

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

Planning Commission MINUTES are available on the internet at:
www.cityofnorthlasvegas.com

November 25, 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 - ABSENT
Nelson Stone - Present
Jo Cato-Present
Jay Aston-Present
Steve Brown-Present
Harry Shull-Present

STAFF PRESENT:

Steve Baxter, Acting Director, Development Services
Marc Jordan, Principal Planner
Mary Aldava, Planner
Randy Cagle, Public Works
Clete Kus, Transportation Services
Terri Tarbett, Assistant Fire Chief
Jim Lewis, Deputy City Attorney
Ted Karant, Recording Secretary

ANNOUNCEMENTS:

Verification of compliance with NRS 241, Open Meeting Law.

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

PLEDGE OF ALLEGIANCE

Commissioner Nelson Stone

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 November 12, 2003.

Commissioner Jo Cato MOVED and Commissioner Steve Brown SECONDED to APPROVE the minutes of the November 12, 2003 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

CONSENT AGENDA

A) PW-190-03 (13184) MERIDIAN HILLS

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Richmond American Homes of Nevada, Inc., and accept the Subdivision Bond in the amount of \$515,304.41.

B) PW-191-03 (13185) REVERE/GOWAN

Approve the Final Map.

C) PW-192-03 (13186) CRAIG COMMERCE CENTER

Accept the Commercial Developments Off-Site Improvements Agreement by Fred Kavli and accept the Letter of Credit in the amount of \$229,984.37.

D) PW-193-03 (13187) CENTENNIAL VILLAGE OFF-SITE STORMDRAIN

Accept the Commercial Developments Off-Site Improvements Agreement by NLV 180, LLC, and accept the Subdivision Bond in the amount of \$739,172.50.

E) PW-194-03 (13188) NVE SUN CITY, UNIT 6 OFF-SITE SEWER

Accept the Subdivision Off-Site Improvements Agreement by North Valley Enterprises, LLC and accept the Off-Site Improvements Bond in the amount of \$68,970.

F) PW-195-03 (13189) FIFTH & FARM, UNIT 1C

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Azure Farms, LLC and accept the Performance Bond in the amount of \$260,926.05.

G) PW-196-03 (13190) JAYCOX RESIDENTIAL

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Centex Homes and accept the Subdivision Bond in the amount of \$872,974.63.

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to CONTINUE Consent Agenda Item G to the 12/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to APPROVE Consent Agenda Items A through F.

The motion carried by UNANIMOUS vote.

NEW BUSINESS

Items #1 AMP-63-03 and #2 ZN-109-03 are related.

1) AMP-63-03 (12739) PT MINING COMPANY, LLC (Public Hearing)

An application submitted by PT Mining Company, LLC, on behalf of North 5th Centennial-1, LLC, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of MHDR Medium-High Density Residential to Neighborhood Commercial. The property is generally located at the southwest corner of North 5th Street and Centennial Parkway. The Assessor's Parcel Numbers are 124-27-503-001, 124-27-503-007, 124-27-503-008 and 124-27-503-009.

RECOMMENDATIONS:

The Development Services Department recommends that AMP-63-03 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 12/10/03 Planning Commission meeting.

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

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to CONTINUE AMP-63-03 to the 12/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 12/10/03.

Items #1 AMP-63-03 and #2 ZN-109-03 are related.

2) ZN-109-03 (12741) PT MINING COMPANY, LLC (Public Hearing)

An application submitted by PT Mining Company, LLC, on behalf of North 5th Centennial -1, LLC, property owner, for reclassification of property from an R-E Ranch Estates District to a C-1 Neighborhood Commercial District. The property is generally located at the southwest corner of North 5th Street and Centennial Parkway. The Assessor's Parcel Numbers are 124-27-503-001, 124-27-503-007, 124-27-503-008 and 124-27-503-009.

RECOMMENDATIONS:

The Development Services Department recommends that ZN-109-03 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 12/10/03 Planning Commission meeting.

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

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to CONTINUE ZN-109-03 to the 12/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 12/10/03.

Items #3 AMP-64-03, #4 ZN-110-03 and #5 T-1038 are related.

3) AMP-64-03 (12847) ROSE LAKE 20 (Public Hearing)

An application submitted by Centex Homes, on behalf of Las Vegas Concrete, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of OS Open Space to LDR Low Density Residential. The property is located at the southwest corner of Tropical Parkway and Pecos Road. The Assessor's Parcel Number is 124-25-701-007.

RECOMMENDATION

The Development Services Department recommends that AMP-64-03 **receive a favorable recommendation** from the Planning Commission and be forwarded to the City Council for final consideration.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 1/14/04 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 Jo Cato SECONDED to CONTINUE AMP-64-03 to the 1/14/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 1/14/04.

Items #3 AMP-64-03, #4 ZN-110-03 and #5 T-1038 are related.

4) ZN-110-03 (12846) ROSE LAKE 20 (Public Hearing)

An application submitted by Centex Homes, on behalf of Las Vegas Concrete, property owner, 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 southwest corner of Tropical Parkway and Pecos Road. The Assessor's Parcel Number is 124-25-701-007.

