

MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Dean Leavitt, Chairman
Nelson Stone
Jay Aston
Harry Shull

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Marilyn Kirkpatrick, Vice-Chairman
Jo Cato
Steve Brown

Planning Commission MINUTES are available on the internet at:

www.cityofnorthlasvegas.com

March 10, 2004

CALL TO ORDER:

Council Chambers, North Las Vegas City Hall
2200 Civic Center Drive, at 7:00 p.m.

ROLL CALL:

Dean Leavitt - ABSENT
Marilyn Kirkpatrick - Present
Nelson Stone - Present
Jo Cato - Present
Jay Aston - Present
Steve Brown - Present
Harry Shull - Present

STAFF PRESENT:

Jacque Hinchman, Acting Director, Planning and Zoning
Marc Jordan, Acting Planning Manager
Vicki Adams, Planner
Lenny Badger, Public Works
Kevin Futch, Transportation Services
Steven DiGiovanni, Fire Department
Jim Lewis, Deputy City Attorney
Ted Karant, Recording Secretary

ANNOUNCEMENTS:

Verification of compliance with NRS 241, Open Meeting Law.

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

PLEDGE OF ALLEGIANCE

Commissioner Jay Aston

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 February 25, 2004.

Commissioner Nelson Stone MOVED and Commissioner Jo Cato SECONDED to APPROVE the minutes of the February 25 , 2004 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

CONSENT AGENDA

A) PW-49-04 (14384) NVE OFFSITE SEWER, PHASE 2

Accept the Subdivision Off-Site Improvements Agreement by North Valley Enterprises, LLC and accept the Off-Site Improvement Bond in the amount of \$174,240.00.

B) PW-50-04 (14385) PETERSEN WAREHOUSE 1

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Safeco Insurance Company of America to release the Performance Bond in the amount of \$34,431.49.

C) PW-51-04 (14386) ELDORADO NO. 9 R1-60 NO. 7

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Travelers Casualty & Surety Company of America to release the Subdivision Bond in the amount of \$818,149.00.

D) PW-52-04 (14387) ANNENDALE, UNIT 3, PHASE 2

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify American Motorists Insurance Company to release the Subdivision Bond in the amount of \$153,898.58.

E) PW-53-04 (14388) LONE MOUNTAIN & COMMERCE, UNIT 2

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify American Motorists Insurance Company to release the Subdivision Bond in the amount of \$86,114.60.

F) PW-54-04 (14389) LONE MOUNTAIN & COMMERCE, UNIT 1, PHASE 1

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify American Motorists Insurance Company to release the Subdivision Bond in the amount of \$92,638.26.

G) PW-55-04 (14390) LONE MOUNTAIN & COMMERCE, UNIT 1, PHASE 3

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify American Motorists Insurance Company to release the Subdivision Bond in the amount of \$92,638.26.

H) PW-56-04 (14391) CHEYENNE GARDENS, UNIT 2

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Contractors Bonding and Insurance Company to release the Off-Site Improvements Bond in the amount of \$112,249.00.

I) PW-57-04 (14392) COBBLESTONE COVE, UNIT 2

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Safeco Insurance Company of America to release the Performance Bond in the amount of \$266,620.04.

J) PW-58-04 (14393) CRAIG & VALLEY

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 \$30,061.28.

K) PW-59-04 (14394) NVE PARCEL 17

Approve the Subdivision Off-Site Improvements Agreement by Astoria NLV, LLC and accept the Subdivision Bond in the amount of \$1,606,221.98.

L) PW-60-04 (14396) ANNENDALE, UNIT 3, PHASE 1

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify American Motorists Insurance Company to release the Subdivision Bond in the amount of \$121,875.60.

M) PW-61-04 (14398) NVE PARCELS 14 & 18

Approve the Subdivision Off-Site Improvements Agreement by PN II, Inc., and accept the Subdivision Bond in the amount of \$1,113,445.80.

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to APPROVE Consent Agenda Items A through M.

The motion carried by UNANIMOUS vote.

NEW BUSINESS

Items #1 AMP-18-04 and #2 ZN-19-04 are related.

