

MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Dean Leavitt, Chairman
Nelson Stone
Jay Aston
Harry Shull

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

Planning Commission MINUTES are available on the internet at:

www.cityofnorthlasvegas.com

April 14, 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:

Jory Stewart, Planning and Zoning Director
Marc Jordan, Acting Planning Manager
Robert Eastman, Planner
Randy Cagle, Public Works
Kevin Futch, Transportation Services
Terri Tarbett, Assistant Fire Chief
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 Steve Brown

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 24, 2004.

Commissioner Harry Shull MOVED and Chairman Dean Leavitt SECONDED to APPROVE the Minutes of the March 24, 2004 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

CONSENT AGENDA

A) PW-72-04 (14958) STORAGE WEST & CRAIG/COLEMAN

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Hartford Fire Insurance Company to release the Subdivision Bond in the amount of \$70,095.00.

B) PW-73-04 (14959) RANCHO MIRAGE, UNIT 1, PHASE 3

Approve the Subdivision Off-Site Improvements Agreement by Inspiration Homes, LLC and accept the Performance Bond in the amount of \$199,808.40.

C) PW-74-04 (14961) SHADOW CREEK MANOR

Approve the Subdivision Off-Site Improvements Agreement by D.R. Horton, Inc., and accept the Subdivision Bond in the amount of \$995,984.94.

D) PW-75-04 (14962) PARISH CENTER ST. JOHN NEUMANN CATHOLIC PARISH

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Tavelers Casualty and Surety Company of America to release the Performance Bond in the amount of \$141,115.00.

E) PW-76-04 (14963) HOME DEPOT

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify First Union National Bank to release the Irrevocable Standby Letter of Credit in the amount of \$480,455.25.

F) PW-77-04 (14964) NVE PARCEL 12B

Approve the Subdivision Off-Site Improvements Agreement by MTH-Homes Nevada, Inc., and accept the Performance Bond in the amount of \$733,134.33.

G) PW-78-04 (14965) NVE PARCEL 12A, PHASE 1

Approve the Subdivision Off-Site Improvements Agreement by PN II, Inc., and accept the Performance Bond in the amount of \$1,354,802.96.

H) PW-79-04 (14966) SANTA FE VILLAGE II, UNIT 2

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Developers Insurance Company to release the Performance Bond in the amount of \$189,123.00.

I) PW-80-04 (14967) TERRACINA, UNIT 2

Approve the Subdivision Off-Site Improvements Agreement by Terracina-Terrasol Development Company, Inc., and accept the Performance Bond in the amount of \$221,554.96.

J) PW-81-04 (14968) TERRASOL, UNIT 2

Approve the Subdivision Off-Site Improvements Agreement by Terracina-Terrasol Development Company, Inc., and accept the Performance Bond in the amount of \$297,076.62.

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

The motion carried by UNANIMOUS vote.

Commissioner Harry Shull MOVED and Vice-Chairman Marilyn Krikpatrick SECONDED to APPROVE
Consent Agenda Item E.

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

NEW BUSINESS

Items #1 AMP-27-04 and #2 ZN-28-04 are related.

1) AMP-27-04 (14489) LAKERIDGE APARTMENTS (Public Hearing)

An application submitted by GSL Properties, Inc., on behalf of Centennial Parkway-Commerce, LLC, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Resort Commercial to HDR High Density Residential. The property is generally located south of Carey Avenue and approximately 412 feet west of Allen Lane. The Assessor's Parcel Number is 139-19-501-008.

This item was continued indefinitely by the applicant a week after the application submittal. However, a public hearing notification was erroneously sent out to surrounding property owners and, therefore, the item was placed on the agenda.

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 Vice-Chairman Marilyn Kirkpatrick SECONDED to CONTINUE AMP-27-04 INDEFINITELY.

The motion carried by UNANIMOUS vote.

The item was CONTINUED INDEFINITELY.

Items #1 AMP-27-04 and #2 ZN-28-04 are related.

2) ZN-28-04 (14441) LAKERIDGE APARTMENTS (Public Hearing)

An application submitted by GSL Properties, Inc., on behalf of Centennial Parkway-Commerce, LLC, property owner, for reclassification of property from a M-2 General Industrial District to an R-3 Multifamily Residential District. The property is generally located south of Carey Avenue and approximately 412 feet west of Allen Lane. The Assessor's Parcel Number is 139-19-501-008.

This item was continued indefinitely by the applicant a week after the application submittal. However, a public hearing notification was erroneously sent out to surrounding property owners and, therefore, the item was placed on the agenda.

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.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner XXXXX SECONDED to CONTINUE ZN-28-04 INDEFINITELY.

The motion carried by UNANIMOUS vote.

The item was CONTINUED INDEFINITELY.

Items #3 AMP-26-04 and #4 T-1072 are related.

3) AMP-26-04 14301) WESTWIND (Public Hearing)

An application submitted by Signature Homes on behalf of Plaster Development Company, Inc., property owner, for an amendment to the Master Plan of Streets and Highways to delete Racel Street between Decatur Boulevard and San Mateo Street; to reduce Grand Teton Drive from a 100 foot right-of-way to a 96 foot right-of-way between Decatur Boulevard and San Mateo Street. The Assessor's Parcel Numbers are 124-07-401-005, 124-07-301-002 and 124-07-301-003.

RECOMMENDATION:

The Development Services Department recommends that AMP-26-04 be **continued indefinitely** to allow the applicant time to submit a traffic study and have that study approved by the Traffic Division and to meet with appropriate Fire Department personnel to mitigate the Fire Department's concerns.

The application was presented by Robert Eastman, Planner, on behalf of staff who stated the applicant has submitted a revised tentative map providing for emergency access and the Public Works and Fire Department are recommending approval, as is Planning and Zoning Staff.

Dean Rasmussen, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89109 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to APPROVE AMP-26-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #3 AMP-26-04 and #4 T-1072 are related.

4) T-1072 (14302) WESTWIND

An application submitted by Signature Homes on behalf of Plaster Development Company, Inc., property owner, for approval of a tentative map in an R-1 Single-Family Residential District consisting of 190 single-family dwellings. The property is located at the northwest corner of Grand Teton Drive and San Mateo Street. The Assessor's Parcel Numbers are 124-07-401-005, 124-07-301-002 and 124-07-301-003.

RECOMMENDATION:

The Planning & Zoning Department recommends that T-1072 be **continued indefinitely** to allow the applicant time to address the concerns mentioned above.

If the applicant is unable or unwilling to continue this item, then the Planning & Zoning Department has no other option than to recommend that this item be **denied**.

If the Planning Commission determines that **approval is warranted** at this time, then the following conditions are recommended:

1. That approval of the site plan submitted is not implied; and
2. Approval of a traffic study supporting the vacation of Racel Street is required prior to submittal of the civil improvement plans or the plans shall be revised to show the dedication and construction of Racel Street should AMP-26-04 not be approved; and
3. The access location on Decatur Boulevard is unacceptable. It shall either align with the existing access across Decatur Boulevard or be relocated to the south an adequate distance as to be determined in the traffic study; and
4. Access locations are subject to review and approval by the City Traffic Engineer; and
5. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee; and
6. The following dedications are required:
 - 30 feet for San Mateo Street and associated spandrels
 - 60 feet for Decatur Boulevard and associated spandrels
 - 69 feet for Grand Teton Drive and associated spandrels; and
7. The property owner is required to grant a pedestrian access easement for sidewalk outside the right-of-way; and
8. A revocable encroachment permit for the landscaping in the public right-of-way is required to be obtained prior to civil improvement plan approval; and
9. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in conformance to NRS Chapter 278 and North Las Vegas Municipal Code Title 16; and
10. The interior street section shown on the cover sheet must label the interior streets as public to match what is shown on the plan; and
11. There are two street names for the same street; Twisting Vine and Pink Desert; one must be removed. Also remove either Trailing Sage Court or Redbud Vine; and
12. Median openings along Grand Teton Drive are to be spaced 660' apart; and

13. Approval of a drainage study is required prior to submittal of the civil improvement plans; and
14. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans; and
15. Acceptance of this Tentative Map shall not be construed as approval of any drainage easements or facilities shown on this plan, as these concerns will be addressed during the review of the technical drainage study; and
16. That the property owner must grant a pedestrian access easement for the portions of the sidewalk outside of the right of way prior to approval of the civil improvement plans; and
17. That the installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map; and
18. An additional fire access shall be provided from San Mateo to the development approximately along the original Racel alignment; and
19. That the development comply with the Single Family Development Standards and Design Guidelines; and
20. That the perimeter walls be constructed within the Common Elements; and
21. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping; and
22. That the development of this site be in compliance with all Codes and Ordinances in effect at the time of building permit issuance. If there is a conflict with the conditions mentioned herein, the more restrictive shall apply; and
23. That a five-foot (5.00') concrete sidewalk be separated from the backs-of-curb by a minimum five feet (5.00') of landscaping for all perimeter streets. Perimeter streets shall be Grand Teton Drive and Decatur Boulevard. The five-foot sidewalks shall be constructed in accordance with Clark County Standard Drawings; and
24. That the "10' Private Drainage Easement" identified along the western property lines of Lots 50 through 65 be labeled as a "Common Element". The affected lots shall be reconfigured to satisfy the minimum lot dimensions of 60' x 100'; and
25. That the "25' Emergency Fire Dept. Access Easement" between lots 26 and 27 and 169 and 170 shall be labeled as a "Common Element" and shall be landscaped and provided with lighting and an ADA-compliant meandering sidewalk; and
26. That the area adjacent to the north side of Lot 160 shall be identified as a Common Element; and
27. That all Common Elements and improvements thereon shall be owned and maintained by the Homeowners' association; and
28. That the perimeter landscape area along Grand Teton Drive be designed, landscaped and improved to match that along the south side of Grand Teton Drive adjacent to the Aliante Master Planned Community; and
29. That all applicable conditions of approval be listed in the "Notes" section of the Conforming Tentative and Final Maps; and

30. That five (5) copies the conforming tentative map, incorporating all conditions mentioned herein, be submitted to the Department of Public Works prior to the issuance of any construction permits.

