

**MINUTES
CITY OF NORTH LAS VEGAS
PLANNING COMMISSION**

February 24, 2010

BRIEFING: 5:30 P.M., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

CALL TO ORDER: 6:03 P.M., Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive

WELCOME: Chairman Dean Leavitt

ROLL CALL: Chairman Dean Leavitt - Present
Vice-Chairman Steve Brown - Present
Commissioner Jay Aston - Present
Commissioner Jo Cato - Present
Commissioner Dilip Trivedi - Present
Commissioner Laura Perkins - Absent
Commissioner Joseph DePhillips - Present

STAFF PRESENT: Frank Fiori, P & Z Director
Marc Jordan, Planning Manager
Robert Eastman, Principal Planner
Bethany Sanchez, Deputy City Attorney II
Lorena Candelario, PW Real Property Mgmt.
Clete Kus, PW, Transportation Planner
Mike Steele, Fire Department
Jose Rodriguez, Police Department

Doug Bergstrom, Utilities
Jo Ann Lawrence, Recording Secretary

VERIFICATION: Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE: Commissioner Jay Aston

PUBLIC FORUM

- **Scott Sauer (no address stated)** informed the Commission it was made publicly known at the Mayor's Town Hall meeting that his employer would be providing the electrical engineering for the Northern Star Safety Village at no cost.

Item No. 1 was heard next.

MINUTES

- **APPROVAL OF THE MINUTES FOR THE PLANNING COMMISSION MEETING OF JANUARY 27, 2010.**

ACTION: APPROVED

MOTION: Commissioner Trivedi

SECOND: Commissioner Cato

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi and DePhillips

NAYS: None

ABSTAIN: None

Item No. 2 was heard next.

NEW BUSINESS

1. **AMP-01-10 (40436) CNLV ANNEXATION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS ON BEHALF OF APEX HOLDING COMPANY, LLC AND U.S.A., KAPEX, LLC, THE MELDRUM FAMILY TRUST, JAFAR & SEYED HAJAR YASSAI, THE MENDENHALL FAMILY TRUST, APEX 27.07 LLC & B.E.T.F.H.H.G.P., P.T. CORPORATION, THE DAYLEY FAMILY TRUST, APEX 106 LLC, LAS VEGAS PAVING CORPORATION, NORTH INDUSTRIAL IX LLC, APEX PROPERTIES LLC, DUE NASI LLC, COURY HUGHES APEX LLC, AND APEX 35 LLC, APEX 53.03 LLC, 5 ALIVE LLC, DOUGLAS R. & DAWN MARIE SINCLAIR, LYNN LOUIS & CYNTHIA A. HUTCHINS, OTH-2003 APEX INDUSTRIAL #28, OTH-2003 APEX INDUSTRIAL #29, NORNIKRAP APEX TRUST, THE GORDON O. SCHETTLER FAMILY TRUST, 450 H LLC, ALBERT C. ALVEY & ROCHELLE D. ALVEY, STERLING TRUST COMPANY C/FBO PAUL ROBERT BARLOW IRA, GORDON C. OLSEN, KIM C. MOORE, AND DON W. MAYHUE, JR. & JANET E. MAYHUE, CO-TRUSTEES U.T.D. AND THE BORETA VASO 2000 TRUST, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO ADD ANNEXED PARCELS TO THE LAND USE PLAN WITH A LAND USE DESIGNATION OF HEAVY INDUSTRIAL. THE PROPERTY IS LOCATED NORTH OF GRAND TETON STREET AND WEST OF I-15.**

THE ASSESSOR'S PARCEL NUMBERS ARE 084-32-010-003; 084-32-010-005 THRU 084-32-010-013; 084-33-010-003; 084-33-010-006; 084-33-010-008 THRU 084-33-010-012; 084-33-010-015 THRU 084-33-010-017; 103-03-010-003; 103-03-010-005; 103-03-010-006; 103-04-010-010 THRU 103-04-010-016; 103-04-010-018; 103-04-010-019; 103-04-010-018; 103-04-010-019; 103-04-010-021; 103-04-010-022; 103-05-010-003 THRU 103-05-010-007; 103-08-510-001; 103-08-510-003 THRU 103-08-510-007; 103-08-510-009; 103-08-510-010; 103-08-610-002; 103-08-610-003; 103-09-101-001; 103-10-000-004; 103-10-010-003; 103-10-010-005; 103-10-010-010 THRU 103-10-010-015; 103-10-010-017; 103-10-010-019; 103-10-010-026; 103-11-010-005 THRU 103-11-010-012; 103-11-010-014; 103-13-000-010; 103-13-010-015; 103-14-000-004; 103-010-003; 103-14-010-006; 103-14-010-011 THRU 103-14-010-014; 103-14-010-016; 103-15-000-002; 103-15-010-002; 103-15-010-003; 103-16-000-004; 103-16-010-005; 103-16-010-006; 103-21-000-004; 103-21-010-006; 103-21-011-001; 103-22-000-005; 103-22-000-006; 103-27-000-003; 103-27-000-007; 103-27-000-008; 103-27-010-017; 103-28-000-002; 103-28-000-003; 103-28-010-001; 103-28-010-002; 103-29-000-007 THRU 103-29-000-009; 103-29-010-001; 103-32-000-002; 103-32-010-003 THRU 103-32-010-005; 103-33-000-002; 103-33-010-003; 103-34-000-004; 103-34-010-015; 103-34-010-018; 122-02-000-002; 122-02-010-004 THRU 122-02-010-008; 122-02-010-010 THRU 122-02-010-012; 122-02-010-016; 122-02-010-017; 122-03-000-009;