1) AMP-18-04 (14058) CRAIG & LAMB (Public Hearing)

An application submitted by R & S Investments on behalf of Vegas Industrial Development, LLC, property owner, for an Amendment to the Comprehensive Plan, land use element, to change the current designation of Community Commercial and Industrial to High Density Residential. The property is generally located south of Craig Road approximately 380 feet west of Lamb Boulevard. The Assessor's Parcel Numbers are 140-06-611-001, 140-06-714-001, 140-06-601-002 and 140-06-701-014.

RECOMMENDATION:

The Planning and Zoning Department recommends that AMP-18-04 be **denied** as the proposed change does not comply with the guidelines established in the Comprehensive Plan and the application is inappropriate to the area.

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

Acting Chairman Marilyn Kirkpatrick opened the Public Hearing. The following participants came forward:

Tom Winter, 8300 Fairfield, Las Vegas, Nevada (no zip code stated)

Mr. Winter stated he opposes this project as he feels it will not benefit the neighborhood.

Carliss Farrow, 4222 Walnut Family Court, Las Vegas, Nevada 89115

Ms. Farrow stated she recently purchased a home in this area and she understood this area would be single-family homes and residential and she opposes this project.

Matt LaCroix, with the Clark County School District, 4212 Eucalyptus Annex, Las Vegas, Nevada

Mr. LaCroix stated he wished to inform the Planning Commission they will probably begin to receive more response from the School District regarding general plan amendments that deal with industrial to residential development.

Acting Chairman Kirkpatrick closed the Public Hearing.

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

FIRST MOTION:

Commissioner Harry Shull made a MOTION to APPROVE AMP-18-04. There was NO SECOND. The **MOTION TO APPROVED FAILED** for lack of a SECOND to the motion.

SECOND MOTION:

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to APPROVE AMP-18-04 with the revision to the application to read "**MEDIUM-HIGH DENSITY RESIDENTIAL.**"

The **MOTION TO APPROVED FAILED** for lack of a SUPER-MAJORITY with Acting Chairman Marilyn Kirkpatrick, Commissioner Jo Cato, Commissioner Jay Aston and Commissioner Steve Brown voting against the motion.

THIRD MOTION:

Commissioner Steve Brown MOVED and Commissioner Harry Shull SECONDED to DENY AMP-18-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was DENIED.

Items #1 AMP-18-04 and #2 ZN-19-04 are related.

2) ZN-19-04 (14059) CRAIG & LAMB (Public Hearing)

An application submitted by R & S Investments on behalf of Vegas Industrial Development, LLC, property owner, for reclassification of property from a C-2 General Commercial District and an M-2 General Industrial District to an R-3 Multifamily Residential District. The property is generally located south of Craig Road approximately 380 feet west of Lamb Boulevard. The Assessor's Parcel Numbers are 140-06-611-001, 140-06-714-001, 140-06-601-002 and 140-06-701-014.

RECOMMENDATION:

The Planning and Zoning Department recommends that ZN-100-03 be **denied** as the rezoning is not justified by changed or changing conditions since the adoption of the Comprehensive Plan in June 1999.

Acting Chairman Marilyn Kirkpatrick asked staff if there was any additional information on this item, due to the result of the related item #1 AMP-18-04.

Vicki Adams, Planner, on behalf of staff replied staff had no additional information.

Acting Chairman Marilyn Kirkpatrick opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Steve Brown MOVED and Commissioner Jo Cato SECONDED to DENY ZN-19-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was DENIED.

Items #3 ZN-20-04 and #4 T-1069 are related.

3) ZN-20-04 (14085) SUN CITY ALIANTE UNIT 8 PHASE 2 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for a reclassification of property from a MPC Master Planned Community District to an R-1 MPC Single-Family Residential Master Planned Community District. The property is located approximately 800 feet south of Grand Teton Drive and west of Broadwing Drive. The Assessor's Parcel Numbers are 124-17-612-002 and a portion of 124-17-512-003.

RECOMMENDATION

The Planning and Zoning Department recommends that ZN-20-04 be forwarded to the City Council with a **recommendation for permanent zoning** to the MPC / R-1, Master Planned Community / Single Family Residential District by ordinance.

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.

Acting Chairman Marilyn Kirkpatrick opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Jay Aston MOVED and Commissioner Jo Cato SECONDED to APPROVE ZN-20-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #3 ZN-20-04 and #4 T-1069 are related.

