

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

March 24, 2004

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:

Marc Jordan, Acting Planning Manager
Mary Aldava, Planner
Lenny Badger, Public Works
Clete Kus, Transportation Services
Steven DiGiovanni, Fire Department
James Lewis, Senior 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 March 10, 2004.

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to APPROVE the Minutes of the March 10, 2004 Planning Commission Meeting.

The motion carried by MAJORITY vote with Chairman Dean Leavitt abstaining from voting due to his absence from the March 10, 2004 Planning Commission meeting.

CONSENT AGENDA

A) PW-62-04 (14638) LONE MOUNTAIN & COMMERCE, UNIT 1, PHASE 5

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify American Motorists Insurance Company to release the Subdivision Bond in the amount of \$191,134.57.

B) PW-63-04 (14640) CHEYENNE GARDENS, UNIT 1

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Mid-Century Insurance Company to release the Subdivision Bond in the amount of \$111,096.37.

C) PW-64-04 (14641) REBEL STATION

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Great American Insurance Company to release the Performance Bond in the amount of \$15,064.78.

D) PW-65-04 (14643) FIFTH & FARM, UNIT 1A

Approve the replacement Subdivision Off-Site Improvements Agreement by US Home Corporation and accept the replacement Subdivision Bond in the amount of \$1,203,788.74.

E) PW-66-04 (14644) FIFTH & FARM, UNIT 1A

Release the Subdivision Off-Site Improvements Agreement and advise the Director of Public Works to notify Developers Surety & Indemnity to release the Subdivision Bond in the amount of \$1,203,788.74.

F) PW-67-04 (14646) FIFTH & FARM, UNIT 1B

Approve the replacement Subdivision Off-Site Improvements Agreement by US Home Corporation and accept the replacement Subdivision Bond in the amount of \$276,823.03.

G) PW-68-04 (14647) FIFTH & FARM, UNIT 1B

Release the Subdivision Off-Site Improvements Agreement and advise the Director of Public Works to notify Developers Surety & Indemnity to release the Subdivision Bond in the amount of \$276,823.03.

H) PW-69-04 (14649) FIFTH & FARM, UNIT 1C

Approve the replacement Subdivision Off-Site Improvements Agreement by US Home Corporation and accept the replacement Subdivision Bond in the amount of \$260,926.05.

I) PW-70-04 (14650) FIFTH & FARM, UNIT 1C

Release the Subdivision Off-Site Improvements Agreement and advise the Director of Public Works to notify Developers Surety & Indemnity to release the Subdivision Bond in the amount of \$260,926.05.

K) PW-71-04 (14651) CHEYENNE RESTAURANT & PUB

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Gulf Insurance Company to release the Off-Site Improvement Bond in the amount of \$107,356.00.

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

The motion carried by UNANIMOUS vote.

NEW BUSINESS

Items #1 AMP-19-04, #26 ZN-03-04, #27 VAC-03-04 and #28 T-1050 are related.

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

1) AMP-19-04 (14205) LONE MOUNTAIN ESTATES (Public Hearing)

An application submitted by Celebrate Homes on behalf of Larry M. and Mary S. Montoya, Celebrate Properties, LLC, and the Church Baptist Homesite, property owners, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of VLDR Very Low Density Residential to LDR Low Density Residential. The property is located at the southeast corner of Lone Mountain Road and Allen Lane. The Assessor's Parcel Numbers are 139-05-101-002, 139-05-101-003, 139-05-101-004, 139-05-101-005, 139-05-101-006, 139-05-102-001 and 139-05-102-002.

RECOMMENDATION:

The Planning and Zoning Department recommends that AMP-19-04 be **denied** as the proposed change is not consistent with the Ranch Estates Preservation Area and the application is inappropriate to the area.

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

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

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

- ▶ Mary Montoya, 4720 Allen Lane, North Las Vegas, Nevada (no zip code stated)

Ms. Montoya stated she supports approval of this zoning change. She stated a reputable builder is offering to develop this undeveloped land and she is in favor of this item.

- ▶ Tom Collins, 4716 W. San Miguel, North Las Vegas, Nevada 89032

Mr. Collins stated he recommends the Planning Commission deny this application as the neighbors in this area oppose this item.

- ▶ Stephen Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Mr. Werk stated he opposes this item as he would like to see this area remain the way it is currently.

- ▶ Linda Hinson, 4621 Kenny Way, North Las Vegas, Nevada 89031

Ms. Hinson stated she opposes this item as she does not wish to see the current designation to the land use changed.

- ▶ Randy Miller, 4662 N. Kenny Way, North Las Vegas, Nevada (no zip code stated)

Mr. Miller stated he opposes this item as he feels it will lead to more changes in the future for this area and would like to see it remain the way it is today.

- ▶ Toni Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Ms. Werk stated she opposes this application as she strongly feels it should remain R-E as that is the reason she decided to purchase her home.

- ▶ Walter Wilcox, 4672 N. Kenny Way, North Las Vegas, Nevada 89031

Mr. Wilcox stated he agrees with the neighbors who spoke before him and opposes this item.

- ▶ Michele Riggs, 4714 N. Kenny Way, North Las Vegas, Nevada 89031

Ms. Riggs stated she owns the property across from the proposed development and she has lost prospective buyers for her property due to the proposed new development. She opposes this item as she feels it will negatively affect the property values in the area.

- ▶ Carol Gomez, 3640 Wedo Way, North Las Vegas, Nevada 89031

Ms. Gomez stated she opposes this application as she feels it will negatively impact the culture in the neighborhood.

- ▶ Joe Gomez, 3640 Wedo Way, North Las Vegas, Nevada 89031

Mr. Gomez stated he opposes this application as he would like to see this area remain R-E Ranch Estates.

- ▶ Sherry Messer, 3320 Wedo Way, North Las Vegas, Nevada 89031

Mr. Messer stated she purchased her property in this area because it was R-E and does not want to see it changed.

- ▶ Tim Loper, 4682 Kenny Way, North Las Vegas, Nevada 89031

Mr. Loper stated he searched for many years to locate property like what he currently has in this area and he does not wish to see it change.

- ▶ Tom Messer, 3330 W. Wedo Way, North Las Vegas, Nevada 89031

Mr. Messer stated he purchased his home in this area to gain the open spaces allowed in R-E Ranch Estates and does not wish to see it changed.

- ▶ Brad Coburn, 6168 Isthmus Circle, Las Vegas, Nevada 89110

Mr. Coburn stated he has been working with Steve and Toni Werk to allow his rodeo team to utilize this area as it is R-E Ranch Estates, and he feels if this change is allowed, over the years, it will ultimately lead to the elimination of land use as it is currently known.

- ▶ Robert Combs, 355 E. El Campo Grande, North Las Vegas, Nevada (no zip code stated)

Mr. Combs stated he hopes the Planning Commission will deny this application and allow the residents to retain the life style they have become accustomed to.

- ▶ Hans VanRiel, 3660 Wedo Way, North Las Vegas, Nevada 89031

Mr. VanRiel stated he opposes this application as he would like to see this area remain R-E Ranch Estates.

- ▶ Denise Wedo, 3447 Wedo Way, North Las Vegas, Nevada (no zip code stated)

Ms. Wedo stated has lived in North Las Vegas for the past 19 years in Ranch Estates and does not wish to see it changed now.

Chairman Leavitt closed the Public Hearing.

FIRST MOTION:

Commissioner Nelson Stone MOVED and Commissioner Steve Brown SECONDED to APPROVE AMP-19-04.

The **MOTION TO APPROVE FAILED** due to a lack of a SUPER-MAJORITY vote with Chairman Dean Leavitt, Commissioner Jay Aston and Commissioner Jo Cato voting against the motion, and Commissioner Harry Shull abstaining from voting on this item due to a business interest.

SECOND MOTION:

Vice-Chairman Marilyn Kirkpatrick MOVED and Chairman Dean Leavitt SECONDED to CONTINUE AMP-19-04 to the 4/14/04 Planning Commission meeting.

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

The item was CONTINUED to 4/14/04.

Item #26 ZN-03-04 was heard next.

2) AMP-20-04 (14223) LAKE RIDGE APARTMENTS (Public Hearing)

An application submitted by GSL Properties, Inc. on behalf of Centennial Parkway-Commerce, LLC, property owner, for an amendment to the Master Plan of Streets and Highways to realign Hyla Fiesta Way and reduce the right-of-way from 80 feet to 60 feet between Lake Mead Boulevard and Carey Avenue. The Assessor's Parcel Number is 139-19-501-008.

RECOMMENDATION:

The Planning and Zoning Department recommends that AMP-20-04 be **continued** to allow the applicant time to address the concerns of the Public Works Department.

Prior to the Planning Commission meeting, the applicant requested the item be continued indefinitely.

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 Vice-Chairman Marilyn Kirkpatrick SECONDED to CONTINUE AMP-20-04 INDEFINITELY

The motion carried by UNANIMOUS vote.

The item was CONTINUED INDEFINITELY.

Items #3 AMP-21-04 and #4 ZN-24-04 are related.

3) AMP-21-04 (14255) COMMERCE & CENTENNIAL (Public Hearing)

An application submitted by Taney Engineering on behalf of Unlimited Holdings, Inc., property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Community Commercial to HDR High Density Residential. The property is located at the southwest corner of Centennial Parkway and Commerce Street. The Assessor's Parcel Numbers are 124-27-102-001 and 124-27-102-002.

RECOMMENDATIONS:

The Planning & Zoning Department recommends that AMP-21-04 be **approved** for High Density Residential and forwarded to the City Council for final consideration.

Prior to the Planning Commission meeting, the applicant requested the item be continued indefinitely.

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 Nelson Stone SECONDED to CONTINUE AMP-21-04 INDEFINITELY.

The motion carried by UNANIMOUS vote.

The item was CONTINUED INDEFINITELY.

Items #3 AMP-21-04 and #4 ZN-24-04 are related.

4) ZN-24-04 (14256) COMMERCE & CENTENNIAL (Public Hearing)

An application submitted by Taney Engineering on behalf of Unlimited Holdings, Inc., property owner, for a reclassification of property from a C-2 Neighborhood Commercial District to an R-3 Multifamily Residential District. The property is located at the southwest corner of Centennial Parkway and Commerce Street. The Assessor's Parcel Numbers are 124-27-102-001 and 124-27-102-002.

