

MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Dean Leavitt, Chairman
Nelson Stone
Joy Diaz
Steve Brown

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Marilyn Kirkpatrick, Vice-Chairman
Jo Cato
Jay Aston

Planning Commission MINUTES are available on the internet at:

www.cityofnorthlasvegas.com

August 13, 2003

CALL TO ORDER:

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

ROLL CALL:

Dean Leavitt - Present
Marilyn Kirkpatrick - Present
Nelson Stone - ABSENT
Jo Cato-Present
Joy Diaz-Present
Jay Aston-Present
Steve Brown-Present

STAFF PRESENT:

Donna Kristaponis, Development Services Director
Steve Baxter, Planning Manager
Marc Jordan, Principal Planner
Bob Hoyes, Planner
Lenny Badger, Public Works
Clete Kus, Transportation Services
Steven DiGiovanni, Fire Department
Jim Lewis, Deputy City Attorney
Ted Karant, Recording Secretary

ANNOUNCEMENTS:

Verification of compliance with NRS 241, Open Meeting Law.

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

PLEDGE OF ALLEGIANCE

Chairman Dean Leavitt

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

MINUTES

Approval of the MINUTES for the Planning Commission meeting of July 23, 2003.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to APPROVE the minutes of the July 23, 2003 Planning Commission Meeting.

The motion carried by MAJORITY vote with Commissioner Steve Brown abstaining from voting on these Minutes due to his absence from the 7/23/03 Planning Commission meeting.

Approval of the MINUTES for the Planning Commission meeting of July 9, 2003.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to APPROVE the minutes of the July 9, 2003 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

CONSENT AGENDA

A) PW-120-03 (11847) TIERRA DE LAS PALMAS, VILLAGE 2, UNIT 3

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Travelers Casualty & Surety Company of America to release the Off-Site Improvement Bond in the amount of \$62,782.83.

B) PW-121-03 (11848) VICTORY OVATION II

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify The American Insurance Company to release the Subdivision Bond in the amount of \$807,485.69.

C) PW-122-03 (11849) FIFTH & FARM, UNIT 1B

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Azure Farms, LLC and accept the Performance Bond in the amount of \$276,823.03.

D) PW-123-03 (11850) DOVE CANYON, UNIT 1

Approve the Amended Final Map.

E) PW-124-03 (11851) NORTH MESA PLAZA

Approve the Amended Final Map.

F) PW-125-03 (11852) WASHBURN-BRUCE, PHASE 2

Approve the Amended Final Map.

G) PW-126-03 (11873) SHADOW SPRINGS PHASE 1, UNIT 2

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by KB Home Nevada, Inc. and accept the Performance Bond in the amount of \$276,399.10.

H) PW-127-03 (11874) MEADOW GOLD DAIRY COLD STORAGE & CREAMERY

Accept the Commercial Developments Off-Site Improvements Agreement by Southern Food Group, LP and accept the Performance Bond in the amount of \$219,392.00.

I) PW-128-03 (11875) CENTENNIAL BRUCE EAST 40 ACRES, UNIT 4

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by William Lyon Homes, Inc. and accept the Subdivision Bond in the amount of \$281,528.01.

J) PW-129-03 (11876) CENTENNIAL BRUCE NORTH 40 ACRES, UNIT 2, PHASE 1 AND 2

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by William Lyon Homes, Inc. and accept the Subdivision Bond in the amount of \$159,502.70 for Phase 1 and \$301,670.27 for Phase 2.

K) PW-130-03 (11877) CENTENNIAL BRUCE WEST 40 ACRES, UNIT 1

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

L) PW-131-03 (11878) NVE ACTIVE ADULT, UNIT 4, PHASE 1

Approve the Final Map and the Subdivision Improvements Agreement by North Valley Enterprises, LLC and accept the Subdivision Bond in the amount of \$788,253.95.

M) PW-132-03 (11879) CENTENNIAL VILLAGE OFFSITE WATER

Accept the Commercial Developments Off-Site Improvements Agreement by NLV 180, LLC and accept the Subdivision Bond in the amount of \$285,029.25.

N) PW-133-03 (11880) NORTH 5TH AND LA MADRE

Approve the Final Map and the Subdivision Improvements Agreement by Briarwood Homes, LLC and accept the Subdivision Bond in the amount of \$634,889.04.

O) PW-134-03 (11881) LAS ISLITAS PLAZA

Accept the Commercial Developments Off-Site Improvements Agreement by Jose Luis Parra Perez, and accept the Cash-In-Lieu-Of Bond in the amount of \$11,877.131.

P) PW-135-03 (11882) PORTICO EAST

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Beazer Homes Holding Corp and accept the Subdivision Bond in the amount of \$665,038.06.

Commissioner Joy Diaz MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE Consent Agenda Items A through P.

The motion carried by UNANIMOUS vote.

NEW BUSINESS

Item #1 AMP-37-03, #2 ZN-51-03 and #3 VN-09-03 are related.

1) AMP-37-03 (11502) CROSS STREET CONVENIENCE STORE (Public Hearing)

An application submitted by Ameer Zaya Israel, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of MDR Medium Density Residential to Neighborhood Commercial. The property is located at 1808 East Carey Avenue. The Assessor's Parcel Number is 139-14-811-028.

The Development Services Department recommends that AMP-37-03 be **denied** as the proposed change does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan land use element.

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

Chairman Dean Leavitt called for the applicant to come forward. The applicant was not present.

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

Commissioner Jay Aston MOVED and Commissioner Joy Diaz SECONDED to DENY AMP-37-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was DENIED.

Item #1 AMP-37-03, #2 ZN-51-03 and #3 VN-09-03 are related.

2) ZN-51-03 (11500) CROSS STREET CONVENIENCE STORE (Public Hearing)

An application submitted by Ameer Zaya Israel, property owner, for reclassification of property from an R-2 Two-Family Residential District to a C-1 Neighborhood Commercial District. The property is located at 1808 East Carey Avenue. The Assessor's Parcel Number is 139-14-811-028.

The Development Services Department recommends that ZN-51-03 be **denied** as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June 1999.

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

Chairman Dean Leavitt called for the applicant to come forward. The applicant was not present.

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

Commissioner Jay Aston MOVED and Commissioner Jo Cato SECONDED to DENY ZN-51-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was DENIED.

Item #1 AMP-37-03, #2 ZN-51-03 and #3 VN-09-03 are related.

3) VN-09-03 (11503) CROSS STREET CONVENIENCE STORE (Public Hearing)

An application submitted by Ameer Zaya Israel, property owner, for a variance in an R-2 Two-Family Residential District (proposed C-1 Neighborhood Commercial District) to allow a 110-foot lot width where 150 feet is the minimum required. The property is located at 1808 East Carey Avenue. The Assessor's Parcel Number is 139-14-811-028.