122-03-000-015 THRU 122-03-000-019; 122-04-000-005; 122-04-000-009; 122-04-000-010; 122-04-010-004; 122-05-000-002; 122-05-000-003; 122-06-010-002; 122-07-000-002; 122-07-010-003; 122-08-000-003; 122-08-010-002; 122-08-010-003; 122-09-101-001; 122-09-210-002; AND 122-09-401-001.

It was requested by Staff to continue AMP-01-10 to March 10, 2010.

Chairman Dean Leavitt opened the Public Hearing. There was no public participation.

Chairman Leavitt indicated the Public Hearing would remain open.

ACTION: CONTINUED TO MARCH 10, 2010

MOTION: Commissioner Aston

SECOND: Vice-Chairman Brown

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato,
Trivedi and DePhillips

NAYS: None

ABSTAIN: None

Approval of Minutes was heard next.

2. **AMP-02-10 (40470) CNLV ANNEXATION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS ON BEHALF OF FLAMINGO PARADISE PARTNERS LLC, LILL WILLIAMS HOLDINGS LP, STATE OF NEVADA, HEIDISUE LLC, AML INVESTMENT I LLC, SOUTHERN NEVADA OPERATING ENGINEERS JATC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO ADD ANNEXED PARCELS TO THE LAND USE PLAN WITH A LAND USE DESIGNATION OF HEAVY INDUSTRIAL. THE PROPERTIES ARE LOCATED AT THE SOUTHWEST CORNER OF HOLLYWOOD BOULEVARD AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBERS ARE 123-33-501-002; 123-34-101-002; 123-34-101-005; 123-34-101-012; 123-34-101-013; AND 123-34-501-001.**

The application was presented by Marc Jordan, Planning Manager who explained part of the annexation process was to assign property the equivalent zoning and once the property was annexed it was shown on the zoning map; however, a process was not in place to give the parcels a land use designation and show it on the Comprehensive Plan, so the applications were being brought forward to show the parcels on the Comprehensive Plan.

Chairman Dean Leavitt opened the Public Hearing. There was no public participation.

Chairman Leavitt closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Vice-Chairman Brown

SECOND: Commissioner Trivedi

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi and DePhillips

NAYS: None

ABSTAIN: None

3. **AMP-03-10 (40471) CNLV ANNEXATION (PUBLIC HEARING). AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS ON BEHALF OF VERONICA TOPACHIKYAN, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO ADD AN ANNEXED PARCEL TO THE LAND USE PLAN WITH A LAND USE DESIGNATION OF HEAVY INDUSTRIAL. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF SMILEY ROAD AND NOVAK STREET. THE ASSESSOR'S PARCEL NUMBER IS 123-32-301-005.**

The application was presented by Marc Jordan, Planning Manager who explained with this application approximately one-half acre would be added to the Master Plan with the land use designation of Heavy Industrial.

Chairman Dean Leavitt opened the Public Hearing. There was no public participation.

Chairman Leavitt closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Vice-Chairman Brown

SECOND: Commissioner Trivedi

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi and DePhillips

NAYS: None

ABSTAIN: None

4. **UN-13-10 (40413) PYRITZ STORAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY AUGUST SANTORE ON BEHALF OF TRUMAN FAMILY LP AND LAS VEGAS PAVING CORPORATION, PROPERTY OWNERS, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW HAZARDOUS MATERIALS (PYROTECHNICS AND FIREWORKS STORAGE). THE PROPERTY IS LOCATED AT 4910 DONOVAN WAY. THE ASSESSOR'S PARCEL NUMBERS ARE 123-31-302-001, 123-31-302-002, 123-31-402-001 AND 123-31-402-002.**

The application was presented by Marc Jordan, Planning Manager who explained the applicant indicated the storage of the materials would be in two metal buildings approximately 20 by 40 feet in length located in the middle of an existing storage yard approximately 300 feet from the property line to the north, 568 feet from the property line to the west, which was Donovan Way and 700 feet from the property line near I-15. The Fire Department had no objection to the application; therefore, Staff was recommending approval of UN-13-10 with 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 special use permit is site specific and non-transferable.