RECOMMENDATIONS:

The Planning & Zoning Department recommends that ZN-24-04 be **approved** for the R-3, Multi Family Residential District and forwarded to the City Council for final consideration.

Prior to the Planning Commission meeting, the applicant requested the item be continued indefinitely.

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

Commissioner Jay Aston MOVED and Commissioner Steve Brown SECONDED to CONTINUE ZN-24-04 INDEFINITELY.

The motion carried by UNANIMOUS vote.

The item was CONTINUED INDEFINITELY.

Items #5 AMP-22-04 and # 6 ZN-2504 are related.

5) AMP-22-04 (14258) VERONICA VALENTINE (Public Hearing)

An application submitted by Veronica Valentine on behalf of Ramonia Bell, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to Office. The property is located at 2501 Taylor Avenue. The Assessor's Parcel Number is 139-24-410-021.

RECOMMENDATION:

The Development Services Department recommends that AMP-22-04 be **denied** because of the reasons listed above, which includes non-compliance with the guidelines set forth in the Comprehensive Plan to establish new Office designations.

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

George Garcia, of G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014 appeared on behalf of the applicant.

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

Doris North, 2505 Taylor Avenue, North Las Vegas, Nevada 89030

Ms. North stated she opposes this application as she feels it will not be beneficial to this area.

Chairman Leavitt closed the Public Hearing.

Commissioner Jay Aston MOVED and Chairman Dean Leavitt SECONDED to APPROVE AMP-22-04 per staff's recommendations.

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

The item was APPROVED.

Items #5 AMP-22-04 and # 6 ZN-2504 are related.

6) ZN-25-04 (14260) VERONICA VALENTINE (Public Hearing)

An application submitted by Veronica Valentine on behalf of Ramonia Bell, property owner, for a reclassification of property from an R-1 Single-Family Residential District to a PUD Planned Unit Development District consisting of one commercial office. The property is located at 2501 Taylor Avenue. The Assessor's Parcel Number is 139-24-410-021.

The applicant submitted a revised site plan that now indicates a partial demolition of the existing structure. The portion proposed to be removed is where the garage would have been (in-line with the driveway). The 432-square-foot reduction would leave the building at 988 square feet, which would then require four (4) parking stalls (based on one parking stall for every 300 square feet, or fraction thereof.)

The revised site plan indicates five parking stalls, but the handicapped parking stall does not meet the minimum standard width of 13 feet (including loading aisle). The proposed driveway to the rear of the property would provide an 18+-foot drive aisle and access to the four parking stalls now facing and abutting the sidewalk adjacent to Civic Center Drive. The elevation drawings remain essentially the same.

The Department of Public Works provided a memorandum based on the revised site plan and has no objections to the application. However, it should be noted that the revised site plan does not change staff's original recommendation for denial of this application and the associated amendment to the Comprehensive Plan Land Use Map (AMP-22-04). The reasons supporting the recommendation for denial are listed in the original staff report.

RECOMMENDATION:

Therefore, the Planning & Zoning Department recommends denial of ZN-25-04 for the reasons stated in the original staff report (dated March 24, 2004).

If, however, the Planning Commission determines that the five-acre minimum for a PUD should be waived based on at least one of the criteria listed above and that the subject site should be re-zoned to the PUD District, then the following conditions are recommended:

1. That, unless otherwise approved through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That the building design match the elevations submitted with this application, including concrete or clay tiles on the mansard; and
3. That the site design match the site plan submitted with this application, unless otherwise mentioned herein; and
4. That the trash enclosure be located within the rear yard area and not less than five feet from the rear and interior side property lines; and
5. The use of this building shall be limited to a professional office only. Medical offices shall be prohibited; and
6. That unless otherwise indicated herein, the redevelopment of this site shall comply with the Commercial Development Standards and Design Guidelines; and
7. That a maximum five parking stalls be provided with one of those five being a handicapped accessible stall. The handicapped accessible stall shall be located between the front of the building and Taylor Avenue; and
8. That a minimum five feet of landscaping be provided along the eastern and southern property lines. Said landscape areas shall be provided with 24-inch box evergreen trees spaced not greater than 10 feet on-center. In addition to the trees, the landscape areas shall be provided with

shrubs and rock ground cover in accordance with the Commercial Design Standards; and

9. That a minimum nine feet of landscaping be provided along Taylor Avenue. The landscape area shall include a three-foot-tall berm or decorative wall between the handicapped accessible parking stall and the sidewalk; and
10. That a minimum 16'-8" of landscaping be provided along Civic Center Drive. The landscape area shall include a three-foot-tall berm or decorative wall between the building and/or parking areas and the sidewalk along Civic Center Drive. The landscaping along Civic Center Drive shall include a minimum eight palm trees (Washingtonia Hybrid, minimum 10 brown trunk feet in height), in addition to other required landscape materials as set forth in the Commercial Design Standards.

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

George Garcia, of G.C. Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014 appeared on behalf of the applicant.

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

Doris North, 2505 Taylor Avenue, North Las Vegas, Nevada 89030

Ms. North stated she opposes this application as she feels it will not be beneficial to this area.

Chairman Leavitt closed the Public Hearing.

Commissioner Jo Cato MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE ZN-25-04.

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

The item was APPROVED.

Items #7 AMP-23-04 and #8 ZN-26-04 are related.

7) AMP-23-04 (14264) ROME & DARLING (Public Hearing)

An application submitted by Amland Development Group, LLC, on behalf of the Charles L. Ruthe Separate PPTY Tr., property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Community Commercial to HDR High Density Residential. The property is located at the southeast corner of Rome Boulevard and Goldfield Street. The Assessor's Parcel Number is 124-22-801-007.

RECOMMENDATION:

The Planning and Zoning Department recommends that AMP-23-04 receive a **favorable recommendation** and be forwarded to the City Council for final consideration;

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

George Garcia, of G.C.Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

- ▶ Scott Subbert, 6432 Raven Hall Court, North Las Vegas, Nevada 89084

Mr. Subbert stated he does not wish to have apartment complexes this close to his property and does not think this project will enhance the neighborhood.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Nelson Stone SECONDED to APPROVE AMP-23-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #7 AMP-23-04 and #8 ZN-26-04 are related.

8) ZN-26-04 (14265) ROME & DARLING (Public Hearing)

An application submitted by Amland Development Group, LLC, on behalf of the Charles L. Ruthe Separate PPTY Tr., property owner, for a reclassification of property from an R-E Ranch Estates District to an R-3 Multifamily Residential District. The property is located at the southeast corner of Rome Boulevard and Goldfield Street. The Assessor's Parcel Number is 124-22-801-007.

RECOMMENDATION:

The Planning and Zoning Department recommends that ZN-26-03 receive a **favorable recommendation** and be forwarded to the City Council for final consideration.

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

George Garcia, of G.C.Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

- ▶ Scott Subbert, 6432 Raven Hall Court, North Las Vegas, Nevada 89084

Mr. Subbert stated he does not wish to have apartment complexes this close to his property and does not think this project will enhance the neighborhood.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Nelson Stone SECONDED to APPROVE ZN-26-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9 AMP-24-04, #10 AMP-25-04 and #11 ZN-27-04 are related.

9) AMP-24-04 (14266) TROPICAL HIGHLANDS (Public Hearing)

An application submitted by Vegas Equities, LLC, on behalf of Production Partners, David H. Tottori, et al, and the Robert Hal and Colleen A. Parker Trust, property owners, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Industrial to MLDR Medium Low Residential Density. The property is located at the northeast corner of Sloan Lane and Ann Road. The Assessor's Parcel Numbers are 123-27-301-001, 123-27-401-001 and 123-27-801-001.

RECOMMENDATION:

The Development Services Department recommends that AMP-24-03 be **denied** as the proposed change does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 5/26/04 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 Jay Aston MOVED and Commissioner Nelson Stone SECONDED to CONTINUE AMP-24-04 to the 5/26/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 5/26/04.

Items #9 AMP-24-04, #10 AMP-25-04 and #11 ZN-27-04 are related.

10) AMP-25-04 (14267) TROPICAL HIGHLANDS (Public Hearing)

An application submitted by Vegas Equities, LLC, on behalf of Production Partners, David H. Tottori, et al, and the Robert Hal and Colleen A. Parker Trust, property owners, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Industrial to HDR High Density Residential. The property is located at the northeast corner of Mt. Hood Street and Ann Road. The Assessor's Parcel Number is 123-27-801-001.

RECOMMENDATION:

The Development Services Department recommends that AMP-25-03 be **denied** as the proposed change does not comply with the guidelines established in the Comprehensive Plan and there is no compelling reason to amend the Comprehensive Plan.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 5/26/04 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 Steve Brown MOVED and Commissioner Jay Aston SECONDED to CONTINUE AMP-25-04 to the 5/26/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 5/26/04.

Items #9 AMP-24-04, #10 AMP-25-04 and #11 ZN-27-04 are related.

11) ZN-27-04 (14268) TROPICAL HIGHLANDS (Public Hearing)

An application submitted by Vegas Equities, LLC, on behalf of Production Partners, David H. Tottori, et al, and the Robert Hal and Colleen A. Parker Trust, property owners, for a reclassification of property from an O-L Open Land District to a PUD Planned Unit Development District consisting of 631 single family dwellings and 288 multifamily dwellings. The property is located at the northeast corner of Sloan Lane and Ann Road. The Assessor's Parcel Numbers are 123-27-301-001, 123-27-401-001 and 123-27-801-001.

RECOMMENDATION:

As the Development Services Department is opposed to AMP-24-04 and AMP-25-04 and does not feel that residential development should replace potential industrial uses in this area, the department recommends that ZN-27-04 be **denied**.

