

MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Dean Leavitt, Chairman
Nelson Stone
Jay Aston
Harry Shull

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North Las Vegas, NV 89030
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Marilyn Kirkpatrick, Vice-Chairman
Jo Cato
Steve Brown

Planning Commission MINUTES are available on the internet at:

www.cityofnorthlasvegas.com

September 10, 2003

CALL TO ORDER:

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

ROLL CALL:

Dean Leavitt - Present
Marilyn Kirkpatrick - Present
Nelson Stone - Present
Jo Cato-ABSENT
Jay Aston-Present
Steve Brown-Present
Harry Shull-Present

STAFF PRESENT:

Steve Baxter, Acting Director, Development Services
Marc Jordan, Principal Planner
Mary Aldava, Planner
Lenny Badger, Public Works
Clete Kus, Transportation Services
Kevin Futch, Transportation Services
Jimmy Johnson, Assistant Fire Chief
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

Vice-Chairman Marilyn Kirkpatrick

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

CONSENT AGENDA

A) PW-145-03 (12261) SUN CITY ALIANTE, UNIT 3

Approve the Amended Final Map.

B) PW-146-03 (12262 ALBERTSONS #6005

Accept the Commercial Developments Off-Site Improvements Agreement by American Stores Properties, Inc., and accept the Performance Bond in the amount of \$418,067.00.

C) PW-147-03 (12264) PORTICO EAST & WEST OFF-SITE SANITARY SEWER

Accept the Subdivision Off-Site Improvements Agreement by Beazer Homes Holding Corp., and accept the Subdivision Bond in the amount of \$39,336.00.

D) PW-148-03 (12266) ANN & FERRELL COMMERCIAL CENTER

Approve the Final Map and accept the Commercial Developments Off-Site Improvements Agreement by Madison Square, LLC and accept the Performance Bond in the amount of \$136,934.84.

E) PW-149-03 (12267) TERRACINA, UNIT 1

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Terracina-Terrasol, LLC and accept the Performance Bond in the amount of \$613,721.90.

F) PW-150-03 (12270) TERRASOL, UNIT 1

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Terracina-Terrasol, LLC and accept the Performance Bond in the amount of \$482,234.61.

G) PW-151-03 (12271) SHADOW SPRINGS, PHASE 2, UNIT 6

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 \$915,927.93.

H) PW-152-03 (12272) GOWAN/BERG

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 \$470,554.70.

I) PW-153-03 (12273) ELDORADO NO. 15-MODEL COMPLEX

Approve the Amended Final Map.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Harry Shull SECONDED to CONTINUE Consent Agenda Items E and F to the 9/24/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

Consent Agenda Items E and F were CONTINUED to 9/24/03.

Commissioner Harry Shull MOVED and Commissioner Jay Aston SECONDED to APPROVE Consent Agenda Items A,B,C,D,G,H and I.

The motion carried by UNANIMOUS vote.

NEW BUSINESS

Item #1 AMP-44-03, #2 ZN-62-03, #3 AMP-45-03, #4 ZN-63-03 and #5 T-1017 are related.

1) AMP-44-03 (11924) THE SHADOWS (Public Hearing)

An application submitted by Beazer Homes on behalf of Las Vegas Concrete, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of OS Open Space to Neighborhood Commercial. The property is located at the southeast corner of Losee Road and Tropical Parkway. The Assessor's Parcel Numbers are 124-25-301-001, 124-25-301-002, 124-25-301-003 and 124-25-401-001.

RECOMMENDATIONS:

The Development Services Department recommends that AMP-44-03 **receive a favorable recommendation** from the Planning Commission and be forwarded to the City Council for final consideration.

The application was presented by Mary Aldava, 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.

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

Commissioner Harry Shull MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE AMP-44-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #1 AMP-44-03, #2 ZN-62-03, #3 AMP-45-03, #4 ZN-63-03 and #5 T-1017 are related.

2) ZN-62-03 (11926) THE SHADOWS (Public Hearing)

An application submitted by Beazer Homes on behalf of Las Vegas Concrete , property owner, for reclassification of property from an R-E Ranch Estates District to a C-1 Neighborhood Commercial District. The property is located at the southeast corner of Losee Road and Tropical Parkway. The Assessor's Parcel Numbers are 124-25-301-001, 124-25-301-002, 124-25-301-003 and 124-25-401-001.

RECOMMENDATIONS:

The Development Services Department recommends, if **AMP-44-03 is acted upon favorably**, that ZN-62-03 receive a **favorable recommendation** from the Planning Commission and be forwarded to the City Council for final consideration.

The application was presented by Mary Aldava, 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.

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

Commissioner Harry Shull MOVED and Commissioner Jay Aston SECONDED to APPROVE ZN-62-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #1 AMP-44-03, #2 ZN-62-03, #3 AMP-45-03, #4 ZN-63-03 and #5 T-1017 are related.

3) AMP-45-03 (11927) THE SHADOWS (Public Hearing)

An application submitted by Beazer Homes on behalf of Las Vegas Concrete, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of OS Open Space to LDR Low Density Residential. The property is located at the southwest corner of Tropical Parkway and Statz Street. The Assessor's Parcel Numbers are 124-25-301-004, 124-25-301-005, 124-25-301-006, 124-25-401-001 and 124-25-401-002.

RECOMMENDATIONS:

The Development Services Department recommends that AMP-45-03 **receive a favorable recommendation** from the Planning Commission and be forwarded to the City Council for final consideration.

The application was presented by Mary Aldava, 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.

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

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to APPROVE AMP-45-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #1 AMP-44-03, #2 ZN-62-03, #3 AMP-45-03, #4 ZN-63-03 and #5 T-1017 are related.

4) ZN-63-03 (11928) THE SHADOWS (Public Hearing)

An application submitted by Beazer Homes on behalf of Las Vegas Concrete, property owner, for reclassification of property from an R-E Ranch Estates District to an R-1 Single-Family Residential District. The property is located at the southwest corner of Tropical Parkway and Statz Street. The Assessor's Parcel Numbers are 124-25-301-004, 124-25-301-005, 124-25-301-006, 124-25-401-001 and 124-25-401-002.

RECOMMENDATIONS:

The Development Services Department recommends, if **AMP-45-03 is acted upon favorably**, that ZN-63-03 receive a **favorable recommendation** from the Planning Commission and be forwarded to the City Council for final consideration.

The application was presented by Mary Aldava, 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.

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

Commissioner Harry Shull MOVED and Chairman Dean Leavitt SECONDED to APPROVE ZN-63-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #1 AMP-44-03, #2 ZN-62-03, #3 AMP-45-03, #4 ZN-63-03 and #5 T-1017 are related.