4) T-1069 (14086) SUN CITY ALIANTE UNIT 8 PHASE 2

An application submitted by North Valley Enterprises, LLC , property owner, for approval of a tentative map in a MPC Master Planned Community District (proposed R-1 MPC Single-Family Residential Master Planned Community District) consisting of 280 single-family dwellings. The property is located approximately 800 feet south of Grand Teton Drive and west of Broadwing Drive. The Assessor's Parcel Numbers are 124-17-612-002 and a portion of 124-17-512-003.

RECOMMENDATION

The Planning and Zoning Department recommends that T-1069 be **approved** with the following conditions:

1. Developer to provide a current preliminary title report.
2. All items revealed in the preliminary report must be addressed.
3. Street names must be approved by the city of Las Vegas Central Fire Alarm Office and shown on the conformed tentative map prior to final signature.
4. Plans are required to have street "A" on sheet 2 labeled as public.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. The drainage study must conform to the Master Conceptual Drainage Study.
7. Approval of a traffic study update is required prior to submittal of the civil improvement plans.
8. That the required "landscape/sidewalk zone" as specified in the North Valley Development Agreement shall be shown on the final map and proof of a maintenance mechanism be demonstrated to the City prior to recordation of the final map.
9. Unless expressly authorized through a variance, waiver or another approved method; the development shall comply with all applicable codes, ordinances, and design standards.
10. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review of the Public Works Department and the Planning Division prior to submittal of the final map.

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

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

Commissioner Steve Brown MOVED and Commissioner Jo Cato SECONDED to APPROVE T-1069 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

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

5) ZN-21-04 (14090) ROME & NORTH 5TH (Public Hearing)

An application submitted by Unlimited Holdings on behalf of Q T S C - Quality Escrow Service, Ltd., property owner, for a reclassification of property from an R-E Ranch Estates District to a C-1 Neighborhood Commercial District. The property is located at the southwest corner of Rome Boulevard and North Fifth Street. The Assessor's Parcel Numbers are 124-22-801-008 and 124-22-801-009.

The Department of Planning and Zoning recommends that ZN-21-04 receive a **favorable recommendation** and be forwarded to the City Council for final consideration.

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

Bruce Issacson, of Unlimited Holdings, 2865 S. Jones Boulevard, Las Vegas, Nevada 89146 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Acting Chairman Marilyn Kirkpatrick opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Harry Shull MOVED and Commissioner Jay Aston SECONDED to APPROVE ZN-21-04 per staff's recommendations.

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

The item was APPROVED.

Commissioner Jo Cato abstained from voting on this item due to a business interest.

6) UN-60-01 (13985) SPRINT PCS (Public Hearing)

An application submitted by Sprint PCS on behalf of Unlimited Holding, Inc., property owner, for an amendment to a previously approved use permit in a M-1 Business Park Industrial District to allow a 60 foot high cellular tower where a 50 foot high cellular tower was approved. The property is generally located at the southeast corner of Rome Boulevard and Palmer Street. The Assessor's Parcel Number is 124-24-801-001.

RECOMMENDATION:

The Department of Planning and Zoning **recommends** that condition #4 be amended to read as follows:

4. The height of the tower shall not exceed 60 feet.

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

Don Cape, 7351 W. Charleston Boulevard, Suite 120, Las Vegas, Nevada 89117 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Acting Chairman Marilyn Kirkpatrick opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Nelson Stone MOVED and Commissioner Steve Brown SECONDED to APPROVE UN-60-01 per staff's recommendations.

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

The item was APPROVED.

7) UN-19-04 (13949) THERON GOYNES ELEMENTARY SCHOOL (Public Hearing)

An application submitted by the Clark County School District on behalf of North Valley Enterprises, LLC, property owner, for a use permit in a MPC Master Planned Community District to allow an elementary school. The property is generally located south of Deer Springs Way and approximately 526 feet northeast of Aviary Way. The Assessor's Parcel Number is 124-20-313-001.

RECOMMENDATION

The Planning and Zoning Department recommends that UN-19-04 be **continued** to allow the applicant to redesign the site to comply with ordinance requirements.