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

Dean Rasmussen, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89109 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to APPROVE T-1072 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #5 AMP-28-04 and #6 ZN-29-04 are related.

5) AMP-28-04 (14493) HAMMER/PECOS (Public Hearing)

An application submitted by North Pecos Real Estate Partners, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Light Industrial to MLDR Medium Low Density Residential. The property is located at the southeast corner of Pecos Road and Hammer Lane. The Assessor's Parcel Numbers are 123-31-201-002 and 123-31-201-003.

RECOMMENDATIONS:

The Development Services Department recommends that AMP-28-04 receive a **favorable recommendation** from the Planning Commission and be forwarded to the City Council for final consideration.

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

Bill Curran, of Curran & Parry, 300 S. 4th Street, Suite 1201, Las Vegas, Nevada 89101 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

Commissioner Jay Aston MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE AMP-28-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #5 AMP-28-04 and #6 ZN-29-04 are related.

6) ZN-29-04 (14494) HAMMER/PECOS (Public Hearing)

An application submitted by North Pecos Real Estate Partners, property owner, for reclassification of property from a M-2 General Industrial District to a PUD Planned Unit Development District consisting of 53 single-family dwellings. The property is located at the southeast corner of Pecos Road and Hammer Lane. The Assessor's Parcel Numbers are 123-31-201-002 and 123-31-201-003.

RECOMMENDATION:

The Department of Planning and Zoning recommends that ZN-29-04 be continued indefinitely to allow the applicant sufficient time to meet with the Parks and Recreation Department to discuss the open space allocation, as well as the amenities to be provided for the site.

If however, the Planning Commission determines that approval is warranted at this time, the Department of Planning and Zoning recommends that ZN-29-04 be subject to the following conditions:

1. That the development shall comply with the Single-Family Development Design Standards.
2. That a 25-foot wide street scape which includes a five (5) foot meandering sidewalk shall be provided along Pecos Road. Furthermore, all landscaping within the street scape shall comply with Title 17, in order to qualify a portion of this toward the open space provisions.
3. That the minimum lot size shall be 4,500 square feet.
4. That the following setbacks shall apply:
 - a. Front: Fifteen (15) feet, provided all garages maintain a 20-foot front setback.
 - b. Interior side: Five (5) feet.
 - c. Corner side: Ten (10) feet.
 - d. Rear yard: Fifteen (15); and
5. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the open space/park areas showing landscaping and amenities. Prior to submittal of the final development plan, the applicant must schedule a meeting with the Parks and Recreation Director or designee to determine what amenities will be required of the private park areas.
6. 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).
7. That the perimeter walls be owned and maintained by the homeowners' association.
8. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
9. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.

10. As a minimum the following amenities shall be provided within the open space:
 - a. circuitous lighted path;
 - b. a minimum of 20 24-inch box trees per acre;
 - c. at least two (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. one large group shade area/gazebo (30'(diameter), lighted in addition to shelter at play structures;
 - f. picnic tables and barbecue grills;
 - g. benches spaced along park pathways;
 - h. ADA accessibility
 - i. details of amenities to be provided
11. Approval of a drainage study is required prior to submittal of the civil improvement plans.
12. 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.
13. The side lot easement must be revised to conform to *North Las Vegas Municipal Code* 17.24.210.D.4.a.
14. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.
15. As approved in VAC-17-03, the vacation of Hammer Lane, Queen Street and a portion of Fisher Avenue must record prior to the recordation of the final map.
16. An application must be submitted for the vacation of a portion of Fisher Avenue and Hammer Lane.
18. The property owner is required to grant an emergency access easement between Pecos Road and the adjacent interior street.
19. All common elements shall be labeled as such and to be maintained by the homeowners associations.
20. Approval of a traffic study is required prior to submittal of the civil improvement plans.
21. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along the project's Pecos Road frontage.
22. The 48 foot interior, public streets shown on the plan shall be designed and constructed per *Uniform Standard Drawings for Public Works Construction Off-Site Improvements Drawing No. 207*.

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

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

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

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to APPROVE ZN-29-04 per staff's recommendations subject to the following change:

Condition #15 Deleted.

Condition #16 Changed to Read: "An application must be submitted for the vacation of a portion of Fisher Avenue, Queen Street and Hammer Lane."

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #7 AMP-29-04 and #8 ZN-30-04 are related.

7) AMP-29-04 (14509) CENTENNIAL & COMMERCE (Public Hearing)

An application submitted by R & S Investments, on behalf of Century Two, LLC, and Century Las Vegas, LLC, property owners, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of MDR Medium Density Residential to Neighborhood Commercial. The property is located at the northeast corner of Commerce Street and Centennial Parkway. The Assessor's Parcel Number is 124-22-801-004.

RECOMMENDATION:

The Planning & Zoning Department recommends that AMP-29-04 be approved for Convenience Commercial and 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.

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

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

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to APPROVE AMP-29-04 as **CONVENIENCE COMMERCIAL**.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #7 AMP-29-04 and #8 ZN-30-04 are related.

8) ZN-30-04 (14511) CENTENNIAL & COMMERCE (Public Hearing)

An application submitted by R & S Investments, on behalf of Century Two, LLC, and Century Las Vegas, LLC, property owners, for reclassification of property from an R-2 Two Family Residential District to a C-1 Neighborhood Commercial District. The property is located at the northeast corner of Commerce Street and Centennial Parkway. The Assessor's Parcel Number is 124-22-801-004.

RECOMMENDATION:

The Planning & Zoning Department recommends that ZN-30-04 be approved for the C-1, Neighborhood Commercial District and 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.

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

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

Commissioner Harry Shull MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE ZN-30-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

9)VAC-12-04 (14350) ALIANTE PARCELS 30 & 31 (Public Hearing)

An application submitted by Pardee Homes on behalf of North Valley Enterprises, LLC, property owner, to vacate approximately 2,325 square feet of two spandrels to Parcel 30 on the westerly side of Clayton Street commencing approximately 630 feet north of Deer Springs Way and approximately 2,350 square feet of a spandrel to Parcel 31B on the westerly side of Clayton Street commencing approximately 1,830 feet north of Deer Springs Way. The Assessor's Parcel Numbers are 124-20-611-001 and 124-21-110-001.

RECOMMENDATION

The Planning and Zoning Department recommends that VAC-12-04 be **approved**.

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

Jeanna Gaitan, 1555 S. Rainbow Boulevard, Las Vegas, Nevada 89146 appeared on behalf of the applicant and stated she concurs with staff's recommendations.

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

Commissioner Harry Shull MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE VAC-12-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

10) ZN-31-04 (14538) ALIANTE PARCEL 33 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for reclassification of property from a MPC Master Planned Community District to a C-1 MPC Neighborhood Commercial Master Planned Community District. The property is located at the northwest corner of Aliante Parkway and Elkhorn Road. The Assessor's Parcel Number is 124-17-410-003.

RECOMMENDATION:

The Planning and Zoning Department Recommends that ZN-31-04 be **approved** and forwarded to the City Council with a recommendation for permanent zoning to the C-1 / MPC, Neighborhood Commercial / Master Planned Community District.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 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 ZN-31-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

11) ZN-32-04 (14543) ALIANTE PARCEL 35 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for reclassification of property from a MPC Master Planned Community District to a C-2 MPC General Commercial Master Planned Community District. The property is located at the southwest corner of Aliante Parkway and Elkhorn Road. The Assessor's Parcel Number is 124-20-110-003.

RECOMMENDATION:

The Planning and Zoning Department Recommends that ZN-32-04 be **approved** and forwarded to the City Council with a recommendation for permanent zoning to the C-2 / MPC, General Commercial / Master Planned Community District.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 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 Commissioner Jo Cato SECONDED to APPROVE ZN-32-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

12) UN-33-04 (14545) ALIANTE PARCEL 35 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a MPC Master Planned Community District (proposed C-2 MPC General Commercial Master Planned Community District) to allow an automobile service facility. The property is located at the southwest corner of Aliante Parkway and Elkhorn Road. The Assessor's Parcel Number is 124-20-110-003.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-33-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. If ZN-32-04 is not approved, UN-33-04 shall be considered null and void.
3. No approval of the submitted site plan is granted or implied.
4. The special use cannot be developed prior to approval of a site plan for Parcel 35 and approval of the Aliante Commercial Design Standards.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Conformance to the overall master conceptual drainage study is required.
7. The property owner is required to sign a restrictive covenant for utilities.
8. The property owner is required to dedicate right-of-way for commercial driveway(s).
9. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 appeared on behalf of the applicant.