5) T-1017 (11929) THE SHADOWS

An application submitted by Beazer Homes on behalf of Las Vegas Concrete, property owner, for approval of a tentative map in an R-E Ranch Estates District (proposed R-1) consisting of 534 single family dwellings and C-1 Neighborhood Commercial District. The property is located at the southwest corner of Tropical Parkway and Statz Street. The Assessor's Parcel Numbers are 124-25-301-004, 124-25-301-005, 124-25-301-006, 124-25-401-001 and 124-25-401-002.

RECOMMENDATION:

The Development Services Department recommends that T-1017 be **approved** subject to the following conditions of approval:

1. That T-1017 shall become null and void if AMP-45-03 and ZN-63-03 is not approved by the City Council.
2. That the development comply with the Single Family Design Standards, including but not limited to sidewalks being separated from back of street curb by a minimum of five (5) feet along arterial streets with a rights-of-way of 100 feet or wider. Meandering curvilinear sidewalks are encouraged to be placed within the perimeter landscape area.
3. That the proposed development shall be a gated community if private streets are to be provided.
4. That perimeter landscaping of the exterior street perimeter and interior open space areas be designated as "Common Elements" and that interior perimeter landscaping commonly described as corner side yard landscaping be addressed as allowed for in the North Las Vegas Municipal Code Section 17.24.210(E).
5. That the perimeter walls be owned and maintained by the homeowners' association.
6. That all perimeter walls, end walls, return walls and common area walls shall be decorative subject to staff review and approval
7. 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.
8. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
9. That plastic, vinyl and similar materials shall not be permitted as part, or in whole, for the construction of any perimeter walls, end walls, return walls and common area walls within this development
10. 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.
11. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
12. 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.
13. Approval of a drainage study is required prior to submittal of the civil improvement plans.

14. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan* or as directed by the Director of Public Works.
15. The drainage and utility easement must be revised to a public pedestrian access/drainage/public utility easement that conforms to the North Las Vegas Municipal Code 17.24.210.D.4.a.
16. The following right of way dedications are required:
 - a. CAT bus turn-outs on Tropical Parkway east of Losee Road, on Ann Road east of Losee Road, on Losee Road north of Ann Road, on Ann Road southwest of Tropical Parkway, and on Tropical Parkway northeast of Ann Road.
 - b. Flared intersections at Tropical Parkway and Losee Road, at Ann Road and Losee Road and at Ann Road and Tropical Parkway.
 - c. 60' at all entries where private streets intersect public streets.
17. Vacate the north half of Tropical Parkway between McCarran Street and Statz Street and include the area vacated with development of triangular shaped parcel.
18. Indicate use of the large triangular shaped parcel along the old Tropical Parkway alignment.
19. Label Davon Trail as Ann Road and Tropical Parkway per the Master Plan of Streets and Highways and dimension Ann Road and Tropical Parkway.
20. Label all common elements.
21. Revise street suffixes to comply with the City of North Las Vegas Street Address standards.
22. Label the area between Lot 10 and Lot 11 and between Lot 369 and Lot 370 as public utility easements.
23. Identify and label the parcel between Clarendon Lane and Lots 482-486 and the area between Lot 460 and Lot 461.
24. Approval of a master transportation study with twenty year modeling projections is required prior to civil improvement plans submittal.
25. All streets with right of ways of 100 feet or greater require a centerline median; therefore, a median will be required for Davon Trail (Ann/Tropical).
26. The turn out on Clarendon Lane to be 24' wide.
27. Median cuts are only permitted at a distance of 660 feet from intersections, therefore, full access drives on Davon Trail (Ann/Tropical) will only be allowed a distance of 660 feet from the intersection.
28. Southern entry on Losee road limited to right-in/right-out.
29. Design Davon/Losee intersection and construct the east half.
30. Include traffic circles at intersections with knuckles.
31. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
32. 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 Mary Aldava, 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.

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

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to APPROVE T-1017 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

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

Item #6 AMP-43-03 and #7 T-1016 are related.

6) AMP-43-03 (11915) NORTHSTAR ESTATES (Public Hearing)

An application submitted by Stanpark Homes on behalf of the Lied Foundation Trust, Christina Hixson, Trustee, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of HDR High Density Residential and Regional Commercial to Neighborhood Commercial. The property is located at the northeast corner of Alexander Road and Martin Luther King Boulevard. The Assessor's Parcel Numbers are 139-04-801-001 and 139-04-701-004.

RECOMMENDATION:

The Development Services Department recommends that AMP-43-03 **receive a favorable recommendation** from the Planning Commission and be forwarded to the City Council for final consideration.

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.

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

Commissioner Jay Aston MOVED and Commissioner Steve Brown SECONDED to APPROVE AMP-43-03 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Nelson Stone abstaining from voting on this item due to a business interest.

The item was APPROVED.

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

Item #6 AMP-43-03 and #7 T-1016 are related.

7) T-1016 (11916) NORTHSTAR ESTATES

An application submitted by Stanpark Homes on behalf of the Lied Foundation Trust, Christina Hixson, Trustee, property owner, for approval of a tentative map in an R-1 Single-Family Residential District consisting of 235 single family dwellings. The property is generally located north of Alexander Road approximately 300 feet east of Martin L. King. The Assessor's Parcel Numbers are 139-04-801-001, 139-04-701-004 and 139-04-701-005.

RECOMMENDATION:

The Development Services Department recommends that T-1016 be **continued** to allow the applicant time to submit a traffic study to the Public Works Department.

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-1016 be denied.

However, if the Planning Commission determines from the evidence presented that **approval** is warranted, then the following conditions are recommended:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That the development comply with the Single Family Design Guidelines.
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 fo the civil improvement plans.
6. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of civil improvement plans.
7. Delineate the limits of the Federal Emergency Management Agency's Special Flood Hazard Area Zone A on the tentative map and subsequent improvement plans.
8. A parcel map must be filed to crate the parcel as proposed; portions of APN 139-04-701-004 and 139-04-801-001 to remain undeveloped per plan.
9. All common elements must be labeled and identified as being maintained by the Homeowners' Association.
10. Approval of a traffic study that justifies the vacation of San Miguel Street and demonstrates the adequacy of the internal street network is required prior to submittal of the civil improvement plans.
11. An amendment to the Master Plan of Streets and Highways is required to remove San Miguel Street.