RECOMMENDATION:

The Development Services Department recommends that VN-09-03 be **denied**.

However, if the Planning Commission were to determine that **approval** is warranted at this time, Development Services recommends the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.
3. A reversionary map shall be filed to remove the lot lines.
4. The following right-of-way dedications are required:
 - a. A 54-foot radius on Carey Avenue and Civic Center Drive.
5. A minimum lot width of 110 feet shall be maintained.
6. If AMP-37-03 and ZN-51-03 are not approved, VN-09-03 shall be null and void.

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

Chairman Dean Leavitt called for the applicant to come forward. The applicant was not present.

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

Commissioner Jay Aston MOVED and Commissioner Jo Cato SECONDED to DENY VN-09-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was DENIED.

Item #25 AMP-32-03 was heard next.

This item was heard following Item #25 AMP-32-03.

Item #4 AMP-38-03, #5 ZN-54-03 and #6 T-1011 are related.

4) AMP-38-03 (11586) LONE MOUNTAIN AND LOSEE (Public Hearing)

An application submitted by Centex Homes on behalf of Unlimited Holdings, Inc., property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designations of Office, M-HDR Medium-High Density Residential and Neighborhood Commercial to M-LDR Medium - Low Density Residential. The property is located at the northeast corner of Lawrence Street and Lone Mountain Road. The Assessor's Parcel Numbers are 124-35-703-003 and 124-35-803-001.

RECOMMENDATIONS:

The Development Services Department recommends that AMP-38-03 **receive a favorable recommendation** from the Planning Commission and be forwarded to the City Council for final consideration.

Marc Jordan, Principal Planner, recommended this item, along with companion items #5 ZN-54-03, #6 T-1011 and #25 AMP-32-03, which are all related, be continued to the 9/10/03 Planning Commission meeting.

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

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

- ▶ Douglas Monson, 4496 S. Pecos Road, Las Vegas, Nevada 89134

Mr. Monson stated he opposes this item as it may be detrimental to his client and would prefer to see this item continued for two weeks along with it's companion item #25 AMP-32-03.

Commissioner Jay Aston MOVED and Commissioner Jo Cato SECONDED to APPROVE AMP-38-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #4 AMP-38-03, #5 ZN-54-03 and #6 T-1011 are related.

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

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

RECOMMENDATION:

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

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

1. That the development shall comply with the Single-Family Development Design Standards.
2. That the minimum lot size shall be 4,500 square feet.
3. That the following setbacks shall apply:
 - a. Front: Fifteen (15) feet, provided all garages maintain a 20-foot front setback.
 - b. Interior side: Five (5) feet.
 - c. Corner side: Ten (10) feet.
 - d. Rear yard: Fifteen (15); and
4. That at least 25% of the required open space be installed prior to the issuance of a building permit for the 89th residential dwelling unit; and that 50% be installed prior to the issuance of a building permit for the 178th residential dwelling unit; and that 100% be installed prior to the issuance of a building permit for the 267th residential dwelling.
5. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of all open space / park areas.
6. The following amenities shall be provided within the open space:
 - a. circuitous lighted paths;
 - b. a minimum of 20 24-inch box trees per acre;
 - c. at least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada. A third play structure and a hard surface for games such as hop-scotch;
 - d. at least one large open space area for group / organized play;
 - e. one large group shade area / gazebo (30' diameter), lighted;
 - f. picnic tables and barbecue grills;
 - g. benches spaced along park pathways;
 - h. 3 10' x 10' shade structures;
 - i. 1 12' x 12' shade structure; and
 - j. details of amenities to be provided
7. That perimeter landscaping of the exterior street perimeter be designated as "Common Elements" and that interior perimeter landscaping commonly described as corner side yard landscaping be addressed as allowed for in the North Las Vegas Municipal Code Section 17.24.210(E).
8. That the perimeter walls be owned and maintained by the homeowners' association.
9. That corner side yard landscaping shall be maintained by the homeowner of the lot and that

provisions and enforcement of such shall be provided within the CC&R's.

10. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
11. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development.
12. The prospective homeowners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm.
13. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
14. Approval of a drainage study is required prior to submittal of the civil improvement plans.
15. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
16. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan* or as required by the Director of Public Works.
17. The limits of the Federal Emergency Management Agency's Special Flood Hazard Area Zone A must be delineated on the Tentative Map and subsequent improvement plans.
18. The drainage and utility easement must be revised to a public pedestrian access/drainage/public utility easement that conforms to North Las Vegas Municipal Code 17.24.210.D.4.a.
19. Approval of a traffic study that justifies the vacation of La Madre Way is required prior to submittal of the civil improvement plans.
20. Jasmine Avenue must be named La Madre Way.
21. As stipulated in City of North Las Vegas' Master Plan of Streets and Highways, all 100-foot and greater right-of-way streets must incorporate a centerline median; therefor, a median must be constructed on Losee Road.
22. Median cuts are limited to a spacing of 660 feet; therefor, the driveways on Losee Road will be limited to right-in/right-out.
23. The curvilinear road section south of Jasmine Avenue must be eliminated.
24. The common elements shall be linked with a pedestrian footbridge. The pedestrian footbridge shall be required to be constructed prior to the issuance of a building permit for the 267th residential dwelling.
25. Pedestrian access point to be provided from the common elements to the external sidewalks.
26. The Master Plan of Streets and Highways must be amended to allow for La Madre Way to be removed. If AMP32-03 is denied, dedication of the 30' of right-of-way for La Madre Way is required.

27. The following right-of-way dedications are required:
 - a. Bus turnout on Losee Road, south of Washburn Road and on Lone Mountain Road near Losee Road.
 - b. Flared intersection at Washburn Road and Losee Road and at Lone Mountain Road and Losee Road.
 - c. 40' for Washburn Road, 40' for Lone Mountain Road, 30' for Lawrence Street, and all with associated spandrels.
 - e. Upper Las Vegas Wash Channel.
28. The property owner must grant a pedestrian access easement for the portions of the sidewalk outside of the right of way prior to approval of the civil improvement plans.
29. A revocable encroachment permit for landscaping in the right of way will be required prior to approval of the civil improvement plans.
30. The Parcel Map 855, which is currently in process to create a parcel of a different land use, must be recorded prior to approval of the civil improvement plans.
31. Additional information will need to be provided regarding the Kern River Gas Line exception per document #950410:00855.

Marc Jordan, Principal Planner, recommended this item, along with companion items #4 AMP-38-03, #6 T-1011 and #25 AMP-32-03, which are all related, be continued.