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

1. Approval of a traffic study is required prior to submittal of the civil improvement plans.
2. The drainage study must conform to the Master Conceptual Drainage Study.
3. Approval of a traffic study is required prior to submittal of the civil improvement plans.
4. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances.
5. That the development of this site shall 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 mention herein, the more restrictive shall apply.
6. The parking lot shall comply with the setbacks or the applicants shall obtain a variance to allow the parking lot to be located with a reduced setback.
7. The parking lot shall contain a minium of a 25-foot landscaping buffer between the front property line and the parking lot unless a waiver to allow a reduction in the landscaping approved by the planning commission.
8. The applicant shall use the Aliante designed view fence in place of the proposed chain link view fence.

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

Matt LaCroix, with the Clark County School District, 4212 Eucalyptus Annex, Las Vegas, Nevada 89121 appeared on behalf of the applicant.

Acting Chairman Marilyn Kirkpatrick opened the Public Hearing. No participants came forward. The Public Hearing was closed.

FIRST MOTION:

Commissioner Harry Shull MOVED and Commissioner Steve Brown SECONDED to APPROVE UN-19-04.

The **MOTION TO APPROVED FAILED** with Acting Chairman Marilyn Kirkpatrick, Commissioner Nelson Stone, Commissioner Jo Cato and Commissioner Jay Aston voting against the motion.

SECOND MOTION:

Commissioner Nelson Stone MOVED and Commissioner Jay Aston SECONDED to CONTINUE UN-19-04 INDEFINITELY.

The motion carried by UNANIMOUS vote.

The item was CONTINUED INDEFINITELY.

8) UN-20-04 (14015) CIVIC CENTER MEDICAL/LEGAL CENTER (Public Hearing)

An application submitted by the Athari Family Investment, LLC, on behalf of Barbara Vivero, property owner, for a use permit in a CP Professional Office Commercial District to allow the construction of two office buildings totaling 17,120 square feet and to exceed the maximum height of 28 feet . The property is located at the southwest corner of Civic Center Drive and Reynolds Avenue. The Assessor's Parcel Numbers are 139-23-803-006, 139-23-803-007 and 139-23-803-008.

RECOMMENDATION

The Development Services Department recommends that UN-20-04 be **continued indefinitely** to allow the applicant time to redesign the site to comply with the parking requirements, design standards and Fire Code.

If the planning commission feels that **approval is warranted** the following conditions are recommended:

1. Approval of a drainage study is required prior to submittal of the civil improvement plans.
2. All known geologic hazards shall be shown on the site plan and the civil improvement plans.
3. Half street improvements are required on Reynolds Avenue or as otherwise directed by the director of Public Works or his designee.
4. Approval of a traffic study is required prior to submittal of the civil improvement plans.
5. 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 *North Las Vegas Municipal Code 17.24.130*. Conformance may require modifications to the site.
6. Driveways to be constructed in accordance with *Clark County Area Uniform Standard Drawing Numbers 222A and 225*.
7. A reversionary parcel map is required to be filed to create the parcel as proposed prior to permit issuance.
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.
9. Civil improvement plans currently in review will require revision.
10. The property owner is required to sign a restrictive covenant for utilities prior to civil improvement plan approval.
11. Fire access lane turning radii shall be designed and installed in accordance with the Fire Code.
12. That the applicant shall design the buildings to comply with the commercial design standards including have four sided coherent elevations.
13. The site shall comply with the commercial design standards including but not limited to: providing 20 feet of perimeter landscaping along on south and west property lines; providing adequate parking lot landscaping islands; providing a minimum of 25 feet of landscaping between the parking lot and the property line along Civic Center Drive and Reynolds Avenue.
14. Unless expressly authorized through a variance, waiver or another approved method the development shall comply with all applicable codes and ordinances.

15. That the development of this site shall 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 mention herein, the more restrictive shall apply.

The application was presented by Marc Jordan, Acting Planning Manager, on behalf of staff who indicated staff is recommending this item be continued indefinitely to allow the applicant time to submit a revised site plan and elevations that show compliance with the established Design Guidelines.

Christopher Dyka, 3531 E. Russell Road, Suite G, Las Vegas, Nevada 89120 appeared on behalf of the applicant.

Acting Chairman Marilyn Kirkpatrick opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Steve Brown MOVED and Commissioner Nelson Stone SECONDED to CONTINUE UN-20-04 INDEFINITELY per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was CONTINUED INDEFINITELY.

