

# MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Dean Leavitt, Chairman  
Nelson Stone  
Jay Aston  
Harry Shull

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Marilyn Kirkpatrick, Vice-Chairman  
Jo Cato  
Steve Brown

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Planning Commission MINUTES are available on the internet at:

[www.cityofnorthlasvegas.com](http://www.cityofnorthlasvegas.com)

## October 8, 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-Present  
Jay Aston-Present  
Steve Brown-Present  
Harry Shull-Present

### STAFF PRESENT:

Steve Baxter, Acting Director, Development Services  
Misty Haehn, Acting Planning Manager  
Marc Jordan, Principal Planner  
Bob Hoyes, Planner  
Lenny Badger, Public Works  
Kevin Futch, Transportation Services  
Steven DiGiovanni, Fire Department  
Jim Lewis, Deputy City Attorney  
Ted Karant, Recording Secretary

### ANNOUNCEMENTS:

Verification of compliance with NRS 241, Open Meeting Law.

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

### PLEDGE OF ALLEGIANCE

Commissioner Jo Cato

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

## **MINUTES**

Approval of the MINUTES for the Planning Commission meeting of September 24, 2003.

Commissioner Nelson Stone MOVED and Commissioner Jay Aston SECONDED to APPROVE the minutes of the September 24, 2003 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

## **CONSENT AGENDA**

### **A) PW-157-03 (12604) CORTEZ HEIGHTS**

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Portola Development Company, LC and accept the Subdivision Bond in the amount of \$1,954,175.00.

### **B) PW-158-03 (12605) NEVADA POWER COMPANY CNLV PAYMENT CENTER, PHASE 1**

Accept the Commercial Developments Off-Site Improvements Agreement by Nevada Power Company and accept the Letter of Credit in the amount of \$42,717.46.

### **C) PW-159-03 (12606) JASMINE CONDOMINIUMS, UNIT 1**

Approve the Subdivision Off-Site Improvements Agreement by TOUSA Homes, Inc., dba Trophy Homes, and accept the Subdivision Bond in the amount of \$206,876.73.

### **D) PW-160-03 (12607) JASMINE CONDOMINIUMS, UNIT 1**

Advise the Director of Public Works to notify Western Insurance Company to release the Subdivision Bond in the amount of \$206,876.73.

### **E) PW-161-03 (12609) ARBOR GATE 1**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Seaboard Surety Company to release the Performance Bond in the amount of \$224,199.97.

### **F) PW-162-03 (12610) LAS VEGAS CORPORATE CENTER PHASE 1 INFRASTRUCTURE**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Travelers Casualty and Surety Company of America to release the Subdivision Bond in the amount of \$454,222.00.

### **G) PW-163-03 (12611) LAS VEGAS CORPORATE CENTER-KOMATSU**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Travelers Casualty and Surety Company of America to release the Subdivision Bond in the amount of \$89,320.00.

### **H) PW-164-03 (12612) CRAIG RANCH NLV STAKE**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Zions Bank to release the Letter of Credit in the amount of \$76,124.90.

### **I) PW-165-03 (12613) WESTERN CASEWORK**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify the Director of Finance for the City of North Las Vegas to release the Cash In-Lieu-Of Bond in the amount of \$13,050.18.

### **J) PW-166-03 (12614) THE PARKS, UNIT 2**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Safeco Insurance Company to release the Subdivision Bond in the amount of \$477,030.51.

**K) PW-167-03 (12615) CAREFREE SENIOR LIVING**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify the Developers Insurance Company to release the Subdivision Bond in the amount of \$919,120.00.

**L) PW-168-03 (12616) VILLAS AT HIDDEN CANYON**

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Insurance Company of the West to release the Subdivision Bond in the amount of \$305,775.00.

**M) PW-169-03 (12635) GRANADA RIDGE**

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 \$1,292,948.69.

Commissioner Nelson Stone MOVED and Commissioner Jay Aston SECONDED to APPROVE Consent Agenda Items A through M.

The motion carried by UNANIMOUS vote.

## **NEW BUSINESS**

**Items #1 AMP-42-03 and #2 ZN-55-03 are related.**

**1) AMP-42-03 (11765) ROSE LAKE (Public Hearing)**

An application submitted by Centex Homes on behalf of Las Vegas Concrete and Chuck Bryner, property owners, 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 generally located at the northwest corner of Ann Road and Pecos Road. The Assessor's Parcel Numbers are 124-25-701-001 thru 006, 124-25-801-001 thru 004, and 124-25-802-001 thru 002. A complete legal description is on file with the Development Services Department.

**These items were reviewed and approved by the Planning Commission on August 27, 2003, however, due to incorrect notification these items have been scheduled on this agenda for Planning Commission consideration.**

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

### **RECOMMENDATION**

The Development Services Department recommends that AMP-42-03 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.

Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 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 Nelson Stone MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE AMP-42-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #1 AMP-42-03 and #2 ZN-55-03 are related.**

**2) ZN-55-03 (11766) ROSE LAKE (Public Hearing)**

An application submitted by Centex Homes on behalf of Las Vegas Concrete and Chuck Bryner, property owners, for reclassification of property from a M-1 Business Park Industrial District to an R-1 Single-Family Residential District. The property is located at the northwest corner of Ann Road and Pecos Road. The Assessor's Parcel Numbers are 124-25-701-001 thru 006, 124-25-801-001 thru 004, and 124-25-802-001 thru 002.

**These items were reviewed and approved by the Planning Commission on August 27, 2003, however, due to incorrect notification these items have been scheduled on this agenda for Planning Commission consideration.**

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

**RECOMMENDATION**

The Development Services Department recommends, **if AMP-42-03 is acted upon favorably, that ZN-55-03 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.

Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 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 Nelson Stone SECONDED to APPROVE ZN-55-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #3 AMP-51-03 and #4 ZN-72-03 are related.**

**Commissioner Jay Aston abstained from voting on this item due to a business interest.**

**3) AMP-51-03 (12225) TROPICAL HILLS (Public Hearing)**

An application submitted by Robert Howarth on behalf of Yballe Danilo Narvios Living Trust, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designations of MDR Medium Density Residential, M-HDR Medium-High Density Residential and Industrial to LDR Low Density Residential. The property is located at the northeast corner of Tropical Parkway and Walnut Road. The Assessor's Parcel Number is 123-30-601-001.

**RECOMMENDATIONS:**

The Development Services Department recommends that AMP-51-03 **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, 7<sup>th</sup> 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 Jo Cato SECONDED to APPROVE AMP-51-03 per staff's recommendations.

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

**The item was APPROVED.**

**Items #3 AMP-51-03 and #4 ZN-72-03 are related.**

**Commissioner Jay Aston abstained from voting on this item due to a business interest.**

**4) ZN-72-03 (12227) TROPICAL HILLS (Public Hearing)**

An application submitted by Robert Howarth on behalf of Yballe Danilo Narvios Living Trust, property owner, for reclassification of property from an M-2 General Industrial District to an R-1 Single-Family Residential District. The property is located at the northeast corner of Tropical Parkway and Walnut Road. The Assessor's Parcel Number is 123-30-601-001.

