behalf of System Capitol Real Property Corporation, property owner, for a site plan review to allow a waiver of the Commercial Design Standard to allow an approximately 13-foot high freestanding sign in a C-1 Neighborhood Commercial District located across the street from a residential area where only monument signs are allowed and an 8-foot freestanding sign has been previously approved. The property is generally located at the northeast corner of Ann Road and Simmons Street. The Assessor's Parcel Number is 124-29-803-004.

RECOMMENDATION:

The Development Services Department recommends that waiver request for SPR-22-01 be denied.

If however, the Planning Commission finds from the evidence presented that approval of SPR-22-01 is warranted, the Development Services Department recommends the following conditions:

1. That the proposed 20-foot-high pylon sign be allowed on Simmons Street.
2. That the proposed 12-foot, 10-inch-high sign be allowed on Ann Road.
3. That a Unified Sign Plan shall be submitted by the applicant subject to review and approval by staff. All free-standing signage shall have similar design, height and common unifying design elements as the adjacent commercial project to the north and east.
4. That all other applicable conditions of UN-62-00 shall apply.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated the applicant is requesting a waiver for signage. He stated that presently the commercial guidelines only allows monument-type signs that across the street from residential. Mr. Jordan stated that there are conditions that require a uniform sign program for this development which would mean that signs must consist of the same building materials and height requirements. He stated the applicant is proposing a 24-foot high pylon sign on Simmons Street which is going to be located across the street from commercial development and a 12-foot high 10-inch sign on Ann Road which will be located across the street from residential development. He stated staff's recommendation is that the applicant comply with monument signage requirements for both site as that would bring the applicant in compliance with the conditions of approval for this site and that all the signage be similar in design in height and materials. Mr. Jordan stated that the applicant has submitted a building permit for a monument-type sign at this property which is approximately eight (8) feet in height, which is also the same sign that they built at the existing McDonald's/Chevron on Ann Road, but located in the City of Las Vegas, therefore staff is recommending denial of this request and that they be required to do the monument signs as required by the Commercial Design Guidelines.

Dennis Watts, 201 Las Vegas Boulevard, Las Vegas, Nevada 89101 appeared on behalf of the applicant who stated the signs at this location are imperative to this site. Mr. Watts stated, upon submitting for a 20-foot high sign, staff asked him if, because across Ann Road there could potentially sometime in the future be housing, he would be willing to lower that sign. I spoke to the people at Chevron and McDonald's and asked them how could this be "scaled" back. He stated that since their first meeting there have been minor changes made to it.

Commissioner Scott Albright asked the applicant who does he foresee as the customers at this McChevron?

Mr. Watts stated he believes the primary customers will be those residents in the area, however there is a substantial customer base that will be using Simmons as an arterial for the beltway. He stated that Ann Road is, on a daily basis, becoming more of an arterial.

Commissioner Albright asked the applicant if an 8 foot sign would have the same effect as a 12 or 20 foot sign would if the applicant's customer base is primarily residents from the immediate area.

Mr. Watts replied that many times people who are just driving by may decide to stop and purchase some food from this establishment, therefore claiming that not all of their business will come from residents in the immediate area. He stated that an 8-foot high monument sign does not allow them the flexibility to do the stucco, to make the sign conform to the building. He stated he believes there are positives to allowing a little more height. He stated instead of having a sign that is 14x8 they have gone to a sign that is 12x7, therefore claiming to be half the width and half the height.

Commissioner Albright stated he believes the light will extend over their 6-foot high block wall and he feels most comfortable with the 8-foot standard.

Mr. Watts stated that the property on both the east and west sides of this property is commercial in nature. He stated there will be multiple signs along there and stated that all the site lighting, the canopy lighting, the parking lot lights, all lights will be taller than the sign, therefore he believes they are not projecting beyond what is already there.

Commissioner Tom Langford stated he believes that once people see the business they will know where it is and he believes a big sign is unnecessary.

Commissioner Wood stated this building is under construction and she believes the public will have no problem finding the McDonald's there.

Commissioner Anita Wood MOVED and Commissioner Tom Langford SECONDED to DENY SPR-22-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

8) ZOA-09-01 (4567) GOLDEN STATE TRANSPORTATION

An ordinance amendment initiated by Tim C. Ayala to amend Section 17.20.110 (C) of Title 17 of the North Las Vegas Municipal Code (Zoning Ordinance) to allow bus terminals in the C-2 General Commercial District by special use.

RECOMMENDATION:

The Development Services Department recommends that ZOA-09-01 be approved as follows:

- 17.20.110 General commercial District (C-2).
- C. Special Uses Subject to Section 17.24.020.

Bus Terminals;

Note: Language shown in bold italics is proposed new language.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff has done some research within neighboring jurisdictions around the City of North Las Vegas such as the City of Las Vegas, City of Henderson and Clark County and learned they all allow bus terminals in their commercial districts and most of those districts requiring a special use permit. He stated that because there are no specific standards currently for a bus terminal staff is recommending approval of this item, however staff is recommending that the bus terminals be subject to a special use permit that way to allow the applicant to submit a site plan and a request that can be reviewed by staff and the Planning Commission to ensure that all the commercial design standards are being met including proper parking, facilities are provided not only for passenger vehicles, but also for the buses and that all maneuvering of the buses would occur on site, therefore staff is recommending approval, however that bus terminals be allowed as a special use permit in the C-2 district.