9) UN-21-04 (14037) SIMMONS MARKETPLACE (Public Hearing)

An application submitted by Fitness 19 NV 117, LLC, on behalf of Simmons Properties, LLC, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow a temporary building (promotional trailer). The property is located at 5465 Simmons Street. The Assessor's Parcel Number is 124-32-113-004.

RECOMMENDATION

The Development Services Department recommends that UN-21-04 be **approved** subject to the following conditions:

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 the temporary trailer shall be located as indicated on the site plan; and
3. That the trailer shall not be larger than 12' x 40'; and
4. That the trailer shall be ADA-compliant; and
5. That the hours of operation shall be limited to the following: Monday - Friday from 9:00 a.m. to 8:00 p.m. and Saturday - Sunday from 9:00 a.m. to 6:00 p.m.; and
6. That the trailer may be installed and open for business at such time that a building permit is issued for the tenant improvements for Building 3; and
7. That the trailer be removed within seven (7) calendar days of the issuance of a Certificate of Occupancy for Building 3, or by March 10, 2005, whichever is sooner.

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

Acting Chairman Marilyn Kirkpatrick called for the applicant to come forward.

The applicant was not present.

Acting Chairman Kirkpatrick opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Nelson Stone MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-21-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

10) UN-22-04 (14044) BREAK-EM EXCAVATION (Public Hearing)

An application submitted by Break- Em Excavation, LLC, property owner, for a use permit in a M-2 General Industrial District to allow outdoor manufacturing (rock crusher and a master screen). The property is located at 1611 West Brooks Street. The Assessor's Parcel Number is 139-16-210-002.

RECOMMENDATION:

The Department of Planning and Zoning recommends that UN-22-04 be **denied** as the proposed use is not compatible with the surrounding uses.

However, if the Planning Commission determines that **approval is warranted** at this time, the Department of Planning and Zoning that UN-22-04 be subject to the following conditions:

1. Unless expressly, authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. The applicant shall comply with following items prior to issuance of a building permit or application of a business license:
 - a. The applicant shall provide a site plan that indicates where parking, driveways, drive isles, storage areas and landscaping are located on the site.
 - b. The applicant shall install the plant material necessary and maintain the landscaping along Brooks Avenue as required by Title 17.
 - c. The applicant shall comply with all parking requirements.
 - d. All areas intended to be utilized for parking, driveways and drive isles shall be paved with concrete or asphaltic concrete.
 - e. Half street improvements are required for Brooks Avenue.
 - f. Approval of a traffic study is required prior to submittal of the civil improvement plan.
3. That the hours of operation shall be between 7:00 a.m. and 3:30 p.m. Monday through Friday.

The application was presented by Vicki Adams, Planner, on behalf of staff who indicated staff is recommending this item be denied.

Rick Burton, 5385 N. Fort Apache, Las Vegas, Nevada 89129 appeared on behalf of the applicant.

Acting Chairman Marilyn Kirkpatrick opened the Public Hearing. The following participants came forward:

- ▶ Chad Stewart, 4487 Copper Basin Drive, Las Vegas, Nevada 89129

Mr. Stewart stated he owns the business across the street from this facility and he has the same concerns staff has with regard to this project as to how much noise and dust may be generated by this business.

- ▶ Kris Sundell, 7525 W. Constantinople Avenue, Las Vegas, Nevada 89129

Mr. Sundell stated he works nearby this location and has the same concerns as Mr. Stewart.

Rick Jakle, 1904 Bay Hill Drive, Las Vegas, Nevada (no zip code stated)

Mr. Jakle stated he opposes this project due to the increased amount of noise and dust which may be generated by this business.

The Public Hearing was closed.

Rick Burton, the applicant, stated based on the challenges stated by the members of the public, he is withdrawing this application.

The item was WITHDRAWN.

11) UN-23-04 (14045) STORAGE WEST (Public Hearing)

An application submitted by LAACO, Ltd., on behalf of Caben, LLC, property owner, for a use permit in a C-2 General Commercial District to allow mini-warehousing. The property is generally located south of Ann Road and approximately 247 feet east of Decatur Boulevard. The Assessor's Parcel Number is 124-31-101-004.