12. A pedestrian access easement must be provided from this development to the commercial development to the west.
13. 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).
14. The perimeter walls be owned and maintained by the homeowners' association.
15. Corner side yard landscaping shall be maintained by the homeowner's association.
16. The must developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
17. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any perimeter or return walls within this development.
18. 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.
19. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
20. 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 this item be continued as the Master Plan of Streets and Highways should be amended prior to the Tentative Map being considered just in case that if a traffic study did not support the removal of San Miguel Street alignment the tentative map would need to be redesigned as a result of that.

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant.

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to APPROVE T-1016 subject to the following change:

Condition #11 Changed to Read: "An amendment to the Master Plan of Streets and Highways is required to remove San Miguel Street, **otherwise the Tentative Map shall be null and void.**"

The motion carried by MAJORITY vote with Commissioner Nelson Stone abstaining from voting on this item due to a business interest.

The item was APPROVED.

8) ZN-57-03 (11862) FERRELL HILLS (Public Hearing)

An application submitted by Rusty Graf on behalf of Allen and Diana Cheung, property owners, for reclassification of property from an R-E Ranch Estates District to an R-1 Single/Family Residential District. The property is located at the northwest corner of Ann Road Ferrell Street. The Assessor's Parcel Numbers are 124-29-401-004 and 124-29-401-006.

RECOMMENDATION:

The Development Services Department recommends that ZN-57-03 **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 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.

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

Commissioner Harry Shull MOVED and Commissioner Steve Brown SECONDED to APPROVE ZN-57-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

9) ZN-58-03 (11893) ST. JOHN NEUMANN CATHOLIC CHURCH (Public Hearing)

An application submitted by Roman Catholic Bishop of Las Vegas, property owner, for reclassification of property from an R-1 Single-Family Residential District to a C-2 Neighborhood Commercial District. The property is located at the southwest corner of Red Coach Avenue and Simmons Street. The Assessor's Parcel Number is 139-05-203-001.

RECOMMENDATION:

The Development Services Department recommends that ZN-58-03 **receive a favorable recommendation** and be forwarded to the City Council for final consideration.

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

Ernie Freggiaro, of Integrity Engineering, 2480 E. Tompkins Avenue, Suite 232, Las Vegas, Nevada 89121 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Harry Shull stated he is a member of this church and serves on their building committee, however he does not believe that would cause him to need to abstain from the vote.

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

Eddie Curry, 4502 Rolls Royce Road, North Las Vegas, Nevada 89031

Mr. Curry stated he would like to know what the property owners plan to do with the property.

Mr. Freggiaro stated the purpose of the church is this is surplus property and will be sold to a developer.

Chairman Leavitt closed the Public Hearing.

Commissioner Nelson Stone MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE ZN-58-03 from C-2 to C-1 zoning.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #10 ZN-59-03 and #11 UN-70-03 are related.

10) ZN-59-03 (11901) AUTOTECH AUTO SERVICE (Public Hearing)

An application submitted by Lee Bigelow on behalf of Maria Enamorado, property owner, for reclassification of property from an R-E Ranch Estates District to a C-1 Neighborhood Commercial District. The property is located approximately 145 feet west of Clayton Street on the north side of Ann Road. The Assessor's Parcel Number is 124-29-802-013.

RECOMMENDATION:

The Development Services Department recommends that ZN-59-03 **receive a favorable recommendation** and be forwarded to the City Council for final consideration.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff is recommending approval of this item and stated staff has received one letter in opposition of this item.

Lee Bigelow, 3903 Kohler Way, North Las Vegas, Nevada 89032 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 Harry Shull SECONDED to APPROVE ZN-59-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #10 ZN-59-03 and #11 UN-70-03 are related.

11) UN-70-03 (11900) AUTOTECH AUTO SERVICE (Public Hearing)

An application submitted by Lee A. Bigelow on behalf of Maria Enamorado, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow an automotive service facility. The property is located approximately 145 feet west of Clayton Street on the north side of Ann Road. The Assessor's Parcel Number is 124-29-802-013.

RECOMMENDATION:

The Development Services Department recommends that UN-70-03 be **approved** subject to the following conditions:

1. That ZN-59-03 shall be approved by the City Council for the C-1, Neighborhood Commercial District. If ZN-59-03 is denied, then this application shall be considered null and void; and
2. That this special use permit is site specific and non-transferable; and
3. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
4. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
5. 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 directed by the Director of Public Works; and
6. That the Plans must be revised to accurately depict property line showing dedication for CAT bus turn-out. Also, the existing driveway and public utility easements per instruments 980809:01484 and 01483 must be shown. These may need to be vacated and re-dedicated; and
7. That a merger and resubdivision map is required; and
8. That the property owner must provide a copy of the recorded shared and cross access agreement with adjoining property prior to approval of the civil plans; and
9. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
10. Site plan does not show median or end of pavement on Ann Road; therefor, median extension and additional pavement may be required on Ann Road; and
11. That a Master Sign Program be reviewed and approved by Staff prior to the issuance of a building permit; and
12. That the development comply with the Commercial Design Standards including, but not limited to the following, with the exception that a minimum ten feet (10.00') of landscaping shall be provided adjacent to the western property line:
 - a. The building shall be constructed using building materials and finishes to match the architecture, colors and style of the Texaco located adjacent to the east; and
 - b. That all elevations shall incorporated jogs, offsets or other architectural features to reduce

the visual length of the building. Building surfaces over 50 feet in length must be relieved with a change of wall plane that provides strong shadow and visual interest. Variety and/or variation of roof lines is required, as well; and

- c. All sides of the building shall be coherently designed and treated. A consistent level of detailing and finish is required for all sides of the building; and
 - d. One landscape planter shall be located at each end of all parking rows. The landscape planters shall have a minimum width of six feet and shall have planting materials in accordance with the requirements set forth in the Zoning Ordinance; and
 - e. Foundation landscaping, or an acceptable alternative, shall be provided in accordance with the requirements set forth in the Zoning Ordinance. All landscaping shall be reviewed and approved by Planning prior to the issuance of any building permits; and
 - f. Access to the roof shall be from within the building. Exterior roof ladders are not permitted; and
 - g. A consistent landscape theme shall be continued from the existing Texaco site to the west along the Ann Road frontage; and
 - h. That the sidewalk be separated from the back-of-curb by a minimum five feet (5.00') of landscaping along Ann Road; and
13. That all required landscaping be provided adjacent to Ann Road along the frontage of this site prior to the issuance of a Certificate of Occupancy; and
14. That an acceptable temporary curb be provided along all pavement edges to prevent automobiles from driving on an unpaved surface, subject to review and approval of staff as part of the building permit application process.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff is recommending approval of this item and stated staff has received one letter in opposition of this item.