Tim Ayala, 4600 Sunset Road, Henderson, Nevada 89014 appeared on behalf of the applicant who stated concurs with staff's recommendations.

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

Commissioner Tom Langford asked the applicant to show the Commissioner (on the overhead display) the exact location of the property.

Commissioner Scott Albright asked staff to confirm that this is not site-specific and that this ordinance would affect any property zoned C-2 throughout the City.

Mr. Jordan confirmed that is correct.

Commissioner Albright stated he is uncomfortable with the potential for a bus terminal anywhere within a C-2 district. He asked staff where else C-2 zoning is located.

Mr. Jordan stated that there is much C-2 zoning along Craig Road as well as a small amount located along Ann Road, and there is potential for C-2 to be located around the beltway interchange at Decatur. Mr. Jordan stated that is another reason staff recommended that this be a special use permit because there may be occasions where someone applies for a special use permit that is may not be appropriate for a particular location, therefore there would be the potential through the circumstances that it could be denied.

Commissioner Albright stated that he could understand if it was just on Las Vegas Boulevard North, but just the fact that it is city-wide makes him uncomfortable to approve something like this.

Commissioner Anita Wood asked Mr. Jordan about his earlier statement that staff had conducted some research with neighboring jurisdictions and asked if this is make the City of North Las Vegas' code different from the other jurisdictions.

Mr. Jordan replied that it is not, that he called the other jurisdictions and after speaking to some of their planners he learned that most of them require a special use permit, as well as he asked if there were any design standards specific for a bus terminal within those districts and he was told that there are none, just subject to all the typical design standards of any commercial development within that jurisdiction.

Commissioner Wood stated that this ordinance then is actually bringing the City of North Las Vegas more in line with the other jurisdictions.

Mr. Jordan stated that is correct.

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZOA-09-01 per staff's recommendations.

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

9) T-856 (2840) ANN & VALLEY ESTATES

An application submitted by William Lyon Homes on behalf of Ernest A. Becker, Jr., Trustee, property owner, for a tentative map review in an R-1 Single-Family Residential District. The property is generally located at the southeast corner of Ann Road and Valley Drive. The Assessor's Parcel Number is 124-31-501-001.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that according to the zoning ordinance at this time side-loaded garages are allowed provided they approved as part of the tentative map. He stated the applicant has decided that is what they would like to do within their development and staff has no objections to this and is recommending approval.

Scott Prokopchuk, 500 Pilot Road Suite G, Las Vegas, Nevada 89119 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Commissioner Anita Wood MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE T-856 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**There was a break in the proceedings at 8:30 P.M.
The meeting reconvened at 8:42 P.M.**

OLD BUSINESS

10) UN-53-01 (4394) NORTH LAS VEGAS HOSPITAL (Public Hearing)

An application submitted by UHS of Delaware, Inc. on behalf of Stimson Enterprises, Inc., property owner, for a use permit in a C-2 General Commercial District to allow a hospital. The property is generally located at the northwest corner of Commerce Street and Craig Road. The Assessor's Parcel Numbers are 139-03-201-004, 139-03-201-005, and 139-03-201-006.

RECOMMENDATION:

The Development Services Department recommends that UN-53-01 be approved subject to the following conditions:

3. Standard Conditions: 4, 6, 8, 10, and 12.
4. That a landscape inventory be conducted and submitted for review and approval by staff prior to the issuance of any building or grading permits. Such inventory shall include a site map showing the type, size and location of all mature trees (trees with diameter of 6" or greater when measured 4' above the ground). The inventory should be submitted with the landscape plans and show how the existing trees, with the exception of the Tamarisk, will be utilized within the new development.
5. The applicant submit written proof for review and approval by staff that the proposal meets all state and county regulations prior to the application of a building permit.
6. That the applicant demonstrate that a minimum of twenty-four (24) percent of the net lot area shall be provided in open space by submitting a site plan with open space calculations.
 - a. A minimum of three-fourths of the total open space requirement shall be provided as frontage open space to provide a setting for the building, visual continuity within the community and a variety of spaces in the street scape. The frontage open space shall not be required to exceed fifty (50) square feet per one foot of public street frontage and shall not be less than thirty (30) square feet per one foot of public street frontage.
 - b. The remainder of the required open space shall be provided in common open space.
7. Yards. When the height of the building exceeds fifty (50) feet the following yard requirements shall apply.
 - a. Side Yard
 1. A side yard of not less than one hundred (100) feet shall be maintained where the side of the lot abuts a single-family residential district or abuts an alley which is adjacent to a single-family residential district. The one hundred (100) feet may include the width of the alley.
 2. A side yard of not less than seventy-five (75) feet shall be maintained where the side lot abuts a multiple-family residential district. The seventy-five (75) feet may include any alley adjacent to the multiple-family residential district.
 - b. Rear Yard.
 1. A rear yard of not less than one hundred (100) feet shall be maintained where the rear lot abuts a single-family residential district or abuts an alley which is adjacent to the single-family residential district. The one hundred (100) feet may include

the width of the alley.