RECOMMENDATION

The Development Services Department recommends, **if AMP-64-03 is acted upon favorably, that ZN-110-03 receive a favorable recommendation** from the Planning Commission and be forwarded to the City Council for final consideration.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 1/14/04 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 Jo Cato SECONDED to CONTINUE ZN-110-03 to the 1/14/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 1/14/04.

Items #3 AMP-64-03, #4 ZN-110-03 and #5 T-1038 are related.

5) T-1038 (12857) ROSE LAKE 20

An application submitted by Centex Homes, on behalf of Las Vegas Concrete, property owner, for approval of a tentative map in an M-1 Business Park Industrial District (proposed R-1 Single-Family Residential District) consisting of 88 single-family dwellings. The property is located at the southwest corner of Tropical Parkway and Pecos Road. The Assessor's Parcel Number is 124-25-701-007.

RECOMMENDATION

The Development Services Department recommends that T-1038 **approved** subject to the following conditions of approval:

1. That T-1038 shall become null and void if AMP-64-03 and ZN-110-03 are not approved by the 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. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
9. Approval of a drainage study is required prior to submittal of the civil improvement plans.
10. 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.
11. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan* or as otherwise approved by the Director of Public Works or his designee.
12. The plans must be revised to show the CAT bus turn-out on Pecos Road south of Tropical Parkway.
13. A revocable encroachment permit is required prior to approval of the civil improvement plans for the landscaping located within the right-of-way.

14. The property owner must grant a pedestrian access easement prior to approval of the civil improvement plans for the portions of sidewalk outside of the right-of-way.
15. Right-of-way dedication is required for the flared intersection at Pecos Road and Tropical Parkway.
16. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Pecos Road and Tropical Parkway.
17. The left turn pocket on Tropical Parkway at Adams Smile Street should be removed. Left turn and U-turns are prohibited at this location.
18. An update to the Rose Lake traffic study is required.
19. 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.
20. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
21. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 1/14/04 Planning Commission meeting.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to CONTINUE T-1038 to the 1/14/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 1/14/04.

Items #6 ZN-111-03 and #7 UN-92-03 are related.

6) ZN-111-03 (12853) CCSN-CHEYENNE CAMPUS (Public Hearing)

An application submitted by Community College of Southern Nevada, on behalf of the University Board of Regents, property owner, for reclassification of property from an R-1 Single-Family Residential District to a PSP Public/Semi-Public District. The property is located at 3200 East Cheyenne Avenue. The Assessor's Parcel Numbers are 139-12-701-001 and 139-12-801-001.

RECOMMENDATION:

The Development Services Department recommends that ZN-111-03 receive a **favorable recommendation** and be forwarded to the City Council for final consideration.

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

John Anderson, of Swisher Hall Architects, 7373 Peak Drive, Suite 250, Las Vegas, Nevada 89128 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 Steve Brown SECONDED to APPROVE ZN-111-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #6 ZN-111-03 and #7 UN-92-03 are related.

7) UN-92-03 (12848) CCSN-CHEYENNE CAMPUS (Public Hearing)

An application submitted by Community College of Southern Nevada, on behalf of the University Board of Regents, property owner, for a use permit in an R-1 Single-Family Residential District (proposed PSP Public/Semi-Public District) to allow a public school (telecommunication building). The property is located at 3200 East Cheyenne Avenue. The Assessor's Parcel Numbers are 139-12-701-001 and 139-12-801-001.

RECOMMENDATION:

The Development Services Department recommends that UN-92-03 be **approved** subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
4. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.
5. Dedicate the west thirty feet of APN 139-12-801-001 for flood channel "N" (Belmont channel) right of way.
6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Cheyenne Road and onsite for connectivity to the City's network.

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

John Anderson, of Swisher Hall Architects, 7373 Peak Drive, Suite 250, Las Vegas, Nevada 89128 appeared on behalf of the applicant and stated he concurs with staff's recommendations, however requests conditions #4 and #5 be deleted.

Randy Cable, of the City's Public Works Department, stated he has no objection to deleting conditions #4 and #5. He stated he has no objections to the commercial driveways being postponed to the next phase, and no objection to the dedication for the flood channel being deleted, with the understanding that if funds become available for the construction that channel and the right-of-way is not dedicated that the City will not construct those improvements at that time.

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

Commissioner Harry Shull MOVED and Commissioner Steve Brown SECONDED to APPROVE UN-92-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #8 ZN-112-03, #9 T-1040 and #10 UN-95-03 are related.

8) ZN-112-03 (12851) ALIANTE PARCEL 69 (Public Hearing)

An application submitted by Pulte Homes of Nevada on behalf of North Valley Enterprises, LLC, property owner, for reclassification of property from a MPC Master Planned Community District to an R-3 MPC Multifamily Residential Master Planned Community District. The property is located at the southeast corner of Decatur Boulevard and Deer Springs Way. The Assessor's Parcel Number is 124-19-310-001.

RECOMMENDATION

The Development Services Department recommends that ZN-112-03 be forwarded to the City Council with a **recommendation for permanent zoning** to the MPC / R-3, Master Planned Community / Multi-Family Residential District by ordinance.