Lee Bigelow, 3903 Kohler Way, North Las Vegas, Nevada 89032 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 Harry Shull SECONDED to APPROVE UN-70-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #12 ZN-60-03 and #14 T-1014 are related.

12) ZN-60-03 (11908) FIESTA DEL CENTRO (Public Hearing)

An application submitted by Pardee Homes of Nevada, property owner, for reclassification of property from an R-E Ranch Estates District to an R-1 Single-Family Residential District. The property is located at the northeast corner of Ann Road and Allen Lane. The Assessor's Parcel Numbers are 124-29-401-008 and 124-29-401-009.

RECOMMENDATION:

The Development Services Department recommends that ZN-60-03 **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 staff is recommending approval of this item.

Jeanna Gaitan, of Pardee Homes of Nevada, 650 White Drive, Suite 100, Las Vegas, Nevada 89119 appeared on behalf of the applicant and stated she concurs with staff's recommendations.

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

Commissioner Harry Shull MOVED and Chairman Dean Leavitt SECONDED to APPROVE ZN-60-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #14 T-1014 was heard next as it is a companion item.

13) ZOA-07-03 (11968) CITY OF NORTH LAS VEGAS (Public Hearing)

An application submitted by the City of North Las Vegas to amend the Zoning Ordinance by changing the definition of a financial institution and add definitions for auto title loans and check cashing facilities. The amendment will also allow financial institutions as permitted uses, and allow auto title loans and check cashing facilities as permitted uses in the M-1 Business Park Industrial District and in the M-2 General Industrial District.

RECOMMENDATION:

The Development Services Department recommends that ZOA-07-03 be **approved** and forwarded to City Council for final consideration.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated this amendment is proposing to create a definition for financial institutions that would primarily consist of banks, credit unions, mortgage loan facilities, and also have definitions for an auto title loan and check cashing facility. He stated the proposed amendment would also allow financial institutions (i.e., banks, credit unions, mortgage facilities, etc.) as principally permitted uses in C-1, C-2, C3 and M-1 and M-2 Districts, where presently a special use permit is required for those areas. He also stated the ordinance would also allow auto title loans, check cashing facilities and similar facilities (according to the definition) as principally permitted uses in the M-1 and M-2 Districts only, as well as establish three (3) guidelines for those item which would be the hours of operations, conformance to the Commercial Design Standards and separation requirements of 1,500 feet from other such facilities and staff is recommending this request be approved.

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 ZOA-07-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #12 ZN-60-03 and #14 T-1014 are related.

14) T-1014 (11909) FIESTA DEL CENTRO

An application submitted by Pardee Homes of Nevada, property owner, for approval of a tentative map in an R-1 Single-Family Residential District consisting of 74 single-family dwellings. The property is generally located at the northeast corner of Ann Road and Allen Lane. The Assessor's Parcel Numbers are 124-29-401-008 and 124-29-401-009.

RECOMMENDATION:

The Development Services Department recommends that T-1014 be **approved** with the following conditions:

1. The applicant has a pending rezoning application (ZN-60-03) to the R-1, Single Family Residential District. The applicant shall obtain permanent zoning to the R-1, Single Family Residential District, otherwise, the tentative map shall be null and void.
2. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
3. That the development comply with the Single Family Design Guidelines.
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 for 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 directed by the director of Public Works.
7. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of civil improvement plans.
8. Remove section thickness from the typical sections. The off-site pavement sections will be determined by the Department of Public Works.
9. The following right-of-way dedications are required:
 - a.) 30' right-of-way for El Campo Grande Avenue with associated spandrels;
 - b.) 50' right-of-way for Ann Road with associated spandrels;
 - c.) 40' right-of-way for Allen Lane with associated spandrels;
 - d.) A CAT bus turn-out on Allen Lane near Ann Road;
 - e.) Flared intersection at Ann Road and Allen Lane;
 - f.) 60' right-of-way at entry from El Campo Grande.
10. 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.
11. A revocable encroachment permit for landscaping in the right-of-way will be required prior to approval of the civil improvement plans.

12. The property owner must grant easements with the final map for emergency access and a public utility easement between Ellington Court and Common Lot B.
13. A public utility easement along the channel for a minimum of 20' is required from the adjacent property owner for maintenance of the sewer.
14. A pedestrian access easement must be provided at the end of Dalton Street.
15. Approval of the traffic study is required prior to submittal of the civil improvement plans.
16. Provide foundation and conduit for emergency flasher on Allen Lane south of the flood channel.
17. Medians are required in all full width improvement sections for streets of 100 foot rights-of-way and greater; therefore, a median must be constructed with the street improvements for Ann Road.
18. Median cuts are only permitted at a distance of 660 feet from intersections, therefore, the driveway on Ann Road will be limited to right in / right out.
19. 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).
20. The perimeter walls be owned and maintained by the homeowners' association.
21. Corner side yard landscaping shall be maintained by the homeowner's association.
22. The must developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
23. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any perimeter or return walls within this development; and
24. 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.
25. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
26. 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 with the deletion of Condition #9F.

Jeanna Gaitan, of Pardee Homes of Nevada, 650 White Drive, Suite 100, Las Vegas, Nevada 89119 appeared on behalf of the applicant and stated she concurs with staff's recommendations.

Commissioner Harry Shull MOVED and Commissioner Nelson Stone SECONDED to APPROVED T-1014 per staff's recommendations subject to the following change:

Condition #9F Deleted.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

15) UN-53-01 (11808) NORTH LAS VEGAS HOSPITAL (Public Hearing)

An application submitted by UHS of Delaware Inc., property owner, for an extension of time to 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.

This item was originally approved by the Planning Commission on July 25, 2001. Since approval of the use permit the applicant has not submitted any plans for construction of the proposed hospital. The applicant states in their letter of intent that Universal Health Services is currently constructing Spring Valley Hospital in the southwest end of the valley, and expanding Valley Hospital. Therefore, the applicant is requesting an extension of time to allow the completion of their existing projects.

The approved site plan depict a four-story 58' tall masonry or tilt-up type structure featuring an aluminum and glass curtain wall within the north and south building facades. With a medical office building located to the west. The site contains a total of 852 parking spaces and additional space located along Commerce Street.

A portion of the site is currently occupied by the Craig Ranch Golf Course and many steps are required prior to construction of the proposed hospital, therefore, Development Services recommends that UN-53-01 be approved for an extension of time with the following conditions:

1. All previously approved conditions of UN-53-01 shall apply.
2. This Use Permit will expire on July 25, 2005.

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

Preston Howard, 2700 W. Sahara Avenue, Las Vegas, Nevada 89102 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Steve Brown SECONDED to APPROVE UN-53-01 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #16 UN-67-03, #17 UN-68-03 and #18 UN-69-03 are related.