2. A rear yard of not less than seventy-five (75) feet shall be maintained where the rear lot abuts a multiple-family residential district or abuts an alley which is adjacent to the multiple-family residential district. The seventy-five (75) feet may include the width of the alley.
6. That a reversionary map or merger and resubdivision parcel map is required to combine all lots.
7. That a traffic study by a Nevada Registered Engineer is required.
8. That Right-of-way for a bus turn-out must be provided on Craig Road west of Commerce Street.
9. That the driveway on Craig Road must be located a minimum of 660 feet from the Craig Road /Commerce Street intersection.
10. That the western driveway on Craig Road must align with the existing drive aisle.

This item was continued from the June 27th Planning Commission Meeting in order for the applicant to submit an impact statement in accordance with the requirements of Senate Bill 191 which applies to projects of significant impact. The applicant has also submitted a revised site plan for this project.

SB 191

The applicant submitted the required impact statement to the Development Services Department on July 10, 2001, and it was routed to the appropriate City agencies on the same day.

Revised Site Plan

The applicant submitted a revised site plan including building elevations for this project. This revised site plan has been submitted due to the elimination of approximately 225 parking spaces. Originally the applicant anticipated a need for 900 spaces and was providing 1,076. The applicant has re-evaluated their parking needs, and has determined that only 780 spaces will be needed and 852 spaces will be provided.

Even with the removal of over 200 parking spaces, the site still appears to have ample parking in accordance with the North Las Vegas Zoning Ordinance (Title 17). Title 17 requires that 1 (one) space per bed be provided for hospitals, and that 4 (four) spaces per doctor and 1 (one) additional space per each employee be provided for the medical office building.

In accordance with Title 17, 180 spaces will be required for the Hospital, therefore the remaining 672 spaces will be viewed as parking for the medical offices. Although the number of doctors and employees for the medical office building has not yet been determined, it is not anticipated that more than 672 spaces will be required for the proposed 60,000-square-foot building. However, additional spaces may be required at the time of development for the proposed future medical office building.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated the applicant is proposing to develop a 180-bed hospital that would also have medical office facilities that would be located at part of this development. He stated this item was originally scheduled to be heard at the June 27, 2001 Planning Commission meeting, however because of State law which required an impact statement to be submitted to staff for review at least 15 days before that meeting it was continued to allow the applicant to submit an impact statement. The applicant has submitted an impact statement and it has been routed to the various department within the city for review and at this time there are no negative impacts or concerns by any of staff regarding that impact statement, therefore this item can be considered tonight at this Planning Commission meeting. Mr. Jordan stated the applicant submitted a revised site plan as part of this request which eliminated approximately 200 parking spaces which would be located adjacent to the westerly property line. He stated that the applicant also submitted revised elevations which showed a medical office building that was not included with the original elevations and that this time there are no significant changes on that. He stated staff is recommending approval of this item subject to the conditions listed in the staff report and also recommending two (2) additional conditions be added to this: 1) That a traffic study is required, and 2) That a drainage study would be required as part of this development, therefore staff is recommending approval of this item subject to the original 10 conditions with the addition of the two extra conditions.

Chairman Nelson Stone stated that the Public Hearing was opened at the June 27, 2001 Planning Commission meeting and left open and called for those members of the public who submitted cards at this meeting to come forward. The following participants came forward:

- ▶ Deborah Lewis, 4010 Hemphill Street, North Las Vegas, Nevada 89032

Ms. Lewis asked what the noise restrictions are regarding ambulances going through the neighborhood. She stated that she believes the Mayor is on the board at Lake Mead Hospital, which is owned by University Health Systems, which also owns this facility, and wanted to know if the Mayor will be on the board at this facility. She also asked how close to the residential area is the helipad going to be located.

- ▶ Joel Diamond, 4800 Rancho Linda Court, North Las Vegas, Nevada 89031

Mr. Diamond wanted to know how tall the building is going to be. He also is concerned about the location of the helipad and what will be the flight path of incoming helicopters to the hospital.

- ▶ Gail Tominac, 533 Craig Creek Avenue, North Las Vegas, Nevada 89032

Ms. Tominac stated she would like to know what the future expansion plans are of the hospital. She also wanted to know what the height limit is for each of the wings of the medical office building.

Chairman Stone closed the Public Hearing.

Preston Howard, 325 S. Maryland Parkway, Las Vegas, Nevada 89101 appeared on behalf of the applicant who stated he would address the questions that have been put forth. With regards to the noise restrictions, he stated there are regulations that require emergency vehicles to turn off their sirens as they approach a hospital facility. With regards to the ownership of the hospital, he stated his client does not own Lake Mead Hospital and Medical Center, it's owned by Tenet Health Care, and his client is Universal Health Services which owns Valley Hospital, Desert Springs Hospital and Summerlin Hospital, and have nothing to do with Lake Mead Hospital. With regards to the helipad, he showed (on the overhead display) the flight path and location of the helipad and stated that the location will not interfere with the residents. He stated this is not a helicopter base, but simply a helipad to transport patients to the hospital. With regards to the height of the medical facility, he stated the patient bed tower and the medical officer building are four (4) stories in height, and another section of the patient bed tower is three (3) stories in height. He stated the maximum height is 72 feet and he understands that if they were to exceed that height they would be required to obtain subsequent approval beyond this particular hearing. With regards to the

women's center, he stated this facility will have a women's center in it.