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

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

- ▶ Douglas Monson, 4496 S. Pecos Road, Las Vegas, Nevada 89134

Mr. Monson stated he opposes this item as it may be detrimental to his client and would prefer to see this item continued for two weeks along with it's companion item #25 AMP-32-03.

- ▶ Martha Nash, 669 E. Lone Mountain Road, North Las Vegas, Nevada (no zip code stated)

Ms. Nash stated she does not want to see Ranch Estates disrupted by higher density.

Chairman Leavitt closed the Public Hearing.

Commissioner Joy Diaz MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to CONTINUE ZN-54-03 per staff's recommendations to the 8/27/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 8/27/03.

Item #4 AMP-38-03, #5 ZN-54-03 and #6 T-1011 are related.

6) T-1011 (11588) LONE MOUNTAIN AND LOSEE

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

RECOMMENDATION:

The Development Services Department recommends that T-1011 be **continued indefinitely** to allow the applicant sufficient time to submit a traffic study that supports the deletion of a portion of La Madre Way and to submit a preliminary title report to the Department of Public Works.

State Statutes require the Planning Commission to **act within 45 days**, otherwise the tentative map would be deemed approved. Therefore, unless the applicant is willing to continue the application, the Development Services Department will have to recommend that T-1011 be **denied**.

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

1. That T-1011 shall become null and void if AMP-38-03 and ZN-54-03 is not approved by City Council.
2. That the development shall comply with all conditions of approval for ZN-54-03.
3. That the tentative map shall be redesigned to incorporate La Madre Way if AMP-32-03 is denied.
4. Label the double dashed lines within the common element along Lawrence Street.
5. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
6. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
7. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

Marc Jordan, Principal Planner, recommended this item, along with companion items #4 AMP-38-03, #6 T-1011 and #25 AMP-32-03, which are all related, be continued.

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

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

- ▶ Douglas Monson, 4496 S. Pecos Road, Las Vegas, Nevada 89134

Mr. Monson stated he opposes this item as it may be detrimental to his client and would prefer to see this item continued for two weeks along with it's companion item #25 AMP-32-03.

▶ Martha Nash, 669 E. Lone Mountain Road, North Las Vegas, Nevada (no zip code stated)

Ms. Nash stated she does not want to see Ranch Estates disrupted by higher density.

Chairman Leavitt closed the Public Hearing.

Mr. Jordan advised Chairman Dean Leavitt this is a Tentative Map and as such requires the applicant's concurrence for a continuance.

Bobby Lewis, or Orion Engineering, stated he concurs with a two-week continuance.

Commissioner Joy Diaz MOVED and Commissioner Jay Aston SECONDED to COTINUE T-1011 per staff's recommendations to the 8/27/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 8/27/03.

7) ZN-50-03 (11499) DONNA ST/AZURE AVE. NWC (Public Hearing)

An application submitted by George Brucato on behalf of CP Trust and George C. Brucato Trustee, property owners, for reclassification of property from an R-E Ranch Estates District to a C-1 Neighborhood Commercial District. The property is located at the northwest corner of Donna Street and Azure Avenue. The Assessor's Parcel Number is 124-26-103-004.

RECOMMENDATION:

The Development Services Department recommends that ZN-50-03 receive a **favorable recommendation** and be forwarded to the City Council for final consideration.

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

George Garcia, of G.C.Garcia, 2501 N. Green Valley Parkway, Suite 108, Henderson, Nevada 89014 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

Carl Price, 885 E. Regena, North Las Vegas, Nevada (no zip code stated)

Mr. Price stated he opposes this item as he does not wish to see the zoning changed to allow commercial.

Chairman Leavitt closed the Public Hearing.

Commissioner Jay Aston MOVED and Commissioner Steve Brown SECONDED to APPROVE ZN-50-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #8 ZN-52-03 and #9 T-1010 are related.

8) ZN-52-03 (11570) LOSEE & AZURE (Public Hearing)

An application submitted by D. R. Horton, property owner, for reclassification of property from a PUD Planned Unit Development District to an R-1 Single-Family Residential District. The property is located at the northeast corner of Azure Avenue and Losee Road. The Assessor's Parcel Number is 124-25-101-002.

RECOMMENDATION:

The Development Services Department recommends that ZN-52-03 receive a **favorable recommendation** from the Planning Commission and that this item be forwarded to the City Council for final consideration.

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

Gene Wright, of G.C. Wallace, 10000 W. Charleston Boulevard, Las Vegas, Nevada (no zip code stated) appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to APPROVE ZN-52-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #8 ZN-52-03 and #9 T-1010 are related.

9) T-1010 (11572) LOSEE & AZURE

An application submitted by D. R. Horton, property owner, to approve a tentative map in a PUD Planned Unit Development District consisting of 91 single-family dwellings. The property is located at the northeast corner of Losee Road and Azure Avenue. The Assessor's Parcel Number is 124-25-101-002.

RECOMMENDATION:

The Development Services Department recommends that T-1010 be **approved** subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
3. That all local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan* or as required by the Director of Public Works; and
4. Remove section thickness from the typical sections. The off-site pavement sections will be determined by the Department of Public Works; and
5. That a traffic mitigation letter is required prior to submittal of the civil improvement plans; and
6. That parking is limited to one side of the street. Developer to install no parking signs and stripe curb; and
7. That a roadway easement must be provided where the public and private streets intersect; and
8. That the Nevada Power Company poles and easement must be shown per document #1608891:1649; and
9. That a public utility easement and emergency access easement must be granted over the common elements as indicated; and
10. That the installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map; and
11. That a minimum two means of access shall be provided for each group of 25 or more homes; and
12. That Fire access lanes shall be installed and maintained in accordance with the Fire Code; and
13. That all common elements be owned and maintained by the homeowners' association; and
14. That the development of this site be in conformance with the Single Family Design Standards (§17.24.210) including, but not limited to the following:
 1. That a minimum 10 feet of landscaping, which may include the sidewalk, be provided adjacent to all corner side lots; and
 2. That a minimum five feet (5.00') of landscaping be provided between the back-of-curb and the sidewalk along Losee Road; and
 3. That pedestrian access gates be provided at each end of Blue Avenue and at the west end of Torch Avenue (street names, as identified on the submitted tentative map); and

15. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping; and
16. That the perimeter walls be owned and maintained by the homeowners' association; and
17. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development; and
18. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review by the Public Works and Development Services Departments prior to submittal of the final map; and
19. That prospective homeowners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm; and
20. All conditions of approval shall be incorporated into the notes section of the map and recorded with the Final Map.

Bob Hoyes, Planner, stated based on discussion with the applicant and there being no objections, staff is recommending approval of this item.