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

Evan Naef, 1635 Village Center Circle, Suite 250, Las Vegas, Nevada 89134 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 Steve Brown MOVED and Commissioner Harry Shull SECONDED to APPROVE ZN-112-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #8 ZN-112-03, #9 T-1040 and #10 UN-95-03 are related.

9) T-1040 (12852) ALIANTE PARCEL 69

An application submitted by Pulte Homes of Nevada on behalf of North Valley Enterprises, LLC, property owner, for approval of a tentative map in a MPC Master Planned Community District (proposed R-3 Multifamily Master Planned Community District) consisting of 362 multifamily units. The property is located at the southeast corner of Decatur Boulevard and Deer Springs Way. The Assessor's Parcel Number is 124-19-310-001.

RECOMMENDATION

The Development Services Department recommends that T-1040 be **continued indefinitely** to allow the applicant time to provide the additional information.

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

1. Approval of a drainage study is required prior to submittal of the civil improvement plans.
2. 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.
3. City of North Las Vegas concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
4. Conformance with the overall conceptual drainage study is required.
5. Label the drainage easement in the southeast corner of the site as public and grant a public utility easement over the same area to be privately maintained.
6. Label the common elements to be maintained by the homeowners association.
7. A traffic study update with queuing analysis is required.
8. The entry driveway on Decatur Boulevard is limited to a right-in, right-out.
9. The radius at the intersections must be a minimum of 25 feet.
10. A stop sign is required at the intersection of the public/private streets near the rear gate. The flow of traffic on the public street will not be interrupted.
11. The guest parking is to be strategically placed and within 300 feet of the units to be serviced.
12. The subject site must receive the required R-3 MPC zoning classification prior to filing of the final map, or T-1040 shall become null and void.
13. Unless expressly authorized through a variance, waiver or another approved method; the development shall comply with all applicable codes, ordinances, and design standards.
14. 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 this item be continued.

Evan Naef, 1635 Village Center Circle, Suite 250, Las Vegas, Nevada 89134 appeared on behalf of the applicant and stated he concurs with staff's recommendation for a continuance.

Chairman Dean Leavitt stated this is not a Public Hearing, however he has received some cards from people who wish to speak on this item. The following participants came forward:

- ▶ Dorothy Hansen, 333 W. Nye Lane, Room 118, Carson City, Nevada (no zip code stated)

Ms. Hansen stated she is a land agent with the Division of State Lands for the State of Nevada and she requested action be deferred on Parcel 69 on behalf of Pamela Wilcox for the Division of State Lands.

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

Mr. Gronauer stated he is representing the North Valley Enterprises, and he is requesting this item be continued.

The Public Hearing was closed.

Commissioner Nelson Stone MOVED and Commissioner Steve Brown SECONDED to CONTINUE T-1040 per staff's recommendations to the 12/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 12/10/03.

Items #8 ZN-112-03, #9 T-1040 and #10 UN-95-03 are related.

10) UN-95-03 (13093) ALIANTE GOLF CLUB (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a PSP/MPC Public/Semi-Public Master Planned Community District to allow the “on sale” of alcoholic beverages in conjunction with a restaurant/bar/lounge with the clubhouse. The property is located at 3100 West Elkhorn Road. The Assessor’s Parcel Number is 124-17-410-005.

RECOMMENDATION:

The Development Services Department recommends that UN-95-03 be **approved** with the following conditions:

1. That the development shall be in compliance with Chapter 5.26 of the North Las Vegas Municipal Code. (North Las Vegas Liquor Control Ordinance)

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. No participants came forward. The Public Hearing was closed.

Commissioner Harry Shull MOVED and Commissioner Steve Brown SECONDED to APPROVE UN-95-03 per staff’s recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

11) ZN-113-03 (12854) CAREFREE VILLAS (Public Hearing)

An application submitted by Templeton Development, on behalf of Ken Templeton, property owner, for reclassification of property from an R-1 Single-Family Residential District to a PUD Planned Unit Development District consisting of three (3) multifamily buildings containing 18 units for senior apartments. The property is generally located approximately 282 feet south of Alexander Road and north of Mexico Drive. The Assessor's Parcel Number is 139-07-510-043.

RECOMMENDATION:

The Development Services Department recommends that ZN-113-03 receive a favorable recommendation from the Planning Commission and be forwarded to the City Council for final consideration subject to the following conditions of approval:

1. That the development shall comply with the Multi-Family Development Design Standards, excluding the perimeter landscaping along Mexico Drive.
2. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the open space/park areas showing landscaping and amenities. Prior to submittal of the final development plan, the applicant must schedule a meeting with the Parks and Recreation Director or designee to determine what amenities will be required of the private park areas.
3. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
4. Approval of a drainage study update is required prior to submittal of the civil improvement plans.
5. A merger and resubdivision map is required.
6. Applicant must abide by all conditions of the approved traffic study.
7. As a minimum the following amenities shall be provided within the open space:
 - a. lighted pathway through the site, with benches. The pathway has been included, lighting to be provided by security lighting associated with adjacent buildings and streets;
 - b. covered picnic site with tables and grills, to be ADA accessible. This is under discussion, as picnic site are offered at other locations. Site may be utilized as a passive game area; and
 - c. low impact activity area. This is under discussion.