Commissioner Tom Langford stated that he does not think it is a good idea to reduce the parking spaces and would like to see the parking spaces increased. With regards to incoming helicopters, he does not think the noise will be an issue as planes and helicopters are currently flying over the area without causing trouble.

Commissioner Marilyn Kirkpatrick stated she would like to see a specialty use at this medical facility such as pediatrics or a women's center.

Commissioner Scott Albright stated he disagrees with Commissioner Langford with regards to the parking issue and feels that parking is abundant and does not think the parking area needs to be increased. He stated that on the site plan it shows a number of vacant parcels and is curious what the intent is for those particular parcels, whether it will be a huge buffer or other considerations.

Chairman Stone stated he is concerned about the noise and safety of the helicopter. He stated that he believes that all the hospitals in the valley have helipads and he does not know of a noise problem with regards to any helicopters in the past. He also wanted to know if the applicant plans to conform to the City's Commercial Design Standards.

Nicolas Nowicki, 3400 W. Desert Inn Road, Las Vegas, Nevada 89102 appeared on behalf of the applicant as the architect and stated to the best of his knowledge they will conform to all of the design standards.

Commissioner Anita Wood stated she understands that the medical office building will be four (4) stories, that the patient bed tower will be four (4) stories and three (3) stories. She asked the applicant how tall is the ancillary building.

Mr. Howard stated it will be one (1) story.

Commissioner Wood stated on the northwest corner of Craig and Commerce there is an area that is landscaped, but there is nothing showing there and wanted to know what is intended for that area.

Mr. Howard stated there are no present plans for that area.

Commissioner Tom Langford MOVED and Commissioner Dean Leavitt SECONDED to APPROVE UN-53-01 per staff's recommendations subject to the addition of the following changes:

Standard Condition #1 Added to Read: "That a traffic study is required."

Standard Condition #2 Added to Read: "That a comprehensive drainage study is required."

The motion carried by UNANIMOUS vote.

Commissioner Kirkpatrick asked the applicant what their estimated time frame is for completion of this project.

Mr. Howard stated that design phase will take between 6-8 months, and if construction were started immediately after that it would probably be approximately 2 ½ years away.

11) UN-34-01 (3966) SPECTRUM (Public Hearing)

An application submitted by Sprint PCS on behalf of Cheyenne Marketplace, LLC, property owner, for a use permit in a Planned Unit Development District (PUD), consisting of proposed Neighborhood Commercial, to allow a cellular facility with a 65-foot-high tower. The property is generally located at the northeast corner of Cheyenne Avenue and Martin Luther King Boulevard. The Assessor's Parcel Number is 139-09-801-002.

RECOMMENDATION:

The Development Services Department recommends that UN-34-01 be denied because this site is required to have a final development plan reviewed and approved by the Planning Commission prior to development, and one has not yet been submitted.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 8/22/01.

Chairman Nelson Stone opened the Public Hearing. He stated the Public Hearing shall remain open until such time this item is heard in its entirety.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE UN-34-01 to 8/22/01 per the applicant's request.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 8/22/01.

12) AMP-16-01 (4417) CENTENNIAL/REVERE (Public Hearing)

An application submitted by Real Homes/Centex Homes on behalf of Pearl Corporation, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to MDR Medium Density Residential. The property is generally located at the northeast corner of Centennial Parkway and Revere Street. The Assessor's Parcel Number is 124-22-401-001.

This application was originally scheduled for the June 27, 2001, Planning Commission meeting and was continued indefinitely by the Planning Commission. The applicant has submitted a letter requesting that this item be placed back on the agenda for Planning Commission consideration. Also on this agenda is an application (ZN-24-01) to rezone the subject site from the R-E Ranch Estates District to the PUD Planned Unit Development District. The proposed development would consist of 274 detached single-family dwelling units.

The Planning Commission continued this item because of concerns over the preliminary development plan associated with the rezoning request. Because a site plan is not reviewed as part of this request, staff originally recommended approval of the proposed request as it complies with the guidelines established in the Comprehensive Plan.

The Development Services Department recommendation is still for approval to amend the Comprehensive Plan, land use designation from Low Density Residential to Medium Density Residential.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated there is an accompanying application with this for a zone change for the PUD District, however at this time they have been separated and the amendment to the Comprehensive Plan will be discussed at this time. He stated that according to the guidelines within the Comprehensive Plan staff is recommending approval of this amendment as staff believes it complies with the guidelines. He stated that, looking at the Comprehensive Plan and the zoning map the property directly to the east, which is part of the Eldorado Development is slated for high density residential or commercial development. He stated that the property directly to the north of this site is part of the parks developments which has been developed to the RCL standards. The property to the south is currently under a resolution of intent to the PUD district which would consist of a smaller lot residential development and the property to the east is undeveloped at this time and there are no plans for development that staff is aware of, therefore this site is in compliance with the Comprehensive Plan and staff is recommending approval of the Comprehensive Plan amendment at this time.

Bill Curran, of Curran & Parry, 601 S. Rancho Drive, Las Vegas, Nevada 89106 appeared on behalf of the applicant who stated he knows that six (6) citizens appeared previously in support of this project.

▶ Chairman Nelson Stone opened the Public Hearing. The following participants came forward:

Stacey Ashinhurst, 638 Zalatia Way, North Las Vegas, Nevada 89031

Mr. Ashinhurst stated that previously staff recommended denial of this zoning change based on the fact that the 98 lots do not meet the 4,500 square foot minimum requirement and wants to know what has changed since then and recommended that the Planning Commission not approve this item based on that same reason.