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

1. Unless expressly authorized through a variance, waiver or another approved method, the development shall comply with all applicable codes and ordinances.
2. Beesley Drive shall be dedicated per *City of North Las Vegas Municipal Code* section 16.20.050.I.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Clark County Public Works Department concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
5. The side lot easement must be revised to conform to *North Las Vegas Municipal Code* 17.24.210.D.4.a.
6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Sloan Lane, Ann road, El Campo Grande Avenue, Mount Hood Street, and Tropical Parkway.
7. Dedication of the following rights-of-way is required:
 - a. Bus turnout on El Campo Grande Avenue east of Sloan Lane and east of Mount Hood Street.
 - b. Flared intersection at Sloan Lane and Tropical Parkway
 - c. Flared intersection at Sloan Lane and El Campo Grande Avenue
 - d. Flared intersection at Sloan Lane and Ann road
 - e. Flared intersection at Mount Hood Street and Tropical Parkway
 - f. Flared intersection at Mount Hood Street and Ann Road
 - g. Beesley Drive per Traffic Engineer
8. A master traffic study with twenty year model projections is required.
9. If the continuation of Beesley Drive through the subdivision is not required by the Traffic Engineer, a utility corridor study may be required resulting in modifications to the site and reducing the lot count.
10. The common elements will need to be labeled as "Common Element to be maintained by the Homeowners Association."

11. That the developer meet jointly with the Departments of Parks and Recreation and Development Services to discuss amenities and usability of the proposed open space areas prior to submitting a final development plan which shall include a minimum of:
 - circuitous lighted paths
 - 20 24-inch box trees per acre
 - 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
 - at least one large open space area for group / organized play
 - one large group shade area / gazebo (30' diameter), lighted
 - picnic tables and barbecue grills
 - benches spaced along park pathways
 - ADA accessibility
 - details of amenities to be provided
12. That the maximum number of dwelling units permitted within the development be 919.
13. For the single-family homes the minimum lot size shall be 4,500 square feet with a minimum lot width of 45 feet.
14. That all conditions mentioned herein be satisfied prior to recording any final map.
15. That the following setbacks apply:
 - a. Front: Fifteen (15) feet, provided all garages maintain a 20-foot front setback.
 - b. Interior side: Five (5) feet.
 - c. Corner side: Ten (10) feet.
 - d. Rear yard: Fifteen (15) feet.
16. That the perimeter walls be owned and maintained by the homeowners' association.
17. That corner side yard landscaping be maintained by the homeowners' association.
18. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
19. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any perimeter, return or common area walls or fences within this development.
20. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the park areas showing landscaping and amenities.
21. All conditions of the approved PUD shall be placed as notes on the Final Map.
22. All residential units, regardless of size, shall be provided with fire sprinklers.
23. The developer shall notify all prospective buyers that the residential project is outside of recommended service areas for current and planned fire stations, and that response times for emergency services to access the residential project are in excess of recommended response times for emergency service response times.
24. All buyers shall sign a document stating that the buyer understands that the property being purchased is outside of the North Las Vegas Fire Department service area and that response times from the nearest fire stations to the property will exceed recommended response times. The language of this document shall be approved by the Fire Chief prior to approval of the civil improvement plans, and signed notarized copies of this document must be submitted to Fire Prevention prior to construction upon each respective lot.

25. A minimum of two means of Fire Department access are required for each group of 25 or more residential units.
26. A minimum of two remote means of access are required from existing streets to this site.
27. Measures to achieve a noise level reduction, outdoor-to-indoor, of 30 decibels must be incorporated into the design and construction.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 5/26/04 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 Jay Aston MOVED and Commissioner Jo Cato SECONDED to CONTINUE ZN-27-04 to the 5/26/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 5/26/04.

Items #12 ZN-24-04, #13 VAC-10-04 and #14 T-1071 are related.

12) ZN-22-04 (14206) BRUCE & HAMMER (Public Hearing)

An application submitted by Centex Homes on behalf of Araway, Ltd., Jen Mar Investment Corp ½, Bruce Grant, LLC, and the Kovac-Cohen 1989 Trust, property owners, for a 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 Bruce Street and Hammer Lane. The Assessor's Parcel Numbers are 124-35-105-001, 124-35-105-002, 124-35-105-003, 124-35-105-004, 124-35-105-005, 124-35-106-001 and 124-35-106-002.

RECOMMENDATION:

The Department of Planning and Zoning recommends that ZN-22-04 be **approved** and forwarded to the City Council with a recommendation for permanent zoning to the R-1, Single-Family Residential District.

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

Kathryn Grider, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 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 ZN-22-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #12 ZN-24-04, #13 VAC-10-04 and #14 T-1071 are related.

13) VAC-10-04 (14208) BRUCE & HAMMER (Public Hearing)

An application submitted by Centex Homes on behalf of Araway, Ltd., Jen Mar Investment Corp ½, Bruce Grant, LLC, and the Kovac-Cohen 1989 Trust, property owners, to vacate Doris Street between Hammer Lane and Ann Road, and to vacate Stephen Drive commencing at Doris Street and proceeding west approximately 385 feet. The Assessor's Parcel Number is 124-35-105-003.

RECOMMENDATION:

The Department of Planning and Zoning recommends that VAC-10-04 be **approved** subject to the following conditions:

1. The vacation is required to record concurrently with the final map. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.
2. The Traffic study must support the vacation of Doris Street and Stephen Drive.

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

Kathryn Grider, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 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.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jay Aston SECONDED to APPROVE VAC-10-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #12 ZN-24-04, #13 VAC-10-04 and #14 T-1071 are related.

14) T-1071 (14207) BRUCE & HAMMER

An application submitted by Centex Homes on behalf of Araway, Ltd., Jen Mar Investment Corp ½, Bruce Grant, LLC, and the Kovac-Cohen 1989 Trust, property owners, for approval of a tentative map in an R-E Ranch Estates District (proposed R-1 Single-Family Residential District) consisting of 188 single-family dwellings. The property is located at the northwest corner of Bruce Street and Hammer Lane. The Assessor's Parcel Numbers are 124-35-105-001, 124-35-105-002, 124-35-105-003, 124-35-105-004, 124-35-105-005, 124-35-106-001 and 124-35-106-002.

RECOMMENDATION:

The Department of Planning and Zoning recommends that T-1071 be **continued indefinitely** to allow the applicant sufficient time to submit a revised tentative map complies with ordinance requirements.

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 Department of Planning and Zoning will have to recommend that T-1071 be **denied**.

However, if the Planning Commission determines that **approval is warranted** at this time, the Department of Planning and Zoning recommends that T-1071 be subject to the following conditions:

1. That T-1071 shall become null and void if ZN-22-04 is not approved by the City Council.
2. That Lot 135 shall abut Barnaby Street for at least twenty-four (24) feet.
3. That Outfield Street shall comply with the curvilinear requirement, or provide an alternate traffic calming device subject to review and approval by the Department of Public Works.
4. That the development comply with the Single Family Design Guidelines.
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 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.
10. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.

11. 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.
12. Approval of a drainage study is required prior to submittal of the civil improvement plans.
13. Clark County Regional Flood Control District concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
14. Clark County Public Works Department concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
15. The prospective homeowners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to orders created by the pig farm. The notice shall also state the R.C. Farms, in part, is protected by state statutes as an agricultural use.
16. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
17. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans.
18. Plot the footprint of the proposed house on all lots impacted by faults and/or fissures.
19. Show the limits of the Federal Emergency Management Agency Special Flood Hazard Area Zone A on the tentative map.
20. The mini cul-de-sac on Barnaby Street exceeds the design standards for the City of North Las Vegas which is limited to a maximum lot frontage of four. Make the necessary corrections or use a standard cul-de-sac design.
21. Dedication of the following right-of-way is required:
 - a. Right-of-way dedication for a CAT bus turn-out on Bruce Street near Ann Road
 - b. Dedication of additional right-of-way is required for a flared intersection at Bruce Street and Ann Road per Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1.
22. The final map shall be labeled as a Merger & Resubdivision.
23. The final map shall show all faults and fissures.
24. All common elements shall be labeled as such and to be maintained by the Homeowners Association.
25. The property owner is required to grant a pedestrian access easement for sidewalk within any common element prior to civil improvement plan approval.
26. A revocable encroachment permit for the landscaping in the public right-of-way is required to be obtained prior to civil improvement plan approval.
27. Plans are required to be revised should the vacation of Doris Street and or Stephen Drive not be approved.

28. Plans are required to show easement to Nevada Power Company and Central Telephone Company recorded 11/1/67 in Book 832 as Doc. #668536 as per preliminary title report.
29. Approval of a traffic study is required prior to submittal of the civil improvement plans.
30. The traffic study must justify the vacation of Doris Street and Stephen Drive.
31. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road and Bruce Street.
32. A median is required on Ann Road.
33. Entry on Ann road will be limited to right in, right out, unless the entry is relocated to 660 feet from the intersection of Bruce Street.
34. 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.
35. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
36. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Department of Public Works and Planning & Zoning prior to submittal of the final map.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 4/14/04 Planning Commission meeting.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to CONTINUE T-1071 to the 4/14/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 4/14/04.

Items #15 ZN-23-04 and #16 SPR-16-04 are related.

15) ZN-23-04 (14261) CENTENNIAL APARTMENTS (Public Hearing)

An application submitted by Ovation Development on behalf of Ovation-AGTJV, LLC, property owner, for reclassification of property from a PUD Planned Unit Development District to an R-3 Multifamily Residential District. The property is located at the southeast corner of McCarran Street and Centennial Parkway. The Assessor's Parcel Number is 124-25-102-001.

RECOMMENDATION

The Planning and Zoning Department recommends that ZN-23-04 be forwarded to the City Council with a **recommendation for permanent zoning** to the R-3, Multi-family Residential District by ordinance.

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

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

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

Commissioner Harry Shull MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE ZN-23-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #15 ZN-23-04 and #16 SPR-16-04 are related.

16) SPR-16-04 (13900) CENTENNIAL APARTMENTS

An application submitted by Ovation Development on behalf of Ovation-AGTJV, LLC, property owner, for a site plan review in a PUD Planned Unit Development District to allow 341 multifamily units. The property is located at the southeast corner of McCarran Street and Centennial Parkway. The Assessor's Parcel Number is 124-25-102-001.

The applicant has submitted a revised site plan that addresses Public Works concerns regarding McCarran Street. The applicant removed some landscaping islands from the parking lots and moved the buildings along McCarran Street closer to the building setback line, to comply with the required right-of-way dedications.