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

Commissioner Jay Aston MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE UN-33-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

13) UN-34-04 (14546) ALIANTE PARCEL 35 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a MPC Master Planned Community District (proposed C-2 MPC General Commercial Master Planned Community District) to allow an automobile service facility. The property is located at the southwest corner of Aliante Parkway and Elkhorn Road. The Assessor's Parcel Number is 124-20-110-003.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-34-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. If ZN-32-04 is not approved, UN-34-04 shall be considered null and void.
3. No approval of the submitted site plan is granted or implied.
4. The special use cannot be developed prior to approval of a site plan for Parcel 35 and approval of the Aliante Commercial Design Standards.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Conformance to the overall master conceptual drainage study is required.
7. The property owner is required to sign a restrictive covenant for utilities.
8. The property owner is required to dedicate right-of-way for commercial driveway(s).
9. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 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-34-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

14) UN-35-04 (14547) ALIANTE PARCEL 35 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner,, for a use permit in a MPC Master Planned Community District (proposed C-2 MPC General Commercial Master Planned Community District) to allow a convenience food store with gas pumps. The property is located at the southwest corner of Aliante Parkway and Elkhorn Road. The Assessor's Parcel Number is 124-20-110-003.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-35-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. If ZN-32-04 is not approved, UN-35-04 shall be considered null and void.
3. No approval of the submitted site plan is granted or implied.
4. The special use cannot be developed prior to approval of a site plan for Parcel 35 and approval of the Aliante Commercial Design Standards.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Conformance to the overall master conceptual drainage study is required.
7. The property owner is required to sign a restrictive covenant for utilities.
8. The property owner is required to dedicate right-of-way for commercial driveway(s).
9. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 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-35-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

15) UN-36-04 (14548) ALIANTE PARCEL 35 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a MPC Master Planned Community District (proposed C-2 MPC General Commercial Master Planned Community District) to allow an automobile washing establishment. The property is located at the southwest corner of Aliante Parkway and Elkhorn Road. The Assessor's Parcel Number is 124-20-110-003.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-36-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. If ZN-32-04 is not approved, UN-36-04 shall be considered null and void.
3. No approval of the submitted site plan is granted or implied.
4. The special use cannot be developed prior to approval of a site plan for Parcel 35 and approval of the Aliante Commercial Design Standards.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Conformance to the overall master conceptual drainage study is required.
7. The property owner is required to sign a restrictive covenant for utilities.
8. The property owner is required to dedicate right-of-way for commercial driveway(s).
9. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 appeared on behalf of the applicant.

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

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to APPROVE UN-36-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

16) UN-37-04 (14549) ALIANTE PARCEL 35 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a MPC Master Planned Community District (proposed C-2 MPC General Commercial Master Planned Community District) to allow a convenience food restaurant. The property is located at the southwest corner of Aliante Parkway and Elkhorn Road. The Assessor's Parcel Number is 124-20-110-003.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-37-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. If ZN-32-04 is not approved, UN-37-04 shall be considered null and void.
3. No approval of the submitted site plan is granted or implied.
4. The special use cannot be developed prior to approval of a site plan for Parcel 35 and approval of the Aliante Commercial Design Standards.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Conformance to the overall master conceptual drainage study is required.
7. The property owner is required to sign a restrictive covenant for utilities.
8. The property owner is required to dedicate right-of-way for commercial driveway(s).
9. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 appeared on behalf of the applicant.

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-37-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

17) UN-41-04 (14555) ALIANTE PARCEL 38 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a C-1 MPC Neighborhood Commercial Master Planned Community District to allow a convenience food restaurant. The property is located at the northwest corner of Aliante Parkway and Centennial Parkway. The Assessor's Parcel Number is 124-20-412-001.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-41-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. No approval of the submitted site plan is granted or implied.
3. The special use cannot be developed prior to approval of a site plan for Parcel 38 and approval of the Aliante Commercial Design Standards.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Conformance to the overall master conceptual drainage study is required.
6. The property owner is required to sign a restrictive covenant for utilities.
7. Appropriate subdivision and/or parcel mapping is required to delineate the linear parkway, monument area and to dedicate the right-of-way for the commercial driveways. All mapping shall be in conformance to NRS Chapter 278 and North Las Vegas Municipal Code Title 16.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 appeared on behalf of the applicant.

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

- ▶ Lisa Merrell, 6417 Gilded Flicker, North Las Vegas, Nevada 89084

Ms. Merrell stated she opposes a fast food restaurant as she feels it would not benefit the neighborhood.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Jay Aston SECONDED to APPROVE UN-41-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

18) UN-42-04 (14556) ALIANTE PARCEL 38 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a C-1 MPC Neighborhood Commercial Master Planned Community District to allow a convenience food restaurant. The property is located at the northwest corner of Aliante Parkway and Centennial Parkway. The Assessor's Parcel Number is 124-20-412-001.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-42-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. No approval of the submitted site plan is granted or implied.
3. The special use cannot be developed prior to approval of a site plan for Parcel 38 and approval of the Aliante Commercial Design Standards.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Conformance to the overall master conceptual drainage study is required.
6. The property owner is required to sign a restrictive covenant for utilities.
7. Appropriate subdivision and/or parcel mapping is required to delineate the linear parkway, monument area and to dedicate the right-of-way for the commercial driveways. All mapping shall be in conformance to NRS Chapter 278 and North Las Vegas Municipal Code Title 16.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 appeared on behalf of the applicant.

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

- ▶ Lisa Merrell, 6417 Gilded Flicker, North Las Vegas, Nevada 89084

Ms. Merrell stated she opposes a fast food restaurant as she feels it would not benefit the neighborhood.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-42-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

19) UN-46-04 (14562) ALIANTE PARCEL 39 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a C-2 MPC General Commercial Master Planned Community District to allow a convenience food restaurant. The property is generally located south of the Clark County 215 and west of Aliante Parkway. The Assessor's Parcel Number is 124-20-601-004.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-46-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. No approval of the submitted site plan is granted or implied.
3. The special use cannot be developed prior to approval of a site plan for Parcel 39 and approval of the Aliante Commercial Design Standards.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Conformance to the overall master conceptual drainage study is required.
6. The property owner is required to sign a restrictive covenant for utilities.
7. Appropriate subdivision and/or parcel mapping is required to delineate the linear parkway, monument area and to dedicate the right-of-way for the commercial driveways. All mapping shall be in conformance to NRS Chapter 278 and North Las Vegas Municipal Code Title 16.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 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-46-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

20) UN-50-04 (14566) ALIANTE PARCEL 39 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a C-2 MPC General Commercial Master Planned Community District to allow a convenience food restaurant. The property is generally located south of the Clark County 215 and west of Aliante Parkway. The Assessor's Parcel Number is 124-20-601-004.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-50-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. No approval of the submitted site plan is granted or implied.
3. The special use cannot be developed prior to approval of a site plan for Parcel 39 and approval of the Aliante Commercial Design Standards.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Conformance to the overall master conceptual drainage study is required.
6. The property owner is required to sign a restrictive covenant for utilities.
7. Appropriate subdivision and/or parcel mapping is required to delineate the linear parkway, monument area and to dedicate the right-of-way for the commercial driveways. All mapping shall be in conformance to NRS Chapter 278 and North Las Vegas Municipal Code Title 16.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 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-50-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

21) UN-51-04 (14567) ALIANTE PARCEL 39 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a C-2 MPC General Commercial Master Planned Community District to allow a convenience food restaurant. The property is generally located south of the Clark County 215 and west of Aliante Parkway. The Assessor's Parcel Number is 124-20-601-004.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-51-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. No approval of the submitted site plan is granted or implied.
3. The special use cannot be developed prior to approval of a site plan for Parcel 39 and approval of the Aliante Commercial Design Standards.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Conformance to the overall master conceptual drainage study is required.
6. The property owner is required to sign a restrictive covenant for utilities.
7. Appropriate subdivision and/or parcel mapping is required to delineate the linear parkway, monument area and to dedicate the right-of-way for the commercial driveways. All mapping shall be in conformance to NRS Chapter 278 and North Las Vegas Municipal Code Title 16.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 appeared on behalf of the applicant.

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jay Aston SECONDED to APPROVE UN-51-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

22) UN-53-04 (14569) ALIANTE PARCEL 39 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a C-2 MPC General Commercial Master Planned Community District to allow a convenience food restaurant. The property is generally located south of the Clark County 215 and west of Aliante Parkway. The Assessor's Parcel Number is 124-20-601-004.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-53-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. No approval of the submitted site plan is granted or implied.
3. The special use cannot be developed prior to approval of a site plan for Parcel 39 and approval of the Aliante Commercial Design Standards.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Conformance to the overall master conceptual drainage study is required.
6. The property owner is required to sign a restrictive covenant for utilities.
7. Appropriate subdivision and/or parcel mapping is required to delineate the linear parkway, monument area and to dedicate the right-of-way for the commercial driveways. All mapping shall be in conformance to NRS Chapter 278 and North Las Vegas Municipal Code Title 16.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 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 Commissioner Jo Cato SECONDED to APPROVE UN-53-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

23) UN-54-04 (14570) ALIANTE PARCEL 39 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a C-2 MPC General Commercial Master Planned Community District to allow a convenience food store with gas pumps. The property is generally located south of the Clark County 215 and west of Aliante Parkway. The Assessor's Parcel Number is 124-20-601-004.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-54-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. No approval of the submitted site plan is granted or implied.
3. The special use cannot be developed prior to approval of a site plan for Parcel 39 and approval of the Aliante Commercial Design Standards.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Conformance to the overall master conceptual drainage study is required.
6. The property owner is required to sign a restrictive covenant for utilities.
7. Appropriate subdivision and/or parcel mapping is required to delineate the linear parkway, monument area and to dedicate the right-of-way for the commercial driveways. All mapping shall be in conformance to NRS Chapter 278 and North Las Vegas Municipal Code Title 16.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 appeared on behalf of the applicant.