Gene Wright, of G.C. Wallace, 10000 W. Charleston Boulevard, Las Vegas, Nevada (no zip code stated) appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Joy Diaz MOVED and Commissioner Jay Aston SECONDED to APPROVE T-1010 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

10) UN-60-01 (11532) NEXTEL COMMUNICATIONS (Public Hearing)

An application submitted by Nextel Communications on behalf of Unlimited Holdings, Inc., property owner, for an amendment to the conditions for a use permit in an M-1 Business Park Industrial District to allow a 500 gallon water tank for irrigation of landscape. 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 **approval** of the request to amend the conditions of approval by adding a condition #10 to read as follows:

10. That a temporary 500 gallon water tank may be allowed for landscape irrigation purposes, however, the monopole tower site shall tap into a water main at the time development occurs within 660 feet.

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

Nefi Garcia, of Nextel Communications, 750 E. Warm Springs Road, Las Vegas, Nevada (no zip code stated) appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

Jack Zunino, 1801 Paseo Overlook Court, Las Vegas, Nevada 89128

Mr. Zunino stated as a property owner in the area he wanted to know if the property was zoned for a 50-foot tower.

Mr. Hoyes replied the area is zoned for this type of use.

Mr. Zunino also indicated the applicant wishes to build a 500-gallon reservoir or tank for landscaping and asked if this will be used exclusively for landscaping.

Mr. Hoyes stated staff's understanding is it is intended for landscaping.

Mr. Zunino stated he would like this water tank to be low profile.

Chairman Leavitt closed the Public Hearing.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Steve Brown SECONDED to APPROVE UN-60-01 per staff's recommendations.

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

The item was APPROVED.

Item #11 UN-51-03 and #12 VN-08-03 are related.

11) UN-51-03 (11352) TRIPLE SEVEN (Public Hearing)

An application submitted by Triple Seven on behalf of Terry Crawford, property owner, for a use permit in a M-2 General Industrial District to allow a 70 foot high off-premise sign (billboard). The property is located at 2409 East Gowan Road. The Assessor's Parcel Number is 139-11-703-001.

RECOMMENDATION:

The Development Services Department recommends that UN-51-03 be **denied** as the applicant has not demonstrated an unique circumstance or condition that would warrant the requested variances.

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

1. Unless expressly authorized through a variance, waiver or other approved method the development shall comply with all applicable codes and ordinances.
2. The pole location must be moved from the south end to the north end of the sign.
3. An easement must be granted over the entire triangular area west of the existing building for maintenance access of channel.
4. If VN-08-03 is not granted this use permit shall be null and void.
5. The pole sign shall be moved to comply with the required setbacks unless a variance is granted to allow the proposed placement of the sign.
6. Ten feet of landscaping shall be provided along Gowan Road. The landscape plans must be submitted and approved by the Development Services Department prior to approval of the sign permit.
7. Applicant shall provide a registered survey proving distances from existing billboards and residential areas in conjunction with submittal of an application for a building permit.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 9/10/03 Planning Commission meeting.

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

Commissioner Joy Diaz MOVED and Chairman Dean Leavitt SECONDED to CONTINUE UN-51-03 to the 9/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 9/10/03.

Item #11 UN-51-03 and #12 VN-08-03 are related.

12) VN-08-03 (11353) TRIPLE SEVEN (Public Hearing)

An application submitted by Triple Seven on behalf of Terry Crawford, property owner, for a variance in a M-2 General Industrial District to allow an off-premise sign (billboard) within 300 feet of a residential zone and to allow a 565 foot separation where 750 feet is required. The property is located at 2409 East Gowan Road. The Assessor's Parcel Number is 139-11-703-001.

RECOMMENDATION:

The Development Services Department recommends that VN-08-03 be **denied** as the applicant has not demonstrated an unique circumstance or condition that would warrant the requested variances.

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

1. Unless expressly authorized through a variance, waiver or other approved method the development shall comply with all applicable codes and ordinances.
2. The pole location must be moved from the south to the north end of the sign.
3. An easement must be granted over the entire triangular area west of the existing building for maintenance access of channel.
4. Applicant shall provide a registered survey proving distances from existing billboards and residential areas in conjunction with submittal of an application for a building permit.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 9/10/03 Planning Commission meeting.

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to CONTINUE VN-08-03 to the 9/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 9/10/03.

13) UN-53-03 (11468) NORTHERN VISTA (Public Hearing)

An application submitted by Madison B. Graves II and Susan B. Graves, property owners, for a use permit in a C-1 Neighborhood Commercial District to allow a mortgage loan facility. The property is generally located west of Ferrell Street approximately 206 feet south of Craig Road. The Assessor's Parcel Number is 124-29-402-013.

RECOMMENDATION

The Development Services Department recommends that UN-53-03 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. That subsequent expansion or additions to the use shall be subject to Planning Commission review and approval.
3. The use is limited to a financial institution regulated by the federal government.

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

Ray Santos, 1125 Dover Glen Drive, North Las Vegas, Nevada 89031 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

Commissioner Jay Aston MOVED and Commissioner Joy Diaz SECONDED to APPROVE UN-53-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

14) UN-54-03 (11573) LAS VEGAS PAVING CORP (Public Hearing)

An application submitted by Las Vegas Paving Corporation, property owner, for a use permit in a M-2 General Industrial District to allow outdoor manufacturing. The property is generally located 585 feet east of North Fifth Street and on the south side of Gowan Road. The Assessor's Parcel Number is 139-11-301-004.

RECOMMENDATION:

The Development Services Department recommends that UN-54-03 be **approved** subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That the proposed street section and limits of construction for Gowan Road be shown on the site plan; and
3. That, in lieu of full off-sites on Gowan Road, the developer is to provide a temporary road with six inch (6") asphaltic concrete and base between North 5th Street and Bruce Street; and
4. That the driveways must be shown on the plans and roadway easements granted; and
5. That UN-54-03 shall expire on August 13, 2004.

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

David Breault, of Las Vegas Paving, 4420 S. Decatur Boulevard, La Vegas, Nevada 89103 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

- ▶ Bruce Forthun, of Potlatch Corporation, 3901 N. Donna Street, North Las Vegas, Nevada 89030

Mr. Forthun stated he is concerned about potential challenges to his company's business from odors which emit from the proposed property. He stated the effects could be substantially damaging as his company's products could become jeopardized by odor from the proposed property.

- ▶ Jim Gibson, 701 N. Green Valley Parkway, Henderson, Nevada 89014

Jim Gibson appeared on behalf of the Potlatch Corporation. Mr. Gibson stated Potlatch is concerned about whether or not the project is compatible with their operations, which has spent over \$70 million dollars and are spending more on a new \$8-9 million dollar warehouse which will be a mere 600 feet from the proposed site.