The applicant is still requesting a waiver from Section 17.24.195.D.1.b of the Municipal Code which states, "Individual outdoor areas or patios, and balconies, in addition to any entrance balcony, are required for each dwelling unit...The minimum size of a ground level outdoor area or patio shall be 80 square feet. The minimum size of an upper story balcony shall be 40 square feet." The applicant has not submitted revised floor plans and is not in compliance with requirement for patios or balconies. The purpose of the balcony requirement, is to provide the residents a more private outdoor space than normally provided by the open space in the development. Without an adequate compromise the Planning and Zoning Department remains opposed to removing the private outdoor space in this development.

Additionally, the revised site plan does not indicate any covered parking spaces beyond those provided by the garages. The applicant indicates that an additional 233 covered parking spaces will be provided, however the site plan does not indicate the location of the required carports.

However, as the proposed site plan is in general conformance with the multi-family design guidelines and the required modifications are minor, the Planning and Zoning Department recommends approval of SPR-16-04 with 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 the site plan be redesigned to comply with all applicable codes and ordinance, including the multi-family design standards.
3. Additional landscaping triangles with 24" box trees should be provided within the parking lot to offset the loss of landscaping islands.
4. The property owner/applicant must withdraw AMP-12-04 and revise the site plan to show McCarran Street as a sixty foot street as it is shown on the Master Plan of Streets and Highways. As McCarran Street is a minor collector, the minimum width for any minor collector street is 60 feet per *Clark County Area Uniform Standard Drawings for Public Works' Off-site Improvements drawing number 205*. Furthermore, City of North Las Vegas Municipal Code section 16.20.050.1 states: "Whenever an existing subdivision or dedication has provided a dedicated half street or alley on an adjoining property, the other half shall be dedicated on the proposed plan to make the street or alley of the full width."
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan* or as otherwise approved by the Director of Public Works or his designee.
7. Dedication of the following rights-of-way and associated spandrels is required:
 - a. Centennial Parkway: 50 feet
 - b. McCarran Street: 30 feet
 - c. Azure Avenue: 30 feet

8. The property owner is required to grant a roadway easement for commercial driveway(s).
9. A revocable encroachment permit is required for landscaping in the public right of way.
10. The property owner is required to grant a pedestrian access easement for sidewalks within any common element.
11. At a minimum the following amenities shall be provided:
 - a. circuitous lighted paths
 - b. a minimum of 20 24-inch box trees per acre
 - c. at least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
 - d. at least one large open space area for group / organized play
 - e. 7 picnic tables and barbecue grills
 - f. benches spaced along park pathways
 - g. ADA accessibility
 - h. details of amenities to be provided
 - i. Swimming pool with cabana and Club House
 - j. Entry structures with game tables
 - k. Putting green
 - l. 6 Meditation / sitting areas

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

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

Commissioner Nelson Stone MOVED and Commissioner Steve Brown SECONDED to APPROVE SPR-16-04 per staff's recommendations subject to the following change:

Condition #12 Added to Read: "that 50%of the units shall comply with the patio/balcony requirements of the multi-family design standards."

The motion carried by UNANIMOUS vote.

The item was APPROVED.

17) UN-17-02 (14213) KINGDOM HALL JEHOVAH'S WITNESS (Public Hearing)

An application submitted by Las Brisas Congregation of Jehovah's Witness, property owner, for an extension of time for an approved use permit in an R-E Ranch Estates District to allow a church. The property is generally located at the northwest corner of Red Coach Avenue and Ferrell Street. The Assessor's Parcel Number is 139-05-106-003.

RECOMMENDATION:

The Development Services Department recommends that a two year extension of time be **granted** to UN-17-02 subject to the following conditions:

1. That the applicant shall comply with all previous conditions of approval for UN-17-02.
2. Dedication of the following right-of-way is required:
 - a. Wedo Way (half of cul-de-sac) and associated spandrels;
 - b. Ferrel Street - 30 feet and associated spandrels.
3. Wedo Way must be labeled on the civil improvement plans.
4. The property owner is required to grant a roadway easement for commercial driveway(s) prior to civil improvement plan approval.

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

Keith Ostrom, 7680 Leon 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:

12. Stephen Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Mr. Werk stated he opposes this item as he would like to see this area remain the way it is currently and feels this location would be more suitable for residential use.

13. Tom Messer, 3330 W. Wedo Way, North Las Vegas, Nevada 89031

Mr. Messer stated he owns the property adjacent to this location and prefers this location be used for residential.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE UN-17-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #18 VN-06-04 and #19 UN-59-03 are related.

18) VN-06-04 (14001) JV PROPERTIES (Public Hearing)

An application submitted by JV Properties, LLC, property owner, for a variance in a C-2 General Commercial District to allow an off premise sign (billboard) to be less than 300 feet from a residential zone boundary where 300 feet is required and to allow an off premise sign (billboard) to be more than 300 feet from I-15 right-of-way. The property is located at the northeast corner of Clark County Road 215 and Military Road. The Assessor's Parcel Number is 123-28-101-006.

RECOMMENDATION:

The Planning & Zoning Department recommends that VN-06-04 be **denied** because the request is not consistent with the provisions set forth in the North Las Vegas Municipal Code and because the request would be in violation of State Law.

If, however, the Planning Commission determines that a **favorable action is warranted**, then the following conditions are recommended:

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 VN-06-04 is site specific and non-transferable; and
3. That VN-06-04 is only for a billboard and no other uses; and
4. That the billboard be set back a minimum forty feet (40.00') from the residential zone boundary to the west, a maximum nine hundred thirty-five feet (935.00') from the I-15 right-of-way, and a minimum ten feet (10.00') from the property lines; and
5. That the development of this off-premise sign be in compliance with all applicable conditions of UN-59-03.

The application was presented by Marc Jordan, Acting Planning Manager, on behalf of staff who indicated staff is recommending 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.

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 DENY VN-06-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was DENIED.

Items #18 VN-06-04 and #19 UN-59-03 are related.

19) UN-59-03 (11726) JV PROPERTIES (Public Hearing)

An application submitted by JV Properties, LLC, property owner, for a use permit in a C-2 General Commercial District to allow an off premise sign (billboard) . The property is located at the northeast corner of Clark County Road 215 and Military Road. The Assessor's Parcel Number is 123-28-101-006.

RECOMMENDATION:

The Planning & Zoning Department recommends that UN-59-03 be **denied** because the proposed location is not in compliance with Ordinance No. 1814 (within 300 feet of the Interstate-15 right-of-way), billboards are not permitted adjacent to CC-215 and because the proposal would violate Nevada Administrative Code 410.690.

If, however, the Planning Commission determines that a **favorable recommendation is warranted** at this time, and if VN-06-04 is approved, then the following conditions are recommended 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 off-premise sign be in compliance with all applicable conditions of VN-06-04; and
3. That the height of the structure not exceed 50.00 feet; and
4. That the site plan be revised to show that the sign does not sit within any existing or future easements and/or rights-of-way; and
5. That paved access be provided to the base of the pole; and
6. That the applicant provide a survey clearly indicating that there are no other existing or approved billboards within 750 feet, no residential districts within 40 feet, and no on-premise signs within 150 feet of the proposed location. A surveyor licensed in Nevada shall be required to stamp the survey; and
7. That UN-59-03 be reviewed by the Planning Commission on March 24, 2009, in accordance with Section 17.24.110.1.3(b)(iii)(4) of the Municipal Code.

The application was presented by Marc Jordan, Acting Planning Manager, on behalf of staff who indicated staff is recommending 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.

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 DENY UN-59-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was DENIED.

Items #20 VN-07-04 and #21 UN-60-03 are related.

20) VN-07-04 (14005) FLF 98, LLC (Public Hearing)

An application submitted by FLF 98, LLC, property owner, for a variance in a C-2 General Commercial District to allow an off premise sign (billboard) to be less than 300 feet from a residential zone boundary where 300 feet is required and to allow an off premise sign (billboard) to be more than 300 feet from I-15 right-of-way. The property is located at the southeast corner of Regena Avenue and Range Road. The Assessor's Parcel Number is 123-28-101-008.

RECOMMENDATION:

The Planning & Zoning Department recommends that VN-07-04 be **denied** because the request is not consistent with the provisions set forth in the North Las Vegas Municipal Code and because the request would be in violation of State Law.

If, however, the Planning Commission determines that a **favorable action is warranted**, then the following conditions are recommended:

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 VN-07-04 is site specific and non-transferable; and
3. That VN-07-04 is only for a billboard and no other uses; and
4. That the billboard be set back a minimum forty feet (40.00') from the residential zone boundary to the west, a maximum one thousand three hundred seventy-five feet (1,375.00') from the I-15 right-of-way, and a minimum ten feet (10.00') from the property lines; and
5. That the development of this off-premise sign be in compliance with all applicable conditions of UN-60-03.

The application was presented by Marc Jordan, Acting Planning Manager, on behalf of staff who indicated staff is recommending 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.

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

Commissioner Nelson Stone MOVED and Chairman Dean Leavitt SECONDED to DENY VN-07-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was DENIED.

Items #20 VN-07-04 and #21 UN-60-03 are related.

21) UN-60-03 (11731) FLF 98, LLC (Public Hearing)

An application submitted by FLF 98, LLC, property owner, for a use permit in a C-2 General Commercial District to allow an off premise sign (billboard). The property is generally located at the southeast corner of Regena Avenue and Range Road. The Assessor's Parcel Number is 123-28-101-008.

RECOMMENDATION:

The Planning & Zoning Department recommends that UN-60-03 be **denied** because the proposed location is not in compliance with Ordinance No. 1814 (within 300 feet of the Interstate-15 right-of-way), billboards are not permitted adjacent to CC-215 and because the proposal would violate Nevada Administrative Code 410.690.