**RECOMMENDATIONS:**

The Development Services Department recommends, **if AMP-51-03 is acted upon favorably, that ZN-72-03 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, 7<sup>th</sup> 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 Jo Cato SECONDED to APPROVE ZN-72-03 per staff's recommendations.

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

**The item was APPROVED.**

**Items #5 AMP-52-03 and #6 ZN-74-03 are related.**

**5) AMP-52-03 (12286) CENTENNIAL & COMMERCE (Public Hearing)**

An application submitted by Land Baron Investments on behalf of the Marilyn Redd Trust, Janette Bunch Trustee, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to Community Commercial. The property is located at the northwest corner of Commerce Street and Centennial Parkway. The Assessor's Parcel Number is 124-22-401-004.

**RECOMMENDATIONS:**

The Development Services Department recommends that AMP-52-03 be **denied** as the proposed plan amendment does not meet the standards established in the Comprehensive Plan.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 10/22/03 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 Nelson Stone MOVED and Commissioner Jay Aston SECONDED to CONTINUE AMP-52-03 to the 10/22/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 10/22/03.**

**Items #5 AMP-52-03 and #6 ZN-74-03 are related.**

**6) ZN-74-03 (12287) LAND BARON INVESTMENTS (Public Hearing)**

An application submitted by Land Baron Investments on behalf of the Marilyn Redd Trust, Janette Bunch Trustee, property owner, for reclassification of property from an R-E Ranch Estates District to an C-2, General Commercial District. The property is located at the northwest corner of Commerce Street and Centennial Parkway. The Assessor's Parcel Number is 124-22-401-004.

**RECOMMENDATIONS:**

The Development Services Department recommends that ZN-74-03 be **denied** as the subject site does not comply with the guidelines established in the Comprehensive Plan.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 10/22/03 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 Nelson Stone MOVED and Commissioner Harry Shull SECONDED to CONTINUE ZN-74-03 to the 10/22/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 10/22/03.**

**Items #7 AMP-53-03, #8 ZN-75-03 and #9 UN-76-03 are related.**

**7) AMP-53-03 (12295) DECATUR & TROPICAL (Public Hearing)**

An application submitted by Worldmark, Inc. on behalf of Decatur Tropics, LLC, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of HDR High Density Residential to Regional Commercial. The property is located at the southeast corner of Decatur Boulevard and Rice Avenue. The Assessor's Parcel Numbers are 124-30-204-001, 124-30-204-002 and 124-30-204-005.

**RECOMMENDATION:**

The Development Services Department recommends that AMP-53-03 receive a **favorable recommendation** for Regional Commercial and be forwarded to the City Council for final consideration.

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

Susan Johnston, of G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014 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 Commissioner Nelson Stone SECONDED to APPROVE AMP-53-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #7 AMP-53-03, #8 ZN-75-03 and #9 UN-76-03 are related.**

**8) ZN-75-03 (12298) DECATUR & TROPICAL (Public Hearing)**

An application submitted by Worldmark, Inc. on behalf of Decatur Tropics, LLC, property owner, for reclassification of property from an R-1 Single-Family Residential District to a C-2 General Commercial District. The property is located at the southeast corner of Decatur Boulevard and Rice Avenue. The Assessor's Parcel Numbers are 124-30-204-001, 124-30-204-002 and 124-30-204-005.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-75-03 receive a **favorable recommendation** for the C-2 zoning district and be forwarded to the City Council for final consideration.

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

Susan Johnston, of G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014 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 Commissioner Nelson Stone SECONDED to APPROVE ZN-75-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #7 AMP-53-03, #8 ZN-75-03 and #9 UN-76-03 are related.**

### 9) UN-76-03 (12300) DECATUR & TROPICAL (Public Hearing)

An application submitted by Worldmark, Inc. on behalf of Decatur Tropics, LLC, property owner, for a use permit in an R-1 Single-Family Residential District (proposed C-2 General Commercial District) to allow the "on sale" of alcoholic beverages in conjunction with a tavern. The property is generally located at the southeast corner of Decatur Boulevard and Rice Avenue. The Assessor's Parcel Numbers are 124-30-204-001, 124-30-204-002 and 124-30-204-005.

#### RECOMMENDATION:

The Development Services Department recommends that UN-76-03 be **approved** subject to the following conditions:

1. That AMP-53-03 and ZN-75-03 be approved by the City Council, otherwise this application shall be considered null and void; and
2. That no site plan approval is granted, assumed or implied. All reviewing departments and agencies shall reserve the right to provide comments, corrections and conditions related to the site until such time that the Major Site Plan is submitted for review and approval by the Planning Commission; and
3. That the applicant file for and obtain approval from the Planning Commission for a Major Site Plan Review for the entire shopping center prior to applying for any building permits related to the development of this site; and
4. 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 application of a business license or building permit; and
5. That customers entering the establishment and/or waiting to be seated shall be separated from the bar area by a 100% opaque wall not less than 8 feet in height; and
6. That the restrooms be located such that patrons are not required to go through the bar area to access those facilities; and
7. 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 approved retail center; and
8. That the floor area of the bar shall not exceed 50% of the total public restaurant floor area; and
9. That, unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances; and
10. That the following right of way dedications are required:
  - a. Dedicate an additional 10' right of way for Centennial Parkway between Decatur Boulevard and Montgomery Street alignment
  - b. Dedicate Centennial Parkway 100' in width from Montgomery Street to San Mateo Street.
  - c. Dedicate Tropical Pkwy. as it intersects Centennial Parkway and the associated spandrels.
  - d. Dedicate right of way for flared intersection at Tropical Parkway and Decatur Boulevard.
  - e. Additional right of way dedication is required at Decatur Boulevard and Tropical Parkway for the flared intersection per *Clark County Area Uniform Standard Drawings for Public Works Construction Off-site Improvements* drawing number 201.1; and
11. 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*; and
12. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
13. That all known geologic hazards shall be shown on the tentative map and the civil improvement plans.

Subsequent identification of additional hazards may substantially alter the original tentative map layout; and

14. Revise the plans to reflect the realignment of Tropical Parkway to conform to the Master Plan of Streets and Highways; and
15. That a reversionary map must be filed to combine all parcels; and
16. That Tropical Parkway must be labeled as Centennial Parkway; and
17. That the applicant be required to submit an application for vacation of San Mateo Street from the Centennial Parkway alignment to the old Tropical Parkway alignment; and
18. That the applicant be required to submit an application for vacation of Tropical Parkway alignment between San Mateo Street and Centennial Parkway; and
19. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
20. That the civil improvement plans for the project must include Schedule 40 PVC fiber optic conduit along Decatur Blvd., Tropical Pkwy. and Centennial Pkwy.; and
21. That the driveway number and location is 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; and
22. That the applicant must file for and obtain approval from the Planning Commission for a Site Plan Review for the entire site prior to submitting civil improvement plans.