Mr. Jordan also stated there was a letter from Robert and Joan Jeanette, whose property was located to the northwest in the area zoned PUD or R-1 in the residential area north of Washburn Avenue, indicating they were opposed to the application.

Terry Ritz, Manager of Pyritz, 4224 Arcata Way, North Las Vegas NV appeared on behalf of the applicant indicating he concurred with Staff recommendation.

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

- **Donald Denman, 4880 Donovan Way, North Las Vegas, NV 89081** indicated he had the yard next to the site for the proposed storage and was opposed to the application due to Pan Western's past record, pointing out there had been four or five fires at their location in the past eight to ten years and was concerned with the addition of fireworks storage at that location.

Chairman Leavitt closed the Public Hearing.

Mr. Ritz explained he had done indoor and outdoor pyrotechnics for 32 years and was currently storing at the dry lake in two magazines and was required to abide by ATF and Fire Department regulations and added inspections were performed by OSHA once a year and by the ATF twice a year.

Commissioner Dilip Trivedi asked the applicant what would happen if there was a fire.

Mr. Ritz responded they used to store their indoor product in a multi-tenant structure in Las Vegas at Pecos and Sunrise. They had a fire which was started from a battery charger and took out the top of the building and none of his product exploded. He explained the magazines were lined and locked shut and Pyritz was the only persons who had access.

Commissioner Trivedi asked if there were sprinkler requirements.

Mr. Ritz responded there were not.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Vice-Chairman Brown

SECOND: Commissioner Trivedi

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi and DePhillips

NAYS: None

ABSTAIN: None

5. UN-14-10 (40425) IHADF FACILITY (PUBLIC HEARING). AN APPLICATION SUBMITTED BY TEXAS STATION, LLC ON BEHALF OF TEXAS GAMBLING HALL & HOTEL, INC., PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW SEVEN (7) TEMPORARY BUILDINGS FOR A COMMUNITY AND LEARNING CENTER. THE PROPERTY IS LOCATED AT 2101 TEXAS STAR LANE. THE ASSESSOR'S PARCEL NUMBER IS 139-19-602-001.

The application was presented by Marc Jordan, Planning Manager who explained the same use permit was reviewed by the Commission in 2004, which was approved for one year. The applicant indicated the use was for the I Have a Dream Foundation (IHADF), which takes youth through a mentoring and tutoring program to prepare them for college. The applicant had continued the use and it was recently brought to the City's attention that the buildings were being used without a permit and the applicant was informed to either remove the buildings or apply for a new use permit. The applicant indicated the buildings were needed for approximately 1 ½ years to July, 2011. One of the Title 17 requirements for temporary buildings, specifically stated that a special use for a temporary building may only be approved if construction or remodeling of a permanent facility to replace it was eminent; however, there were no requests on file for remodeling or construction of a new facility, so Staff was recommending denial of UN-14-10. Should the Commission determine approval was warranted, the following conditions were recommended:

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 a maximum seven (7) trailers be permitted; and
3. That the temporary trailers shall be located as indicated on the site plan; and
4. That each trailer shall not be larger than 12' X 60'; and
5. That the facility shall be ADA-compliant; and
6. That the trailers be removed within seven (7) calendar days of the issuance of a Certificate of Occupancy for the permanent facility, or by February 24, 2011, whichever is sooner.

Matt Heinhold, Vice-president and Corporate Counsel for Station Casinos, 1505 South Pavilion Center Drive, Las Vegas, NV 89135 and Kevin Stalworthy, co-founder of I have a Dream Foundation, 1009 Sage Walk Way, North Las Vegas, NV appeared on behalf of the applicant. Mr. Stalworthy gave the Commission some history on IHADF and the purpose of their project.

Mr. Heinhold stated a new building was not being constructed because in July, 2011, the foundation's project would be completed and asked that they be allowed to use the trailers until their program was completed. He understood the permit, if approved, would be for one year and at that time they would apply for an extension.

Chairman Dean Leavitt opened the Public Hearing. There was no public participation.

Chairman Leavitt closed the Public Hearing.