- ▶ Eddie Schmitz, 27 Pinnacle Hill Court, North Las Vegas, Nevada 89032

Mr. Schitz stated he is in favor of this project and thinks it should be approved.

Chairman Leavitt closed the Public Hearing.

Mr. Breault stated this project has equipment in place that addresses the impact on air quality.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jay Aston SECONDED to APPROVE UN-54-03 per staff's recommendations subject to the following changes:

Condition #3 Changed to Read: "That, in lieu of full off-sites on Gowan Road, the developer is to provide a temporary **32-foot wide** road with **four** inch **(4")** asphaltic concrete **over a 10" base** base between North 5th Street and Bruce Street; and

Condition #5 Changed to Read: "**That UN-54-03 shall expire on October 1, 2004.**"

Condition #6 Added to Read: "**That UN-54-03 be reviewed by the Planning Commission on April 1, 2004 to ensure compliance.**"

The motion carried by MAJORITY vote with Commissioner Joy Diaz and Jo Cato voting against the motion.

The item was APPROVED.

15) UN-55-03 (11581) HOLIDAY INN EXPRESS EXPANSION (Public Hearing)

An application submitted by Norman E. Wilson, AIA on behalf of Golden Point Partners I, LLC, property owner, for a use permit in a M-2 General Industrial District to allow an expansion to an existing hotel. The property is located at 4540 Donovan Way. The Assessor's Parcel Number is 139-01-611-008.

RECOMMENDATION

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

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. That a temporary barrier must be installed along the edge of the new paving to prevent vehicles from driving on unimproved surfaces.
3. Approval of a traffic study update is required prior to submittal of civil improvement plans.
4. The cost participation payment for this project is past due. Contact Sonya Spears, Management Analyst, at 633-1975 for additional information.
5. A copy of the shared parking and access agreement must be provided.
6. APN 139-01-611-007 and APN 139-01-611-008 must be consolidated to remove the parcel line.

The application was presented by Marc Jordan, Principal Planner, who stated he spoke with the applicant's representative earlier today and was advised the applicant is in agreement with staff's recommendations of approval.

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

Commissioner Jay Aston MOVED and Commissioner Joy Diaz SECONDED to APPROVE UN-55-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

16) UN-56-03 (11583) NORMAN E. WILSON (Public Hearing)

An application submitted by Norman E. Wilson, AIA on behalf of Golden Point Partners I, LLC, property owner, for a use permit in a M-2 General Industrial District to allow a commercial retail building. The property is located east of Donovan Way and approximately 312 feet north of Craig Road. The Assessor's Parcel Number is 139-01-611-006.

RECOMMENDATION

The Development Services Department recommends that UN-56-03 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. That a temporary barrier must be installed along the edge of the new paving to prevent vehicles from driving on unimproved surfaces.
3. That parking lot landscape planter islands be installed at the ends of the row of parking adjacent to the Craig Road right-of-way.
4. That a decorative cornice and split-face CMU wainscot be added to the structure.
5. That the material, finish and color of the building shall match the existing convenience store.
6. Approval of a traffic study is required prior to submittal of civil improvement plans.
7. Approval of a drainage study is required prior to submittal of the civil improvement plan.
8. A restrictive covenant for utilities must be signed.
9. A copy of the shared parking and access agreement must be provided.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated there is an agreement between staff and the applicant with a amendment to condition #4.

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

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-56-03 per staff's recommendations subject to the following change:

Condition #4 Changed to Read: "That a decorative cornice and **tile access band matching the convenience store above the stucco** wainscot be added to the structure."

The motion carried by UNANIMOUS vote.

The item was APPROVED.

17)UN-57-03 (11579) CAR WASH (Public Hearing)

An application submitted by Norman E. Wilson, AIA on behalf of Golden Point Partners I, LLC, property owner, for a use permit in a M-2 General Industrial District to allow an automobile washing establishment and the expansion of an existing convenience food store to include a convenience food restaurant with a drive thru. The property is located at 4472 Donovan Way. The Assessor's Parcel Number is 139-01-611-001.

RECOMMENDATION

The Development Services Department recommends that UN-56-03 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. That a decorative ceramic tiles atop a split-face CMU wainscot be added to the carwash structure to match the existing convenience store.
3. That the material, finish and color of the building shall match the existing convenience store.
4. Approval of a traffic study update is required prior to submittal of civil improvement plans.
5. Provide stacking (queuing) for five vehicles in each queuing lane.
6. Drive thru lanes cannot share the same queuing lane.
7. Relocate/remove the five parking spaces to the east of the proposed queuing lanes.
8. The drive aisle to the northeast of the carwash must be a minimum of 24 feet wide.
9. The cost participation for this project is now past due. Contact Sonya Spears, Management Analyst, at 633-1975 for additional information.
10. A boundary line adjustment map must be filed prior to the building being placed at the proposed location.

Marc Jordan, Principal Planner, stated the applicant and staff are in agreement on the conditions of approval for this item.

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

Commissioner Jay Aston MOVED and Commissioner Joy Diaz SECONDED to APPROVE UN-57-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

18) VAC-14-03 (11519) WESTWIND (Public Hearing)

An application submitted by Signature Homes on behalf of Plaster Development Co., Inc., property owner, for a vacation of approximately 1,250 feet of the northerly 30 feet of Racel Street between San Mateo Street and Valley Drive and vacation of approximately 1,270 feet of the westerly 6 feet of Valley Drive between Horse Drive and Racel Street. The Assessor's Parcel Numbers are 124-07-301-011 and 124-07-301-012.

RECOMMENDATION:

The Development Services Department recommends that VAC-14-03 be **continued** until such time that the Master Plan of Streets and Highways is amended to show the half-street on Aviary Way as a 34-foot width.

The application was presented by Bob Hoyes, Planner, on behalf of staff who indicated staff is recommending this item be continued until the Master Plan of Streets and Highways is amended to show the half-street on Valley, also known as Aviary Way, as a 34-foot half-street.

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

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jay Aston SECONDED to APPROVE VAC-14-03 per staff's recommendations subject to the following change:

"Approved for Racel Street only."

The motion carried by UNANIMOUS vote.

The item was APPROVED.

**There was a break in the proceedings at 8:46 PM
The meeting reconvened at 9:03 PM**

19) VN-07-03 (11341) PABLO COVARRUBIAS (Public Hearing)

An application submitted by Pablo and Teresa Covarrubias, property owner, for a variance in an R-A/FA Redevelopment Area/Focus Area Subdistrict to allow a three (3) foot side setback where five (5) feet is required. The property is located at 2033 Donna Street. The Assessor's Parcel Number is 139-23-210-065.