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

Susan Johnston, of G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014 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 Jay Aston MOVED and Commissioner Harry Shull SECONDED to APPROVE UN-76-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #10 ZN-71-03 and #11 T-1022 are related.**

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

**10) ZN-71-03 (12223) ALEXANDER & COMMERCE (Public Hearing)**

An application submitted by Celebrate Homes on behalf of Fred Allen III and Dian Allen Revocable Family Trust, property owners, for reclassification of property from a M-2 General Industrial District to an R-1 Single-Family Residential District. The property is located at the southeast corner of Alexander Road and Commerce Street. The Assessor's Parcel Number is 139-10-501-001.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-71-03 be **approved** and forwarded to the City Council with a recommendation for hard zoning to the R-1, Single-Family Residential District.

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

Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 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 Nelson Stone MOVED and Commissioner Jo Cato SECONDED to APPROVE ZN-71-03 per staff's recommendations.

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

**The item was APPROVED.**

**Items #10 ZN-71-03 and #11 T-1022 are related.**

**11) T-1022 (12224) ALEXANDER & COMMERCE**

An application submitted by Celebrate Homes on behalf of the Fred Allen III & Dian Allen Revocable Family Trust, property owners, for approval of a tentative map in an M-2 General Industrial District (proposed R-1) consisting of 45 single-family dwellings. The property is located at the northeast corner of Commerce Street and Alexander Road Avenue. The Assessor's Parcel Number is 139-10-501-001.

**RECOMMENDATION:**

The Development Services Department recommends that T-1022 be approved subject to the following conditions:

1. That T-1022 shall become null and void if ZN-71-03 is not approved by City Council.
2. That the development comply with the Single Family Design Guidelines.
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 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.
6. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
7. That plastic, vinyl and similar materials shall not be permitted as part, or in whole for the construction of any perimeter or return walls within this development. Furthermore, should vinyl fencing be used on common property lines, such fencing shall comply with the following:
  - a. 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.
  - b. That the proposed fence shall be engineered, designed and installed to meet manufacturer's specifications and building code requirements.
  - c. All vinyl fencing shall be compatible for pool installations.
  - d. The posts and/or all connections shall not be attached to the homes.
8. The 30-foot Fire Department emergency access and utility easement proposed from Commerce Street to Alexandria Avenue shall also serve as pedestrian access to the development.
9. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
10. Approval of a Technical Drainage Study is required prior to the submittal of the civil improvement plans.
11. Clark County Regional Flood Control District concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
12. The emergency access and public utility easement shown between lots 8 and 9 must be revised to a drainage/public utility easement that conforms to North Las Vegas Municipal Code 17.24.210.D.4.a.
13. Right of way dedication is required for the CAT bus turn-out on Alexander Road east of Commerce Street.

14. Approval of a Traffic Study is required prior to the submittal of the civil improvement plans.
15. The civil improvement plans for the project must include schedule 40 PVC fiber optic conduit along Commerce Street and Alexander Road.
16. All known geologic hazards shall be shown on the Tentative Map and the Civil Improvement Plans. Subsequent identification of additional hazards may substantially alter the original Tentative Map layout.
17. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
18. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
19. 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.

Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Nelson Stone MOVED and Commissioner Jo Cato SECONDED to APPROVE T-1022 per staff's recommendations.

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

**The item was APPROVED.**

**Items #12 ZN-76-03 and #13 T-1025 are related.**

**12) ZN-76-03 (12303) CLAYTON/EL CAMPO GRANDE (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 northwest corner of Clayton Street and El Campo Grande Avenue. The Assessor's Parcel Number is 124-29-702-003.

**RECOMMENDATION:**

The Development Services Department recommends that ZN-76-03 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 Bob Hoyes, Planner, on behalf of staff who indicated staff is recommending approval of this item.

Jennifer Lazovich, of KKB&R, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, Nevada 89109 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 Commissioner Jo Cato SECONDED to APPROVE ZN-76-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #12 ZN-76-03 and #13 T-1025 are related.**

**13) T-1025 (12304 ) CLAYTON/EL CAMPO GRANDE**

An application submitted by Pardee Homes of Nevada, property owner, for approval of a tentative map in an R-E Ranch Estates District (proposed R-1) consisting of 112 single-family dwellings. The property is located at the northwest corner of Clayton Street and El Campo Grande Avenue. The Assessor's Parcel Number is 124-29-702-003.

**RECOMMENDATION:**

The Development Services Department recommends that T-1025 be **approved** subject to the following conditions:

1. That ZN-76-03 be approved by the City Council for permanent zoning to the R-1, Single Family Residential District. If ZN-76-03 is not approved, then this application shall be considered null and void; and
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
3. That the installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map; and
4. That "L" type curb is required on streets that are adjacent to school sites; and
5. That approval of a drainage study is required prior to submittal of the civil improvement plans; and
6. That Clark County Regional Flood Control District concurrence with the results of the drainage study is required prior to approval of the civil improvement plans; and
7. 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*; and
8. That all known geologic hazards shall be shown on the tentative map and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original tentative map layout; and
9. Remove section thickness from the typical sections. The off-site pavement sections will be determined by the Department of Public Works; and
10. That a parcel map must be filed to legally create the parcel; and
11. That streets must be labeled as public or private streets; and
12. That approval of a traffic study is required prior to submittal of the civil improvement plans; and
13. That the civil improvement plans for the project must include Schedule 40 PVC fiber optic conduit along Clayton Street; and
14. Provide pedestrian access between the cul-de-sacs at Silver Blaze Court and Sky Bluff Court; and
15. Construct a cul-de-sac at the north end of Soaring Bluff Street; and
16. That the development of this site shall be in compliance with the Single Family Development Standards and Design Guidelines, including but not limited to the following:
  - a. That the sidewalk along Clayton Street shall be separated from the back-of-curb by a minimum five feet (5.00') of landscaping; and
  - b. That a minimum twenty feet (20.00') of landscaping, which may include the sidewalk, shall be provided adjacent to Clayton Street; and

- c. That a minimum fifteen feet (15.00') of landscaping, which may include the sidewalk, shall be provided on all corner side lots adjacent to El Campo Grande Avenue and Coleman Street; and
- d. That a minimum ten feet (10.00') of landscaping, which may include the sidewalk, shall be provided on all corner side lots adjacent to all interior streets with widths of less than 60 feet; and
- e. That the thirty-foot (30.00') public drainage and utility easement between Sky Bluff Court and Silver Blaze Court be landscaped and furnished with an ADA-compliant pedestrian accessway; and

17. That no more than 112 lots be permitted for this development.

The application was presented by Bob Hoyes, Planner, on behalf of staff who indicated staff is recommending approval of this item subject to the following changes:

**Condition #15 Changed to Read:** Construct a **temporary** cul-de-sac at the north end of Soaring Bluff Street until such time that Soaring Bluff Street connects to Tropical Parkway.