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

John Welch, 103 E. Charleston Boulevard, Las Vegas, Nevada (no zip code stated) appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

- ▶ Anita Wood, 4108 Bola Drive, Las Vegas, Nevada 89032

Mrs. Wood stated she is very proud of how the neighborhood worked with the applicant on this project.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull **MOVED** and Commissioner Jo Cato **SECONDED** to **APPROVE** ZN-113-03 per staff's recommendations.

The motion carried by **UNANIMOUS** vote.

The item was APPROVED.

12) UN-84-03 (12461) SILVER STATE HELICOPTERS (Public Hearing)

An application submitted by Silver State Helicopters on behalf of Steve L. Gilbert, property owner, for a use permit in a M-2 General Industrial District to allow a heliport. The property is located at 500 East Cheyenne Avenue. The Assessor's Parcel Numbers are 139-11-410-002, 139-11-411-002 and 139-11-411-001.

RECOMMENDATION:

The Development Services Department recommends that UN-84-03 be **denied** based on the analysis above. The proposed use presents significant health, safety and welfare issues that cannot be mitigated through conditions or safety precautions - the best and most effective way to ensure the safety of the community would be to locate the proposed commercial heliport at the airport or at a more appropriate location.

If the Planning Commission chooses to approve this request, then the following conditions are recommended:

1. That UN-84-03 is site-specific and non-transferable; and
2. That a Merger and Resubdivision map be recorded to consolidate the three parcels prior to application of a building permit; and
3. That a 24" x 36" and an 8-1/2" x 11" site plan be submitted for the UN-84-03 file that clearly indicates exactly where the touchdown area, peripheral area, approach and departure paths (curved and/or straight) and associated apparatus would be located. All applicable and related vertical information shall be provided on the site plan including, but not limited to terrain elevations, building heights and structures within 500 feet of the proposed site. The site plan shall be submitted prior to application of a building permit or business license, whichever occurs first; and
4. That, per 14 CFR Part 157, the applicant must file Federal Aviation Administration (FAA) Form 7480-1, "Notice of Landing Area Proposal" with the FAA, and comply with all heliport planning report requirements described in Table 30.44-1 "Heliport" of the Clark County Unified Development Code; and
5. That all touchdown areas, peripheral areas, approach and departure paths be paved. Gravel or unpaved surfaces shall not be permitted; and
6. That the applicant comply with all FAA heliport regulations; and
7. That arriving and departing helicopters shall not fly over the North Las Vegas Municipal Golf Course; and
8. That the following right of way dedications are required:
 - a. An additional 10' of right of way for North 5th Street
 - b. 54' radius at the corner of North 5th and Cheyenne Avenue
 - c. Right of way for a CAT bus turn-out on North 5th near Cheyenne Avenue; and
9. That failure to comply with any of the above-listed conditions shall render UN-84-03 null and void and shall warrant a revocation of the Business License for the subject site.

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

Dick Bonar, 8275 S. Eastern Avenue, Las Vegas, Nevada (no zip code stated) appeared on behalf of the applicant.

Jerry Aerola, 9380 W. Redcoach Road, Las Vegas, Nevada 89129 appeared on behalf of the applicant.

Steve Gilbert, 1111 Lakeview Drive, Mesquite, Nevada (no zip code state) appeared on behalf of the applicant.

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

Jim Lewis, Deputy City Attorney, stated the main question regarding this item is whether or not this is an existing heliport. He stated the evidence the City of North Las Vegas has, with regard to its land use permit, is that it is not existing. Mr. Lewis stated there was a special use permit that approved a personal helipad site for Mr. Gilbert's personal aircraft to go in and out of there in the year 1981. At some point between 1981 and 1984 the business license for Gilbert Development Company expired. Mr. Lewis stated that creates a problem as the Municipal Code stated that a special use permit expires after six (6) months of non-use. Mr. Lewis stated this is not a case of staff wanting to stop a project that could be an economic benefit to the City of North Las Vegas.

He stated the issue is there is a State Law Directive to all Municipalities within the State of Nevada that states **"you may not issue land use permits (i.e., special use permits) for new heliports in this state until June 30, 2005."**

Mr. Lewis also stated there is a question on whether or not this heliport was existing or not. He also stated in 1981 the thing that was approved was a special use permit for a personal heliport, not a commercial heliport and this would be a large difference between a commercial and personal heliport.

He also stated another point to consider is that if in fact they had an existing special use permit they would have filed a building permit and they would have expected the City to approve that building permit and if the City didn't approve the building permit they would have asked the court to force the City to issue that building permit as they would not need a special use permit from the City of North Las Vegas, therefore reflecting the fact they know that a special use permit does not exist at that site.

In conclusion, Mr. Lewis stated he is not attempting to sway the Planning Commission's decision except to the extent that it is up to him to make sure that the City and the people appointed by the City Council members follow State Law. It is the advise of the City Attorney's office that the arguments presented by Mr. Marchek are unpersuasive and the Planning Commission must deny this special use permit.

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 UN-84-03 per staff's recommendations subject to the following change:

Condition #10 Added to Read: "in conjunction with Nevada Power, that the power lines on Cheyenne and 5th Street, in front of the subject property, would be put underground."