Mr. Jordan stated that staff's recommendation has not changed from the previous meeting to this one. It is the rezoning that staff is not supporting, which is the following item at tonight's meeting #13 ZN-24-01.

- ▶ Richard Reithel, 6242 Kitamaya Street, North Las Vegas, Nevada 89031

Mr. Reithel stated he would prefer to see this remain R-E Ranch Estates.

- ▶ Celena Tindall, 6239 Arazi Lane, North Las Vegas, Nevada 89031

Ms. Tindall stated that she does not want to see this become medium density residential and would like to see it remain low density residential. She feels the schools are overcrowded and she thinks this would be a greater burden to the schools.

The Public Hearing was closed.

Commissioner Scott Albright stated according to the Comprehensive Plan in front of him the existing Parks subdivision is designated for low density residential, and east and south of there is also low density residential and he feels that this could be considered an intrusion of a higher density into this lower density neighborhood, but he also can appreciate what could occur on the Eldorado side of Revere Street and he is not sure what to think about this item.

Mr. Curran stated that on the south side of this property the Commission has recently rezoned that property and it is approved at 8 dwelling units per acre. He stated this site is 6.7 dwelling units per acre, which is more than one (1) dwelling unit per acre less than the property recently approved to the south of this.

Chairman Stone called for a motion and reminded the Commission that with an AMP a supermajority is necessary for it to pass.

Chairman Nelson Stone MOVED and Commissioner Marilyn Kirkpatrick SECONDED to APPROVE AMP-16-01 per staff's recommendations.

The motion to APPROVE FAILED to pass as it failed to achieve a supermajority vote, with Commissioner Tom Langford and Commissioner Anita Wood voting against the motion.

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to DENY AMP-16-01.

The motion to DENY FAILED with Chairman Stone, Commissioner Albright, Commissioner Kirkpatrick and Commissioner Dean Leavitt voting against the motion.

13) ZN-24-01 (4416) CENTENNIAL AND REVERE (Public Hearing)

An application submitted by Real Homes/Centex Homes on behalf of Pearl Corporation, property owner, for reclassification of property from an R-E Ranch Estates District to a PUD Planned Unit Development District consisting of 274-single-family residential dwelling units. The property is generally located at the northeast corner of Centennial Parkway and Revere Street. The Assessor's Parcel Number is 124-22-401-001.

This application was originally scheduled for the June 27, 2001, Planning Commission meeting and was continued indefinitely by the Planning Commission. The applicant has submitted a letter requesting that this item be placed back on the agenda for Planning Commission consideration. Also on this agenda is an application (AMP-16-01) to amend the Comprehensive Plan, land use designation for the subject site from Low Density Residential to Medium Density Residential.

The applicant has met with staff and indicated various options regarding the details of the Regional Flood Control Facility that is required next to Centennial Parkway and the use of the drainage channel as useable open space. Should the use of an underground reinforced concrete box not be feasible as the Regional Flood Control Facility within the Centennial Parkway right-of-way, the applicant would need to dedicate the additional required right-of-way for construction of this facility. Likewise, should the drainage study determine that joint use of the drainage channel is not possible for useable open space, the applicant would need to install an underground reinforced concrete box to allow this area for use as open space. Because of these issues, the applicant is essentially requesting conceptual approval of the proposed Planned Unit Development and would revise the tentative map as deemed necessary in the future.

The other area of concern was the use of extremely small lots at the northeast corner of Centennial Parkway and Revere Street. The applicant is proposing 97 lots that would range from 1,566 square feet to 2,184 square feet. The Comprehensive Plan recommends a minimum lot size of 4,500 square feet. Because the preliminary development plan does not comply with this guideline and there are no unique circumstances to warrant smaller lots, staff has no other option than to recommend denial.

Recommendation:

Therefore, apart from the issues involving the Regional Flood Control Facility and the drainage channel, staff's recommendation will still be for denial, as the proposal incorporates lots that are far smaller than the recommended lot size of 4,500 square feet as suggested in the Comprehensive Plan.

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

1. Standard Conditions: 1, 2, 3, 7, 11, 15, 16, 17, 18, 22, 23, 26, 27, 29, 31 and 32.
2. Development of the subject site shall not exceed 274 detached single-family dwelling units or a density of 6.68 dwelling units per acre. In addition, a minimum of 177 dwelling units shall have a minimum lot size of 4,500 square feet. The remaining 97 dwelling units shall have a minimum lot size of 1,566 square feet.
3. Development shall comply with the Single Family Design Guidelines and shall be limited to detached, single family dwelling units which comply with the minimum garage size requirement.