Vice-Chairman Steve Brown asked if the program would be moved to another location in July, 2011.

Mr. Stalworthy responded they had made a 15 year commitment and their part would be finished in July, 2011 and they would probably continue to fund the scholarships and have Board meetings from another location. They were looking for sponsors for a new class and if that were to happen, they would secure a permanent facility.

Mr. Heinhold added after the current class was completed, the trailers would be disassembled and removed from the property and added the facility had never had water and sewer and asked if the buildings could remain as they were, explaining they currently used porta potties with hand washing stations, which were serviced on a monthly basis.

Commissioner Brown was in support of the application as the benefit to the community outweighed any detriment.

Commissioner Jo Cato was in support of the application and thanked Mr. Stalworthy and Station Casinos for their efforts.

Commissioner Jay Aston asked Staff if the application could be approved through July, 2011.

It was stated the application could only be approved for one year and the applicant would need to apply for an extension.

Chairman Dean Leavitt was in support of the application and thanked the applicant for their service to the community.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Vice-Chairman Brown

SECOND: Commissioner DePhillips

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi and DePhillips

NAYS: None

ABSTAIN: None

6. **AMP-04-10 (40480) VISTA CIELO VILLAGE 1 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HARMONY HOMES ON BEHALF OF HARMONY 461, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF SINGLE-FAMILY MEDIUM (6.01 DU/ACRE; UP TO 13 DU/ACRE) TO SINGLE-FAMILY LOW (4.5 DU/ACRE; UP TO 6 DU/ACRE). THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-812-003 THRU 124-26-812-005 AND 124-26-815-001 THRU 124-26-815-103.**

Item Nos 6 and 7 were presented together.

The application was presented by Robert Eastman, Principal Planner who explained the development was part of a larger 100 acre planned unit development that contained six villages. The applicant was proposing to remove one of the villages and convert it into single family homes with a density of approximately 4.6 dwelling units/acre. The lots would be R-1 compliant with a minimum lot size of 6,000 square feet and there would be approximately 79 lots, which would be on the tentative map, T-1337, Item No. 8 on this agenda. The proposed development was in compliance with the Comprehensive Plan, and the neighboring developments were single family homes, both at the low density and the medium density level; therefore, Staff was recommending both AMP-04-10 and ZN-02-10 be approved and forwarded to City Council for final consideration.

Tracy Stratton of Slater Hanifan Group, 5740 South Arville, Suite 216, Las Vegas, NV 89118 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Chairman Dean Leavitt opened the Public Hearing. There was no public participation.

Chairman Leavitt closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Vice-Chairman Brown

SECOND: Commissioner Trivedi

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi and DePhillips

NAYS: None

ABSTAIN: None

7. **ZN-02-10 (40370) VISTA CIELO VILLAGE 1 (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HARMONY HOMES ON BEHALF OF HARMONY 461, LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTIES FROM PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT. THE PROPERTIES ARE LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-812-003 THRU 124-26-812-005 AND 124-26-815-001 THRU 124-26-815-103.**

Item Nos 6 and 7 were presented together.

The application was presented by Robert Eastman, Principal Planner who explained the development was part of a larger 100 acre planned unit development that contained six villages. The applicant was proposing to remove one of the villages and convert it into single family homes with a density of approximately 4.6 dwelling units/acre. The lots would be R-1 compliant with a minimum lot size of 6,000 square feet and there would be approximately 79 lots, which would be on the tentative map, T-1337, Item No. 8 on this agenda. The proposed development was in compliance with the Comprehensive Plan, and the neighboring developments were single family homes, both at the low density and the medium density level; therefore, Staff was recommending both AMP-04-10 and ZN-02-10 be approved and forwarded to City Council for final consideration.

Tracy Stratton of Slater Hanifan Group, 5740 South Arville, Suite 216, Las Vegas, NV 89118 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Chairman Dean Leavitt opened the Public Hearing. There was no public participation.

Chairman Leavitt closed the Public Hearing.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Vice-Chairman Brown

SECOND: Commissioner Trivedi

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi and DePhillips

NAYS: None

ABSTAIN: None

8. **T-1337 (40369) VISTA CIELO VILLAGE 1. AN APPLICATION SUBMITTED BY HARMONY HOMES ON BEHALF OF HARMONY 461, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (PROPOSED R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT) CONSISTING OF 79 SINGLE-FAMILY LOTS. THE PROPERTIES ARE LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-812-003 THRU 124-26-812-005 AND 124-26-815-001 THRU 124-26-815-103.**