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

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to APPROVE UN-54-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

24) UN-55-04 (14571) ALIANTE PARCEL 39 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a C-2 MPC General Commercial Master Planned Community District to allow an automobile washing establishment. The property is generally located south of the Clark County 215 and west of Aliante Parkway. The Assessor's Parcel Number is 124-20-601-004.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-54-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. No approval of the submitted site plan is granted or implied.
3. The special use cannot be developed prior to approval of a site plan for Parcel 39 and approval of the Aliante Commercial Design Standards.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Conformance to the overall master conceptual drainage study is required.
6. The property owner is required to sign a restrictive covenant for utilities.
7. Appropriate subdivision and/or parcel mapping is required to delineate the linear parkway, monument area and to dedicate the right-of-way for the commercial driveways. All mapping shall be in conformance to NRS Chapter 278 and North Las Vegas Municipal Code Title 16.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 appeared on behalf of the applicant.

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-55-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

25) UN-56-04 (14572) ALIANTE PARCEL 40 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a C-1 MPC Neighborhood Commercial Master Planned Community District to allow the “on sale” of alcoholic beverages in conjunction with a restaurant (supper club). The property is located at the northeast corner of Aliante Parkway and Centennial Parkway. The Assessor’s Parcel Number is 124-20-810-237.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-56-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. No approval of the submitted site plan is granted or implied.
3. The special use cannot be developed prior to approval of a site plan for Parcel 41 and approval of the Aliante Commercial Design Standards.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Conformance to the overall master conceptual drainage study is required.
6. The property owner is required to sign a restrictive covenant for utilities.
7. The property owner is required to dedicate right-of-way for commercial driveways.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 appeared on behalf of the applicant.

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-56-04 per staff’s recommendations subject to the following change:

Condition #3 Changed to Read: “The special use cannot be developed prior to approval of a site plan for **Parcel 40** and approval of the Aliante Commercial Design Standards”

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

26) UN-57-04 (14573) ALIANTE PARCEL 40 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a C-1 MPC Neighborhood Commercial Master Planned Community District to allow the “on sale” of alcoholic beverages in conjunction with a restaurant (supper club). The property is located at the northeast corner of Aliante Parkway and Centennial Parkway. The Assessor’s Parcel Number is 124-20-810-237.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-57-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. No approval of the submitted site plan is granted or implied.
3. The special use cannot be developed prior to approval of a site plan for Parcel 41 and approval of the Aliante Commercial Design Standards.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Conformance to the overall master conceptual drainage study is required.
6. The property owner is required to sign a restrictive covenant for utilities.
7. The property owner is required to dedicate right-of-way for commercial driveways.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Dick Serfas, with North Valley Enterprises, 901 N. Green Valley Parkway, Henderson, Nevada 89014 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 Chairman Dean Leavitt SECONDED to APPROVE UN-57-04 per staff’s recommendations subject to the following change:

Condition #3 Changed to Read: “The special use cannot be developed prior to approval of a site plan for **Parcel 40** and approval of the Aliante Commercial Design Standards”

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

27) UN-58-04 (14574) ALIANTE PARCEL 40 (PUBLIC HEARING)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a C-1 MPC Neighborhood Commercial Master Planned Community District to allow a convenience food store with gas pumps. The property is located at the northeast corner of Aliante Parkway and Centennial Parkway. The Assessor's Parcel Number is 124-20-810-237.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-58-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. No approval of the submitted site plan is granted or implied.
3. The special use cannot be developed prior to approval of a site plan for Parcel 41 and approval of the Aliante Commercial Design Standards.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Conformance to the overall master conceptual drainage study is required.
6. The property owner is required to sign a restrictive covenant for utilities.
7. The property owner is required to dedicate right-of-way for commercial driveways.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

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

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

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

- ▶ Lisa Merrell, 6417 Gilded Flicker, North Las Vegas, Nevada 89084

Ms. Merrell stated she opposes the close proximity of one gas station to another.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-58-04 per staff's recommendations subject to the following change:

Condition #3 Changed to Read: "The special use cannot be developed prior to approval of a site plan for **Parcel 40** and approval of the Aliante Commercial Design Standards."

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

28) UN-59-04 (14575) ALIANTE PARCEL 40 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a C-1 MPC Neighborhood Commercial Master Planned Community District to allow a convenience food restaurant. The property is located at the northeast corner of Aliante Parkway and Centennial Parkway. The Assessor's Parcel Number is 124-20-810-237.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-59-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. No approval of the submitted site plan is granted or implied.
3. The special use cannot be developed prior to approval of a site plan for Parcel 41 and approval of the Aliante Commercial Design Standards.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Conformance to the overall master conceptual drainage study is required.
6. The property owner is required to sign a restrictive covenant for utilities.
7. The property owner is required to dedicate right-of-way for commercial driveways.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

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

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

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

- ▶ Lisa Merrell, 6417 Gilded Flicker, North Las Vegas, Nevada 89084

Ms. Merrell stated she opposes the close proximity of one gas station to another.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-59-04 per staff's recommendations subject to the following change:

Condition #3 Changed to Read: "The special use cannot be developed prior to approval of a site plan for **Parcel 40** and approval of the Aliante Commercial Design Standards."

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

29) UN-61-04 (14577) ALIANTE PARCEL 41 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a C-1 MPC Neighborhood Commercial Master Planned Community District to allow a convenience food restaurant. The property is generally located south Deer Springs Way and east of Aliante Parkway. The Assessor's Parcel Number is 124-20-711-174.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-61-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. No approval of the submitted site plan is granted or implied.
3. The special use cannot be developed prior to approval of a site plan for Parcel 41 and approval of the Aliante Commercial Design Standards.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Conformance to the overall master conceptual drainage study is required.
6. The property owner is required to sign a restrictive covenant for utilities.
7. The property owner is required to dedicate right-of-way for commercial driveways.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

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

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

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

- ▶ Bob Borgersen, 4751 Possum Berry, North Las Vegas, Nevada 89031

Mr. Borgersen stated there are those who oppose these services coming into their neighborhood, and if these services are not allowed in their neighborhood, it will cause residents to come to his neighborhood for those services and he would appreciate some of these services being allowed for this proposed project.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-61-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #9-30 are related.

30) UN-62-04 (14578) ALIANTE PARCEL 41 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a use permit in a C-1 MPC Neighborhood Commercial Master Planned Community District to allow a child care facility. The property is generally located south Deer Springs Way and east of Aliante Parkway. The Assessor's Parcel Number is 124-20-711-174.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-62-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. No approval of the submitted site plan is granted or implied.
3. The special use cannot be developed prior to approval of a site plan for Parcel 41 and approval of the Aliante Commercial Design Standards.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Conformance to the overall master conceptual drainage study is required.
6. The property owner is required to sign a restrictive covenant for utilities.
7. The property owner is required to dedicate right-of-way for commercial driveways.
8. Approval of a traffic study update is required prior to submittal of the civil improvement plans.

The application was presented by Robert Eastman, 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.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Harry Shull SECONDED to APPROVE UN-62-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

31) ZN-34-04 (14557) NEVADA LAND (Public Hearing)

An application submitted by Property Management Group, LLC, on behalf of Toni Jessica Ives, et.al., property owner, for reclassification of property from an R-1 Single-Family Residential District to a C-2 General Commercial District. The property is located at the northwest corner of Simmons Street and Craig Road. The Assessor's Parcel Number is 139-05-203-005.

RECOMMENDATION:

The Planning and Zoning Department recommends that ZN-34-04 receive a **favorable recommendation** to the C-1, Neighborhood Commercial District. This recommendation would then 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.

Alberto Jauregui 3505 E. Harmon Avenue Suite B, Las Vegas, Nevada 89121 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

Commissioner Harry Shull MOVED and Chairman Dean Leavitt SECONDED to APPROVE ZN-34-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

32) VAC-11-04 (14344) R.S. & MARTA S. BHATHAL (Public Hearing)

An application submitted by R. S. and Marta S. Bhathal, property owners, to vacate a portion of Ranch House Road between Decatur Boulevard and Montgomery Street. The Assessor's Parcel Numbers are 124-30-201-002 and 124-30-201-003.

RECOMMENDATION

The Planning and Zoning Department recommends **denial** of VAC-11-04 because the existing right-of-way is needed for future public use as part of the Las Vegas Wash Regional Trail system and a possible utility corridor.

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

The item was WITHDRAWN.