16) UN-67-03 (11816) CRAIG COMMERCE PLAZA (Public Hearing)

An application submitted by Ace Engineering on behalf of Craig Commerce, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow a convenience store with gas pumps. The property is located at the southwest corner of Craig Road and Commerce Street. The Assessor's Parcel Number is 139-03-311-012.

RECOMMENDATION:

The Development Services Department recommends that UN-67-03 be **continued indefinitely** to allow the applicant time to consider reducing the number or amount of uses and to redesign the site to be in compliance with the Commercial Development Standards and Design Guidelines (§17.24.200 NLV Municipal Code.)

If the applicant is unable or unwilling to continue this item indefinitely, then the Development Services Department recommends that this item be **denied** because the proposed site plan design would create significant safety concerns and would be detrimental and/or injurious to people and property in the vicinity.

However, if the Planning Commission determines that a **favorable action** is warranted at this time, then the following conditions are recommended:

1. That this special use permit is site specific and non-transferable; and
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
3. That the plan must be revised to remove all structures (buildings and signs) from the drainage easement; and
4. Approval of a drainage study is required prior to submittal of the civil improvement plans; and
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; and
6. Remove all structural details from Site Plan; and
7. Approval of a traffic study is required prior to submittal of the civil improvement plans; and
8. The entry drive on Commerce to be shared with parcel to the north as a drive cannot be located in a bus turnout; and
9. Provide adequate queuing for a car wash; and
10. Provide adequate turning radius for 18 wheel truck and show tracking for wheel base 50; and
11. A shared access agreement with the parcel to the west is required prior to approval of the civil improvement plans; and
12. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, with the exception that the convenience store building is not required to be located at the front setbacks nearest to the intersection; and
13. That a Master Sign Program be reviewed and approved by staff for the entire 20±-acre

commercial shopping center prior to the issuance of any building permits; and

14. That exterior roof ladders shall not be permitted. All access to the roofs shall be from the insides of the buildings; and
15. That the design, materials and colors of the gas canopy shall match the convenience store building; and
16. That exterior drain scuppers shall not be permitted.

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

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

Commissioner Harry Shull MOVED and Commissioner Jay Aston SECONDED to CONTINUE UN-67-03 to the 9/24/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 9/24/03.

Item #16 UN-67-03, #17 UN-68-03 and #18 UN-69-03 are related.

17) UN-68-03 (11817) CRAIG COMMERCE PLAZA (Public Hearing)

An application submitted by Ace Engineering on behalf of Craig Commerce, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow an automobile wash facility. The property is located at the southwest corner of Craig Road and Commerce Street. The Assessor's Parcel Number is 139-03-311-012.

RECOMMENDATION:

The Development Services Department recommends that UN-68-03 be **continued indefinitely** to allow the applicant time to consider reducing the number or amount of uses and to redesign the site to be in compliance with the Commercial Development Standards and Design Guidelines (§17.24.200 NLV Municipal Code.)

If the applicant is unable or unwilling to continue this item indefinitely, then the Development Services Department recommends that this item be **denied** because the proposed site plan design would create significant safety concerns and would be detrimental and/or injurious to people and property in the vicinity.

However, if the Planning Commission determines that a **favorable action** is warranted at this time, then the following conditions are recommended:

1. That this special use permit is site specific and non-transferable; and
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
3. The plan must be revised to remove all structures (buildings and signs) from the drainage easement; and
4. Approval of a drainage study is required prior to submittal of the civil improvement plans; and
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; and
6. Remove all structural details from the Site Plan; and
7. Approval of a traffic study is required prior to submittal of the civil improvement plans; and
8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Craig Road and Commerce Street; and
9. The entry drive on Commerce to be shared with parcel to the north as a drive cannot be in bus turnout; and
10. Provide adequate queuing for a car wash; and
11. Provide adequate turning radius for 18 wheel truck and show tracking for wheel base 50; and
12. A shared access agreement with the parcel to the east is required prior to approval of the civil improvement plans; and
13. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines; and

14. That a Master Sign Program be reviewed and approved by staff for the entire 20±-acre commercial shopping center prior to the issuance of any building permits; and
15. That exterior roof ladders shall not be permitted. All access to the roofs shall be from the insides of the buildings; and
16. That the design, materials and colors of the car wash shall match the convenience store building; and
17. That exterior drain scuppers shall not be permitted.

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

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

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to CONTINUE UN-68-03 to the 9/24/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 9/24/03.

Item #16 UN-67-03, #17 UN-68-03 and #18 UN-69-03 are related.

18) UN-69-03 (11818) CRAIG COMMERCE PLAZA (Public Hearing)

An application submitted by Ace Engineering on behalf of Craig Commerce, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow an automotive service facility. The property is located at the southwest corner of Craig Road and Commerce Street. The Assessor's Parcel Number is 139-03-311-012.

RECOMMENDATION:

The Development Services Department recommends that UN-69-03 be **continued indefinitely** to allow the applicant time to consider reducing the number or amount of uses and to redesign the site to be in compliance with the Commercial Development Standards and Design Guidelines (§17.24.200 NLV Municipal Code.)

If the applicant is unable or unwilling to continue this item indefinitely, then the Development Services Department recommends that this item be **denied** because the proposed site plan design would create significant safety concerns and would be detrimental and/or injurious to people and property in the vicinity.

However, if the Planning Commission determines that a **favorable action** is warranted at this time, then the following conditions are recommended:

1. That this special use permit is site specific and non-transferable; and
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
3. The plan must be revised to remove all structures (buildings and signs) from the drainage easement; and
4. Approval of a drainage study is required prior to submittal of the civil improvement plans; and
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; and
6. Remove all structural details from the Site Plan; and
7. Approval of a traffic study is required prior to submittal of the civil improvement plans; and
8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Craig Road and Commerce Street; and
9. The entry drive on Commerce to be shared with parcel to the north as a drive cannot be in bus turnout; and
10. Provide adequate queuing for a car wash; and
11. Provide adequate turning radius for 18 wheel truck and show tracking for wheel base 50; and
12. A shared access agreement with the parcel to the east is required prior to approval of the civil improvement plans; and
13. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, with the exception that the auto service facility building is not required to be located at the front setback nearest to Craig Road; and

14. That a Master Sign Program be reviewed and approved by staff for the entire 20±-acre commercial shopping center prior to the issuance of any building permits; and
15. That exterior roof ladders shall not be permitted. All access to the roofs shall be from the insides of the buildings; and
16. That the design, materials and colors of the auto service facility shall match the convenience store building; and
17. That exterior drain scuppers shall not be permitted; and
18. That outside overnight parking of vehicles awaiting repair shall not be permitted. Overnight shall be deemed from 10:00 pm to 6:00 am.