If, however, the Planning Commission determines that a **favorable recommendation is warranted** at this time, and if VN-07-04 is approved, then the following conditions are recommended 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 off-premise sign be in compliance with all applicable conditions of VN-07-04; and
3. That the height of the structure not exceed 50.00 feet; and
4. That the site plan be revised to show that the sign does not sit within any existing or future easements and/or rights-of-way; and
5. That paved access be provided to the base of the pole; and
6. That the applicant provide a survey clearly indicating that there are no other existing or approved billboards within 750 feet, no residential districts within 40 feet, and no on-premise signs within 150 feet of the proposed location. A surveyor licensed in Nevada shall be required to stamp the survey; and
7. That UN-60-03 be exclusively for a billboard and not a cell tower, unless the applicant demonstrates to the Real Property Services Division that all requirements for the development of a cell tower are satisfied prior to the issuance of a building permit; and
8. That UN-60-03 be reviewed by the Planning Commission on March 24, 2009, in accordance with Section 17.24.110.1.3(b)(iii)(4) of the Municipal Code.

The application was presented by Marc Jordan, Acting Planning Manager, on behalf of staff who indicated staff is recommending 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.

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 DENY UN-60-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was DENIED.

22) UN-28-04 (14177) RICHARD POWELL (Public Hearing)

An application submitted by Richard Powell, property owner, for a use permit in an R-E Ranch Estates District to allow a 1,750 square foot accessory structure. The property is located at 885 East Regena Avenue. The Assessor's Parcel Number is 124-26-103-002.

RECOMMENDATION:

The Planning & Zoning Department recommends that UN-28-04 be **approved** subject to the following conditions:

1. That the proposed structure be painted with white sand-textured paint, trimmed with blue paint and provided with S-type roofing similar to clay tiles. These details shall be indicated on the building permit plans; and
2. That any mechanical equipment be mounted on the ground, or in the attic; and
3. That the applicant obtain all required building permits and inspections prior to occupancy or use; and
4. That the accessory structure be utilized for personal use only and not for commercial purposes; and
5. That access to the accessory building be provided from Regena Avenue and not Donna Street.

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

Richard Powell, 885 E. Regena Avenue, North Las Vegas, Nevada 89031 appeared on behalf of the applicant.

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

- ▶ Alvin Yates, 1108 Nevada Blaze Avenue, North Las Vegas, Nevada (no zip code stated)

Mr. Yates stated he is a neighbor to the Powells and he feels this project would be beneficial to the neighborhood and recommends the Planning Commission approve this item.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Steve Brown SECONDED to APPROVE UN-28-04 per staff's recommendations subject to the following change:

Condition #1 Changed to Read: "that the paint will be white enamel to match the house with blue trim, and that the roof will be a gray galvanized material which would match the shingled roof on the house."

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

The item was APPROVED.

23) UN-29-04 (14262) ANDREW FONFA (Public Hearing)

An application submitted by Andrew Fonfa, property owner, for a use permit in a M-2 General Industrial District to allow a automobile repair facility. The property is located at 2017 West Gowan Road. The Assessor's Parcel Number is 139-08-701-005.

RECOMMENDATION:

The Development Services Department recommends that UN-29-04 be **approved** subject to the following conditions:

1. That the special use permit is site specific and non-transferable.
2. That, 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 parking study is required prior to issuance of the business license.
3. A gate must be provided in front of the vehicle stacking area.
4. A wall must be provided on the east property line to screen the vehicle stacking area from view.
5. Storage items must be removed from parking areas.

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

Cindy Pineda, 3135 Industrial Road, #216, Las Vegas, Nevada 89109 appeared on behalf of the applicant.

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-29-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

24) ZOA-02-04 (14178) 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 17.24.140(B)(2)(d) and Section 17.24.020(C)(12)(d) of the North Las Vegas Municipal Code to prohibit the conversion of garages to living area in the R-E Ranch Estates District and the R-EL Ranch Estates Limited District and providing for other matters properly related thereto.

RECOMMENDATION:

The Development Services Department recommends that ZOA-02-04 be considered and Section 17.24.140(B)(2)(d) and Section 17.24.020(C)(12)(d) be added to the ordinance as follows:

Bold indicates additions to the ordinance.

Section 17.24.140(B)(2)(d)

B. Stall, Aisle and Driveway Designs

2. Garages and Other Structures.

- a. Single-Family Dwellings. Except as provided below, the off-street parking spaces required for an attached or detached single-family dwelling shall be furnished within an enclosed garage. The garage shall have minimum dimensions of twenty (20) feet by twenty (20) feet of unobstructed space to a height of six and one-half feet, except for two-foot protrusions into this space by utility systems and storage units. The garage shall be attached to the dwelling directly or by a breezeway connection with an access way in between. Exemptions to these requirements shall apply in the following instances:
 - i. Except for model homes, a dwelling for which a building permit was acquired prior to February 4, 1998, shall be exempt; provided, however, that a garage existing prior to this date shall not be converted for other use unless the provisions of this subsection (B)(2)(a) will have been met. A garage established with a model home, whose space is used for sales and display purposes, shall revert to use as a garage when the model home is sold for habitation.
 - ii. A single-family home and an attached garage of no less than eighteen (18) feet by eighteen (18) feet of unobstructed space, except for two-foot protrusions into this space by utility systems and storage units, that are patterned after model homes, the plans of which were submitted for building plan check prior to March 20, 1998, shall be exempt, provided, however, the homes are to be located within a subdivision the tentative map of which was approved by or pending approval on February 4, 1998.
 - iii. A garage need not be attached to a dwelling that is located on a lot of nine thousand (9,000) square feet or more.
 - iv. A garage with access to an alley need not be attached to a dwelling.
 - v. Mobile/manufactured homes, which are located on a lot within an approved mobilehome park, shall be exempt from the requirements of this subsection (B)(2)(a).
- b. Other Uses. Except as otherwise required, off-street parking provided for other uses need not be furnished within an enclosed garage or other structure.

- c. Conversion of Parking Structures. No conversion of a parking structure to any living area shall be done until other provisions are made to comply with the required off-street parking provisions of this title, unless a special use permit is approved by the City.
- d. **Garage conversions are permitted in the R-E, Ranch Estates and the R-EL, Ranch Estates Limited districts with a concurrent application for another garage.**

Section 17.24.020(C) of Title 17 be amended as follows:

Bold indicates additions to the ordinance.

Section 17.24.020(C)(12)(d)

12. Garage Conversions - Subsequently renumbering all the following specific Special Uses in C.
- a. A parking area sufficient for two vehicle off-street parking places with minimum dimensions of 18 feet in width by 20 feet in length shall be provided with no vehicle parking on any sidewalk area or front lot area with the exception of the designated driveway as shown on the special use application.
 - b. The use shall be compatible with the neighborhood and the following findings must be made by the Planning Commission:
 - i. At least three other conversions from the garages or carports to living area have been legally permitted within a 300 foot radius of the subject property or,
 - ii. A minimum of three houses within a 300 foot radius of the subject property were not originally constructed with carports or garages.
 - c. The living area shall not be used to provide the house with a second kitchen.
 - d. **Garage conversions are permitted in the R-E, Ranch Estates and the R-EL, Ranch Estates Limited districts with a concurrent application for another garage in compliance with 17.24.140(B)(2).**

The application was presented by Marc Jordan, Acting Planning Manager, 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.

Vice-Chairman Marilyn Kirkpatrick MOVED and Chairman Dean Leavitt SECONDED to APPROVE ZOA-02-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

25) T-990 (14250) DONNA & DEER SPRINGS

An application submitted by Centex Homes, property owner, for an amendment of conditions to a previously approved tentative map in an R-1 Single-Family Residential District consisting of 514 single family dwellings . The property is generally located at the northwest corner of Centennial Parkway and Lawrence Street. The Assessor's Parcel Numbers are 124-23-301-019, 124-23-301-020, 124-23-701-005, 124- 23-701-006, 124-23-801-003, 124-23-801-004, 124-23-801-005, and 124-23-801-006.

RECOMMENDATION:

The Development Services Department recommends that conditions 14 and 15 be deleted and that condition 16 be amended to read as follows:

16. That 24-inch box trees (minimum 1-1/2" caliper measured six inches above the top of the root ball) be planted not greater than 25 feet on-center within 10 feet of the perimeter wall.

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

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

Commissioner Nelson Stone MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE T-990 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

OLD BUSINESS

Items #1 AMP-19-04, #26 ZN-03-04, #27 VAC-03-04 and #28 T-1050 are related.

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

Items #1 AMP-19-04, #26 ZN-03-04, #27 VAC-03-04 and #28 T-1050 are related.

26) ZN-03-04 (13460) LONE MOUNTAIN ESTATES (Public Hearing)

An application submitted by Celebrate Homes on behalf of Larry M. and Mary S. Montoya, Celebrate Properties, LLC, and the Church Baptist Homesite, property owners, for reclassification of property from an R-E Ranch Estates District to an R-EL Ranch Estates Limited District. The property is located at the southeast corner of Allen Lane and Lone Mountain Road. The Assessor's Parcel Numbers are 139-05-101-002, 139-05-101-003, 139-05-101-004, 139-05-101-005, 139-05-101-006, 139-05-102-001 and 139-05-102-002.

This item was continued indefinitely from the January 28, 2004 Planning Commission meeting at the request of the applicant.

The applicant has now filed a Comprehensive Plan amendment (AMP-19-04) to accompany this property reclassification. The tentative map application (T-1050) and the vacation request (VAC-03-04) are also on this agenda for Planning Commission consideration.

The applicant has also revised the original application to exclude portions of the parcels adjacent to Kenny Way. The applicant intends to develop the lots adjacent to Kenny Way as minimum 15,000 square foot lots and, therefore, the property reclassification would not apply to this area. However, it should be noted that this configuration bisects parcel lines into two (2) different zoning districts.

The Planning and Zoning Department is still recommending denial of this application as it is not consistent with the surrounding area and it is located in Ranch Estates Preservation Area.

RECOMMENDATION:

The Planning and Zoning Department recommends that ZN-03-04 be **denied** as the property reclassification is not consistent with the surrounding area and it is located within the R-E, Ranch Estates Preservation Area.

Due to the continuance of the companion item #1 AMP-19-04 being continued to the 4/14/04 Planning Commission meeting, the applicant is requesting this item be continued, as well.

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant and requested this item be continued to the 4/14/04 Planning Commission meeting.

Chairman Dean Leavitt opened the Public Hearing. The following participants came forward to speak on Item #1 AMP-19-04 and asked to have their comments incorporated into this item:

- ▶ Mary Montoya, 4720 Allen Lane, North Las Vegas, Nevada (no zip code stated)

Ms. Montoya stated she supports approval of this zoning change. She stated a reputable builder is offering to develop this undeveloped land and she is in favor of this item.