33) VN-10-04 (14533) MERIDIAN HILLS (Public Hearing)

An application submitted by Richmond American Homes of Nevada, property owner, for a variance in a PUD Planned Unit Development District to allow wall height of approximately 10.7 feet where 8 feet is the maximum allowed. The property is located at the northeast corner of Scott Robinson Boulevard and Alexander Road. The Assessor’s Parcel Number is 139-04-410-018.

RECOMMENDATION

The Planning and Zoning Department recommends **approval** of the variance request, VN-10-04, with the following conditions of approval:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That this approval be only for the lots specified below and that the screen wall shall not exceed a nominal 6 feet in height from the finished grade of the property enclosed by the wall:

a.	Lot #15	8 feet 7 inches
b.	Lot #16	9 feet 3 inches
c.	Lot #23	9 feet 3 inches
d.	Lot #28	10 feet 7 inches
e.	End of Brightworks St.	10 feet
f.	East side of Fire Access, Public Drainage Easement	9 feet 3 inches
3. That the walls be sealed by an approved method to prevent the leaching or transmission of sulfates or calcium deposits through the walls, as approved by the Building Department.

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

Scott Ruedy, of WRG Design, Inc., 3011 W. Horizon Ridge Parkway, Suite 100, Henderson, Nevada 89052 appeared on behalf of the applicant and stated he concurs with staff’s recommendations.

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jay Aston SECONDED to APPROVE VN-10-04 per staff’s recommendations subject to the following change:

Condition #4 Added to Read: “Subject to Exhibit A”.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

34) UN-28-02 (14495) CENTENNIAL CROSSINGS (Public Hearing)

An application submitted by Beltway I-15, L.L.C., property owner, for an extension of time for a use permit in a C-2 General Commercial District to allow a casino. The property is generally located at the southwest corner of Centennial Parkway and Christy Lane. The Assessor's Parcel Numbers are 123-28-101-003, 123-28-101-004, 123-28-101-005, and 123-28-101-006.

RECOMMENDATION:

The Planning and Zoning department recommends that an two-year extension of time be **granted** to UN-28-02. The applicant shall comply with all conditions of approval stipulated in UN-28-02.

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.

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

Commissioner Harry Shull MOVED and Commissioner Jay Aston SECONDED to APPROVE UN-28-02 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

ITEM #51 VN-09-04 WAS HEARD NEXT.

THIS ITEM UN-30-04 WAS HEARD FOLLOWING ITEM #51 VN-09-04.

35) UN-30-04 (14371) TIM C. AYALA (Public Hearing)

An application submitted by Tim C. Ayala on behalf of Elim Iglesia Pentecostes, Inc., property owner, for a use permit in an R-1 Single-Family Residential District to allow an expansion to an existing church. The property is located at the northwest corner of Pecos Road and Haddock Avenue. The Assessor's Parcel Number is 139-13-801-001.

RECOMMENDATION

The Planning and Zoning Department recommends that UN-30-04 be **denied** as the applicant has not demonstrated that code requirements can be met.

If, however, the Planning Commission were to determine that approval is warranted at this time, staff 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. The applicant must comply with all setback requirements unless a variance is approved.
3. A revocable encroachment permit for the landscaping in the public right-of-way is required to be obtained prior to civil improvement plan approval.
4. The RV currently utilized on the property must be removed.
5. All parking requirements must be met.

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

Tim Ayala, 4600 Sunset Road, Suite 148, Henderson, Nevada 89014 appeared on behalf of the applicant and stated he would agree to continue this item indefinitely.

Commissioner Jay Aston MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to CONTINUE UN-30-04 INDEFINITELY.

The motion carried by UNANIMOUS vote.

The item was CONTINUED INDEFINITELY.

36) UN-31-04 (14527) VERA M. WILLIAMS (Public Hearing)

An application submitted by Vera M. Williams, property owner, for a use permit in an R-1 Single-Family Residential District to allow the conversion of a garage to living area. The property is located at 3037 Van Der Meer Street. The Assessor's Parcel Number is 139-13-510-012.

RECOMMENDATION:

The Development Services Department recommends that UN-31-04 be **approved** subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That the applicant obtain a building permit for the conversion currently under construction prior to any further construction and/or renovations; and
3. That the exterior of the converted space match the existing exterior of the dwelling; and
4. That all off-street parking areas satisfy ordinance requirements and be illustrated on the building permit application site plan; and
5. That UN-31-04 is site-specific and non-transferable.

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

Vera Williams, 3037 Van Der Meer, North Las Vegas, Nevada 89030 appeared on behalf of the applicant and stated she concurs with staff's recommendations.

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

Commissioner Harry Shull MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE UN-31-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

**There was a break in the proceedings at 8:51 PM
The meeting reconvened at 9:12 PM**

37) UN-70-04 (14841) DEPARTMENT OF MOTOR VEHICLES (Public Hearing)

An application submitted by State of Nevada, Public Works Board on behalf of State of Nevada, Division of Lands, property owner, for a use permit in an Open Land District to allow a full-service Department of Motor Vehicle (DMV) and Vehicle Identification Number (VIN) inspection station. The property is located at the southeast corner of Decatur Boulevard and Elkhorn Road. The Assessor's Parcel Number is 124-19-101-003.

RECOMMENDATION:

The Planning and Zoning Department Recommends that UN-70-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances including the Aliante Commercial Design Standards.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
4. All local facilities and street 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.
5. Approval of a parking and traffic study update 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 Decatur Boulevard and Elkhorn Road.
7. Developer to construct half street improvements on Elkhorn Road and Decatur Boulevard. Decatur Boulevard is shown as 120 feet street on the Master Plan of Streets and Highways.
8. Construction and dedication of the following right-of-way is required:
 - a. A CAT bus turn-out on Elkhorn Road near Decatur Boulevard
 - b. A flared intersection at Decatur Boulevard and Elkhorn Road per Uniform Standard Drawings for Public Works' Construction OFF-Site Improvements Drawing Number 201.1
9. The 30 foot wide driveways shown on the site plan must be revised to meet the minimum width of 32 feet as measured from curb face to curb face.
10. The buildings shall comply with the commercial design standards including but not limited to: siding the building with split-face block, brick, stone, or stucco; and constructing the vehicle inspection station with elements of the main building; and additional landscaping shall be provided around the perimeter as approved by the Planning and Zoning Department.
11. The use permit shall be for a Department of Motor Vehicle facility with licensing restricted to Class "C." Any other public use shall require an amendment to the use permit.

The application was presented by Robert Eastman, Planner, on behalf of staff who indicated staff is

recommending approval of this item.

Sunny Kamath, 1830 E. Sahara Avenue, Suite 104, Las Vegas, Nevada 89104 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:

- ▶ James Cunningham, 7050 N. Decatur Boulevard, Las Vegas, Nevada 89131

Mr. Cunningham stated this location is zoned as low-density residential and he opposes a commercial project at this location.

Williams Blake, Sr., 4925 Wayfaring Tree Avenue, Las Vegas, Nevada 89131

- ▶ Mr. Blake stated he has lived in this area for 32 years and opposes the DMV being placed at this location.
- ▶ Joseph Gomez, 4911 Wild Thyme Avenue, Las Vegas, Nevada 89131

Mr. Gomez stated he opposes this proposed development as he feels it will have a negative impact on this residential community.

Chairman Leavitt closed the Public Hearing.

Commissioner Nelson Stone MOVED and Commissioner Steve Brown SECONDED to APPROVE UN-70-04 per staff's recommendations subject to the following changes:

Condition #10 Changed to Read: "The buildings shall comply with the commercial design standards including but not limited to: siding the building with split-face block, brick, stone, stucco **or as approved by the Planning and Zoning Department;** and constructing the vehicle inspection station with elements of the main building; and additional landscaping shall be provided around the perimeter as approved by the Planning and Zoning Department.

Condition #12 Added to Read: "**That the Department of Motor Vehicle shall notify Planning Staff as to what the standard drivers' test corridors will be.**"

The motion carried by UNANIMOUS vote.

The item was APPROVED.

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

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

RECOMMENDATION:

The Planning and Zoning Department recommends that UN-54-03 be **approved** subject to the original conditions, as set forth in the attached Planning Commission Minutes (08/13/03) and Letter from the City Clerk's Office (dated October 2, 2003.)

Commissioner Harry Shull disclosed he has conducted business in the past, as well as currently with Las Vegas Paving Corporation, however it is unrelated to this item and feels he is able to render an unbiased decision on this item.

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 and stated he concurs with staff's recommendations.

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

Commissioner Jay Aston MOVED and Commissioner Steve Brown SECONDED to APPROVE UN-54-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

39) ZOA-04-04 (14430) 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 17.24.165 (D) of the North Las Vegas Municipal Code to add temporary cell towers and providing for other matters properly related thereto.

RECOMMENDATION:

The Planning & Zoning Department recommends that ZOA-04-04 be considered and Section 17.24.165 be amended as follows:

Italics indicate additions to the ordinance.

Section 17.24.165(B)(15)

15. ***“Short-term facility”*** means a temporary telecommunications facility, which may include the tower and associated equipment. All short-term facilities shall accommodate at least one other applicant to co-locate on any one tower. All towers shall be slimline poles. All short-term facilities shall be subject to review and approval by the Planning Commission as set forth below in Section 17.24.165.D.