The application was presented by Robert Eastman, Principal Planner who explained the overall density would be 4.65 dwelling units/acre and was in general compliance with the R-1 single-family zoning criteria. Staff previously recommended the application be continued to allow the applicant time to address some concerns; but, the applicant submitted a revised tentative map with a different lot layout and was now in compliance; therefore, Staff was recommending approval of T-1337 with the conditions listed in the revised memorandum dated February 24, 2010 with the following changes: The deletion of Condition Nos. 7, 8, 9, 10, 12, 13, 15, 16, 17, 27, 35, 36, 38, 40, and 41; Condition No. 20 amended to read: "All known geologic hazards shall be shown on 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. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure;" Condition No. 32 would be amended to read: "The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards and must be approved by the City of Las Vegas Central Fire Alarm Office." The original conditions listed in the revised memorandum dated February 24, 2010 are as follows:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. This development must comply with the Single Family Design Standards, including, but not limited to providing 10 feet of landscaping (which may include a sidewalk) adjacent to all interior streets.
3. A detailed landscape plan showing perimeter, common and open space landscape areas must be submitted to the staff for review and approval.
4. An eight (8) foot wide meandering sidewalk must be provided along the frontage of Lawrence Street and Ann Road.

5. The prospective homeowners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm.
6. No more than twenty three (23) lots or dwellings within the subdivision must have reduced front yard setbacks (15 feet) for side loaded garages. No more than two (2) dwellings with side loaded garages can be located next to each other or across from one another.
7. Five (5) copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review and approval to the Department of Public Works prior to submittal of the final map and civil improvement plans.
8. Appropriate subdivision and /or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the *City of North Las Vegas Municipal Code*, and associated Master Plans in effect at the time of subdivision and / or parcel map approval. Conformance may require modifications to the site.
9. All mapping shall be in compliance with Codes and Ordinances in effect at the time of building permit issuance.
10. This application shall comply with Title 16 of the *City of North Las Vegas Municipal Code* and NRS 278.
11. Side lot easements must conform to *City of North Las Vegas Municipal Code* 17.24.210.D.4a.
12. No driveway shall be located within six (6') feet of a curb return, light pole, fire hydrant or other utility features. Compliance may require modifications to the site resulting in fewer lots.
13. Proposed residential driveway slopes shall not exceed twelve percent (12%).
14. Prior to submittal of the civil improvement plans for review, the property owner(s) shall apply for a Vacation of all easement(s) previously granted to the City of North Las Vegas over the existing common areas that are to become single family residential lots. Additionally, the developer shall provide documentation that the entities named in the "Owner's Certificate and Dedication" of the "Final Map of "Ann / Losee Village 1" have also relinquished their easements.
15. Documentation of the relinquished easements must be provided and the vacation must be recorded prior to approval of the final map associated with this application. Should the Order of Vacation not record within one year of the Planning Commission approval date, the vacation shall be deemed null and void.

16. The property owner is required to sign a restrictive covenant for utilities.
17. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222. Consequently, all proposed lots shall meet the minimum standard lot width of thirty (30) feet. Conformance may require modifications to the site.
18. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10') beyond the project boundary.
19. Remove the street section thickness from the typical sections. The pavement sections will be determined by the Department of Public Works.
20. All known geologic hazards shall be shown on the preliminary development plan, 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. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.
21. Approval of a drainage study update is required prior to submittal of the civil improvement plans.
22. Clark County Regional Flood Control District (CCRFCD) concurrence is required prior to approval of the civil improvement plans.
23. The size and location of any drainage facilities and/or easements shown are contingent upon review and approval of a Technical Drainage Study.
24. Improvements on Ann Road including, but not limited to curb, gutter, sidewalk, street lights, median, median landscaping, schedule 40 PVC fiber optic conduit and CCRFCD facility along the frontage of the site per the Ann Losee Perimeter Streets Phase II improvement plans must be completed prior to final inspection of the first structure.
25. The applicant shall submit a traffic study update for review and approval prior to submittal of the civil improvement plans.
26. The civil improvement plans must include traffic calming measures and are subject to the approval of the City Traffic Engineer.

27. Entry locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in the *City of North Las Vegas Municipal Code*.
28. Construction of the following streets and/or half streets is required per the Master Plan of Streets and Highways and *City of North Las Vegas Municipal Code* section 15.24.200B:
 - A. Lawrence Street.
29. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
30. Sixty (60) foot minor residential collector streets shall be designed and constructed per the *City of North Las Vegas 60' Standard Street Section with Offset Sidewalk*.
31. 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.
32. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards and must be approved by the City of Las Vegas Central Fire Alarm Office. Since a conformed tentative map is required, the approved street names shall be shown on the map prior to final signatures.
33. A revocable encroachment permit for landscaping within the public right of way is required.
34. All common elements shall be labeled and are to be maintained by the Home Owners Association.
35. All lots shall comply with the City of North Las Vegas Municipal Code section 16.20.02.B which states: "The side lines of lots shall be approximately at right angles to the street upon which the lot faces, or approximately radial if the street is curved." Compliance may require modifications to the layout.
36. The minimum width of public sidewalks within a sixty (60') foot right-of-way is five (5) feet.
37. The owner is required to grant a pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way.