The motion carried by UNANIMOUS vote.

The item was APPROVED.

13) UN-89-03 (12830) IYAD HADDAD (Public Hearing)

An application submitted by Iyad Haddad on behalf of the Hatch Street Trust Resource Group, LLC, Trust, property owner, for a use permit in an R-E Ranch Estates District to allow the conversion of a garage and a carport to living areas. The property is located at 4033 Hatch Street. The Assessor's Parcel Number is 139-06-411-033.

RECOMMENDATION:

The Development Services Department recommends that UN-89-03 be **approved** subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That the applicant obtain a building permit for the previously converted garage and for the proposed carport conversion prior to any further construction and/or renovations; and
3. That the exteriors of the converted spaces match the existing exterior of the dwelling; and
4. That all off-street parking areas satisfy ordinance requirements and be illustrated on the building permit application site plan; and
5. That UN-89-03 is site-specific and non-transferable.

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

Iyad Haddad, 221 Desert View, Las Vegas, Nevada 89107 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:

- ▶ Jeff McGeachy, 4032 San Diego Street, North Las Vegas, Nevada 89032

Mr. McGeachy stated he is the property owner directly behind this project. He stated he believes the intent of this project is to convert this single-family home into a multi-family property and he does not believe that is the intent of the ordinance as it is written and asked that this application be denied.

- ▶ Kenneth Pruitt, 4025 Hatch Street, North Las Vegas, Nevada (no zip code stated)

Mr. Pruitt stated this is a single-family residence and he would like to keep it that way and opposes this project.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-89-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

14) UN-90-03 (12837) CITY OF REFUGE CHURCH (Public Hearing)

An application submitted by Donald C. Bronson on behalf of The Robert Millner Jr. and D. Revocable Living Trust, property owners, for a use permit in an R-E Ranch Estates District to allow a church that includes a child care facility. The property is located at the southeast corner of Fuselier Drive and Alexander Road. The Assessor's Parcel Number is 139-08-502-001.

RECOMMENDATION:

The Development Services Department recommends that UN-90-03 be **approved** with the following conditions of approval:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. Construction of the half-street improvements for Alexander Road and Fuselier Drive are required with the development of the site.
4. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.
5. Should any power poles need to be relocated, it is the developer's responsibility.
6. The following right of way dedications are required:
 - a. 30 feet for Fuselier Street and associated spandrels
 - b. 40 feet for Alexander Road and associated spandrels
7. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Alexander Road.
8. All drive aisles are to be a minimum of 24-feet wide.
9. Driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer.
10. The development shall comply with the Commercial Development Standards and Design Guidelines including, but not limited to, all required parking lot and foundation landscaping.

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

Donald Bronson, 8224 Fritzen Avenue, Las Vegas, Nevada 89131 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:

- ▶ Elise Gutierrez, 2475 W. Alexander, North Las Vegas, Nevada (no zip code stated)

Ms. Gutierrez stated there are over 80 churches within 3 miles of this location and opposes any more churches in the area.

- ▶ Sandy Allen, 3947 Fuselier Drive, North Las Vegas, Nevada (no zip code stated)

Ms. Allen stated this is a Ranch Estates Preservation Area and she would like to see it remain that way, as well as she feels a church in this area would increase the traffic in the area.

- ▶ Neda Clayholtz, 2400 W. Alexander, North Las Vegas, Nevada (no zip code stated)

Ms. Clayholtz stated there are too many churches in this area and opposes any others being allowed.

- ▶ George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014

Mr. Garcia stated he would like to meet with the applicant and the neighbors to resolve some concerns.

Commissioner Steve Brown MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-90-03 per staff's recommendations.

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

The item was APPROVED.

15) SPR-26-03 (12849) LABONITA II

An application submitted by Jaime Martinez, property owner, for a site plan review in a C-2 General Commercial District to allow 85,123 square feet of retail/commercial building. The property is located at 2672 North Las Vegas Boulevard. The Assessor's Parcel Numbers are 139-13-304-001, 139-13-304-012, 139-13-304-013, and 139-13-703-001.

RECOMMENDATION:

The Development Services Department recommends of SPR-26-03 be **continued** to allow the applicant time to address the issues outlined in the analysis section above.

If, however, the Planning Commission were to determine that **approval of the site plan is warranted** at this time, the following conditions are recommended:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. The commercial driveway located at Evans Avenue and Las Vegas Boulevard must be justified by a traffic study and a traffic signal sequence analysis. The driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in North Las Vegas Municipal Code 17.24.130. Conformance may require modifications to the site.
3. The driveways near Las Vegas Boulevard and Belmont Street must be a least 200 feet from the intersection.
4. The driveways on Las Vegas Boulevard must have a spacing of at least 200 feet.
5. The drive aisles must be a minimum of 24 feet wide.
6. Applicant shall file an administrative consolidation of parcels. The form is available from the Clark County Assessor's office or on the internet at <http://www.co.clark.nv.us/assessor>.
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Belmont Street.
9. Provide a bus turnout on Las Vegas Boulevard at the southern driveway.
10. All known geologic hazards shall be shown on any preliminary maps and the civil improvement plans.
11. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.
12. Provide the City of North Las Vegas with a copy of an encroachment permit from Nevada Department of Transportation for landscape in the right of way on Las Vegas Boulevard North.
13. Dedicate right of way for the Cartier Channel along the southern boundary.
14. Approval of a drainage study is required prior to submittal of the civil improvement plans.