RECOMMENDATION:

The Development Services Department recommends that VN-07-03 be **denied**.

If, however, the Planning Commission were to determine that **approval is warranted** at this time, then the Development Services Department recommends the following conditions and that this item be forwarded to the Redevelopment Agency for final consideration:

1. That, unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances; and
2. That a minimum three-foot (3.00') interior side setback be provided, as indicated on the submitted site plan; and
3. That the applicant obtain, or produce, a building permit for the expansion, as indicated on the submitted floor plan; and
4. That the structure be brought into compliance with all applicable building, electrical, plumbing and mechanical codes and ordinances, including the mitigation of any site drainage issues that may have been impacted by the expansion.

The application was presented by Bob Hoyes, Planner, on behalf of staff who indicated staff is recommending denial of this item. If the Planning Commission decides to approve this item, Mr. Hoyes stated this item is required to go before the Redevelopment Agency.

Gabriel Covarrubias, 2031 Donna Street, North Las Vegas, Nevada 89030 appeared on behalf of the applicant and stated he concurs with staff's recommended conditions of approval, if approved by the Planning Commission.

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

Vice-Chairman Marilyn Kirkpatrick **MOVED** and Commissioner Joy Diaz **SECONDED** to **APPROVE** VN-07-03 per staff's recommendations.

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

The item was APPROVED.

20) T-989 (9750) LA MADRE/FERRELL

An application submitted by Delta Engineering on behalf of LaMadre LLC , property owner, to review a previously approved tentative map in an R-1 Single-Family Residential District that amends streets and drainage. The property is generally located at the northeast corner of La Madre Way and Ferrell Street. The Assessor's Parcel Number is 124-32-301-007.

RECOMMENDATION:

The Development Services Department recommends that T-989 be **approved** subject to the following conditions:

1. Approval of a drainage study is required prior to submittal of the civil improvement plans.
2. Remove section thickness from the typical sections. The off-site pavement sections will be determined by the Department of Public Works.
3. A traffic mitigation analysis is required.
4. Align the centerline of the entry drive on La Madre Way with the centerline of Lone Vista Way.
5. The following right-of-way dedications are required:
 - a. 30' right of way for La Madre Way and associated spandrel
 - b. 30' right of way for Ferrell Street and associated spandrel
 - c. The plan shows an easement for the flood channel. This must be dedicated.
 - d. The maintenance area around Green Hollow cul-de-sac necessary for channel access as deemed necessary with the technical drainage study.
6. The drainage easements must be labeled either public or private.
7. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
8. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development.
9. The applicant shall comply with the Single-Family Design Guidelines, including, but not limited to, providing 10 feet of landscaping (which may include the sidewalk) next to the corner side of all interior lots.
10. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
11. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
12. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

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

Bill Crockett, of Delta Engineering, 3131 Meade Avenue, Suite D, Las Vegas, Nevada 89102 appeared on behalf of the applicant.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to APPROVED T-989 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

21) FDP-15-03 (11556) COMMERCE VILLAGE

An application submitted by Marge Kratzer, Inc., property owner, for a Final Development Plan review in a PUD Planned Unit Development District consisting of 81 single-family dwellings. The property is located at the northwest corner of Goldfield Street and Sergeant Jordan Avenue. The Assessor's Parcel Numbers are 139-03-502-003, 139-03-502-004, 139-03-502-005, 139-03-502-006, 139-03-502-008, and 139-03-502-009.

RECOMMENDATION:

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

1. That the development comply with all conditions of approval of ZN-59-02 and T-922.
2. That all perimeter walls, end walls, return walls and common area walls shall be brown split-face block with a fluted course one course from the top.
3. That all windows throughout the dwellings shall be recessed, provided with pop-outs or other architectural detailing.
4. The park areas shall be provided with the amenities as shown on the park plan submitted.
5. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan* or as required by the Director of Public Works.
7. A cost participation agreement for traffic signals is required. Contact Sonya Spears, Management Analyst, at 633-1975 for additional information.
8. Applicant must comply with all conditions of the approved traffic and drainage studies and all conditions on ZN-59-02.
9. The final development plan has identified the trail system as an easement, which will need to be revised to a public dedication.

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

Bill Crockett, of Delta Engineering, 3131 Meade Avenue, Suite D, Las Vegas, Nevada 89102 appeared on behalf of the applicant.

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to APPROVE FDP-15-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

22) FDP-16-03 (11585) TERRACINA & TERRASOL

An application submitted by American Premiere Homes on behalf of Terracina-Terrasol, LLC, property owner, for a Final Development Plan review in a PUD Planned Unit Development District, consisting of 216 single-family dwellings. The property is located at the northeast corner of Pecos Road and Tropical Parkway. The Assessor's Parcel Numbers are 123-30-201-001 and 123-30-201-002.

RECOMMENDATION:

The Development Services Department recommends that FDP-16-03 be **approved** subject to the following conditions:

1. That the development comply with all conditions of approval of ZN-46-02 and T-956.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
4. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' North Neighborhood Flood Control Master Plan.
5. A cost participation agreement or cash payment for traffic signals is required. Contact Sonya Spears, Management Analyst, at 633-1975 for additional information.
6. The following park amenities shall be provided within the open space:
 - a. Putting green
 - b. 18' diameter gazebo
 - c. Barbecue sites with grills
 - d. Circuitous lighted pathway with benches along the pathway
 - e. Open play space
 - f. ADA accessible tot lot with EPDM material under fall zones, installed over non-porous surface
 - g. Dog waste receptacles; and
 - h. Details of amenities to be provided.

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

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Joy Diaz MOVED and Commissioner Jo Cato SECONDED to APPROVE FDP-16-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

23) FDP-17-03 (11584) PECOS PARK BY AVANTE

An application submitted by Avante Homes on behalf of Pecos Centennial, LLC, property owner, for a Final Development Plan review in a PUD Planned Unit Development District, consisting of 215 single-family dwellings. The property is located approximately 1,200 feet east of Pecos Road and south of Centennial Parkway. The Assessor's Parcel Number is 123-30-101-002.

RECOMMENDATION:

The Development Services Department recommends that FDP-17-03 be **approved** subject to the following conditions:

1. That the development comply with all conditions of approval of ZN-46-02 and T-965.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
4. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' North Neighborhood Flood Control Master Plan.
5. The drainage and utility easement must be revised to a public pedestrian access/drainage/public utility easement that conforms to North Las Vegas Municipal Code 17.24.210.D.4.a.
6. A cost participation agreement or cash payment for traffic signals is required. Contact Sonya Spears, Management Analyst, at 633-1975 for additional information.
7. The plan must be labeled and dedicate per the approved tentative map.
8. The following park amenities shall be provided within the open space:
 - a. Putting green
 - b. 18' diameter gazebo
 - c. Barbecue sites with grills
 - d. Circuitous lighted pathway with benches along the pathway
 - e. Open play space
 - f. ADA accessible tot lot with EPDM material under fall zones, installed over non-porous surface
 - g. Dog waste receptacles; and
 - h. Details of amenities to be provided.