4. Development of the lots with a minimum lot size of 4,500 square feet shall comply with the following setbacks:
 1. Front: Minimum of 20 feet
 2. Side: Minimum of 5 feet
 3. Rear: Minimum of 15 feet
 4. Corner Side: Minimum of 10 feet
5. Development of the lots with a minimum lot size of 1,566 square feet shall comply with the following setbacks.
 1. Front: Zero (no setback required)
 2. Side: Minimum of 3.5 feet
 3. Rear: Minimum of 10 feet
 4. Corner Side: Minimum of 7 feet
6. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the park areas showing landscaping and amenities. Prior to submittal of the final development plan, the applicant must schedule a meeting with the Parks and Recreation Director to determine what amenities will be required of the private park areas.
7. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to issuance of building permits.
8. A second remote means of access shall be provided for the higher density development located on the corner of Revere Street and Centennial Parkway.
9. All Fire Department codes and ordinances in effect at the issuance of building plans shall apply.
10. A flared intersection is required at the intersection of Revere Street and Centennial Parkway per Uniform Standard Drawings, Number 245.1.
11. The 24-foot Utility and Drainage Easement should be labeled as a 24-foot Public Utility and Drainage Easement.
12. This site is adjacent to a proposed Clark County Regional Flood Control District (CCRFCD) master planned facility, Capitol Improvement Project, Centennial Parkway Channel East along the north side of Centennial Parkway. Dedication of right-of-way for this channel is required, as established within an approved technical drainage study.
13. The proposed 80-foot grass-lined channel should be labeled as an 80-foot Public Drainage Easement to be privately maintained.
14. A public drainage easement is required over the 10' X 10' RCB between Cades Cove and Centennial Parkway. The width of the easement to be determined by the project civil engineer, with the concurrence of the City of North Las Vegas City Engineer.
15. Fiber optic conduit is required in Centennial Parkway and Revere Street.

16. Right-of-way for a bus turn out is required on Revere Street north of Centennial Parkway.
17. Cherry Tree Hill Street cul-de-sac must be constructed with this development.
18. All streets must meet the standards for turn-around, cul-de-sac and width requirements.
19. Kitimaya Street must be provided unless vacated.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated staff has several concerns regarding this proposed request, some being the configuration of the development with the stub streets whereas normally stub streets are not allowed, likewise there are concerns regarding the regional flood control facility that is required for Centennial Parkway. He stated the applicant is proposing a box culvert, however there may be a chance that box culvert would not be allowed therefore there would be additional right-of-way that would be required that would impact the development. He stated there have been concerns about the drainage channel being used as open space and the applicant is proposing a box culvert which may satisfy that requirement, but that would be determined by a drainage study which has not been submitted. He also stated staff's biggest concern is the 97 lots that have been proposed for the Geneveve Court Development, those lots ranging from approximately 1,500 square feet to approximately 2,000 square feet, and the Comprehensive Plan recommends at least lot sizes that are 4,500 square feet in size. Mr. Jordan stated based on these requirements, particularly the lot size requirement, and now based upon the motion for the amendment to the Master Plan staff's recommendation for this rezoning request is for denial.

Chairman Nelson Stone stated that comments made by Bill Curran on the previous application, Item #12 AMP-16-01 shall be included in this item.

Bill Curran, of Curran & Parry, 601 S. Rancho, Las Vegas, Nevada 89106 appeared on behalf of the applicant and stated he believes the Public Works Department has represented that all item relating to the flood issue have been worked out to the satisfaction of staff since the last time this item was heard.

Lenny Badger, of the Public Works Department, stated that Mr. Curran is correct.

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

Chairman Stone stated he believes, based on the outcome of the previous item, the only appropriate motion for this item is for denial.

Jim Lewis, Deputy City Attorney, stated that he agrees with Chairman Stone's comments.

Commissioner Tom Langford MOVED and Commissioner Anita Wood SECONDED to DENY ZN-24-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

14) ZN-25-01 (4496) ELKHORN/COMMERCE (Public Hearing)

An application submitted by Ranco Holdings, LLC, on behalf of Elkcom Investments, LLC, property owner, for reclassification of property from an R-E Ranch Estates District to a Planned Unit Development District (PUD) consisting of 287 Single-Family Residential lots. The property is generally located at the southeast corner of Elkhorn Road and Commerce Street. The Assessor's Parcel Numbers are 124-22-501-005, 124-22-501-006, 124-22-501-007, 124-22-501-008.

On July 11, 2001, the applicant submitted revised preliminary development plans. According to the revised plans, additional cul-de-sac's and a curvilinear street are now proposed. The proposed development would also consist of 286 lots, whereas 289 lots were originally proposed.

The majority of the open space would be provided within the center of the development adjacent to the main street that connects both entrances to the development. According to the plans, the applicant is also proposing two additional park areas at the southeast and southwest corners of the proposed development. Likewise, the applicant is proposing approximately five feet of landscaping with the sidewalk separated from the street for the main street that connects to Dorrell Lane. Based upon the square footages shown within the open space areas, the proposed development would comply with the open space requirements.

One of staff's main concern was with the lot size. The applicant originally proposed and still proposes to develop the subject site with 3,500 square foot lots. According to the Comprehensive Plan, a lot size not less than 4,500 square feet in size is suggested. In addition, as previously mentioned, one of the purposes of the PUD district is to encourage innovations in residential development so that greater opportunities for better housing may be extended to citizens and residents and also to encourage a more creative approach in the utilization of land in order to accomplish a more efficient, aesthetic and desirable development. The design of the proposed development with the 3,500-square-foot lots appears to serve the purpose of providing a higher density development rather than a development that meets the purpose of the PUD district. Therefore, staff's recommendation will still be for denial.