15. The applicant shall meet all the requirements of the Commercial Development Standards and Design Guidelines including, but not limited to:
 - a. All landscaping requirements; and
 - b. Building design, colors and materials requirements.

The application was presented by Mary Aldava, Planner, on behalf of staff who indicated the proposed site plan does not appear to be in general conformance with the Commercial Development Design Standards, specifically parking lot landscaping, foundation landscaping, pedestrian open space and plazas, they do not meet the 20-foot setback requirement from the parking area and also elevations were not submitted so it could not be determined whether or not a coherent design would be provided. Because of the detail necessary for a comprehensive review of the site plan not submitted and the site must be redesigned to meet the criteria of lines in the Commercial Development Design Standards, the Development Service Department recommends this item be continued to allow the applicant time to address these concerns.

Merlin Hardy, 494 Spanish View Lane, Las Vegas, Nevada 89110 appeared on behalf of the applicant.

Commissioner Nelson Stone MOVED and Commissioner Steve Brown SECONDED to CONTINUE SPR-26-03 INDEFINITELY per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was CONTINUED INDEFINITELY.

16) T-892 (12804) CLEAR BROOK PLAZA

An application submitted by Investors Realty Group on behalf of Simmons Investment and Lake Mead Simmons, LLC, property owners, for an extension of time for a tentative map review in a Planned Unit Development District (PUD) consisting of a commercial subdivision. The property is generally located north of Coran Lane approximately 774 feet west of Simmons Street. The Assessor's Parcel Numbers are 139-20-202-010 and 139-20-202-011.

RECOMMENDATION

The Development Services Department recommends that T-892 be **denied** as recommended by the Department of Public Works.

If however, the Planning Commission determines that **approval is warranted** at this time, the development Services Department that T-892 be subject to the following conditions:

1. The past due amount must be paid within thirty (30) days, otherwise, any approval becomes null and void. In addition, the developer must sign, within that same thirty (30) days, a cost participation agreement for traffic control improvements to the intersections of Lake Mead Boulevard & Allen Lane and Coran Lane & Rancho Drive.
2. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.
3. 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.
4. The property owner must sign a restrictive covenant for utilities.
5. Dedicate 30 feet right of way from APN 139-20-202-010 for Coran Lane.
6. A revocable encroachment permit for landscaping in the right of way will be required prior to approval of the civil improvement plans.
7. The developer shall comply with all previously approved conditions of approval.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 12/10/03 Planning Commission meeting.

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

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to CONTINUE T-892 to the 12/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 12/10/03.

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

17) T-1039 (12845) TROPICAL/WALNUT

An application submitted by Ryan Homes on behalf of the Yballe Danilo Narvios Living Trust, property owner, for approval of a tentative map in a M-2 General Industrial District (proposed R-1 Single-Family Residential District) consisting of 234 single-family dwellings. The property is located at the northeast corner of Tropical Parkway and Walnut Road. The Assessor's Parcel Number is 123-30-601-001.

RECOMMENDATION:

The Development Services Department recommends that T-1039 be **continued** in order to allow the applicant time to address the concerns of the Clark County School District and the street curvature issues outlined in the analysis section above.

State Statutes require the Planning Commission to act within 45 days, otherwise the tentative map would be deemed approved. Therefore, unless the applicant is willing to continue the application, the Development Services Department will have to recommend that T-1039 be denied.

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

1. The applicant has a pending rezoning application (ZN-72-03) to the R-1, Single Family Residential District. The applicant shall obtain permanent zoning to the R-1, Single Family Residential District, otherwise, the tentative map shall be null and void.
2. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
3. That the development comply with the Single Family Design Guidelines.
4. Revise the plans or vacate the public utility easement and relocate the utilities. Currently a vacation has not been submitted.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. 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.
7. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan* or as otherwise approved by the Director of Public Works or his designee.
8. The developer is responsible for extending the Walnut Regional facility to Tropical Parkway.
9. Provide the appropriate half-street sections for Tropical Parkway, Walnut Street and Azure Avenue. Do not include the section thicknesses as that will be determined by Public Works at the time of construction.
10. Plum Street will require a different suffix per CNLV Street Address Standards.
11. Label the final map as a Merger and Resubdivision.
12. The following right of way dedications must be made:
 - a. 30 feet right of way for Azure Avenue and associated spandrels
 - b. 40 feet right of way for Walnut Road and associated spandrels
 - c. 50 feet right of way for Tropical Parkway and associated spandrels
 - d. additional right of way for a flared intersection at Walnut Road and Tropical Parkway
 - e. right of way for a CAT bus turn-out on Walnut Street near Tropical Parkway.