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

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

Commissioner Harry Shull MOVED and Commissioner Jay Aston SECONDED to CONTINUE UN-69-03 to the 9/24/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 9/24/03.

Item #19 VAC-17-03 and #20 VAC-18-03 are related.

19) VAC-17-03 (11885) LAUREL CANYON (Public Hearing)

An application submitted by Richmond American Homes on behalf of Silver Bowl Invest., LLC, et. al., property owner, for a vacation of approximately 1,321 feet of Sandy Lane between Hammer Lane and Washburn Road; to vacate the southerly 5 feet of Fisher Avenue commencing approximately 140 feet east of Pecos Road and proceeding west approximately 490 feet; to vacate approximately 596 feet of Fisher Avenue between Queen Street and Sandy Lane ; to vacate approximately 577 feet of Queen Street between Hammer Lane and Fisher Avenue and to vacate approximately 589 feet of Hammer Lane between Queen Street and Sandy Lane. The Assessor's Parcel Number is 123-31-202-001.

RECOMMENDATION

The Development Services Department recommends that this item be **continued** until a traffic study demonstrating the adequacy of the internal street network and supporting the vacation is submitted and accepted by Public Works.

Should the Planning Commission choose to **approve** this application the Department of Public Works recommends the following as conditions of approval:

1. The legal description must be revised to include vacation of radius at southwest corner of Queen Street and Hammer Lane.
2. The vacation must record concurrently with the final map.
3. Approval of a traffic study demonstrating the vacation is required prior to submittal of civil improvement plans.

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

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

Commissioner Harry Shull MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to CONTINUE VAC-17-03 to the 9/24/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 9/24/03.

Item #19 VAC-17-03 and #20 VAC-18-03 are related.

20) VAC-18-03 (11887) LAUREL CANYON (Public Hearing)

An application submitted by Richmond American Homes on behalf of Silver Bowl Investment, LLC, Etal, property owner, for a vacation of 20 feet of the southerly right of way of Ann Road commencing at Walnut Road and proceeding east approximately 1,102 feet and the vacation of 50 feet of right of way of Ann Road commencing approximately 1,172 feet east of Walnut Road and proceeding east approximately 327 feet. The Assessor's Parcel Number is 123-31-501-001.

RECOMMENDATION

The Development Services Department recommends that VAC-18-03 be **approved** subject to the following conditions:

1. The Master Plan of Streets and Highways must be amended to include the adjusted right of way and street renaming (formerly Ann Road).
2. The vacation must record concurrently with the final map.
3. The legal description must be revised to exclude the vacation of the area east of the knuckle; the City must retain the area for drainage and utilities.

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

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

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to CONTINUE VAC-18-03 to the 9/24/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 9/24/03.

Commissioner Harry Shull abstained from voting on this item due to a business interest.

21) VAC-19-03 (11913) CRAIG AND COLEMAN (Public Hearing)

An application submitted by Centex Homes on behalf of Matonovich Family Trust et al, property owner, for a vacation of a portion of Fuselier Drive and approximately 300 feet of a public utility easement commencing north of San Miguel Avenue and proceeding north approximately 646 feet on Fuselier Drive. The Assessor's Parcel Numbers are 139-05-701-007, 139-05-702-005, 139-05-702-006 and a portion of 139-05-701-009.

RECOMMENDATION:

The Development Services Department recommends that VAC-19-03 be **continued indefinitely** based on the recommendation submitted by the Department of Public Works.

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

1. The vacation is to record concurrent with the final map.
2. Property owner to relinquish the Nevada Power Company easement.
3. The developer will be responsible for relocating and placing the power poles underground.
4. Dedication for a cul-de-sac bulb is required.
5. Retain an easement for Sprint, over, across, and under the east 10.00 feet of Fuselier Drive, together with reasonable rights of ingress thereto and egress therefrom.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 10/8/03 Planning Commission meeting.

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

Commissioner Jay Aston MOVED and Commissioner Steve Brown SECONDED to CONTINUE VAC-19-03 to the 10/8/03 Planning Commission meeting.

The motion carried by MAJORITY vote with Commissioner Harry Shull abstaining from voting on this item due to a business interest.

The item was CONTINUED to 10/8/03.

22) T-967 (11870) ANN & LAWRENCE WEST

An application submitted by Centex Homes, property owner, for review of a previously approved tentative map to amend Condition #5 in an R-1 Single-Family Residential District consisting of 95 single family dwellings. The property is generally located at the southwest corner of Lawrence Street and El Campo Grande. The Assessor's Parcel Numbers are 124-26-801-002 and 004.

RECOMMENDATION

The Development Services Department recommends **approval** of amended Condition #5 to read as follows:

5. That plastic, vinyl and similar materials shall not be permitted as part, or in whole, for the construction of any perimeter or turn walls within this development.

Additionally, the following conditions should be added:

17. That the proposed fence shall be engineered to resist the long-term effects of solar radiation, wind and dryness inherent to the Las Vegas Valley.
18. That the proposed fence shall be engineered, designed and installed to meet manufacturer's specifications and building code requirements.
19. All vinyl fencing shall be compatible for pool installations.
20. The posts and/or all connections shall not be attached to the homes.

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 Harry Shull **MOVED** and Commissioner Nelson Stone **SECONDED** to **APPROVE** T-967 per staff's recommendations subject to the inclusion of Exhibit A as submitted at the meeting to be filed with this case and become part of the record.

The motion carried by **UNANIMOUS** vote.

The item was APPROVED.

23) T-978 (11871) CARMENA (AMENDED)

An application submitted by Centex Homes, property owner, for review of a previously approved tentative map to amend Condition #11 in an R-1 Single-Family Residential District consisting of 101 single family dwellings. The property is generally located at the southeast corner of Azure Avenue and Donna Street. The Assessor's Parcel Numbers are 124-26-201-001, 124-26-201-002, 124-26-201-003, 124-26-201-004, 124-26-202-005 and 124-26-201-007.

RECOMMENDATION

The Development Services Department recommends **approval** of amended Condition #11 to read as follows:

11. That plastic, vinyl and similar materials shall not be permitted as part, or in whole, for the construction of any perimeter or turn walls within this development.