Marc Jordan, Principal Planner, stated there is an agreement between the applicant and staff and recommends approval of this item.

Deborah Johnson, of VTN Nevada, 2727 Rainbow Boulevard, Las Vegas, Nevada 89146 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Jo Cato MOVED and Commissioner Steve Brown SECONDED to APPROVE FDP-17-03 per staff's recommendations subject to the following change:

"Delete Condition 8A."

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Commissioner Jo Cato abstained from voting on this item due to pending litigation.

24) FDP-14-03 (11320) SUNRISE CANYON UNITS 1 & 2

An application submitted by VTN Nevada on behalf of Beazer Homes Holding Corporation, property owner, for a Final Development Plan review in an PUD, Planned Unit Development District consisting of 201 single-family homes. The property is generally located at the southwest corner of Walnut Road and Azure Avenue. The Assessor's Parcel Numbers are 123-30-201-003 and 123-30-201-004.

RECOMMENDATION:

The Development Services Department recommends that FDP-14-03 be **approved** subject to the following conditions:

1. That the development comply with all conditions of approval of ZN-46-02 and T-959.
2. The final development plan must be revised to show Casamar Street as a cul-de-sac to match the signed conformed tentative map.
3. The owner must sign a revocable encroachment permit for landscaping in the right-of-way.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' North Neighborhood Flood Control Master Plan.
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. Entry on Centennial Parkway is limited to right in/right out.
9. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
10. The following park amenities shall be provided within the open space:
 1. Circuitous lighted paths;
 2. A minimum of 20 24-inch box trees per acres;
 3. At least two (2) differing age appropriate play structures for children with EPDM resilient fall protection and accompanying shade ramada;
 4. At least one large open space area for group/organized play;
 5. One large group shade area/gazebo (30' diameter), lighted;
 6. Picnic tables and barbecue grills;
 7. Benches spaced along park pathways; and
 8. Details of amenities to be provided.

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

Deborah Johnson, of VTN Nevada, 2727 Rainbow Boulevard, Las Vegas, Nevada 89146 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Jay Aston MOVED and Commissioner Joy Diaz SECONDED to APPROVE FDP-14-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

OLD BUSINESS

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

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

This application was continued indefinitely from the Planning Commission meeting of June 25, 2003, at the request of the applicant, in order to allow the applicant sufficient time to prepare a traffic study.

The applicant has requested that this application be placed on this agenda for Planning Commission consideration along with the accompanying applications (AMP-38-03) for an amendment to the Comprehensive Plan Land Use Map from Office, Medium-High Density Residential and Neighborhood Commercial to Medium-Low Density Residential, (ZN-44-03) a reclassification to a PUD, Planned Unit Development and (T-1011) a tentative map review.

At this time a traffic study justifying the request to delete a portion of La Madre Way has not been submitted. Therefore, staff's recommendation for denial has not changed.

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

RECOMMENDATION:

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

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated this item was originally recommended by staff to be denied as the applicant had not submitted a traffic study which supports the removal of this street. Mr. Jordan stated the applicant has now submitted a traffic study a few days ago, however staff has not time to review the study and therefore recommends this item be continued to allow staff time to review the traffic study.

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

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to CONTINUE AMP-32-03 per staff's recommendations to the 8/27/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 8/27/03.

Item #4 AMP-38-03 was heard next.

26) UN-86-01 (11037) CENTENNIAL MARKET PLACE (Public Hearing)

An application submitted by Mark Lefkowitz on behalf of the Losee Center B, LLC and Saint Marks Place, LLC, property owners, for an extension of time for a use permit in a C-1 Neighborhood Commercial District to allow the "on-sale" of alcoholic beverages in conjunction with a restaurant / lounge. The property is generally located at the northeast corner of Losee Road and Centennial Parkway. The Assessor's Parcel Numbers are 124-24-401-001 and 124-24-401-002.

This item was continued from the July 9, 2003, Planning Commission Meeting at the request of the applicant.

(from the 7/9/03 Planning Commission meeting):

RECOMMENDATION

The Development Services Department Recommends that UN-86-01 be **denied** because construction of the Tavern is not imminent, and the applicant has not complied with a previous condition of approval.

If however, the Planning Commission determines that **approval is warranted** at this time, the Development Services Department recommends the following conditions of approval:

1. That UN-86-01 shall expire on November 28, 2003.
2. That all applicable conditions of the original approval and extensions of time shall apply.

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

George Garcia, of G.C.Garcia, 2501 N. Green Valley Parkway, Suite 108, Henderson, Nevada 89014 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Joy Diaz MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE UN-86-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #27 ZN-45-03 and #28 ZN-46-03 are related.

27) ZN-45-03 (11315) LONE MOUNTAIN/DONNA (Public Hearing)

An application submitted by Ranco Holding Inc., property owner, for reclassification of property from an R-E Ranch Estates District and R-EL Ranch-Estates Limited District to an R-1 Single-Family Residential District. The property is generally located approximately 210 feet south of Lone Mountain Road and west of Donna Street. The Assessor's Parcel Numbers are 139-02-110-001, 139-02-110-003, 139-02-110-004, 139-02-110-005, 139-02-110-006, 139-02-110-007, 139-02-110-008, 139-02-110-009, 139-02-110-010 and 139-02-110-011.

This item was continued from the July 23, 2003, Planning Commission meeting.

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

RECOMMENDATION:

The Development Services Department recommends that ZN-45-03 receive a **favorable recommendation** and that this item be forwarded to the City Council for permanent zoning to the R-1 Single Family Residential District by ordinance.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated since the Comprehensive Plan supports this item staff's recommendation is for approval for the R-1 District.

Bill Curran, of Curran & Parry, 300 S. 4th Street, Suite 1201, Las Vegas, Nevada 89101 appeared on behalf of the applicant.

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

- ▶ Steve Scowler, 612 S. 7th Street, Las Vegas, Nevada (no zip code stated)

Mr. Scowler stated he is the attorney for Michelle Anthony, a property owner, and stated he would like to see this item continued for a week or ten (10) days to allow discussions to conclude regarding this item.

- ▶ Boyd Bulloch, 821 E. Lone Mountain Road, North Las Vegas, Nevada 89031

Mr. Bulloch stated he agrees with a continuance of this item to allow further discussions to take place with the surrounding property owners.