13. The areas between lots 51 and 52 must be labeled.
14. Approval of a traffic study is required prior to submittal of the civil improvement plans.
15. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Tropical Parkway and Walnut Road.
16. In accordance with Clark County Area Uniform Standard Drawing No. 201.2, each corner of every intersection must have a sight visibility zone.
18. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
19. The development shall comply with the Single-Family Design Guidelines including, but not limited to the inclusion of a curvilinear sidewalk along Tropical Parkway.
20. The perimeter walls be owned and maintained by the Homeowner's Association.
21. Corner side yard landscaping shall be maintained by the Homeowner's Association.
22. The developer must disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
23. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any perimeter or return walls within this development.
24. Any street in excess of five hundred (500) feet must have at least twenty-five (25) feet of lateral deviation from a straight course or incorporate some other type of traffic calming device such as traffic circles.
25. No final map shall be submitted, either in part or in whole, without written verification that the applicant has met with representatives of the Clark County School District and has satisfied their concerns regarding the siting of a new elementary school.
26. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
27. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

The application was presented by Mary Aldava, Planner, on behalf of staff who indicated staff is recommending this item be continued and if the applicant does not concur with the continuance then staff will recommend this item be denied.

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

Commissioner Steve Brown MOVED and Commissioner Harry Shull SECONDED to APPROVE T-1039 subject to the following change:

Condition #21 Changed to Read: "Corner side yard landscaping shall be maintained by the *homeowner*."

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

The item was APPROVED.

OLD BUSINESS

18) ZOA-09-03 (12514) CITY OF NORTH LAS VEGAS (Public Hearing)

An ordinance amendment initiated by the City of North Las Vegas to amend Title 17 (Zoning Ordinance) Section 17.24.210 (Single-Family Design Guidelines) of the North Las Vegas Municipal Code amending the architectural and landscaping requirements, and providing for other matters properly related thereto.

This item was continued from the October 22, 2003 Planning Commission at the request of the Planning Staff.

(from the 10/22/03 Planning Commission meeting):

RECOMMENDATION

The Development Services Department recommends that ZOA-09-03 be **approved**.

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:

Connie Suckling, with Southern Nevada Home Builders, 3685 Pecos McCleod, Las Vegas, Nevada (no zip code stated) requested this item be continued to hold a workshop on the subject.

Commissioner Harry Shull MOVED and Commissioner Steve Brown SECONDED to CONTINUE ZOA-09-03 to the 1/14/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 1/14/04.

Items #19 AMP-62-03 and #20 ZN-108-03 are related.

19) AMP-62-03 (12706) GRAND TETON/VALLEY (Public Hearing)

An application submitted by Pardee Homes of Nevada, property owner, for an amendment to the Master Plan of Streets and Highways to delete Racel Street between San Mateo Street and Aviary Way. The Assessor's Parcel Numbers are 124-07-401-006, 124-07-401-007 and 124-07-301-012.

This application was continued from the Planning Commission meeting of November 12, 2003.

(from the 11/12/03 Planning Commission meeting):

RECOMMENDATION:

The Development Services Department recommends that AMP-62-03 be **continued indefinitely** until such time that a traffic study is submitted and reviewed by the Traffic Division.

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

Jennifer Lazovich, of KKB&R, 3800 Howard Hughes Parkway, 7th 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 Steve Brown SECONDED to APPROVE AMP-62-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #19 AMP-62-03 and #20 ZN-108-03 are related.

20) ZN-108-03 (12707) GRAND TETON/VALLEY (Public Hearing)

An application submitted by Pardee Homes of Nevada, property owner, for reclassification of property from an R-1 Single-Family Residential District to a PUD Planned Unit Development District consisting of 278 single-family dwellings. The property is located at the southeast corner of San Mateo Street and Horse Drive. The Assessor's Parcel Numbers are 124-07-301-011, 124-07-301-012, 124-07-401-006 and 124-07-401-007.

This application was continued from the Planning Commission meeting of November 12, 2003.

(from the 11/12/03 Planning Commission meeting):

RECOMMENDATION:

The Development Services Department recommends that ZN-108-03 be approved subject to the following conditions and that this item be forwarded to the City Council for final consideration:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That the development of this site be in compliance with the Single Family Development Standards and Design Guidelines, with the following exceptions:
 1. That a minimum 6.5 feet of landscaping be provided adjacent to all interior corner side lots. An additional 3.5 feet shall be provided where sidewalks are to be located; and
 2. That a pedestrian access easement is not required through the drainage easement at the south end of Belize Street; and
3. That a minimum three-and-a-half feet (3.50') of landscaped parkway be provided within the San Mateo Street right-of-way. The landscaped parkway shall vary from 3.50 feet to five feet (5.00') in width. A five-foot-wide sidewalk and pedestrian access easement shall be provided behind the landscaped parkway. The parkway shall be landscaped in accordance with ordinance requirements and shall have a minimum one 24-inch box tree per residential lot. The sidewalk shall be owned and maintained by the homeowners' association and identified on the tentative and final maps as a "common element"; and
4. That each of the residents facing San Mateo Street shall have full and unencumbered access to all open space areas and amenities within the gated portion of the development; and
5. That a pedestrian access gate be provided at each automobile access location. Additional pedestrian access gates shall be provided at the east end of Costa Rica Avenue, at the north end of Panama Street, and at the west end of Honduras Court. The pedestrian access ways shall be landscaped, ADA-compliant, provided with a meandering sidewalk and shall be a minimum 20 feet in width; and
6. That approval of the site plan submitted is not implied; and
7. That if AMP-61-03 is not approved, ZN-108-03 shall be considered null and void; and
8. That the applicant shall be responsible for determining building height restrictions on lots located adjacent to the model airplane field. Coordinate inquiries through Tony Taylor at the North Las Vegas Parks and Recreation Department; and
9. That the developer shall provide an avigation easement prior to the recordation of the final map. Contact Mary Griego, Real Property Agent, at 633-2087 for additional information; and