If however, the Planning Commission were to determine that approval is warranted, then staff recommends the following conditions:

1. Standard Conditions: 1, 2, 3, 7, 11, 15, 22, 23, 26, 27, 29, 31 and 32.
2. Development of the subject site shall not exceed 286 detached single-family dwelling units or a density of 6.94 dwelling units per acre.
3. The minimum lot size shall be 3,500 square feet with a minimum lot width of 35 feet.
4. The developer shall provide five feet of landscaping with the sidewalk separated from the street for all lots that front the main street that connects Dorrell Lane and Commerce Street. The landscaped area shall be shown as a common element on the final map and not as part of the residential lots.
5. Development shall comply with the Single Family Design Guidelines and shall be limited to detached, single family dwelling units which comply with the minimum garage size requirement.
6. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the park areas showing landscaping and amenities. Prior to submittal of the final development plan, the applicant must schedule a meeting with the Parks and Recreation Director to determine what amenities will be required of the private park areas.

7. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to issuance of building permits.
8. All Fire Department codes and ordinances in effect at the issuance of building plans shall apply.
9. Elkhorn Drive along the northern boundary of the project, and Goldfield Street along the east boundary must be vacated. Additionally, Goldfield Street must be removed from the Master Plan of Streets and Highways prior to the vacation.
10. A reversionary map or merger and resubdivision map is required.
11. Fiber optic conduit is required in Commerce Street.
12. If the property is gated, a queuing analysis must be provided.
13. The driveway on Commerce Street must align with the quarter section line.

This application was continued from the July 11, 2001, Planning Commission meeting at the request of the applicant.

On July 10, 2001, the applicant submitted a revised preliminary development plan. According to the revised plans, additional cul-de-sac's and a curvilinear street are now proposed. The proposed development would also consist of 286 lots, whereas 289 lots were originally proposed.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated at this time the development consists of 279 residential lots for single family development and the property is approximately 41 acres in size. He stated that at this time there is medium density residential and office designation on this site, however at the last Planning Commission, after the last meeting, approved an amendment to the Comprehensive Plan for medium density in place of the office, which was consistent with the way the Comprehensive Plan was originally adopted. He stated the applicant has submitted several revised site plans or preliminary development plans to staff, many of them incorporating some of staff's concerns regarding open space allocation also amending the site plan to add curvilinear streets and also to reduce the length of some of the cul-de-sacs to be less than 500 feet in length. He stated that at the beginning of this meeting staff handed out a revised memorandum which included a revised memo from Public Works, and also the latest revised preliminary development plan. He stated that according to that the applicant does comply with all the open space requirements, however the lots within this development are 3,500 square feet in size and the applicant is not proposing any deviation in setbacks. He stated that because the Comprehensive Plan supports lots of 4,500 square feet, especially for single family detached dwelling units, staff is standing by its previous recommendation of denial for this development, however should the Planning Commission find that approval is warranted at this time, staff has listed 13 conditions it recommends that the Commission consider.

Bill Curran, of Curran & Parry, 601 S. Rancho, Las Vegas, Nevada 89106 appeared on behalf of the applicant.

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

Chairman Stone stated he feels that 3,500 square feet is small and would like to see 4,500 square foot lots.

Commissioner Tom Langford stated there are 279 lots at 35x35. He asked the applicant what that would equate to if he was using the 45x45.

Mr. Curran replied approximately 220 lots.

Commissioner Marilyn Kirkpatrick asked staff how the guidelines are affected by this.

Mr. Jordan stated that the guidelines are simply guidelines (4,500 square feet). He stated when staff was reviewing this it was staff's opinion that based on the configuration of the development that 3,500 square foot lots was simply a way to increase the density within the development. He stated that typically PUDs are developments that provide unique housing aspects that are not normally found with residential subdivisions. He stated he has seen developments that have lot sizes that were less than 4,500 square feet, but it was due to the design of the site which allowed different configurations of lots and one of them allowed almost every residential development single family home access to the open space directly with very few exceptions.

Steve Baxter, Planning Manager, stated that the 4,500 square feet was placed in there due to quite a bit of workshop activity approximately two (2) years ago. He stated that if the Planning Commission started approving developments less than 4,500 square feet, it could potentially set a precedence, although every development is different.

Jim Lewis, Deputy City Attorney, stated that these guidelines are merely guidelines and this decision up to the discretion of the Planning Commission. He stated he does not foresee that approving a 3,500 square foot lot here would force the Planning Commission in future developments to approve 3,500 square foot lots. Mr. Lewis stated this 4,500 foot lot is a result of some deliberation, therefore he stated it is up to the Planning Commission to use its discretion.

Commissioner Anita Wood stated she would prefer to see the 4,500 square foot lots as she feels that is the direction the City of North Las Vegas should go in. She did, however, state that the Comprehensive Plan supports medium density, and therefore she believes the applicant could come back in with apartments or something with a higher density than this project.

Commissioner Dean Leavitt stated when he first looked at the 3,500 square foot lots he was impressed and stated he supports this project.

Commissioner Tom Langford stated he realizes the Comprehensive Plan is a guide, but it is a guide that took several meetings with developers, residents, staff and Commissioners and he feels it should be followed. He stated he feels the 3,500 square foot lots is too small and the Comprehensive Plan should be followed.

Mr. Curran stated he is not claiming that 3,500 square foot lots are perfect for every application, however he feels this parcel is different.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Dean Leavitt SECONDED to APPROVE ZN-25-01 per staff's recommendations.