Additionally, the following conditions should be added:

17. That the proposed fence shall be engineered to resist the long-term effects of solar radiation, wind and dryness inherent to the Las Vegas Valley.
18. That the proposed fence shall be engineered, designed and installed to meet manufacturer's specifications and building code requirements.
19. All vinyl fencing shall be compatible for pool installations.
20. The posts and/or all connections shall not be attached to the homes.

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 Harry Shull MOVED and Commissioner Steve Brown SECONDED to APPROVE T-978 per staff's recommendations subject to the inclusion of Exhibit A as submitted at the meeting to be filed with this case and become part of the record.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

**There was a break in the proceedings at 8:37 PM
The meeting reconvened at 8:49 PM**

24) T-1015 (11910) ELDORADO R1-70 NO.10 TM #122

An application submitted by Pardee Homes of Nevada, property owner, for approval of a tentative map in a OL/DA Open Land/Development Agreement District consisting of 105 single family dwellings. The property is generally located at the southeast corner of Deer Springs Way and Gentle Brooks Street. The Assessor's Parcel Number is 124-21-801-005.

RECOMMENDATION:

The Development Services Department recommends that T-1015 be **approved** subject to the following conditions:

1. That the development shall comply with all applicable codes and ordinances.
2. That all lands, areas, and open spaces are to be developed and maintained per the Development Agreement between the City of North Las Vegas and Pardee Homes of Nevada (formerly Pardee Construction Company) dated December 10, 1988, or as amended.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required.
5. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan* or as directed by the Director of Public Works.
6. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of civil improvement plans.
7. Remove section thickness from the typical sections. The off-site pavement sections will be determined by the Department of Public Works.
8. Delineate the limits of the Federal Emergency Management Agency's Special Flood Hazard Area Zone A on the tentative map and subsequent improvement plans.
9. A revocable encroachment permit for landscaping in the right-of-way will be required prior to approval of the civil improvement plans.
10. 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.
11. The following right-of-way dedications are required:
 - a. 40' right-of-way for Deer Springs Way.
12. A traffic study update is required prior to the submittal of the civil improvement plans.
13. The development shall be designed so that the maximum single-point fire access dead-end serving residential structures shall be 500 feet.
14. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.

15. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

Prior to the Planning Commission meeting, the applicant requested this item be WITHDRAWN.

The item was WITHDRAWN.

OLD BUSINESS

Item #25 UN-51-03 and #26 VN-08-03 are related.

25) 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.

This item was continued from the August 13th meeting at the applicant's request. The applicant has not submitted revised plans since the meeting. A revised memorandum will be presented at the September 10th Commission meeting.

(from the 8/13/03 Planning Commission meeting):

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 9/24/03 Planning Commission meeting.

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

Commissioner Harry Shull MOVED and Commissioner Jay Aston SECONDED to CONTINUE UN-51-03 to the 9/24/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 9/24/03.

Item #25 UN-51-03 and #26 VN-08-03 are related.

26) 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.

This item was continued from the August 13th meeting at the applicant's request. The applicant has not submitted revised plans since the meeting. A revised memorandum will be presented at the September 10th Commission meeting.

(from the 8/13/03 Planning Commission meeting):

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 9/24/03 Planning Commission meeting.

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

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to CONTINUE VN-08-03 to the 9/24/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 9/24/03.

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

Item #27 AMP-40-03 and #28 ZN-53-03 are related.

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

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

RECOMMENDATION:

The Development Services Department recommends that AMP-40-03 **receive a favorable recommendation** from the Planning Commission and be forwarded to the City Council for final consideration.

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.

George Garcia, of G.C.Garcia, 2501 N. Green Valley Parkway, Suite 108, Henderson, Nevada 89014 appeared on behalf of the property owner.

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

Commissioner Harry Shull MOVED and Commissioner Jay Aston SECONDED to APPROVE AMP-40-03 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Nelson Stone abstaining from voting on this item due to a business interest.

The item was APPROVED.

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

Item #27 AMP-40-03 and #28 ZN-53-03 are related.

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

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

RECOMMENDATION

The Development Services Department recommends that ZN-53-03 be **continued** in order to allow the applicant to address the issues outlined in the analysis section above.

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

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan* or as directed by the Director of Public Works.
4. The following right-of-way dedications with associated spandrels are required:
 - a. 30 feet for Rome Boulevard
 - b. 30 feet for McCarran Street
5. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.
6. Approval of a traffic study with queuing analysis is required prior to submittal of the civil improvement plans.
7. A parcel map will need to be filed to create separate parcels for each land use.
8. Per the CNLV Street Address Standard, the buildings will need to be numbered in a counter clockwise fashion starting from the main entry street.
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 of the final map.
10. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the park areas showing landscaping and amenities.

11. That this development be in compliance with the Multi-Family Development Standards and Design Guidelines and ordinance requirements.
12. That the developer meet with the Department of Parks and Recreation to discuss amenities and usability of the proposed open space areas prior to submitting a final development plan. The amenities to be included in the open space which shall contain, at a minimum, the following items:
 - a. Circuitous lighted paths; and
 - b. A minimum of 20 trees per acre; and
 - c. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection and accompanying shade ramada; and
 - d. A large open space area for group/organized play; and
 - e. One large group shade area/gazebo (30' diameter), lighted; and
 - f. Picnic tables and barbecue grills; and
 - g. Benches spaced along park pathways; and
 - h. All Open Space amenities are to be ADA accessible.
13. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any perimeter or return walls within this development.
14. That all conditions mentioned herein be satisfied prior to recording any final map.

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.

George Garcia, of G.C.Garcia, 2501 N. Green Valley Parkway, Suite 108, Henderson, Nevada 89014 appeared on behalf of the property owner.

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

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to APPROVE ZN-53-03 per staff's recommendations with the modification that it goes from R-E to R-3.

The motion carried by MAJORITY vote with Commissioner Nelson Stone abstaining from voting on this item due to a business interest.

The item was APPROVED.

29) ZN-76-02 (11757) CHEYENNE VALLEY (Public Hearing)

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

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

51. The amenities to be included in the open space which shall contain, at a minimum, the following items:
- a. Circuitous lighted paths; and
 - b. A minimum of 20 24-inch box trees per acre; and
 - c. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection and accompanying shade ramada and;
 - d. At least one large open space area for group/organized play; and
 - 5. One large group shade area/gazebo (30' diameter), lighted; and
 - f. Picnic tables and barbecue grills; and
 - g. Benches spaced along park pathways; and
 - h. Details of the amenities are to be provided.