**Condition #16a deleted.**

**Condition #16b Changed to Read:** That a minimum **fifteen (15) feet** of landscaping, which may include the sidewalk, shall be provided adjacent to Clayton Street; and

Jennifer Lazovich, of KKB&R, 3800 Howard Hughes Parkway, 7<sup>th</sup> Floor, Las Vegas, Nevada 89109 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 Commissioner Jay Aston SECONDED to APPROVE T-1025 per staff's recommendations subject to the following changes:

**Condition #15 Changed to Read:** "Construct a **temporary** cul-de-sac at the north end of Soaring Bluff Street until such time that Soaring Bluff Street connects to Tropical Parkway."

**Condition #16a deleted.**

**Condition #16b Changed to Read:** "That a minimum **fifteen (15) feet** of landscaping, which may include the sidewalk, shall be provided adjacent to Clayton Street; and"

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

Items #14 UN-77-03, #15 UN-80-03, #16 UN-81-03 and #17 UN-78-03 are related.

**14) UN-77-03 (12306) CRAIG RETAIL CENTER (Public Hearing)**

An application submitted by Business Properties Group on behalf of the Restated Declaration of Trust dated November 24, 1989, Herbert W. Sutton, Trustee, property owner, for a use permit in a C-2 General Commercial District to allow a convenience food store with gas pumps. The property is located at the southeast corner of Revere Street and Craig Road. The Assessor's Parcel Number is 139-03-302-001.

**RECOMMENDATION:**

The Development Services Department recommends that UN-77-03 be **approved** subject to the following conditions:

1. This special use permit is site specific and non-transferable.
2. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. The commercial driveway on Revere Street, building and fuel island must be relocated more to the south to allow for an unobstructed 24-foot drive aisle between the 25-foot setback line along Craig Road and any vehicles parked at the proposed fuel island.
4. Approval of a technical drainage study is required prior to submittal of the civil improvement plans.
5. Clark County Regional Flood Control District concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. A merger and re-subdivision map is required.
7. Additional right-of-way dedication is required for the flared intersection per *Clark County Area Uniform Standard Drawings for Public Works Construction Off-site Improvements* drawing number 201.1.
8. Right-of-way dedication is required for the CAT bus turn-out on Craig Road east of Revere.
9. Roadway easements are required for all commercial driveways prior to approval of the civil improvement plans.
10. Approval of a traffic study is required prior to the submittal of the civil improvement plans.
11. The civil improvement plans for the project must include schedule 40 PVC fiber optic conduit along Revere Street.
12. All known geologic hazards shall be shown on the Tentative Map and the Civil Improvement Plans. Subsequent identification of additional hazards may substantially alter the original Tentative Map layout.
13. 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.
14. A Master Sign Program must be reviewed and approved by Staff prior to the issuance of a building permit.

15. The development comply with the Commercial Development Standards and Design Guidelines including, but not limited to:
  - a.) The building shall be oriented to the corner of the site.
16. All required landscaping be provided adjacent to Craig Road along the frontage of this site prior to the issuance of a Certificate of Occupancy.

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

Ross Burnett, 121 Corporate Park, #100, Henderson, Nevada 89074 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:

- ▶ Mary Jo Stortz, 709 Craig Creek Avenue, North Las Vegas, Nevada (no zip code stated)

Ms. Stortz stated she opposes this application as she feels it is unsafe to place a gas station on this particular corner without a stop light.

- ▶ Valerie Brown, 4024 Hollist Street, North Las Vegas, Nevada 89032

Ms. Brown stated she opposes this item, as well as Item #17 UN-78-03 as she feels this is not good for the neighborhood. Ms. Brown stated she opposes seeing these types of establishments in this neighborhood.

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

Mr. Schmitz stated he does not oppose the commercial zoning, however he is concerned about the neon sign proposed for this property. He does not see the need for neon signs on the outside of the building advertising the fact that there is video poker inside.

- ▶ David Duritsa, 111 Zenith Point, North Las Vegas, Nevada 89032

Mr. Duritsa stated he opposes a tavern for this project. He stated he would rather see a book store instead.

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

Ms. Tominac stated she agrees with Mr. Durtsa as she does not wish to see a tavern at this location. She would prefer to see something a bit more aesthetically pleasing to the community.

- ▶ Deborah Lewis, 41010 Hemphill Street, North Las Vegas, Nevada 89032

Ms. Lewis stated the City recently completed the building of a soccer park which will back-up to the bar and she does not want to sent her child to the soccer park being that close to a bar.

- ▶ John Leeper, 541 Craig Creek Avenue, North Las Vegas, Nevada 89032

Mr. Leeper stated when he first purchased his home he was told that there would not be any apartments or alcohol-beverage facilities in the area and he opposes this application.

- ▶ Steve Jackson, 4221 Seth Drive, North Las Vegas, Nevada (no zip code stated)

Mr. Jackson stated he opposes developers trying to obtain use permits in residential areas such as this one and would prefer to see commercial developments focuses in other areas where commercial is more common.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Jay Aston SECONDED to APPROVE UN-77-03 per staff's recommendations.

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

**The item was APPROVED.**

**MOTION TO RECONSIDER UN-77-03**

Commissioner Nelson Stone MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to RECONSIDER UN-77-03.

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

Commissioner Nelson Stone MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE UN-77-03 subject to the following changes:

**Condition #17 Added to Read: "That no site plan approval is granted, assumed or implied. All reviewing departments and agencies shall reserve the right to provide comments, corrections and conditions related to the site until such time that the Major Site Plan is submitted for review and approval by the Planning Commission; and"**

**Condition #18 Added to Read: "That the applicant file for and obtain approval from the Planning Commission for a Major Site Plan Review for the entire shopping center prior to applying for any building permits related to the development of this site; and"**

Items #14 UN-77-03, #15 UN-80-03, #16 UN-81-03 and #17 UN-78-03 are related.

**15) UN-80-03 (12308) CRAIG RETAIL CENTER (Public Hearing)**

An application submitted by Business Properties Group on behalf of the Restated Declaration of Trust dated November 24, 1989, Herbert W. Sutton, Trustee, property owner, for a use permit in a C-2 General Commercial District to allow an automobile service facility (smog station). The property is located at the southeast corner of Revere Street and Craig Road. The Assessor's Parcel Number is 139-03-302-001.

**RECOMMENDATION:**

The Development Services Department recommends that UN-80-03 be approved subject to the following conditions:

1. This special use permit is site specific and non-transferable.
2. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. The commercial driveway on Revere Street, building and fuel island must be relocated more to the south to allow for an unobstructed 24-foot drive aisle between the 25-foot setback line along Craig Road and any vehicles parked at the proposed fuel island.
4. Approval of a technical drainage study is required prior to submittal of the civil improvement plans.
5. Clark County Regional Flood Control District concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. A merger and re-subdivision map is required.
7. Additional right-of-way dedication is required for the flared intersection per *Clark County Area Uniform Standard Drawings for Public Works Construction Off-site Improvements* drawing number 201.1.
8. Right-of-way dedication is required for the CAT bus turn-out on Craig Road east of Revere.
9. Roadway easements are required for all commercial driveways prior to approval of the civil improvement plans.
10. Approval of a traffic study is required prior to the submittal of the civil improvement plans.
11. The civil improvement plans for the project must include schedule 40 PVC fiber optic conduit along Revere Street.
12. All known geologic hazards shall be shown on the Tentative Map and the Civil Improvement Plans. Subsequent identification of additional hazards may substantially alter the original Tentative Map layout.
13. 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.
14. A Master Sign Program must be reviewed and approved by Staff prior to the issuance of a building permit.
15. The development must comply with the Commercial Development Standards and Design Guidelines including, but not limited to:
  - a.) The building shall be oriented to the corner of the site.