Section 17.24.165(B)(16)

16. ***“Special events facility”*** means a mobile temporary telecommunications facility completely contained upon or within a wheeled trailer or vehicle. Said trailer or vehicle shall be properly licensed by the Department of Motor Vehicles and said license shall be displayed at all times. One separate wheeled trailer or vehicle may be allowed to provide the power source, as long as the additional trailer or vehicle is properly licensed by the Department of Motor Vehicles and said license is displayed at all times. All towers shall be slimline poles. All special events facilities shall be subject to administrative Site Plan Approval as set forth below in Section 17.24.165.E.3.

Section 17.24.165(D)(1)(a)

A short-term facility shall require a Special Use Permit.

Section 17.24.165(D)(1)(b)

A short-term facility shall expire one year from the date of the Planning Commission’s approval. A maximum one (1) one-year extension of time may be granted for any site, provided no site be approved for longer than 730 days (2 years).

Section 17.24.165(D)(1)(c)

The lot upon which a short-term facility is proposed shall maintain a minimum setback of 200.00' from all developed (e.g., completed or occupied) residential property lines and open space areas. All short-term facilities shall maintain a minimum setback of 20.00 feet from all rights-of-way, private or public roads, drainage facilities and access easements (public or emergency.)

Section 17.24.165(D)(1)(d)

The maximum height of a short-term facility tower shall not exceed 70.00 feet from finished grade. The maximum ground area shall not exceed 50.00' x 50.00'.

Section 17.24.165(D)(1)(e)

The applicant shall identify on the required site plan the source and from where the power will be provided to operate the facility.

Section 17.24.165(D)(1)(f)

Any successive application proposing to co-locate on an existing short-term facility shall be reviewed administratively and shall be subject to the expiration date established by the Planning Commission. A maximum two towers and/or four service providers may be located at any one location and the towers shall be spaced not greater than 15.00 feet from one another. Any additional tower approved at any one location shall be considered an expansion of a previously approved special use permit and shall be subject to the time limitations established with the first approval.

Section 17.24.165(E)(3)(d)

A special event facility shall be valid for not more than 14 calendar days per event.

Section 17.24.165(E)(3)(e)

The maximum height of a special events facility tower shall not exceed 60.00 feet from finished grade. The maximum ground area shall not exceed 20.00' x 35.00'.

Section 17.24.165(E)(3)(f)

No modifications to or disturbance of the ground surface (e.g., undisturbed natural terrain, installed landscaping, drainage features, etc.) to specifically accommodate a special events facility between any paved surface and the designated site or the actual designated site area are permitted.

Section 17.24.165(E)(3)(g)

All special event facilities shall maintain a minimum setback of 60.00' from all developed (e.g., completed or occupied) residential property lines and all non-residential buildings. Any special event facility located within existing parking stalls shall not block, hinder or impede pedestrian or vehicular traffic. All applicable ADA accessways and emergency accessways shall be maintained at all times.

Section 17.24.165(E)(3)(h)

All mobile power sources shall be low-noise emitting generators, or "Whisper Watt" units or equivalent.

Section 17.24.165(E)(3)(i)

All special event facility applications shall be reviewed by the Traffic Division, Building & Safety Division and Planning & Zoning. Other departments may be required to review an application as deemed appropriate by the Planning & Zoning Director. Approval from all reviewing divisions, departments and/or agencies shall be required prior to the issuance of a building permit.

The application was presented by Marc Jordan, Acting Planning Manager, who stated staff is requesting this item be continued to the 5/12/04 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 Harry Shull SECONDED to CONTINUE ZOA-04-04 per staff's recommendations to the 5/12/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 5/12/04.

40) ZOA-05-04 (14886) CITY OF NORTH LAS VEGAS (Public Hearing)

An ordinance amendment initiated by the City of North Las Vegas to amend Title 17 (Zoning Ordinance) Sections 17.24.020 and 17.28.050 of the North Las Vegas Municipal Code to add proximity distance requirements, filing requirements and final approval requirements for taverns, bars and lounges, and providing for other matters properly related thereto.

RECOMMENDATION:

The Planning and Zoning Department recommend that the Commission review each option and provide a recommendation to the City Council.

The application was presented by Marc Jordan, Acting Planning Manager, on behalf of staff who indicated staff is recommending to the City Council to adopt Ordinance Amendment Option #4.

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

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to RECOMMEND to CITY COUNCIL to ADOPT ORDINANCE AMENDMENT OPTION #4 for ZOA-05-04.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

41) FDP-05-04 (14300) NELSON RANCH

An application submitted by Centex Homes on behalf of Waterfall, LLC, property owner, for a Final Development Plan review in a PUD Planned Unit Development District, consisting of 726 single-family dwellings. The property is located at the southeast corner of Horse Drive and Aviary Way. The Assessor's Parcel Numbers are 124-07-701-001, 124-07-701-002 and 124-07-801-001.

RECOMMENDATION:

The Planning and Zoning Department recommends that FDP-05-04 be **approved** subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That the development of this site be in compliance with the conditions set forth in T-1021 and Ordinance No. 1877 (ZN-69-03); and
3. That the development of this site be in compliance with the Single-Family Development Standards and Design Guidelines (§17.24.210 NLV Municipal Code); and
4. That a maximum 214 duplex units be provided; and
5. That a maximum 512 single-family detached dwellings be provided; and
6. That no more than 726 total housing units be permitted within this PUD; and
7. That cut sheets of open space amenities shall be provided, subject to the approval of the Department of Parks & Recreation, prior to application of any building permit. The following minimum amenities shall be provided:
 - a. circuitous lighted paths
 - b. a minimum of 20 24-inch box trees per acre
 - c. at least 3 differing age appropriate play structures for children with EPDM resilient fall protection, and accompanying shade ramada
 - d. a large open space area for group / organized play
 - e. one large group shade area / gazebo (30' diameter), lighted
 - f. 16 picnic tables and barbecue grills
 - g. 3 benches/ acre spaced along park pathways
 - h. details (cut sheets) of amenities to be providedAll Open Space amenities are to be ADA accessible; and
8. That a minimum 559,310.4 square feet (12.84 acres) of open space shall be provided; and
9. Approval of a drainage study is required prior to submittal of the civil improvement plans.
10. Clark County Regional Flood Control District concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
11. The side lot easement must be revised to conform to *North Las Vegas Municipal Code* 17.24.210.D.4.a.
12. 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.

13. Remove the lot lines within the open space areas between lots 600 and 601, and 381 and 382.

14. Plans are required to change street names to Racel Street and Willis Street per conditions of approval of tentative map.
15. The pedestrian access and drainage easement at the end of State Falls Street must also be labeled a public utility easement.
16. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
17. A revocable encroachment permit for the landscaping in the public right-of-way is required.
18. All common elements shall be labeled as such and to be maintained by the Home Owners Association.
19. The property owner is required to grant roadway easements where public and private streets intersect.
20. The roundabout shall adhere to the design criteria standards outlined in the FHWA publication Roundabouts: An Informational Guide (Publication #FHWA-RD-00-067)
21. Provide a bus turnout on Aliante Parkway just south of Horse Drive.
22. Provide a bus turnout on Aviary Way just north of Grand Teton Drive.
23. Provide a bus turnout on Grand Teton Drive west of Aliante Parkway.
24. Relocate bus turnout on Horse Drive to just east of Aviary Way.
25. Provide appropriate right-of-way dedications to construct flared intersections at Aliante Parkway & Grand Teton Drive, Aliante Parkway & Horse Drive, Aviary Way & Horse Drive and Aviary Way & Grand Teton Drive per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1*.

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

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Chairman Dean Leavitt SECONDED to APPROVE FDP-05-04 per staff's recommendations subject to the following changes:

Condition #4 Deleted.

Condition #5 Deleted.

Condition #7b Changed to Read: "a minimum of 20 24-inch box trees per acre of open space".

Condition #7g Changed to Read: 3 benches per acre of open spaced along park pathways"

Condition #7i Added to Read: "2,000 square foot clubhouse to be added."

The motion carried by UNANIMOUS vote.

The item was **APPROVED**.

42) SPR-17-04 (14488) COLEMAN AIR PARK

An application submitted by Coleman Air Park, Ltd., LLC, on behalf of GDS Associates, LLC, property owner, for a site plan review in a M-1 Business Park Industrial District to allow 426,000 square feet of space (16 one-story attached buildings). The property is located at the southwest corner of Coleman Street and Brooks Avenue. The Assessor's Parcel Number is 139-17-601-005.

RECOMMENDATION:

The Planning and Zoning Department recommends that SPR-17-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver, or another approved method, the development shall comply with all applicable codes and ordinances.
2. The development shall comply with the City's Industrial Development Standards as contained in Section 17.24.205 of the Municipal Code.
3. Fire access lanes shall be designed and constructed in accordance with Fire Safety Code requirements. Lane width and turning radii shall be equal to or greater than the minimum requirements set forth in the Fire Safety Code for similar warehouse developments.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Acceptance of this site plan shall not be construed as approval of any drainage easements, facilities or "devices" shown on this plan, as these concerns will be addressed during review of the technical drainage study.
6. All known geologic hazards shall be shown on the site plan and the civil improvement plans.
7. Appropriate subdivision and/or parcel mapping may be required if the intent is to sell off any portion(s) of the site. All mapping shall be in conformance with NRS Chapter 278 and North Las Vegas Municipal Code Title 16.
8. The property owner is required to grant a roadway easement for commercial driveways.
9. The property owner is required to sign a restrictive covenant for utilities.
10. Approval of a traffic study is required prior to submittal of the civil improvement plans.
11. The number of driveways and their locations are subject to review and approval by the City of North Las Vegas traffic engineer and must meet the standards set forth in Section 17.24.130 of the North Las Vegas Municipal Code. Conformance will require modifications to the site.
12. Driveway lanes that provide cross access to the adjacent property may be required.