- ▶ Tom Collins, 4716 W. San Miguel, North Las Vegas, Nevada 89032

Mr. Collins stated he recommends the Planning Commission deny this application as the neighbors in this area oppose this item.

- ▶ Stephen Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Mr. Werk stated he opposes this item as he would like to see this area remain the way it is currently.

- ▶ Linda Hinson, 4621 Kenny Way, North Las Vegas, Nevada 89031

Ms. Hinson stated she opposes this item as she does not wish to see the current designation to the land use changed.

- ▶ Randy Miller, 4662 N. Kenny Way, North Las Vegas, Nevada (no zip code stated)

Mr. Miller stated he opposes this item as he feels it will lead to more changes in the future for this area and would like to see it remain the way it is today.

- ▶ Toni Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Ms. Werk stated she opposes this application as she strongly feels it should remain R-E as that is the reason she decided to purchase her home.

- ▶ Walter Wilcox, 4672 N. Kenny Way, North Las Vegas, Nevada 89031

Mr. Wilcox stated he agrees with the neighbors who spoke before him and opposes this item.

- ▶ Michele Riggs, 4714 N. Kenny Way, North Las Vegas, Nevada 89031

Ms. Riggs stated she owns the property across from the proposed development and she has lost prospective buyers for her property due to the proposed new development. She opposes this item as she feels it will negatively affect the property values in the area.

- ▶ Carol Gomez, 3640 Wedo Way, North Las Vegas, Nevada 89031

Ms. Gomez stated she opposes this application as she feels it will negatively impact the culture in the neighborhood.

- ▶ Joe Gomez, 3640 Wedo Way, North Las Vegas, Nevada 89031

Mr. Gomez stated he opposes this application as he would like to see this area remain R-E Ranch Estates.

- ▶ Sherry Messer, 3320 Wedo Way, North Las Vegas, Nevada 89031

Mr. Messer stated she purchased her property in this area because it was R-E and does not want to see it changed.

- ▶ Tim Loper, 4682 Kenny Way, North Las Vegas, Nevada 89031

Mr. Loper stated he searched for many years to locate property like what he currently has in this area and he does not wish to see it change.

- ▶ Tom Messer, 3330 W. Wedo Way, North Las Vegas, Nevada 89031

Mr. Messer stated he purchased his home in this area to gain the open spaces allowed in R-E Ranch Estates and does not wish to see it changed.

- ▶ Brad Coburn, 6168 Isthmus Circle, Las Vegas, Nevada 89110

Mr. Coburn stated he has been working with Steve and Toni Werk to allow his rodeo team to utilize this area as it is R-E Ranch Estates, and he feels if this change is allowed, over the years, it will ultimately lead to the elimination of land use as it is currently known.

- ▶ Robert Combs, 355 E. El Campo Grande, North Las Vegas, Nevada (no zip code stated)

Mr. Combs stated he hopes the Planning Commission will deny this application and allow the residents to retain the life style they have become accustomed to.

- ▶ Hans VanRiel, 3660 Wedo Way, North Las Vegas, Nevada 89031

Mr. VanRiel stated he opposes this application as he would like to see this area remain R-E Ranch Estates.

- ▶ Denise Wedo, 3447 Wedo Way, North Las Vegas, Nevada (no zip code stated)

Ms. Wedo stated has lived in North Las Vegas for the past 19 years in Ranch Estates and does not wish to see it changed now.

Chairman Leavitt closed the Public Hearing.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to CONTINUE ZN-03-04 to the 4/14/04 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 4/14/04.

Items #1 AMP-19-04, #26 ZN-03-04, #27 VAC-03-04 and #28 T-1050 are related.

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

27) VAC-03-04 (13462) LONE MOUNTAIN ESTATES (Public Hearing)

An application submitted by Celebrate Homes on behalf of Larry M. and Mary S. Montoya, Celebrate Properties, LLC, and the Church Baptist Homesite, property owners, for a vacation of Noah Avenue between Allen Lane and Kenny Way; a vacation of 1,545 square feet of public utility easement beginning at the northwest corner of Noah Avenue and Kenny Way and extending approximately 297 feet along the north side of Noah Avenue; a vacation of 692 square feet of public driveway easement located west of Kenny Way approximately 331 feet south of Lone Mountain Road; and a vacation of 1,441 square feet of public sanitary sewer easement located approximately 311 feet west of Kenny Way and 302 feet south of Lone Mountain; and a vacation of approximately 900 square feet of Nevada Power Company and Central Telephone Company easement located approximately 131 feet north of Noah Avenue and west of Allen Lane extending approximately 301 feet; and a vacation of approximately 2,825 square feet of Nevada Power Company and Central Telephone Company easement located northeast of Allen Lane and Noah Avenue extending to Lone Mountain Road. The Assessor's Parcel Numbers are 139-05-101-002, 139-05-101-003, 139-05-101-004, 139-05-101-005, 139-05-101-006, 139-05-102-001 and 139-05-102-002.

This item was continued from the January 14, 2004 and the January 28, 2004 Planning Commission meetings at the request of the applicant.

To date, no additional information has been received by staff pertaining to this item. Although the Planning and Zoning Department cannot support the application for the accompanying Comprehensive Plan Amendment, property reclassification and tentative map, staff has no objection to supporting this vacation of Noah Street and the various easements as it will allow more versatility of development when an application is made which is more suitable to the Ranch Estates Preservation Area.

Due to the continuance of the companion item #1 AMP-19-04 being continued to the 4/14/04 Planning Commission meeting, the applicant is requesting this item be continued, as well.

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant and requested this item be continued to the 4/14/04 Planning Commission meeting.

Chairman Dean Leavitt opened the Public Hearing. The following participants came forward to speak on Item #1 AMP-19-04 and asked to have their comments incorporated into this item:

- ▶ Mary Montoya, 4720 Allen Lane, North Las Vegas, Nevada (no zip code stated)

Ms. Montoya stated she supports approval of this zoning change. She stated a reputable builder is offering to develop this undeveloped land and she is in favor of this item.

- ▶ Tom Collins, 4716 W. San Miguel, North Las Vegas, Nevada 89032

Mr. Collins stated he recommends the Planning Commission deny this application as the neighbors in this area oppose this item.

- ▶ Stephen Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Mr. Werk stated he opposes this item as he would like to see this area remain the way it is currently.

- ▶ Linda Hinson, 4621 Kenny Way, North Las Vegas, Nevada 89031

Ms. Hinson stated she opposes this item as she does not wish to see the current designation to the land use changed.

- ▶ Randy Miller, 4662 N. Kenny Way, North Las Vegas, Nevada (no zip code stated)

Mr. Miller stated he opposes this item as he feels it will lead to more changes in the future for this area and would like to see it remain the way it is today.

- ▶ Toni Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Ms. Werk stated she opposes this application as she strongly feels it should remain R-E as that is the reason she decided to purchase her home.

- ▶ Walter Wilcox, 4672 N. Kenny Way, North Las Vegas, Nevada 89031

Mr. Wilcox stated he agrees with the neighbors who spoke before him and opposes this item.

- ▶ Michele Riggs, 4714 N. Kenny Way, North Las Vegas, Nevada 89031

Ms. Riggs stated she owns the property across from the proposed development and she has lost prospective buyers for her property due to the proposed new development. She opposes this item as she feels it will negatively affect the property values in the area.

- ▶ Carol Gomez, 3640 Wedo Way, North Las Vegas, Nevada 89031

Ms. Gomez stated she opposes this application as she feels it will negatively impact the culture in the neighborhood.

- ▶ Joe Gomez, 3640 Wedo Way, North Las Vegas, Nevada 89031

Mr. Gomez stated he opposes this application as he would like to see this area remain R-E Ranch Estates.

- ▶ Sherry Messer, 3320 Wedo Way, North Las Vegas, Nevada 89031

Mr. Messer stated she purchased her property in this area because it was R-E and does not want to see it changed.

- ▶ Tim Loper, 4682 Kenny Way, North Las Vegas, Nevada 89031

Mr. Loper stated he searched for many years to locate property like what he currently has in this area and he does not wish to see it change.

- ▶ Tom Messer, 3330 W. Wedo Way, North Las Vegas, Nevada 89031

Mr. Messer stated he purchased his home in this area to gain the open spaces allowed in R-E Ranch Estates and does not wish to see it changed.

- ▶ Brad Coburn, 6168 Isthmus Circle, Las Vegas, Nevada 89110

Mr. Coburn stated he has been working with Steve and Toni Werk to allow his rodeo team to utilize this area as it is R-E Ranch Estates, and he feels if this change is allowed, over the years, it will ultimately lead to the elimination of land use as it is currently known.

- ▶ Robert Combs, 355 E. El Campo Grande, North Las Vegas, Nevada (no zip code stated)

Mr. Combs stated he hopes the Planning Commission will deny this application and allow the residents to retain the life style they have become accustomed to.

- ▶ Hans VanRiel, 3660 Wedo Way, North Las Vegas, Nevada 89031

Mr. VanRiel stated he opposes this application as he would like to see this area remain R-E Ranch Estates.

- ▶ Denise Wedo, 3447 Wedo Way, North Las Vegas, Nevada (no zip code stated)

Ms. Wedo stated has lived in North Las Vegas for the past 19 years in Ranch Estates and does not wish to see it changed now.

Chairman Leavitt closed the Public Hearing.

Commissioner Jay Aston MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to CONTINUE VAC-03-04 to the 4/14/04 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 4/14/04.

Items #1 AMP-19-04, #26 ZN-03-04, #27 VAC-03-04 and #28 T-1050 are related.

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

28) T-1050 (13461) LONE MOUNTAIN ESTATES

An application submitted by Celebrate Homes on behalf of Larry M. and Mary S. Montoya, Celebrate Properties, LLC, and the Church Baptist Homesite, property owners, for approval of a tentative map in an R-E Ranch Estates District (proposed R-EL Ranch Estates Limited District) consisting of 36 single-family dwellings. The property is located at the southeast corner of Allen Lane and Lone Mountain Road. The Assessor's Parcel Numbers are 139-05-101-002, 139-05-101-003, 139-05-101-004, 139-05-101-005, 139-05-101-006, 139-05-102-001 and 139-05-102-002.