16. All required landscaping shall be provided adjacent to Craig Road along the frontage of this site prior to the issuance of a Certificate of Occupancy.

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

Ross Burnett, 121 Corporate Park, #100, Henderson, Nevada 89074 appeared on behalf of the applicant.

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

- ▶ Deborah Lewis, 41010 Hemphill Street, North Las Vegas, Nevada 89032

Ms. Lewis stated she was concerned about where the gasoline storage tanks would be located.

Chairman Dean Leavitt replied that usually the storage tanks are located underground.

Ms. Lewis stated she is concerned about these tanks being underground, close to a buried flood zone.

- ▶ Steve Jackson, 4221 Seth Drive, North Las Vegas, Nevada 89032

Mr. Jackson stated he wanted to make sure there is adequate parking.

Chairman Dean Leavitt replied that parking requirements will be imposed on any typ of development.

- ▶ Tony Ramirez, 532 Blooming View Avenue, North Las Vegas, Nevada (no zip code stated)

Mr. Ramirez stated he opposes this as he feels it will result in an increase in traffic in this area.

Chairman Leavitt closed the Public Hearing.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Harry Shull SECONDED to APPROVE UN-80-03 per staff's recommendations subject to the following changes:

**Condition #17 Added to Read: "that the hours of operation be between the hours of 8:00 AM and 5:00 PM."**

**Condition #18 Added to Read: "That no site plan approval is granted, assumed or implied. All reviewing departments and agencies shall reserve the right to provide comments, corrections and conditions related to the site until such time that the Major Site Plan is submitted for review and approval by the Planning Commission; and"**

**Condition #19 Added to Read: "That the applicant file for and obtain approval from the Planning Commission for a Major Site Plan Review for the entire shopping center prior to applying for any building permits related to the development of this site; and"**

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

**The item was APPROVED.**

**Items #14 UN-77-03, #15 UN-80-03, #16 UN-81-03 and #17 UN-78-03 are related.**

**16) UN-81-03 (12307) CRAIG RETAIL CENTER (Public Hearing)**

An application submitted by Business Properties Group on behalf of the Restated Declaration of Trust dated November 24, 1989, Herbert W. Sutton, Trustee, property owner, for a use permit in a C-2 General Commercial District to allow an automobile washing establishment (drive-through). The property is located at the southeast corner of Revere Street and Craig Road. The Assessor's Parcel Number is 139-03-302-001.

**RECOMMENDATION:**

The Development Services Department recommends that UN-81-03 be **approved** subject to the following conditions:

1. This special use permit is site specific and non-transferable.
2. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. The commercial driveway on Revere Street, building and fuel island must be relocated more to the south to allow for an unobstructed 24-foot drive aisle between the 25-foot setback line along Craig Road and any vehicles parked at the proposed fuel island.
4. Approval of a technical drainage study is required prior to submittal of the civil improvement plans.
5. Clark County Regional Flood Control District concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. A merger and re-subdivision map is required.
7. Additional right-of-way dedication is required for the flared intersection per *Clark County Area Uniform Standard Drawings for Public Works Construction Off-site Improvements* drawing number 201.1.
8. Right-of-way dedication is required for the CAT bus turn-out on Craig Road east of Revere.
9. Roadway easements are required for all commercial driveways prior to approval of the civil improvement plans.
10. Approval of a traffic study is required prior to the submittal of the civil improvement plans.
11. The civil improvement plans for the project must include schedule 40 PVC fiber optic conduit along Revere Street.
12. All known geologic hazards shall be shown on the Tentative Map and the Civil Improvement Plans. Subsequent identification of additional hazards may substantially alter the original Tentative Map layout.
13. 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.
14. A Master Sign Program must be reviewed and approved by Staff prior to the issuance of a building permit.
15. The development must comply with the Commercial Development Standards and Design Guidelines.
16. All required landscaping shall be provided adjacent to Craig Road along the frontage of this site prior to the issuance of a Certificate of Occupancy.

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

Ross Burnett, 121 Corporate Park, #100, Henderson, Nevada 89074 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:

- ▶ Mary Jo Stortz, 709 Craig Creek Avenue, North Las Vegas, Nevada (no zip code stated)

Ms. Stortz stated she opposes this application as she feels it is unsafe to place a gas station on this particular corner without a stop light.

- ▶ Valerie Brown, 4024 Hollist Street, North Las Vegas, Nevada 89032

Ms. Brown stated she opposes this item, as well as Item #17 UN-78-03 as she feels this is not good for the neighborhood. Ms. Brown stated she opposes seeing these types of establishments in this neighborhood.

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

Mr. Schmitz stated he does not oppose the commercial zoning, however he is concerned about the neon sign proposed for this property. He does not see the need for neon signs on the outside of the building advertising the fact that there is video poker inside.

- ▶ David Duritsa, 111 Zenith Point, North Las Vegas, Nevada 89032

Mr. Duritsa stated he opposes a tavern for this project. He stated he would rather see a book store instead.

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

Ms. Tominac stated she agrees with Mr. Durtsa as she does not wish to see a tavern at this location. She would prefer to see something a bit more aesthetically pleasing to the community.

- ▶ Deborah Lewis, 41010 Hemphill Street, North Las Vegas, Nevada 89032

Ms. Lewis stated the City recently completed the building of a soccer park which will back-up to the bar and she does not want to sent her child to the soccer park being that close to a bar.

- ▶ John Leeper, 541 Craig Creek Avenue, North Las Vegas, Nevada 89032

Mr. Leeper stated when he first purchased his home he was told that there would not be any apartments or alcohol-beverage facilities in the area and he opposes this application.

- ▶ Steve Jackson, 4221 Seth Drive, North Las Vegas, Nevada (no zip code stated)

Mr. Jackson stated he opposes developers trying to obtain use permits in residential areas such as this one and would prefer to see commercial developments focuses in other areas where commercial is more common.

Chairman Leavitt closed the Public Hearing.

Commissioner Nelson Stone MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE UN-81-03 subject to the following changes:

**Condition #17 Added to Read:** "That no site plan approval is granted, assumed or implied. All reviewing departments and agencies shall reserve the right to provide comments, corrections and conditions related to the site until such time that the Major Site Plan is submitted for review and approval by the Planning Commission; and"

**Condition #18 Added to Read:** "That the applicant file for and obtain approval from the Planning Commission for a Major Site Plan Review for the entire shopping center prior to applying for any building permits related to the development of this site; and"

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #14 UN-77-03, #15 UN-80-03, #16 UN-81-03 and #17 UN-78-03 are related.**

**17) UN-78-03 (12305) CRAIG RETAIL CENTER (Public Hearing)**

An application submitted by Business Properties Group on behalf of the Restated Declaration of Trust dated November 24, 1989, Herbert W. Sutton, Trustee, 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 southwest corner of Kings Hill Road and Craig Road. The Assessor's Parcel Number is 139-03-302-004.