38. The developer is responsible for the acquisition of public utility easements needed for any off-site utilities.
39. The modified stub street, which features a minimum back of curb radius of 24 feet, is limited to a maximum lot frontage of four and a maximum length of 150 feet, as measured from the back of curb of the intersecting street to the back of curb at the furthest point of the cul-de-sac. Any cul-de-sac exceeding these standards shall provide a standard cul-de-sac design.
40. In order to alleviate sawtooth pavement conditions in otherwise completely improved corridors, the developer may be required to construct additional street improvements, as determined by the Director of Public Works or his/her designee.
41. Acceptance of this Tentative Map shall not be construed to be approval of any flood control/storm drain facilities shown; approval of any drainage concepts or facilities are contingent upon the approval of a Technical Drainage Study.
42. Fire access lanes less than 40' in width (41' back of curb to back of curb) must be marked in accordance with the fire code to prohibit parking.
43. Cul-de-sacs required to be used by an emergency vehicle to turn around must be marked in accordance with the fire code to prohibit parking unless the cul-de-sac exceeds 139' in diameter.

Tracy Stratton of Slater Hanifan Group, 5740 South Arville, Suite 216, Las Vegas, NV 89118 appeared on behalf of the applicant explaining the new tentative map was a lower density than what was previously approved as the applicant asked for a larger product, 60 X 100 foot minimum lots. He questioned Condition No. 4, explaining on the west side of the property along Lawrence Street and the south side along Ann Road, there was approximately a 30 foot wide open space area with a meandering sidewalk that ran through it, which was approved with the original tentative map and the PUD. They were not requesting to change anything within that strip, but questioned the width of the sidewalk. The applicant believed the original PUD recommended a five foot wide sidewalk and the Staff Report was requiring an eight foot wide sidewalk. He requested that if the sidewalk was five foot elsewhere in the project, they be allowed to continue with the five feet in their portion of the community.

Mr. Eastman suggested amending Condition No. 4 to read: An eight (8) foot wide meandering sidewalk must be provided along the frontage of Lawrence Street and Ann Road, unless as otherwise approved by the Director of Planning Zoning, which would allow Staff time to check if the eight foot sidewalk was in place and if it was, it would be required to remain eight feet.

Mr. Stratton was agreeable to amending Condition No. 4.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS LISTED IN REVISED MEMORANDUM DATED FEBRUARY 24, 2010 WITH THE DELETION OF CONDITION NOS. 7, 8, 9, 10, 12, 13, 15, 16, 17, 27, 35, 36, 38, 40, AND 41, AND CONDITION NOS. 4, 20, AND 32 AMENDED AS FOLLOWS:

4. AN EIGHT (8) FOOT WIDE MEANDERING SIDEWALK MUST BE PROVIDED ALONG THE FRONTAGE OF LAWRENCE STREET AND ANN ROAD; UNLESS AS OTHERWISE APPROVED BY THE DIRECTOR OF PLANNING AND ZONING.
20. ALL KNOWN GEOLOGIC HAZARDS SHALL BE SHOWN ON 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. THE FOOTPRINT OF PROPOSED STRUCTURES SHALL BE PLOTTED ON ALL LOTS IMPACTED BY FAULTS AND/OR FISSURES AND A MINIMUM WIDTH OF FIVE (5) FEET SHALL BE PROVIDED FROM THE EDGE OF ANY PROPOSED STRUCTURE TO THE NEAREST FAULT AND/OR FISSURE.
32. THE STREET NAMES SHALL BE IN ACCORDANCE WITH THE NORTH LAS VEGAS STREET NAMING AND ADDRESS ASSIGNMENT STANDARDS AND MUST BE APPROVED BY THE CITY OF LAS VEGAS CENTRAL FIRE ALARM OFFICE.