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 4/28/04 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 Harry Shull **SECONDED** to **CONTINUE**

SPR-17-04 to the 4/28/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 4/28/04.

43) SPR-19-04 (14582) CONED, LLC

An application submitted by Don Brasher on behalf of CONED, LLC, property owner, for a site plan review in a M-2 General Industrial District to allow five (5) to (6) feet of landscaping where 20 feet is required adjacent to the parking area; to waive the required 3 ½' decorative wall or landscape berm adjacent to the parking area; and to waive the requirement of six (6) foot landscape islands at the end of each parking row. The property is located at 221 Commerce Park Court. The Assessor's Parcel Number is 139-10-710-004.

RECOMMENDATION:

The Department of Planning and Zoning recommends that SPR-19-04 be **approved** subject to the following conditions::

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the development shall comply with the Industrial Development Design Standards, except for the following:
 - a. That five (5) to six (6) feet of perimeter landscaping be provided adjacent to Commerce Park Court.
 - b. A 3 ½' decorative wall or landscape berm is not required adjacent to the parking area along Commerce Park Court.
 - c. That six (6) foot landscape islands are not required at each end of the parking rows.

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

Don Brasher, 5970 Sierra Bonita Court, Las Vegas, Nevada 89149 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to APPROVE SPR-19-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

OLD BUSINESS

Items #44 AMP-19-04, #45 ZN-03-04, #46 VAC-03-04 and #47 T-1050 are related.

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

44) 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.

This item was continued from the March 24, 2004 Planning Commission meeting at the request of the applicant.

However, no additional information has been received concerning this application and staff's recommendation for denial would remain.

(from the 3/24/04 Planning Commission meeting):

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 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. The following participants came forward:

- ▶ Roger Hinson, 4621 Kenny Way, North Las Vegas, Nevada (no zip code stated)

Mr. Hinson stated he opposes this item as he feels it will have a negative impact on the neighborhood.

- ▶ Linda Hinson, 4621 Kenny Way, North Las Vegas, Nevada (no zip code stated)

Mrs. Hinson stated she opposes this item as she does not wish to see the zoning changed.

- ▶ Tommie Mann, 3307 W. Lone Mountain Road, North Las Vegas, Nevada (no zip code stated)

Mr. Mann stated he purchased his property in this area due to the current zoning and opposes any changes to that area.

- ▶ Terry Mann, 3307 W. Lone Mountain Road, North Las Vegas, Nevada (no zip code stated)

Mr. Mann stated he concurs with the comments made by the previous speakers.

- ▶ Sherry Messer, 3330 Wedo Way, North Las Vegas, Nevada 89031

Ms. Messer stated she is against this change as she feels it will reduce property values.

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

Mr. Miller stated he opposes this item as he would prefer to see the area remain as it is currently.

- ▶ Steve Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada (no zip code stated)

Mr. Werk stated he opposes this item as he feels it will have a negative impact on the neighborhood and property values.

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

Mrs. Gomez stated she has lived in this area for quite some time and does not wish to see it change.

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

Mr. Gomez stated he agrees with the comments made by the others speakers.

Chairman Leavitt closed the Public Hearing.

Commissioner Jay Aston MOVED and Chairman Dean Leavitt SECONDED to DENY AMP-19-04 per staff's recommendations.

The MOTION TO DENY FAILED with Vice-Chairman Marilyn Kirkpatrick, Commissioner Nelson Stone, Commissioner Jo Cato and Commissioner Steve Brown voting against the motion and Commissioner Harry Shull abstaining from voting on this item due to a business interest.

SECOND MOTION:

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

The MOTION TO APPROVED FAILED with Chairman Dean Leavitt and Commissioner Jay Aston voting against the motion and Commissioner Harry Shull abstaining from voting on this item due to a business interest.

THIRD MOTION:

Commissioner Nelson Stone MOVED and Chairman Dean Leavitt SECONDED to MOVE THE ITEM FORWARD TO CITY COUNCIL WITH NO RECOMMENDATION.

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

The item goes forward to City Council with NO RECOMMEDATION.

Items #44 AMP-19-04, #45 ZN-03-04, #46 VAC-03-04 and #47 T-1050 are related.

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

45) 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 from the January 14, 2004, the January 28, 2004 and the March 24, 2004 Planning Commission meetings at the request of the applicant.

The Planning and Zoning Department is still recommending denial of this application as it cannot support either the amendment to the Comprehensive Plan nor the property reclassification as they are not consistent with the surrounding area and the subject site is located in Ranch Estates Preservation Area.

RECOMMENDATION:

The Planning and Zoning Department recommends that ZN-03-04 be **denied** because the subject site is located in an R-E Ranch Estates Preservation District and staff is not supporting the amendment to the Comprehensive Plan.

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. The following participants came forward:

- ▶ Roger Hinson, 4621 Kenny Way, North Las Vegas, Nevada (no zip code stated)

Mr. Hinson stated he opposes this item as he feels it will have a negative impact on the neighborhood.

- ▶ Linda Hinson, 4621 Kenny Way, North Las Vegas, Nevada (no zip code stated)

Mrs. Hinson stated she opposes this item as she does not wish to see the zoning changed.

- ▶ Tommie Mann, 3307 W. Lone Mountain Road, North Las Vegas, Nevada (no zip code stated)

Mr. Mann stated he purchased his property in this area due to the current zoning and opposes any changes to that area.

- ▶ Terry Mann, 3307 W. Lone Mountain Road, North Las Vegas, Nevada (no zip code stated)

Mr. Mann stated he concurs with the comments made by the previous speakers.

- ▶ Sherry Messer, 3330 Wedo Way, North Las Vegas, Nevada 89031

Ms. Messer stated she is against this change as she feels it will reduce property values.

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

Mr. Miller stated he opposes this item as he would prefer to see the area remain as it is currently.

- ▶ Steve Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada (no zip code stated)

Mr. Werk stated he opposes this item as he feels it will have a negative impact on the neighborhood and property values.

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

Mrs. Gomez stated she has lived in this area for quite some time and does not wish to see it change.

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

Mr. Gomez stated he agrees with the comments made by the others speakers.

Chairman Leavitt closed the Public Hearing.

Commissioner Nelson Stone MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to DENY ZN-03-04 per staff's recommendations.

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

The item was DENIED.

Items #44 AMP-19-04, #45 ZN-03-04, #46 VAC-03-04 and #47 T-1050 are related.

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

46) 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. 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, the January 28, 2004 and the March 24, 2004 Planning Commission meetings at the request of the applicant.

The Planning and Zoning Department is still recommending denial of this application as it cannot support either the amendment to the Comprehensive Plan nor the property reclassification as they are not consistent with the surrounding area and the subject site is located in Ranch Estates Preservation Area.

RECOMMENDATION:

The Planning and Zoning Department recommends that VAC-03-04 be **denied** because the subject site is located in an R-E Ranch Estates Preservation District and staff is not supporting the amendment to the Comprehensive Plan or the property reclassification.

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. The following participants came forward:

- ▶ Roger Hinson, 4621 Kenny Way, North Las Vegas, Nevada (no zip code stated)

Mr. Hinson stated he opposes this item as he feels it will have a negative impact on the neighborhood.

- ▶ Linda Hinson, 4621 Kenny Way, North Las Vegas, Nevada (no zip code stated)

Mrs. Hinson stated she opposes this item as she does not wish to see the zoning changed.

- ▶ Tommie Mann, 3307 W. Lone Mountain Road, North Las Vegas, Nevada (no zip code stated)

Mr. Mann stated he purchased his property in this area due to the current zoning and opposes any changes to that area.

- ▶ Terry Mann, 3307 W. Lone Mountain Road, North Las Vegas, Nevada (no zip code stated)

Mr. Mann stated he concurs with the comments made by the previous speakers.

- ▶ Sherry Messer, 3330 Wedo Way, North Las Vegas, Nevada 89031

Ms. Messer stated she is against this change as she feels it will reduce property values.

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

Mr. Miller stated he opposes this item as he would prefer to see the area remain as it is currently.

- ▶ Steve Werk, 3390 W. Lone Mountain Road, North Las Vegas, Nevada (no zip code stated)

Mr. Werk stated he opposes this item as he feels it will have a negative impact on the neighborhood and property values.

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

Mrs. Gomez stated she has lived in this area for quite some time and does not wish to see it change.

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

Mr. Gomez stated he agrees with the comments made by the others speakers.

Chairman Leavitt closed the Public Hearing.

Commissioner Nelson Stone MOVED and Chairman Dean LEavitt SECONDED to APPROVE VAC-03-04 per staff's recommendations.

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

The item was APPROVED.

Items #44 AMP-19-04, #45 ZN-03-04, #46 VAC-03-04 and #47 T-1050 are related.