**RECOMMENDATION:**

The Development Services Department recommends that UN-78-03 be approved subject to the following conditions:

1. This special use permit is site specific and non-transferable.
2. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. Approval of a technical drainage study is required prior to submittal of the civil improvement plans.
4. Driveway number and location is 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.
5. Clark County Regional Flood Control District concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. A merger and re-subdivision map is required.
7. Roadway easements are required for all commercial driveways prior to approval of the civil improvement plans.
8. Approval of a traffic study is required prior to submittal of the civil improvement plans.
9. All known geologic hazards shall be shown on the Tentative Map and the Civil Improvement Plans. Subsequent identification of additional hazards may substantially alter the original Tentative Map layout.
10. Approval of this application is not to be construed as approval for the overall site plan.
11. A Master Sign Program must be reviewed and approved by Staff prior to the issuance of a building permit.
12. The development comply with the Commercial Development Standards and Design Guidelines including, but not limited to:
  - a.) The building shall be oriented to the corner of the site.
13. The ratio of restaurant to bar shall remain as indicated on the site plan submitted.
14. All required landscaping be provided adjacent to Craig Road along the frontage of this site prior to the issuance of a Certificate of Occupancy.

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

Ross Burnett, 121 Corporate Park, #100, Henderson, Nevada 89074 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:

- ▶ David Duritsa, 111 Zenith Point, North Las Vegas, Nevada 89032

Mr. Duritsa stated he would like to see more details from the applicants as to what their intended, actual use will be. He stated that if for any reason this project falls apart, the use permit remains and someone else could come along and the use permit would be in place and the Planning Commission would not be able to deny the request.

- ▶ Deborah Lewis, 41010 Hemphill Street, North Las Vegas, Nevada 89032

Ms. Lewis stated she concurs with Mr. Duritsa's comments regarding the use permit.

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

Ms. Tominac stated she opposes this application as she does not feel this project would benefit the neighborhood.

- ▶ John Leeper, 541 Craig Creek Avenue, North Las Vegas, Nevada 89032

Mr. Leeper does not want to see a bar at this location as he feels patrons from the bar will travel through the residential area and risk accidents due to the children in the area.

- ▶ Tony Ramirez, 532 Blooming View Avenue, North Las Vegas, Nevada 89032

Mr. Ramirez stated he opposes this application as he worries about people coming out of the bar after they have been drinking and posing a risk to the neighborhood.

- ▶ Cliff Wilson, 4026 Hemphill, North Las Vegas, Nevada (no zip code stated)

Mr. Wilson stated he concurs with Mr. Ramirez's comments regarding people leaving the bar after they've been drinking and driving through the neighborhood posing a risk to the community.

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

Mr. Schmitz stated he opposes this application due to the obvious risks to the neighborhood and community.

- ▶ Bob Borgersen, 4751 Possum Berry, North Las Vegas, Nevada 89032

Mr. Borgersen stated he concurs with the statements of the previous residents who have voice their opposition to this application.

- ▶ Mary Jo Stortz, 709 Craig Creek Avenue, North Las Vegas, Nevada (no zip code stated)

Ms. Stortz stated she believes there are too many taverns/bars and would prefer to see a restaurant which is geared more towards children like a Chuck-E-Cheese's.

- ▶ Valerie Brown, 4024 Hollist Street, North Las Vegas, Nevada 89032

Ms. Brown stated she opposes this application as she agrees with the other residents and wants to keep this neighborhood safe.

- ▶ Kim Davis, 705 Craig Creek Avenue, North Las Vegas, Nevada 89032

Ms. Davis stated she opposes this application as she does not want to see a tavern in this neighborhood.

- ▶ Margaret Renner, 4111 Lightfoot, North Las Vegas, Nevada 89032

Ms. Renner stated she opposes this application and agrees with the previous residents who have spoken.

Michael Maiorino, 603 Spritlake Court, North Las Vegas, Nevada 89032

Mr. Maiorino stated he concurs with the residents who have spoken on this item.

- ▶ Jimmy Tran, 709 Craig Creek Avenue, North Las Vegas, Nevada (no zip code stated)

Mr. Tran stated he opposes this project as he feels this is a family neighborhood and a bar would not fit in.

- ▶ David Renner, 4111 Lightfoot Court, North Las Vegas, Nevada 89032

Mr. Renner stated he concurs with the residents and opposes a bar being so close to a park.

Chairman Leavitt closed the Public Hearing.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-78-03 per staff's recommendations subject to the following changes:

**Condition #15 Added to Read: Approved as a Supper Club only.**

**Condition #16 Added to Read: "That no site plan approval is granted, assumed or implied. All reviewing departments and agencies shall reserve the right to provide comments, corrections and conditions related to the site until such time that the Major Site Plan is submitted for review and approval by the Planning Commission; and"**

**Condition #17 Added to Read: "That the applicant file for and obtain approval from the Planning Commission for a Major Site Plan Review for the entire shopping center prior to applying for any building permits related to the development of this site; and"**

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**Items #18 FDP-20-03 and #19 UN-79-03 are related.**

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

**18) FDP-20-03 (12310) MEADOWS HOSPITAL**

An application submitted by The WLB Group, Inc. on behalf of Tropical and Losee LLC, property owner, for a Final Development Plan review in a PUD Planned Unit Development District, consisting of a hospital. The property is generally located at the southwest corner of Losee Road and Azure Avenue. The Assessor's Parcel Number is 124-26-605-003.

The applicant has submitted a revised final development plan. The only change in the plan is proposing to phase two sections of landscaping. The applicant is requesting to add the private healing garden after construction of the drainage facility located to the west. The other section proposed to be phased in is a portion of perimeter landscaping located adjacent to Tropical Parkway and Losee Road. The perimeter landscaping is part of the second phase of construction which contains medical offices and supporting commercial uses.

The Public Works Department has confirmed that the drainage facility is projected to begin construction at this location in approximately two years with a year to complete the phase. As the requested phasing of the landscaping appears reasonable and the applicant is willing to begin construction of the healing garden, after completion of the drainage facility approval seems warranted. Therefore, Development Services is recommending approval of the revised final development plan with one additional condition:

10. The applicant shall begin construction of the private park within 90 days of completion of the drainage facility, with completion of the park to be within an additional 180 days.

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

David Moss, 5555 San Filipe, Houston, Texas 77056 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Harry Shull MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE FDP-20-03 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.**

**Items #18 FDP-20-03 and #19 UN-79-03 are related.**

**19) UN-79-03 (12309) MEADOWS HOSPITAL (Public Hearing)**

An application submitted by The WLB Group, Inc. on behalf of Tropical and Losee, LLC, property owner, for a use permit in a PUD Planned Unit Development District to allow a heliport. The property is located at the southwest corner of Azure Avenue and Losee Road. The Assessor's Parcel Number is 124-26-605-003.