MOTION: Vice-Chairman Brown

SECOND: Commissioner Trivedi

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi and DePhillips

NAYS: None

ABSTAIN: None

9. **ZN-98-04 (40368) ANN-LOSEE PUD AMENDMENT (PUBLIC HEARING). AN APPLICATION SUBMITTED BY HARMONY HOMES ON BEHALF OF HARMONY 461, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO REMOVE VILLAGE 1 CONSISTING OF 98 LOTS FROM THE DEVELOPMENT. THE PROPERTIES ARE LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND LAWRENCE STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-26-812-003 THRU 124-26-812-010, 124-26-813-001 THRU 124-26-813-006, 124-26-814-001 THRU 124-26-814-066, 124-26-815-001 THRU 124-26-815-103, 124-35-510-003 THRU 124-35-510-006, 124-35-511-001 THRU 124-35-511-020, 124-35-511-024 THRU 124-35-511-031, 124-35-511-036 THRU 124-35-511-041, 124-35-511-044 THRU 124-35-511-046, 124-35-512-001 THRU 124-35-512-066, 124-35-513-001 THRU 124-35-513-099, 124-35-514-001 THRU 124-35-514-009, 124-35-612-003 THRU 124-35-612-005, 124-35-613-001 THRU 124-35-613-048, 124-35-614-001 THRU 124-35-614-118, 124-35-614-125, 124-35-614-127 THRU 124-35-614-138, AND 124-35-616-001.**

The application was presented by Robert Eastman, Principal Planner who explained the overall PUD was originally 103 acres. Staff was recommending approval, but with the approval the applicant was going to remove one village and was requesting to remove the required amenities that included a park area and swimming pool, which was originally planned for Village 1 and because it was an R-1 subdivision, those amenities were not required, but the remaining PUD would still need to meet open space requirements for a PUD and for the Small Lot Design Standards, which it did; therefore, Staff was recommending approval of ZN-98-04 with the amendments requested by the applicant and the revised conditions listed in the Staff Report as follows:

All Villages:

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 no more than 433 lots be permitted for this development.
3. That the homeowners' association shall maintain all front yard areas in Village 6. All sidewalks and landscape parkways in all villages shall be maintained by the home owners' association.
4. That all open space shall be provided in accordance with the Small-Lot Development Design Guidelines (§17.24.215) and the Planned Unit Development District requirements (§17.20.160.B.13), except the development shall not be required to provide a centralized park containing 50% of the required open space.

Open space areas shall be clearly defined and approved as part of the Final Development Plan. If necessary, revisions shall be required to satisfy the minimum open space requirements.

5. That the following list be established as the minimum open space and recreational amenities:
 - a. Circuitous lighted paths
 - b. A minimum of 20 24-inch box trees per acre
 - c. At least 5 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface (ref: ASTM Playground Equipment for Public Use, sec. 6.2-6.3), and accompanying shade ramadas with picnic tables and grills; play structures are to be sited in at least five locations
 - d. At least one large open space area for group / organized play
 - e. Approximately 5 large (20' x 20') shade shelters in lieu of the 30' gazebo, lighted
 - f. 5 picnic shelters Picnic tables and barbecue grills
 - g. Benches spaced along park pathways
 - h. 2 swimming pools with restroom/cabanas
 - i. One half-court basketball court
 - j. Horseshoe pits
 - k. Game tables
 - l. Bicycle racks
 - m. Pedestrian bridge over channel
 - n. Details of amenities to be provided
6. All Nevada Power Company easements and poles must be shown and shall be fully located within the landscape area. If any poles need to be relocated, it will be at the expense of the developer.
7. All lots, except cluster lots, shall comply with the *City of North Las Vegas Municipal Code* section 16.20.02.B which states: "The side lines of lots shall be approximately at right angles to the street upon which the lot faces, or approximately radial if the street is curved." Compliance may require modifications to the current layout.
8. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222, except cluster lots. Compliance may require modifications to the current layout.
9. The minimum width of public sidewalks within a sixty (60) foot right-of-way is five (5) feet. Revise the sidewalk adjacent to Hammer Lane accordingly.

10. Remove the street section thickness from the typical sections. The pavement sections will be determined by the Department of Public Works.
11. The modified stub street, which features a minimum back of curb radius of 24 feet, is limited to a maximum length of 150 feet and a maximum lot frontage of four. Any cul-de-sac exceeding these standards shall provide a standard cul-de-sac design.
12. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in *Clark County Area Uniform Standard Drawing No. 210*. The use of roll curb will require an additional one foot of right of way.
13. A three-foot (3') landscaped parkway and a three-foot (3') sidewalk shall be provided adjacent to all private interior streets. Within said parkway, a minimum of two 15-gallon trees shall be planted per lot. In addition, to the 15-gallon trees, shrubs shall be planted to provide a minimum of 80% ground coverage (excluding tree canopies and utility boxes) within two years from installation.
14. The prospective homeowners shall sign a written notice declaring knowledge of the existence of R.C. Farms, wherein the housing development may be subject to odors created by the pig farm.
15. All known geologic hazards shall be shown on the preliminary development plan, 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. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.
16. Show the limits of the Federal Emergency Management Agency Special Flood Hazard Area Zone A on the tentative map.
17. The size and location of any drainage facilities and/or easements shown are contingent upon review and approval of a Technical Drainage Study.
18. Approval of a drainage study is required prior to submittal of the civil improvement plans.
19. 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.