RECOMMENDATION:

The Planning and Zoning Department recommends that T-1050 be **denied** because the subject site is located in an R-E Ranch Estates Preservation District and staff is not supporting the reclassification of a portion of the site to the R-EL, Ranch Estates Limited Residential District.

Additionally, it should be noted that with the new configuration of the tentative map, boundary lines are now bisecting several parcels.

If, however, the Planning Commission determined that **approval** of ZN-03-04 is warranted, then the Planning and Zoning Department recommends 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. That the request (ZN-03-04) to reclassify the subject site be approved by the City Council, otherwise, T-1050 shall be considered null and void.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
5. The drainage and utility easement between lots 5 and 6 must be revised to conform to North Las Vegas Municipal Code 17.24.210(D)(4)(a). And labeled to reflect that the area is to be maintained by the Home Owner's Association.
6. Approval of a traffic study is required prior to submittal of the civil improvement plans.
7. The civil improvement plans for the project shall include schedule 40 Fiber optic conduit along the project's Allen Lane and Lone Mountain Road frontages.
8. The property owner is required to grand roadway easements where public and private streets intersect prior to civil improvement plan approval.
9. All common elements shall be labeled as such and to be maintained by the Home Owners Association.
10. The final map shall be labeled as a merger and resubdivision.
11. Dedication of additional right of way is required for the construction of a flared intersection at Lone Mountain Road and Allen Lane per Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1.

12. Dedication of right-of-way is required for the construction of a CAT bus turnout on Lone Mountain Road near Allen Lane.
13. The property owner is required to grant an emergency access and public utility easement between lots 19 and 20 and label the area to be maintained by the Home Owner's Association.
14. Should the vacation of Noah Avenue not be approved, plans must be revised to include existing dedication.
15. The vacation of ten feet of Allen Lane south of Noah Avenue is required.
16. The property owner is required to grant a pedestrian access easement for sidewalks outside of the public right of way prior to approval of the civil improvement plans.
17. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in the Clark County Area Uniform Standard Drawing No. 210. The use of roll curb will require an additional on foot of right of way.
18. Sidewalk is required on a minimum of one side of all interior, private streets.
19. Should the vacation of Noah Avenue not be approved, plans must be revised to include the existing dedication.
20. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
21. The development shall comply with the Single Family Design Guidelines including, but not limited to ten (10) feet of landscaping (which may include the sidewalk) shall be provided on all corner side lots within the development.
22. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

Due to the continuance of the companion item #1 AMP-19-04 being continued to the 4/14/04 Planning Commission meeting, the applicant is requesting this item be continued, as well.

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant and requested this item be continued to the 4/14/04 Planning Commission meeting.

Chairman Dean Leavitt opened the Public Hearing. The following participants came forward to speak on Item #1 AMP-19-04 and asked to have their comments incorporated into this item:

- ▶ Mary Montoya, 4720 Allen Lane, North Las Vegas, Nevada (no zip code stated)

Ms. Montoya stated she supports approval of this zoning change. She stated a reputable builder is offering to develop this undeveloped land and she is in favor of this item.

- ▶ Tom Collins, 4716 W. San Miguel, North Las Vegas, Nevada 89032

Mr. Collins stated he recommends the Planning Commission deny this application as the neighbors in this area oppose this item.

- ▶ Stephen Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Mr. Werk stated he opposes this item as he would like to see this area remain the way it is currently.

- ▶ Linda Hinson, 4621 Kenny Way, North Las Vegas, Nevada 89031

Ms. Hinson stated she opposes this item as she does not wish to see the current designation to the land use changed.

- ▶ Randy Miller, 4662 N. Kenny Way, North Las Vegas, Nevada (no zip code stated)

Mr. Miller stated he opposes this item as he feels it will lead to more changes in the future for this area and would like to see it remain the way it is today.

- ▶ Toni Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada 89031

Ms. Werk stated she opposes this application as she strongly feels it should remain R-E as that is the reason she decided to purchase her home.

- ▶ Walter Wilcox, 4672 N. Kenny Way, North Las Vegas, Nevada 89031

Mr. Wilcox stated he agrees with the neighbors who spoke before him and opposes this item.

- ▶ Michele Riggs, 4714 N. Kenny Way, North Las Vegas, Nevada 89031

Ms. Riggs stated she owns the property across from the proposed development and she has lost prospective buyers for her property due to the proposed new development. She opposes this item as she feels it will negatively affect the property values in the area.

- ▶ Carol Gomez, 3640 Wedo Way, North Las Vegas, Nevada 89031

Ms. Gomez stated she opposes this application as she feels it will negatively impact the culture in the neighborhood.

- ▶ Joe Gomez, 3640 Wedo Way, North Las Vegas, Nevada 89031

Mr. Gomez stated he opposes this application as he would like to see this area remain R-E Ranch Estates.

- ▶ Sherry Messer, 3320 Wedo Way, North Las Vegas, Nevada 89031

Mr. Messer stated she purchased her property in this area because it was R-E and does not want to see it changed.

- ▶ Tim Loper, 4682 Kenny Way, North Las Vegas, Nevada 89031

Mr. Loper stated he searched for many years to locate property like what he currently has in this area and he does not wish to see it change.

- ▶ Tom Messer, 3330 W. Wedo Way, North Las Vegas, Nevada 89031

Mr. Messer stated he purchased his home in this area to gain the open spaces allowed in R-E Ranch Estates and does not wish to see it changed.

- ▶ Brad Coburn, 6168 Isthmus Circle, Las Vegas, Nevada 89110

Mr. Coburn stated he has been working with Steve and Toni Werk to allow his rodeo team to utilize this area as it is R-E Ranch Estates, and he feels if this change is allowed, over the years, it will ultimately lead to the elimination of land use as it is currently known.

- ▶ Robert Combs, 355 E. El Campo Grande, North Las Vegas, Nevada (no zip code stated)

Mr. Combs stated he hopes the Planning Commission will deny this application and allow the residents to retain the life style they have become accustomed to.

- ▶ Hans VanRiel, 3660 Wedo Way, North Las Vegas, Nevada 89031

Mr. VanRiel stated he opposes this application as he would like to see this area remain R-E Ranch Estates.

- ▶ Denise Wedo, 3447 Wedo Way, North Las Vegas, Nevada (no zip code stated)

Ms. Wedo stated has lived in North Las Vegas for the past 19 years in Ranch Estates and does not wish to see it changed now.

Chairman Leavitt closed the Public Hearing.

Commissioner Jay Aston MOVED and Chairman Dean Leavitt SECONDED to CONTINUE T-1050 to the 4/14/04 Planning Commission meeting.

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

The item was CONTINUED to 4/14/04.

**There was a break in the proceedings at 9:35 PM
The meeting reconvened at 9:57 PM**

Item #5 was heard next following the break.

Items #29 VN-08-04 and #30 SPR-14-04 are related.

29) VN-08-04 (14079) TIM C. AYALA (Public Hearing)

An application submitted by Tim C. Ayala on behalf of G & M Development, property owner, for a variance in a C-2 General Commercial District to allow a 10 foot setback where 20 feet is required. The property is located at the northeast corner of Las Vegas Boulevard and Carey Avenue. The Assessor's Parcel Numbers are 139-13-410-043, 139-13-410-044, 139-13-410-045 and 139-13-812-164.

This item was continued from the March 10th Planning Commission meeting.

(from the 3/10/04 Planning Commission meeting):

RECOMMENDATION:

The Planning and Zoning Department recommends that VN-08-04 be **denied** because of the concerns raised in the analysis above and because the applicant has not adequately demonstrated justification for a variance.

If, however, the Planning Commission determines that denial is not warranted, then the Planning & Zoning Department recommends that this item be **continued indefinitely** to allow the applicant time to resolve the concerns addressed above and submit a revised site plan.

If, however, evidence is presented to the Planning Commission that warrants a **favorable action**, then this item shall be subject to the following conditions and forwarded to the Redevelopment Agency for final consideration:

1. That, unless expressly authorized through the variance, waiver or another method, this development shall comply with all applicable codes and ordinances; and
2. That all conditions of UN-51-02 be satisfied prior to the issuance of any construction permits; and
3. That all conditions of UN-13-04 be satisfied prior to the issuance of any construction permits; and
4. That, if SPR-14-04 is approved, this development shall comply with all applicable conditions thereof; and
5. Applicant to demonstrate how they intend to resolve the issue of a building encroaching into the public right-of-way; and
4. Approval of a traffic study is required prior to submittal of the civil improvement plans; and
5. Nevada Department of Transportation concurrence with the results of the traffic study is required prior to approval of the civil improvement plans; and
6. 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; and
7. A Merger and Resubdivision parcel map must be filed to create parcels as proposed; and
8. The property owner is required to grant a roadway easement for commercial driveway(s) prior to civil improvement plan approval; and
9. Plans are required to accurately depict property lines; the sidewalk and property line are several feet apart along Las Vegas Boulevard North. Landscaping requirements must be met within private lands; and

10. A copy of the Nevada Department of Transportation encroachment permit for landscaping in the right-of-way along Las Vegas Boulevard North must be provided; and
11. Dedication of the following right-of-way is required:
 - a. 15' radius at Carroll Street and Carey Avenue
12. A vacation is required for the unimproved portion of Carroll Street and plans are required to be labeled with area to be vacated; and
13. The property owner is required to sign a restrictive covenant for utilities prior to civil improvement plan approval; and
14. Plans are required to show street widths; and
15. Plans are required to have buildings shown as not a part, re-labeled to be shown as existing buildings; and
16. Plans are required to provide document information on plans for Nevada Power Company easement and show pole locations; and
17. The building area encroaching into the public right of way shall be removed prior to approval of the civil improvement plans; and
18. That the southernmost existing building be modified to be in compliance with a minimum 10-foot (10.00') setback from the Carey Avenue right-of-way; and
19. Along the North Las Vegas Boulevard frontage of the property, the installation of Phoenix Dactylifera (Date Palms) or Phoenix Canariensis (Canary Island Date Palms) with a height of 10 - 12 brown-trunk-feet. The Palm trees shall be spaced a maximum of every 30 foot on center along the North Las Vegas Boulevard perimeter of the above-referenced site, additionally; and
20. That the applicant provide a more dense (more closely spaced and/or more mature) landscaping treatment along the Vegas Boulevard, Carroll Street and Carey Avenue perimeters of the property, subject to review and approval by Redevelopment staff; and
21. That detailed site and floor plans be provided that clearly indicate lot lines and dimensions, parking stall dimensions and number thereof, building setbacks, building square footages, signage, drive aisle dimensions and landscape areas; and
22. That the development of this site shall not warrant a reduction in the minimum number of required parking stalls. If necessary, the proposed new buildings shall be reduced in size to accommodate the minimum number of parking stalls for the site; and
23. That all new construction recognize a minimum setback of ten feet (10.00') from the Carroll Street and Carey Avenue rights-of-way; and
24. That a minimum ten feet (10.00') of landscaping be provided along the Las Vegas Boulevard, Carey Avenue and Carroll Street rights-of-way; and
25. That, unless specified herein, all landscaping and signage be brought into compliance with current ordinance requirements.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 4/14/04 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.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to CONTINUE VN-08-04 to the 4/14/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 4/14/04.