- ▶ Robert Lepome, 330 S. 3rd Street #1100-B, Las Vegas, Nevada 89101

Mr. Lepome stated he does not have any objection to the R-1 zoning.

- ▶ Martha Nash, 669 E. Lone Mountain Road, North Las Vegas, Nevada (no zip code stated)

Ms. Nash stated she opposes this item as she would like to see it remain Ranch Estates and not be rezoned.

- ▶ Kim Spencer, 4700 N. 5th Street, North Las Vegas, Nevada 89031

Mr. Spencer stated he opposes this item as he feels it will negatively affect his property.

- ▶ Janet Combs, 555 E. El Campo Grande Avenue, North Las Vegas, Nevada (no zip code stated)

Mrs. Combs stated she opposes this item as she does not want to see the density increased around her home.

- ▶ Sheryl Lopez, 701 E. Lone Mountain Road, North Las Vegas, Nevada (no zip code stated)

Ms. Lopez stated she opposes this item as she does not want to see the increased population in the area that she believes would accompany the rezoning.

- ▶ Jeffrey Oatey, 741 Stagecoach Circle, North Las Vegas, Nevada (no zip code stated)

Mr. Oatey stated he opposes this item as he feels it will negatively affect his property.

- ▶ Mike Avance, 801 E. Lone Mountain, North Las Vegas, Nevada 89031

Mr. Avance stated he opposes this item as he does not wish to see this project come into his neighborhood.

Chairman Leavitt closed the Public Hearing.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Joy Diaz SECONDED to DENY ZN-45-03.

First Motion:

The **MOTION TO DENY FAILED** with Commissioners Jo Cato, Steve Brown, Jay Aston and Chairman Dean Leavitt voting against the motion.

Second Motion:

Commissioner Jo Cato MOVED and Commissioner Steve Brown SECONDED to APPROVE ZN-45-03.

The motion carried by MAJORITY vote with Vice-Chairman Marilyn Kirkpatrick and Commissioner Joy Diaz voting against the motion.

The item was APPROVED.

Item #27 ZN-45-03 and #28 ZN-46-03 are related.

28) ZN-46-03 (11316) LONE MOUNTAIN/DONNA (Public Hearing)

An application submitted by Ranco Holding, Inc., property owner, for reclassification of property from an R-E Ranch Estates District to an R-1 Single-Family Residential District. The property is generally located approximately 610 feet south of Lone Mountain Road and east of North Fifth Street. The Assessor's Parcel Numbers are 139-02-101-009, 139-02-101-011 and 139-02-101-019.

This item was continued from the July 23, 2003, Planning Commission meeting.

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

RECOMMENDATION:

The Development Services Department recommends that ZN-46-03 receive a **favorable recommendation** and that this item be forwarded to the City Council for permanent zoning to the R-1 Single Family Residential District by ordinance.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated since the Comprehensive Plan supports this item staff's recommendation is for approval for the R-1 District.

Bill Curran, of Curran & Parry, 300 S. 4th Street, Suite 1201, Las Vegas, Nevada 89101 appeared on behalf of the applicant.

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

- ▶ Steve Scowler, 612 S. 7th Street, Las Vegas, Nevada (no zip code stated)

Mr. Scowler stated he is the attorney for Michelle Anthony, a property owner, and stated he would like to see this item continued for a week or ten (10) days to allow discussions to conclude regarding this item.

- ▶ Boyd Bulloch, 821 E. Lone Mountain Road, North Las Vegas, Nevada 89031

Mr. Bulloch stated he agrees with a continuance of this item to allow further discussions to take place with the surrounding property owners.

- ▶ Robert Lepome, 330 S. 3rd Street #1100-B, Las Vegas, Nevada 89101

Mr. Lepome stated he does not believe the R-1 zoning request is practical.

Martha Nash, 669 E. Lone Mountain Road, North Las Vegas, Nevada (no zip code stated)

Ms. Nash stated she opposes this item as she would like to see it remain Ranch Estates and not be rezoned.

- ▶ Kim Spencer, 4700 N. 5th Street, North Las Vegas, Nevada 89031

Mr. Spencer stated he opposes this item as he feels it will negatively affect his property.

- ▶ Janet Combs, 555 E. El Campo Grande Avenue, North Las Vegas, Nevada (no zip code stated)

Mrs. Combs stated she opposes this item as she does not want to see the density increased around her home.

- ▶ Sheryl Lopez, 701 E. Lone Mountain Road, North Las Vegas, Nevada (no zip code stated)

Ms. Lopez stated she opposes this item as she does not want to see the increased population in the area that she believes would accompany the rezoning.

- ▶ Jeffrey Oatey, 741 Stagecoach Circle, North Las Vegas, Nevada (no zip code stated)

Mr. Oatey stated he opposes this item as he feels it will negatively affect his property.

- ▶ Mike Avance, 801 E. Lone Mountain, North Las Vegas, Nevada 89031

Mr. Avance stated he opposes this item as he does not wish to see this project come into his neighborhood.

Chairman Leavitt closed the Public Hearing.

Commissioner Jo Cato MOVED and Chairman Dean Leavitt SECONDED to APPROVE ZN-46-03 per staff's recommendations.

The motion carried by MAJORITY vote with Vice-Chairman Marilyn Kirkpatrick and Commissioner Joy Diaz voting against the motion.

The item was APPROVED.

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

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

This item was continued from the June 11, 2003 meeting at the request of staff. No changes have been made to the ordinance draft.

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

BACKGROUND:

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

The primary requirements during a drought alert are as follows:

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

The Development Services Department recommends **approval** of the proposed ordinance.

The application was presented by Steve Baxter, Planning Manager, who indicated staff is recommending approval of this item.

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

Commissioner Joy Diaz MOVED and Commissioner Steve Brown SECONDED to APPROVE ZOA-04-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

PUBLIC FORUM

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

The following members of the Public came forward:

Joel Rubin, 1375 E. Baseline Road Unit B, San Bernardino, California 92410

Mr. Rubin stated he represents a company that manufactures polymer-coated lumber. He stated he is concerned as he recently learned of a ban on this material.

Chairman Dean Leavitt advised Mr. Rubin the Planning Commission is not the forum to obtain answers to that question and advised him to contact the Development Services staff the next day for assistance.

DIRECTOR'S BUSINESS: None

CHAIRMAN'S BUSINESS: None

ADJOURNMENT: 11:20 PM

A motion to ADJOURN the August 13, 2003 meeting of the Planning Commission of the City of North Las Vegas was made by Chairman Dean Leavitt. Vice-Chairman Marilyn Kirkpatrick SECONDED the motion.

Dean Leavitt, Chairman

ATTEST:

Ted Karant, Recording Secretary