20. The property owner is required to grant roadway easements where public and private streets intersect.
21. The property owner is required to grant a pedestrian access easement for sidewalk within any common element.
22. A revocable encroachment permit for landscaping within the public right of way is required.
23. All common elements shall be labeled and are to be maintained by the Home Owners Association.
24. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards and must be approved by the City of Las Vegas Central Fire Alarm Office. If a conformed tentative map is required, the approved street names shall be shown on the map prior to final signatures.
25. Approval of a traffic study is required prior to submittal of the civil improvement plans.
26. A queuing analysis is required as part of the traffic study if access controls are proposed to be employed.
27. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road, Losee Road, and Washburn Road.
28. The southern most access on Losee Road shall align with the existing Shadow Creek entrance.
29. Entry locations are subject to review and approval of by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in North Las Vegas Municipal Code.
30. The developer is responsible for the acquisition of public utility easements needed for any off-site utilities.
31. Streets in excess of five hundred (500) feet shall conform to the minimum curvilinear street requirements as outlined in *North Las Vegas Municipal Code* 16.20.050.
32. That all the open space and amenities shall be installed prior to the completion of each village. The bridge shall be installed with Village 3 or 4, which ever is constructed first and subsequent to the completion of the Upper Las Vegas Wash Channel through this portion of the PUD.

33. 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.
34. A minimum of two means of Fire Department access shall be provided to the development.
35. Fire access lane width shall be marked in accordance with the Fire Code.
36. Type I Lots shall not exceed forty-five percent (45%) of the total gross area and no more than 232 Type I Lots.
37. Villages 3 and 5:
 - a. That the minimum lot size shall be 4,500 square feet.
 - b. Villages shall comply with all R-CL setbacks per Section 17.20.050.
38. Villages 1, 2 and 4:
 - a. That the minimum lot size shall be 3,335 square feet.
 - b. Villages shall comply with all setbacks required in accordance with Type I-A Lots of the Small-Lot Development Design Guidelines with the exception of the corner side yard setback shall be fifteen (15) feet to the second story.
 - c. Provide secondary fire access as approved by the Fire Department.
 - d. All corner and entry lots may have two (2) story houses.
39. Village 6:
 - a. That the minimum lot size shall be 2,700 square feet.
 - b. Village shall comply with all setbacks as shown on Exhibit "A" and "A-1".
 - c. The use of plastic, vinyl, Woodguard style or similar materials shall not be permitted as part, or in whole, for the construction of any perimeter walls, end walls, or common area walls within any development. However, plastic, vinyl, Woodguard style or similar materials for fencing may be used on common property lines or as return walls, such fencing shall comply with Section 17.24.210.F.

- d. That the 24-inch box tree required in each yard will be installed where possible. Due to the lot configurations, some trees may be installed in the side yard instead of the front yard.
- e. That the proposed driveway dimensions may be 25 feet wide in the entry and 29 feet wide in the top of the "T" as indicated on the drawings submitted with the application.
- f. That the proposed driveways consist of cobblestone, pavers or other decorative materials as depicted on the photos submitted.
- g. Village 6 does not have sufficient fire access to the "cluster design" within the community and according to Ordinance will require those homes to have fire sprinklers.
- h. All corner and entry lots may have two (2) story houses.
- i. Floor plans are not required to provide a porch, balcony or courtyard option.

Tracy Stratton of Slater Hanifan Group, 5740 South Arville, Suite 216, Las Vegas, NV 89118 appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Chairman Dean Leavitt opened the Public Hearing. There was no public participation.

Chairman Leavitt closed the Public Hearing.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;
FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Vice-Chairman Brown

SECOND: Commissioner Trivedi

AYES: Chairman Leavitt, Vice-Chairman Brown, Commissioners Aston, Cato, Trivedi and DePhillips

NAYS: None

ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

There was no report given.

CHAIRMAN'S BUSINESS

There was no report given.

ADJOURNMENT

The meeting adjourned at 6:47 p.m.

APPROVED: March 24, 2010

/s/ Dean Leavitt
Dean Leavitt, Chairman

/s/ Jo Ann Lawrence
Jo Ann Lawrence, Recording Secretary