**RECOMMENDATION:**

The Development Services Department recommends that UN-79-03 be **approved** subject to the following conditions:

1. Approval of a drainage study is required prior to submittal of the civil improvement plans.
2. Clark County Regional Flood Control District concurrence with the results of the drainage study is required prior to approval 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*.
4. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.
5. The property owner must grant a pedestrian access easement for the portions of the sidewalk outside the public right of way on Losee Road prior to approval of the civil improvement plans.
6. A revocable encroachment permit for landscaping in the right of way on Losee Road will be required prior to approval of the civil improvement plans.
7. Applicant must comply with the conditions of ZN-34-97.
8. The applicant shall comply with all FAA regulations regarding the proposed helipad.

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

David Moss, 5555 San Filipe, Houston, Texas 77056 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 UN-79-03 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.**

**20) T-1023 (12274) SAN MIGUEL & FERRELL**

An application submitted by Celebrate Homes on behalf of the Church LDS Presiding Bishop, property owner,

for approval of a tentative map in an R-1 Single-Family Residential District consisting of 25 single-family dwellings. The property is located at the southwest corner of San Miguel Avenue and Ferrell Street. The Assessor's Parcel Number is 139-05-402-005.

## **RECOMMENDATION**

The Development Services Department recommends that T-1023 be **approved** subject to the following conditions:

1. The centerline of Windy Ferrell Street must align with the centerline of Karma Drive.
2. Approval of a Technical Drainage Study is required prior to submittal of the civil improvement plans.
3. Approval of a Traffic Study is required prior to submittal of the civil improvement plans.
4. The church parcel must be labeled "not a part".
5. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
6. Measures to achieve a noise level reduction, outdoor to indoor, of 25 decibels must be incorporated into the design and construction.
7. Five copies of a revised tentative map incorporating the conditions of approval shall be submitted for review of 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.

Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Nelson Stone MOVED and Commissioner Steve Brown SECONDED to APPROVE T-1023 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

## **21) T-1024 (12294) ANN ROAD BUSINESS PARK**

An application submitted by Horizon Surveys on behalf of System Capital Real Property Corporation, property owner, for approval of a tentative map in a C-1 Neighborhood Commercial District consisting of a business park. The property is located at the northeast corner of Simmons Street and Ann Road. The Assessor's Parcel Number is 124-29-803-004.

**RECOMMENDATION:**

The Development Services Department recommends that T-1024 be **denied** due to inadequate parking for Lot 2.

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

1. Additional parking is required for Lot 2.
2. The commercial driveway located along Ann Road requires a minimum throat depth of 50'.
3. Approval of a Traffic Study update is required prior to the submittal of civil improvement plans.
4. Clark County Regional Flood Control District concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
5. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*.
6. Approval of a drainage study is required prior to the submittal of the civil improvement plans.
7. CC&R's are required for the cross access agreement.
8. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.
9. The applicant must provide recorded copies of the reciprocal parking agreement with the adjacent property owner at the time civil plans are submitted for review
10. 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.

Dennis Layton, with Horizon Surveys, 9901 Covington Cross, Suite 190, Las Vegas, Nevada 89144 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE T-1024 per staff's recommendations.

The motion carried by UNANIMOUS vote.

**The item was APPROVED.**

**22) VAC-22-03 (12290) ANN & WILLIS (Public Hearing)**

An application submitted by KB Home, Inc., on behalf of Steven P. and Ellen P. Shearing, Trustees, the Shearing Family Trust, property owners, to vacate a 30 foot easement commencing at Willis Street approximately 621 feet north of Ann Road and proceeding west approximately 612 feet, then proceeding north approximately 612 feet to El Campo Grande Avenue. The property is located at the southwest corner of Willis Street and El Campo Grande Avenue. The Assessor's Parcel Number is 124-30-801-002.

**RECOMMENDATION:**

The Development Services Department recommends that VAC-22-03 be **continued** to allow the applicant time to address the Public Works' issue as outlined in the analysis section.

The application was presented by Marc Jordan, Principal Planner, who indicated staff originally recommended this item be continued so as to allow staff to review documents submitted to staff. He stated the Real Property Management Division has indicated this is not a City easement, therefore there is no action necessary by the Planning Commission and the applicant should withdraw this particular request.

Jim Lewis, Deputy City Attorney, asked Mr. Jordan if staff had received a letter withdrawing this application from KB Home, Inc.

Mr. Jordan replied staff had not received a letter.

Mr. Lewis stated that the Planning Commission may not withdraw an application on an applicant's behalf, therefore the Planning Commission may elect to continue this item until a notice is received from the applicant requesting this item be withdrawn.

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 VAC-22-03 INDEFINITELY.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED INDEFINITELY.**

**OLD BUSINESS**

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

**23) UN-42-03 (10962) L.279 NORTHERN PASSAGE (Public Hearing)**

An application submitted by AT&T Wireless on behalf of St. Marks Place, LLC, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow a telecommunication tower (80' tower and related facilities) with a zero (0) setback to the east and 90 foot setback to the north where 200 feet is required from a residential district. The property is located at the northeast corner of Losee Road and Centennial Parkway. The Assessor's Parcel Number is 124-24-401-002.

**This item was continued from the June 25<sup>th</sup>, July 23<sup>rd</sup> and August 27<sup>th</sup> Planning Commission meetings at the applicant's request.**

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

**RECOMMENDATION**

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

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. That a temporary barrier must be installed along the edge of the new paving to prevent vehicles from driving on unimproved surfaces.
3. Approval of a traffic study update is required prior to submittal of civil improvement plans.
4. The pending improvements to Craig Road may impact the access to the site.
5. A copy of the shared parking and access agreement must be provided.
6. APN 139-01-611-007 and APN 139-01-611-008 must be consolidated to remove the parcel line.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 11/12/03 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 Chairman Dean Leavitt SECONDED to CONTINUE UN-42-03 to the 11/12/03 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 11/12/03.**

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

**24) 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.

**This item was continued from the September 10<sup>th</sup> Planning Commission meeting at the applicant's request.**

**(from the 9/10/03 Planning Commission meeting)**

**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.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff is recommending a two (2) week continuance to allow the applicant to submit a traffic study that would support the vacation of Fuselier.

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

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

- ▶ Steve Jackson, 4221 Seth Drive, North Las Vegas, Nevada 89032

Mr. Jackson stated he opposes this item. He stated that the vacation of Fuselier Drive is dependent upon the next two items on this agenda being approved and he feels this item should be heard after the next two items. He also stated there is an error in notification and that this is not a proper public hearing. He also stated that required signs have not been posted at the site and this item should be postponed in order to allow notices to be re-mailed.

Chairman Leavitt closed the Public Hearing.

Commissioner Nelson Stone MOVED and Commissioner Steve Brown SECONDED to APPROVE VAC-19-03 per staff's recommendations.

The motion carried by MAJORITY vote with Chairman Dean Leavitt voting against the motion and Commissioner Harry Shull abstaining from voting on this item due to a business interest.