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

47) 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. Any street in excess of five hundred (500) feet must have at least twenty-five (25) feet of lateral deviation from a straight course or incorporate some other type of traffic calming device such as traffic circles.
23. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

The application was presented by Marc Jordan, 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.

Commissioner Nelson Stone MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to DENY T-1050 per staff's recommendations.

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

The item was DENIED.

48) AMP-12-04 (13735) CENTENNIAL APARTMENTS (Public Hearing)

An application submitted by Ovation Development on behalf of Ovation-A G T J V, LLC, property owner, for an amendment to the Master Plan of Streets and Highways to reduce McCarran Street between Centennial Parkway and Azure Avenue from a 60 foot right-of-way to a 41 foot right-of-way. The Assessor's Parcel Number is 124-25-102-001.

This item was continued from the February 11, 2004 and March 10, 2004 Planning Commission meetings at the request of the applicant.

As none of the pertinent information concerning this application has changed, staff is still recommending denial of the amendment to the Master Plan of Streets and Highways.

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

The item was WITHDRAWN.

Items #49 VN-08-04, #50 SPR-14-04 and #51 VN-09-04 are related.

49) 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 and March 24th Planning Commission meetings.

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

RECOMMENDATION:

The Planning and Zoning Department recommends that VN-08-04 be continued indefinitely to allow the applicant time to address the concerns raised by the Department of Public Works.

If, however, the Planning Commission determines that a favorable action is warranted at this time, then the following conditions are recommended and that this item be 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, if SPR-14-04 is approved, this development shall comply with all applicable conditions thereof; and
4. Applicant to demonstrate how they intend to resolve the issue of a building encroaching into the public right-of-way.
5. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
6. The property owner is required to grant a roadway easement for commercial driveway(s) prior to civil improvement plan approval.
7. Accurately depict the property lines; the sidewalk and property line are several feet apart along Las Vegas Boulevard North. Landscaping requirements must be met within private lands.
8. 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.
9. Dedication of the following right-of-way is required:
 - a. 15' radius at Carroll Street and Carey Avenue
10. A vacation is required for the unimproved portion of Carroll Street and plans are required to be

labeled with area to be vacated.

11. The property owner is required to sign a restrictive covenant for utilities prior to civil improvement plan approval.
12. Any proposed driveway access to Carroll Street shall conform with Clark County Area Uniform Standard Drawing numbers 222A and 225. The actual driveway location is subject to review and approval of the City Traffic Engineer.
13. Provide document information on the plans for the Nevada Power Company easement and show the pole locations.
14. 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 prior to submittal of the civil improvement plans; and
15. Along the North Las Vegas Boulevard frontage of the property and the first 240 feet from Las Vegas Boulevard along Carey Avenue, the installation of Phoenix Dactylifera (Date Palms) or Phoenix Canariensis (Canary Island Date Palms) with a minimum height of 10 - 12 brown-trunk-feet. The Palm trees shall be spaced a maximum of every 30 foot on center along the site; and
16. That a more dense (more closely spaced and/or more mature) landscaping treatment along the Las Vegas Boulevard, Carroll Street and Carey Avenue perimeters of the property be installed, subject to review and approval by Redevelopment staff; and
17. 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
18. 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
19. That all new construction recognize a minimum setback of ten feet (10.00') from the Carroll Street and Carey Avenue rights-of-way; and
20. That a minimum fifteen feet (15.00') of landscaping be provided along the Las Vegas Boulevard right-of-way and that a minimum ten feet (10.00') of landscaping be provided along the Carey Avenue and Carroll Street rights-of-way; and
21. That, unless specified herein, all landscaping and signage be brought into compliance with current ordinance requirements.

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

Tim Ayala, 4600 Sunset Road, Suite 148, Henderson, Nevada 89014 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Harry Shull SECONDED to APPROVE VN-08-04 per staff's recommendations subject to the following change:

Condition #4 Changed to Read: "that the applicant shall remove the building encroachment from the public right-of-way."

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #49 VN-08-04, #50 SPR-14-04 and #51 VN-09-04 are related.

50) 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 and March 24th Planning Commission meetings.

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

RECOMMENDATION:

The Planning and Zoning Department recommends that SPR-14-04 be continued indefinitely to allow the applicant time to address the concerns raised by the Department of Public Works.

If, however, the Planning Commission determines that a favorable action is warranted at this time, then the following conditions are recommended and that this item be 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, if VN-08-04 is approved, this development shall comply with all applicable conditions thereof; and
4. Applicant to demonstrate how they intend to resolve the issue of a building encroaching into the public right-of-way.
5. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*.
6. The property owner is required to grant a roadway easement for commercial driveway(s) prior to civil improvement plan approval.
7. Accurately depict the property lines; the sidewalk and property line are several feet apart along Las Vegas Boulevard North. Landscaping requirements must be met within private lands.
8. 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.
9. Dedication of the following right-of-way is required:
 - a. 15' radius at Carroll Street and Carey Avenue

10. A vacation is required for the unimproved portion of Carroll Street and plans are required to be labeled with area to be vacated.
11. The property owner is required to sign a restrictive covenant for utilities prior to civil improvement plan approval.
12. Any proposed driveway access to Carroll Street shall conform with Clark County Area Uniform Standard Drawing numbers 222A and 225. The actual driveway location is subject to review and approval of the City Traffic Engineer.
13. Provide document information on the plans for the Nevada Power Company easement and show the pole locations.
14. 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 prior to submittal of the civil improvement plans; and
15. Along the North Las Vegas Boulevard frontage of the property and the first 240 feet from Las Vegas Boulevard along Carey Avenue, the installation of Phoenix Dactylifera (Date Palms) or Phoenix Canariensis (Canary Island Date Palms) with a minimum height of 10 - 12 brown-trunk-feet. The Palm trees shall be spaced a maximum of every 30 foot on center along the site; and
16. That, if VN-08-04 is approved, a more dense (more closely spaced and/or more mature) landscaping treatment along the Las Vegas Boulevard, Carroll Street and Carey Avenue perimeters of the property be installed, subject to review and approval by Redevelopment staff; and
17. 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
18. 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
19. That a minimum fifteen feet (15.00') of landscaping be provided along the Las Vegas Boulevard right-of-way and that a minimum ten feet (10.00') of landscaping be provided along the Carey Avenue and Carroll Street rights-of-way; and
20. 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
21. That parking lot and foundation landscaping be provided for all interior portions of the proposed new development, as indicated on the revised site plan. All other required parking lot and foundation landscaping shall be considered waived.
22. That, unless specified herein, all landscaping and signage be brought into compliance with current ordinance requirements.

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

Tim Ayala, 4600 Sunset Road, Suite 148, Henderson, Nevada 89014 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Chairman Dean Leavitt SECONDED to APPROVE SPR-14-04 per staff's recommendations subject to the following change:

Condition #4 Changed to Read: "that the applicant shall remove the building encroachment from the public right-of-way."

The motion carried by UNANIMOUS vote.

The item was APPROVED.

THIS ITEM WAS HEARD FOLLOWING ITEM #34 UN-28-02.

Items #49 VN-08-04, #50 SPR-14-04 and #51 VN-09-04 are related.

51) VN-09-04 (14083) TIM C. AYALA (Public Hearing)

An application submitted by TC Ayala Planning on behalf of George Tobar, property owner, for a variance in an R-1 Single-Family Residential District to allow a 6 foot side setback where 50 feet is required for a church. The property is located at 3720 Haddock Avenue. The Assessor's Parcel Number is 139-13-801-001.

This item was continued from the March 10, 2004 to allow the applicant time to file a use permit for the expansion to the existing church.

Because the applicant has not demonstrated that he can meet the parking requirements for the expansion (UN-30-04) nor provided the correct site plan, the Planning and Zoning Department has no choice but to recommend denial of the use permit application.

If the use permit application is denied, the variance for the setback requirements will not be necessary.

RECOMMENDATION:

The Planning and Zoning Department recommends **denial** of the variance request, VN-09-04.

If, however, the Planning Commission were to determine that approval is warranted at this time, staff 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. The applicant must apply for and receive approval of a use permit for the church expansion and must comply with all conditions associated with a use permit.
3. A revocable encroachment permit for the landscaping in the public right-of-way is required to be obtained prior to civil improvement plan approval.

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

Tim Ayala, 4600 Sunset Road, Suite 148, Henderson, Nevada 89014 appeared on behalf of the applicant and stated he would agree to this item being continued indefinitely.

Commissioner Jay Aston MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to CONTINUE VN-09-04 INDEFINITELY.

The motion carried by UNANIMOUS vote.

The item was CONTINUED INDEFINITELY.

ITEM #35 UN-30-04 WAS HEARD NEXT.

52) 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.

This item was continued from the March 24, 2004, Planning Commission meeting at the request of the applicant.

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 Departmentst of Public Works and Planning & Zoning prior to submittal of the final map.

Dean Rasmussen, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 appeared on behalf of the applicant and requested this item be continued to the 4/28/04 Planning Commission meeting.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jay Aston SECONDED to CONTINUE T-1071 to the 4/28/04 Planning Commission meeting.

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

The item was CONTINUED to 4/28/04.

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: 11:45 PM

A motion to ADJOURN the April 14, 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