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

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 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:

- ▶ Roberta Young, 3436 Trotting Horse Road, North Las Vegas, Nevada (no zip code stated)

Ms. Young stated she opposes this item as she feels it will not benefit the neighborhood.

- ▶ Todd Olcott, 3408 Trotting Horse Road, North Las Vegas, Nevada 89032

Mr. Olcott stated he would like to see greater traffic law enforcement in the area.

The Public Hearing was closed.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Steve Brown SECONDED to APPROVE ZN-76-02 per staff's recommendations subject to the following changes:

Condition #46 Changed to Read: "and developed as two-family townhomes."

Condition #52 Added to Read: "Emergency access shall only be allowed next to Valley Drive. Such access shall comply with all Fire Department Codes and Ordinances."

Condition #53 Added to Read: "that front yards shall be maintained by the HomeOwners"

Association.”

Condition #54 Added to Read: “the Final Development Plan for the residential portion shall be a Public Hearing.”

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Commissioner Harry Shull abstained from voting on this item due to a business interest.

Item #30 AMP-41-03 and #31 ZN-56-03 are related.

30) AMP-41-03 (11759) CENTEX HOMES (Public Hearing)

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

These items were continued from the August 27, 2003 Planning Commission meeting at the applicant's request.

(from the 8/27/03 Planning Commission meeting):

RECOMMENDATION

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

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

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 10/8/03 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 Nelson Stone SECONDED to CONTINUE AMP-41-03 to the 10/8/03 Planning Commission meeting.

The motion carried by MAJORITY vote with Commissioner Harry Shull abstaining from voting on this item due to a business interest.

The item was CONTINUED to 10/8/03.

Commissioner Harry Shull abstained from voting on this item due to a business interest.

Item #30 AMP-41-03 and #31 ZN-56-03 are related.

31) ZN-56-03 (11761) CENTEX HOMES (Public Hearing)

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

These items were continued from the August 27, 2003 Planning Commission meeting at the applicant's request.

(from the 8/27/03 Planning Commission meeting):

RECOMMENDATION

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

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

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 10/8/03 Planning Commission meeting.

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

Commissioner Jay Aston MOVED and Commissioner Steve Brown SECONDED to CONTINUE ZN-56-03 to the 10/8/03 Planning Commission meeting.

The motion carried by MAJORITY vote with Commissioner Harry Shull abstaining from voting on this item due to a business interest.

The item was CONTINUED to 10/8/03.

Commissioner Harry Shull abstained from voting on this item due to a business interest.

32) T-1012 (11763) CENTEX HOMES

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

This tem was continued from the August 27, 2003 Planning Commission meeting at the applicant's request.

(from the 8/27/03 Planning Commission meeting):

RECOMMENDATION:

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

1. That T-1012 shall become null and void if AMP-41-03 and ZN-56-03 is not approved by the City Council.
2. That the development comply with the Single Family Design Standards.
3. That perimeter landscaping of the exterior street perimeter be designated as "Common Elements" and that interior perimeter landscaping commonly described as corner side yard landscaping be addressed as allowed for in the North Las Vegas Municipal Code Section 17.24.210(E).
4. That the perimeter walls be owned and maintained by the homeowners' association.
5. That all perimeter walls, end walls, return walls and common area walls shall be decorative subject to staff review and approval
6. That corner side yard landscaping shall be maintained by the homeowner of the lot and that provisions and enforcement of such shall be provided within the CC&R's.
7. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
8. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development.
9. The 40-foot Fire Department emergency access and utility easement proposed from Coleman Street to Oscar Mariano Avenue shall also serve as pedestrian access to the development. The proposed easement would need to comply with Section 17.24.10.D.4 of the Municipal Code and be maintained by the homeowners' association.
10. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.

11. Approval of a drainage study is required prior to submittal of the civil improvement plans.
12. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
14. The following right of way and associated spandrel dedications are required:
 - a. 50 feet for Simmons Street
 - b. 30 feet for San Miguel Avenue
13. The final map must be labeled as a merger and resubdivision.
14. The developer is responsible for relocating power lines and placing them underground.
15. Fuselier Drive must be vacated.
16. The property owner must grant a pedestrian access easement for the portions of the sidewalk outside of the right of way prior to approval of the civil improvement plans.
17. A revocable encroachment permit must be obtained for landscape in the right of way.
18. A public utility easement and emergency access easements as indicated on the final map must be granted prior to approval of the civil improvement plans.
19. A traffic mitigation analysis is required.
20. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
21. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
22. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 10/8/03 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 Steve Brown SECONDED to CONTINUE T-1012 to the 10/8/03 Planning Commission meeting.

The motion carried by MAJORITY vote with Commissioner Harry Shull abstaining from voting on this item due to a business interest.

The item was CONTINUED to 10/8/03.

33) UN-61-03 (11730) CENTENNIAL COMMERCIAL CENTER (Public Hearing)

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

This item was continued from the August 27th meeting at the applicant’s request. The applicant has not submitted revised plans since the meeting. A revised memorandum will be presented at the September 10th Commission meeting.

RECOMMENDATION

The Development Services Department recommends that UN-61-03 be **continued indefinitely**, to allow the applicant to redesign the site with the drainage easement.

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

1. Approval of a drainage study is required prior to submittal of the civil improvement plans.
2. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas’ *North Neighborhood Flood Control Master Plan* or as directed by the Director of Public Works.
3. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
4. The following right of way dedications are required:
 - a. 50 feet for Centennial Parkway and associated spandrel
 - b. 30 feet for Goldfield Street and associated spandrel
5. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.
6. The Nevada Power Company poles and easement must be shown.
7. An underground drainage easement for the Centennial Parkway East channel must be granted in accordance with the attached legal description and exhibit within ninety days approval and no parking or signage will be permitted within.
8. Approval of a traffic study is required prior to submittal of the civil improvement plans.
9. Driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in North Las Vegas Municipal Code 17.24.130. Conformance may require modifications to the site.
10. That the applicant shall submit a survey, stamped by a surveyor licensed in the State of Nevada, to the Development Services Department as proof of compliance with the 1,500-foot separation requirement prior to the issuance of a business license or building permit.
11. Driveways on Centennial Parkway will be limited to right-in/right-out access unless located at a distance of 660 feet from the intersection.

13. That windows be provided throughout the building, except where the kitchen and restrooms are proposed to be located, and the windows shall match the style of the proposed retail center.
14. That the floor area of the bar shall not exceed 50% of the total public restaurant floor area.
15. Unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances.

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

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

Commissioner Jay Aston MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to CONTINUE UN-61-03 to the 9/24/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 9/24/03.

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: 9:25 PM

A motion to ADJOURN the September 10, 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