**The item was APPROVED.**

Items #25 AMP-41-03, #26 ZN-56-03 and #27 T-1012 are related.

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

**25) 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<sup>th</sup> and September 10<sup>th</sup> Planning Commission meetings 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 application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff is recommending approval of this item.

Bobby Lewis, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

- ▶ Steve Jackson, 4221 Seth Drive, North Las Vegas, Nevada 89032

Mr. Jackson stated he opposes the hearing of this item as a proper public hearing notification has not been made.

Chairman Dean Leavitt closed the Public Hearing.

Commissioner Steve Brown MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE AMP-41-03 per staff's recommendations.

The motion carried by MAJORITY vote with Chairman Dean Leavitt voting against the item and Commissioner Harry Shull abstaining from voting on this item due to a business interest.

**The item was APPROVED.**

Items #25 AMP-41-03, #26 ZN-56-03 and #27 T-1012 are related.

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

**26) 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<sup>th</sup> and September 10<sup>th</sup> Planning Commission meetings at the applicant's request.

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

**RECOMMENDATION**

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.

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

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

- ▶ Steve Jackson, 4221 Seth Drive, North Las Vegas, Nevada 89032

Mr. Jackson stated he opposes the hearing of this item as a proper public hearing notification has not been made.

Chairman Dean Leavitt closed the Public Hearing.

Commissioner Steve Brown MOVED and Chairman Dean Leavitt SECONDED to APPROVE ZN-56-03 per staff's recommendations.

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

**The item was APPROVED.**

Items #25 AMP-41-03, #26 ZN-56-03 and #27 T-1012 are related.

**27) T-1012 (11763) CENTEX HOMES**

An application submitted by Centex Homes on behalf of the Daniel S. Mosley Rev.Trust Agreement et.al., 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.

**RECOMMENDATION:**

The Development Services Department recommends that T-1012 be continued indefinitely to allow the applicant sufficient time to redesign the tentative map incorporating Fuselier Drive.

If however, the Planning Commission determines that approval is warranted at this time, the Development Services Department recommends that T-1012 be subject to the following conditions:

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 tentative map shall be redesigned to incorporate Fuselier Drive if VAC-19-03 is denied.
3. That the development comply with the Single Family Design Standards, including, but not limited to the following:
  - a. Providing corner lot landscaping through out the development.
  - b. Sidewalks along 100-foot rights-of-way shall be separated from the back of curb by a minimum of five (5) feet.
4. That the 4,383 square foot common area proposed at the end of Alma Lidia Avenue shall be landscaped and designated as a common element, to be maintained by the homeowners' association.
5. That perimeter landscaping of the exterior street perimeter be designated as "Common Elements" and that interior perimeter landscaping commonly described as corner side yard landscaping be addressed as allowed for in the North Las Vegas Municipal Code Section 17.24.210(E).
6. That the perimeter walls be owned and maintained by the homeowners' association.
7. 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, return walls or common area walls within this development. Furthermore, should vinyl fencing be used on common property lines, such fencing shall comply with the following:
  - a. 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.
  - b. That the proposed fence shall be engineered, designed and installed to meet manufacturer's specifications and building code requirements.
  - c. All vinyl fencing shall be compatible for pool installations.
  - d. The posts and/or all connections shall not be attached to the homes
10. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.

11. The application for the vacation of Fuselier Drive (VAC-19-03) must be approved.
12. Approval of a drainage study is required prior to submittal of the civil improvement plans.
13. 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. an additional 20 feet for Simmons Street (30 feet previously dedicated in 1970)
  - b. 30 feet for San Miguel Avenue
15. The final map must be labeled as a merger and resubdivision.
16. The developer is responsible for relocating power lines and placing them underground.
17. 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.
18. A revocable encroachment permit must be obtained for landscape in the right of way.
19. 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.
20. A traffic mitigation analysis is required.
21. 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.
22. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
23. 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 for two (2) weeks.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Steve Brown SECONDED to CONTINUE T-1012 per staff's recommendations to the 10/22/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 10/22/03.**

**Items #28 UN-67-03, #29 UN-68-03 and #30 UN-69-03 are related.**

**28) 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.

**This item was continued from the September 10<sup>th</sup> and 24<sup>th</sup> meetings at the applicant's request.**

**(from the 9/10/03 Planning Commission meeting):**

**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.

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

Bulesi A. Romero, 5720 S. Valley View Suite 200, Las Vegas, Nevada 89118 appeared on behalf of the applicant who stated he concurs with staff's recommendations.

Chairman Dean Leavitt opened the Public Hearing. He stated that he has a card from two individuals who made comment earlier in this meeting on Items #14-17, and requested their comments from those two items be added to Items #28-30. Those comments are as follows:

- ▶ David Duritsa, 111 Zenith Point, North Las Vegas, Nevada 89032

Mr. Duritsa stated he opposes a tavern for this project. He stated he would rather see a book store instead.

- ▶ Deborah Lewis, 41010 Hemphill Street, North Las Vegas, Nevada 89032

Ms. Lewis stated the City recently completed the building of a soccer park which will back-up to the bar and she does not want to send her child to the soccer park being that close to a bar.

The Public Hearing was closed.

Commissioner Jo Cato stated this particular property is across from her home. She stated she understands this item has been continued twice and asked if a notice was sent out to her community advising of the continuance.

Mr. Hoyes stated that the continuance was date-specific and therefore no additional public notice was required to be sent out.

Commissioner Cato stated that she is not going to support this item, and would like a continuance to allow the residents in the community to be notified of the public hearing.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to CONTINUE UN-67-03 to the 10/22/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 10/22/03.**

**Items #28 UN-67-03, #29 UN-68-03 and #30 UN-69-03 are related.**

**29) 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.

**This item was continued from the September 10<sup>th</sup> and 24<sup>th</sup> meetings at the applicant's request.**

**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.

The application was presented by Bob Hoyes, Planner, on behalf of staff who indicated that based on the continuance of Item #28 UN-67-03, staff recommends this item be continued, as well.

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to CONTINUE UN-68-03 to the 10/22/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 10/22/03.**

**Items #28 UN-67-03, #29 UN-68-03 and #30 UN-69-03 are related.**

**30) 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.

**This item was continued from the September 10<sup>th</sup> and 24<sup>th</sup> meetings at the applicant's request.**

**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.

The application was presented by Bob Hoyes, Planner, on behalf of staff who indicated that based on the continuance of Item #28 UN-67-03 and Item #29 UN-68-03, staff recommends this item be continued, as well.

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to CONTINUE UN-69-03 to the 10/22/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

**The item was CONTINUED to 10/22/03.**

**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:** The November 26, 2003 Planning Commission meeting has been moved to Tuesday November 25, 2003 due to the Thanksgiving Holiday.  
The December 24, 2003 Planning Commission meeting has been canceled due the Christmas Holiday.

**ADJOURNMENT:** 11:45 PM

A motion to ADJOURN the October 8, 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.

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Dean Leavitt, Chairman

**ATTEST:**

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Ted Karant, Recording Secretary