10. That the perimeter walls be owned and maintained by the homeowners' association; and
11. That corner side yard landscaping be maintained by the homeowners' association or the homeowner; and
12. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping; and
13. That all street sections 500 linear feet or longer shall incorporate a curvilinear design, or other form of traffic calming, subject to review and approval by the City Traffic Engineer. If necessary, the map shall be re-designed; and
14. That five (5) copies of the conforming tentative map, incorporating all conditions mentioned herein, be submitted to the Department of Public Works prior to the issuance of any construction permits; and
15. That the street sections and the linear trail elements for Grand Teton and Valley Drive (Aviary Way) shall conform to those approved for the Aliante Master Planned Community; and
16. That the following setbacks shall apply:

Front (garage):	20 feet from back-of-sidewalk or Common Element, or property line if no sidewalk exists
Front (living area):	15 feet from back-of-sidewalk or Common Element, or property line if no sidewalk exists
Rear:	15 feet
Interior side:	5 feet
Corner side:	10 feet
17. The developer must notify those residents along Horse Drive that there is a model airplane flying field on the north side of Horse Drive and that there are possibilities of noise and that, while the airplanes are not allowed to fly to the south of Horse Drive, a pilot may lose control of his aircraft; and
18. That the primary park area be provided with the following amenities, subject to review and approval of the Department of Parks & Recreation:
 1. circuitous lighted paths
 2. a minimum of 20 24-inch box trees per acre
 3. at least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
 4. at least one large open space area for group / organized play
 5. one large group shade area / gazebo (30' diameter), lighted
 6. picnic tables and barbecue grills
 7. benches spaced along park pathways
 8. details of amenities to be provided
 - i. ½ court basketball, unlighted
 - j. climbing wall and playground mural
 - k. bicycle rack
 - l. game tables; and
18. That all of the primary park area be constructed prior to the issuance of the 100th building permit; and
19. 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.

20. The alignments of Honduras Court and Brasil Avenue must align and connect with the alignments for Racel Street to the east and west of this development.
21. No certificate of occupancy will be granted for a residential unit within the development until after Fire Station 56 is in operation.
22. Notes shall be placed on the tentative and final maps referencing the applicable conditions of approval, subject to review and approval by Planning staff; and
23. Approval of a drainage study is required prior to submittal of the civil improvement plans.
24. 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.
25. The following right of way dedications are required:
 - a. right of way for flared intersection at Horse Street and Aviary Way (formerly Valley Drive) and at Grand Teton Drive and Aviary Way
 - b. right of way for CAT bus turn-out on Grand Teton Drive near Aviary Way
 - c. 48' for right of way on Grand Teton Drive
 - d. approximately 50' of additional right of way along the north side of Grand Teton right of way for the proposed Grand Teton open channel regional facility, unless otherwise determined by the Director of Public Works
 - e. dedicate the right of way in accordance with the Master Plan of Streets and Highways
26. The property owner shall grant a pedestrian access easement for sidewalk not located in the right-of-way and roadway easements where the public and private streets intersect. In addition, a revocable encroachment permit must be acquired for landscape within the right-of-way.
27. The applicant must file a Merger & Resubdivision parcel map to create the proposed parcel.
28. The vacation of Racel Street (VAC-14-03) must record concurrent with the Merger & Resubdivision parcel map.
29. Should AMP-62-03 not be approved, a revision to show Racel Street per the Master Plan of Streets and Highways will be necessary.
30. Approval of a traffic study with queuing analysis is required prior to submittal of the civil improvement plans.
31. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Horse Drive, Grand Teton Drive and Valley Drive.
32. Provide 2 ingress lanes and 2 egress lanes at each entryway.
33. The mini cul de sacs shall serve no more than four lots. Use the standard cul de sacs to serve five or more lots.
34. Parking shall be limited to one side of the street. The developer shall provide red painted curb and install "no parking" signs.

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

Jennifer Lazovich, of KKB&R, 3800 Howard Hughes Parkway, 7th 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 Nelson Stone MOVED and Commissioner Steve Brown SECONDED to APPROVE ZN-108-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

PUBLIC FORUM

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

No members of the public came forward.

DIRECTOR'S BUSINESS: None

CHAIRMAN'S BUSINESS: None

ADJOURNMENT: 9:45 PM

A motion to ADJOURN the November 25, 2003 meeting of the Planning Commission of the City of North Las Vegas was made by Chairman Dean Leavitt. Commissioner Harry Shull SECONDED the motion.

Dean Leavitt, Chairman

ATTEST:

Ted Karant, Recording Secretary