Items #29 VN-08-04 and #30 SPR-14-04 are related.

30) SPR-14-04 (13910) TIM C. AYALA

An application submitted by Tim C. Ayala on behalf of G & M Development, property owner, for a site plan review in a C-2 General Commercial District for three waivers of the Commercial Design Standards to allow 10 feet of landscaping along Carroll Street, Carey Avenue and Las Vegas Boulevard where 20 feet is required and to waive all parking lot and foundation landscaping requirements. The property is located at the northwest corner of Carroll Street and Carey Avenue. The Assessor's Parcel Numbers are 139-13-410-045, 139-14-812-164 and 139-14-812-165.

This item was continued from the March 10th Planning Commission meeting.

(from the 3/10/04 Planning Commission meeting):

RECOMMENDATION:

The Planning and Zoning Department recommends that SPR-14-04 be **denied** because of the concerns raised in the analysis above and because the applicant has not adequately demonstrated justification for the requested waivers.

If, however, the Planning Commission determines that denial is not warranted, then the Planning & Zoning Department recommends that this item be continued indefinitely to allow the applicant time to resolve the concerns addressed above and submit a revised site plan.

If, however, evidence is presented to the Planning Commission that warrants a **favorable action**, then this item shall be subject to the following conditions and forwarded to the Redevelopment Agency for final consideration:

1. That, unless expressly authorized through the variance, waiver or another method, this development shall comply with all applicable codes and ordinances; and
2. That all conditions of UN-51-02 be satisfied prior to the issuance of any construction permits; and
3. Applicant to demonstrate how they intend to resolve the issue of a building encroaching into the public right-of-way; and
4. Approval of a traffic study is required prior to submittal of the civil improvement plans; and
5. Nevada Department of Transportation concurrence with the results of the traffic study is required prior to approval of the civil improvement plans; and
6. 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; and
7. A Merger and Resubdivision parcel map must be filed to create parcels as proposed; and
8. The property owner is required to grant a roadway easement for commercial driveway(s) prior to civil improvement plan approval; and
9. Plans are required to accurately depict property lines; the sidewalk and property line are several feet apart along Las Vegas Boulevard North. Landscaping requirements must be met within private lands; and
10. A copy of the Nevada Department of Transportation encroachment permit for landscaping in the right-of-way along Las Vegas Boulevard North must be provided; and

11. Dedication of the following right-of-way is required:
 - a. 15' radius at Carroll Street and Carey Avenue
12. A vacation is required for the unimproved portion of Carroll Street and plans are required to be labeled with area to be vacated; and
13. The property owner is required to sign a restrictive covenant for utilities prior to civil improvement plan approval; and
14. Plans are required to show street widths; and
15. Plans are required to have buildings shown as not a part, re-labeled to be shown as existing buildings; and
16. Plans are required to provide document information on plans for Nevada Power Company easement and show pole locations; and
17. The building area encroaching into the public right of way shall be removed prior to approval of the civil improvement plans; and
18. That, if VN-08-04 is approved, this development shall comply with all applicable conditions thereof; and
19. Along the North Las Vegas Boulevard frontage of the property, the installation of Phoenix Dactylifera (Date Palms) or Phoenix Canariensis (Canary Island Date Palms) with a height of 10 - 12 brown-trunk-feet. The Palm trees shall be spaced a maximum of every 30 foot on center along the North Las Vegas Boulevard perimeter of the above-referenced site, additionally; and
20. If VN-08-04 is approved to allow a 10 foot building setback, where a 20 foot setback is required, the applicant shall provide a more dense (more closely spaced and/or more mature) landscaping treatment along the Vegas Boulevard, Carroll Street and Carey Avenue perimeters of the property; and
21. That detailed site and floor plans be provided that clearly indicate lot lines and dimensions, parking stall dimensions and number thereof, building setbacks, building square footages, signage, drive aisle dimensions and landscape areas; and
22. That the development of this site shall not warrant a reduction in the minimum number of required parking stalls. If necessary, the proposed new buildings shall be reduced in size to accommodate the minimum number of parking stalls for the site; and
23. That a minimum ten feet (10.00') of landscaping be provided along the Las Vegas Boulevard, Carey Avenue and Carroll Street rights-of-way; and
24. That, in-lieu of a three-foot landscape berm, a three-foot-tall decorative block wall shall be provided at the rear of the perimeter landscape areas where required; and
25. That parking lot and foundation landscaping be waived for all interior portions of the proposed new development; and
26. That, unless specified herein, all landscaping and signage be brought into compliance with current ordinance requirements.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 4/14/04 Planning Commission meeting.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to CONTINUE SPR-14-04 to the 4/14/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 4/14/04.

31) T-1070 (14089) LAMB & TROPICAL

An application submitted by Richmond American Homes on behalf of Wesley D. Adams, property owner, for approval of a tentative map in a M-2 General Industrial District (proposed PUD Planned Unit Development District) consisting of 236 single-family dwellings. The property is located at the northeast corner of Tropical Parkway and Lamb Boulevard. The Assessor's Parcel Number is 123-29-201-001.

This item was continued from the March 10th Planning Commission meeting to allow the applicant sufficient time to submit revised plans.

(from the 3/10/04 Planning Commission meeting):

The applicant has submitted a revised tentative map that is in compliance with the design standards and the requirements of the Public Works Department. The revised tentative map contains the dedication for Tropical Parkway and a proposed drainage channel. The additional dedications have changed the number of lots to 232 instead of the previously approved 236.

The Fire and Parks and Recreation Departments have reviewed the proposed tentative map and have not changed their original conditions. The Public Works Department is now recommending approval with a number of conditions. One condition in particular requires the dedication of a drainage channel that is in compliance with the Regional Flood Control District or as determined by a technical drainage study. The applicants are proposing a 15-foot channel. With the 15-foot channel, the applicant complies with the open space requirements for the PUD. If the technical drainage study does not support the 15-foot channel and a larger channel is required, the applicants will be need to redesign the site to comply with the open space requirements.

However, as the proposed tentative map is in compliance with the single-family design guidelines and any modifications should be minor, the Planning and Zoning Department recommends approval of T-1070 with 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 (CCRFCD) 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*, or as otherwise approved by the Director of Public Works or his designee.
4. Remove the street section thickness from the typical sections. The off-site pavement sections will be determined by the Department of Public Works.
5. Approval of a traffic study is required prior to submittal of the civil improvement plans.
6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along the project's Lamb Boulevard frontage.
7. Access locations are subject to review and approval of the City of North Las Vegas Traffic Engineer.
8. The property owner is required to grant roadway easements where public and private streets intersect prior to civil improvement plan approval.
9. All common elements shall be labeled as such and to be maintained by the Homeowners Association.
10. A revocable encroachment permit for the landscaping in the public right-of-way is required to be obtained prior to civil improvement plan approval.
11. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in Clark County Area Uniform Standard Drawing No. 210. If roll curb is to be

used, provide an additional six inches of right-of-way for each half-street.

12. Sidewalk is required on a minimum of one side of all interior, private streets.
13. Dedication of the following right-of-way is required:
 - a. Lamb Boulevard (offset) 70 feet and associated spandrel
 - b. Azure Avenue 30 feet and associated spandrel
 - c. Right-of-way dedication is required so the developer can construct a CAT bus turn-out on Lamb Boulevard near Tropical Parkway in accordance with *Clark County Area Uniform Standard Drawing* Number 234.1.
 - d. Range Wash flood control channel and associated maintenance access adjacent to and parallel with the UPRR right-of-way, per the CCRFCD's *Flood Control Master Plan of the Las Vegas Valley*, or as otherwise determined by an approved technical drainage study. The open space area shall not include the area of the channel right-of-way dedication.
 - e. Tropical Parkway, 30 feet for a length of 300 feet east of Lamb Boulevard and the associated cul-de-sac is item was continued from the March 10th Planning Commission meeting to allow the applicant sufficient time to submit revised plans.
14. 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.
15. The tentative shall comply with all conditions of ZN-07-04, if a conflict occurs the more restrictive shall apply.
16. Unless expressly authorized through a variance, waiver or another approved method; the development shall comply with all applicable codes, ordinances, and design standards.
17. Five copies of a conforming 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, Acting Planning Manager, on behalf of staff who indicated staff is recommending approval of this item.

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Chairman Dean Leavitt SECONDED to APPROVE T-1070 per staff's recommendations subject to the following change:

Condition #13c Changed to Read: "Right-of-way dedication is required so the developer can construct a CAT bus turn-out on Lamb Boulevard near Tropical Parkway in accordance with *Clark County Area Uniform Standard Drawing* Number 234.1. **unless waived by the City of North Las Vegas Traffic Engineer.**"

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: 12:15 AM

A motion to ADJOURN the March 24, 2004 meeting of the Planning Commission of the City of North Las Vegas was made by Chairman Dean Leavitt. Vice-Chairman Marilyn Kirkpatrick SECONDED the motion.

Dean Leavitt, Chairman

ATTEST:

Ted Karant, Recording Secretary