The motion carried by MAJORITY vote with Chairman Stone and Commissioner Tom Langford voting against the motion.

15) UN-58-01 (4493) SPECTRUM CELLULAR (Public Hearing)

An application submitted by Cingular Wireless on behalf of Mohler Investment Company and The CHC 1984 Trust, property owners, for a use permit in a C-1 Neighborhood Commercial District to allow a cellular facility with a 63-foot tower. The property is generally located at the northeast corner of Decatur Boulevard and Craig Road. The Assessor's Parcel Number is 139-06-215-014.

RECOMMENDATION:

The Development Services Department recommends that UN-58-01 be approved subject to the following conditions:

1. Standard condition numbers: 4, 8, 10, 11 and 12.
2. The maximum height of the tower shall not exceed 63 feet.
3. The tower shall be a monopole design.
4. The tower shall be painted desert tan, (Benjamin Moore Paints #1032 or equivalent.)
5. Co-location shall be permitted by others at competitive rates.
6. The equipment area shall be enclosed by an 8' decorative block wall. Such wall shall be subject to review and approval by staff.

This item was continued from the July 11th Planning Commission Meeting at the Commission's request in order for the applicant to perform additional research on the project.

The application was presented by Marc Jordan, Senior Planner, on behalf of staff who indicated that presented the area is zoned commercial C-1 and is being developed with a variety of commercial uses. He stated the applicant is proposing to locate the cellular facility behind the commercial uses at this time, which will be located away from both Decatur and Craig Road. He stated that likewise the location of the proposed facility would be approximately 330-350 feet away from the developed, residential property. He stated staff originally recommended approval of this item subject to six (6) conditions, however at the last meeting, the Planning Commission continued this item to allow the applicant time to conduct additional research with regards to collocating this facility with other facilities in the area or possibly roof-mounting it and stated the applicant can give the Commission an update.

Roger Spencer, of Cingular Wireless, 1211 Town Center Drive Suite 100, Las Vegas, Nevada 89144 appeared on behalf of the applicant who stated he has looked into collocating at another site on San Mateo, however there are already two other carriers collocated there and there is no room for his company on that site. He stated he concurs with staff's recommendations and requests the Planning Commission's approval on this item.

Chairman Nelson Stone stated the Public Hearing was opened at the Planning Commission meeting on 7/11/01. No participants came forward tonight. The Public Hearing was closed.

Commissioner Anita Wood stated she is concerned about this tower, being 60-feet in height, will be in a single story area and will be very noticeable.

Commissioner Tom Langford asked Mr. Spencer if he contacted the business owners in the area and inquired if they would allow him to put up a tower at their business.

Mr. Spencer stated he has done so.

Commissioner Kirkpatrick stated she would like to add a condition stating that the tower is to be a single location, slimline design, which would place all five (5) carriers within a ½ mile radius.

Jim Lewis, Deputy City Attorney, stated that by allowing them into this area it would show that the City is being non-discriminatory.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Scott Albright SECONDED to APPROVE UN-58-01 per staff's recommendations subject to the following changes:

Condition #3 Deleted.

Condition #5 Deleted.

Condition #7 Added to Read: "That the tower shall be a flag pole with no collocation allowed.

The motion carried by MAJORITY vote with Chairman Stone and Commissioner Tom Langford voting again the motion.

16) FDP-07-01 (4476) CRAIG/ALLEN

An application submitted by Sunbelt Realty Advisors, LLC on behalf of the Lied Foundation Trust, property owner, for a Final Development Plan review in a Planned Unit Development District (PUD) consisting of C-1 Neighborhood Commercial. The property is generally located at the southwest corner of Craig Road and Allen Lane. The Assessor's Parcel Numbers are 139-06-701-002, 139-06-701-003, 139-06-701-004, 139-06-701-005, 139-06-701-006 and 139-06-701-007.

RECOMMENDATION:

The Development Services Department recommends that FDP-07-01 be continued until such time that the applicant can meet with the Departments of Fire and Public Works and Planning staff to resolve outstanding issues addressed in the analysis above. The site plan and elevation drawings should be re-drawn and re-submitted to allow the reviewing departments adequate time to provide a responsible recommendation to the Planning Commission.

If the applicant is unable or unwilling to continue the item, FDP-07-01 should be denied because it does not satisfy the requirements for this development, nor does it satisfy requirements in the Zoning Ordinance for this type of development.

Prior to the Planning Commission meeting, the applicant requested the item be continued to 9/12/01.

Commissioner Marilyn Kirkpatrick MOVED and Commissioner Dean Leavitt SECONDED to CONTINUE FDP-07-01 to 9/12/01 per the applicant's request.

The motion carried by UNANIMOUS vote.

The item is CONTINUED to 9/12/01.

PUBLIC FORUM

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

No members of the public came forward.

DIRECTOR'S BUSINESS: None

CHAIRMAN'S BUSINESS: None

ADJOURNMENT: 11:00 PM

A motion to ADJOURN the July 25, 2001 meeting of the Planning Commission of the City of North Las Vegas was made by Chairman Nelson Stone. Commissioner Anita Wood SECONDED the motion.

Nelson Stone, Chairman

ATTEST:

Ted Karant, Recording Secretary