RECOMMENDATION:

The Department of Planning and Zoning recommends that UN-23-04 be **approved** subject to the following conditions:

1. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines.
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
3. That a decorative masonry screen wall be provided along the northern property line and adjacent to the commercial zoned property to the west. The wall shall be a minimum six feet (6.00') in height.
4. That each of the gates, whether intended for customers, ingress, egress or emergency access, shall have a metal mesh backing to obscure the view of the storage facility.
6. Approval of a drainage study is required prior to submittal of the civil improvement plans.
7. 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.
8. 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.
9. 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.
10. Half street improvements are required on Ann road and Decatur Boulevard or as otherwise directed by the Director of Public Works or his designee.
11. The property owner is required to grant a roadway easement for commercial driveway(s) prior to civil improvement plan approval.
12. The property owner is required to sign a restrictive covenant for utilities prior to civil improvement plan approval.
13. Parcel Map 915 is required to record prior to civil improvement plan approval.
14. A parcel map is required to be filed to create the parcel proposed or revise the plan to include the portion labeled as "not-a-part" as part of the plan.
15. Approval of a traffic study is required prior to submittal of the civil improvement plans.
16. 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 *North Las Vegas Municipal Code 17.24.130*. Conformance may require modifications to the site.

17. Fire access lanes shall have a minimum width and turning radii as required by the Fire Code.

The application was presented by Vicki Adams, 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.

Acting Chairman Marilyn Kirkpatrick opened the Public Hearing. No participants came forward. The Public Hearing was closed.

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

The motion carried by UNANIMOUS vote.

The item was APPROVED.

12) UN-24-04 (14060) WESTWIND PUMP STATION (Public Hearing)

An application submitted by Signature Homes, on behalf of the United States of America -Bureau of Land Management, property owner, for a use permit in an O-L Open Land District to allow a potable pump station. The property is located at the northeast corner of Decatur Boulevard and Horse Drive. The Assessor's Parcel Number is 124-07-201-001.

RECOMMENDATION

The Department of Planning and Zoning recommends that UN-24-04 be **approved** with 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. If there is a conflict with the conditions mention herein, the more restrictive shall apply.
2. The development shall comply with the Commercial Development Design Standards, including, but not limited to providing a meandering sidewalk separated a minimum of five (5) feet from back of curb along Decatur Boulevard.
3. That UN-39-02 shall become null and void if UN-24-04 is approved.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Half street improvements are required on Horse Drive and Decatur Boulevard or as otherwise directed by the Director of Public Works or his designee.
6. Driveway location is subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set for in the *North Las Vegas Municipal Code* 17.24.130. Conformance may require modifications to the site.
7. Additional right-of-way dedication for a bus turn-out along the project's Decatur Boulevard frontage.
8. Fire access lanes shall have a minimum width as required by the Fire Code.
9. A means of turnaround shall be provided to mitigate the dead-end as required by the Fire Code.

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

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

Acting Chairman Marilyn Kirkpatrick opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Nelson Stone MOVED and Commissioner Jay Aston SECONDED to APPROVE UN-24-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

13) UN-25-04 (14078) ELDORADO VILLAGE (Public Hearing)

An application submitted by the Auto Title Loan Store on behalf of Donahue Schriber, property owner, for a use permit in an O-L/DA Open-Land/Development Agreement District (C-2 General Commercial) for a financial institution (auto title loan facility). The property is located at 5514 Camino Al Norte, Suite A3. The Assessor's Parcel Number is 124-33-512-001.

RECOMMENDATION

The Development Services Department recommends that UN-25-04 be **approved** with the following condition:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.

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

Richard Jacobs, 1590 E. Sahara Avenue, Las Vegas, Nevada 89104 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Acting Chairman Marilyn Kirkpatrick 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-25-04 per staff's recommendations.

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

The item was APPROVED.

14) UN-26-04 (14082) CHURCH OF JESUS CHRIST OF LDS (Public Hearing)

An application submitted by the Church of Jesus Christ of Latter Day Saints on behalf of the Lied Foundation Trust, property owner, for a use permit in a C-2 General Commercial District to allow a secondhand store. The property is located at the northwest corner of Allen Lane and Craig Road. The Assessor's Parcel Numbers are 139-06-601-004 and 139-06-601-005.

RECOMMENDATION:

The Department of Planning and Zoning recommends that UN-26-04 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. The development shall comply with the Commercial Development Standards and Design Guidelines, with the exception of the building orientation, including, but not limited to the following:
 - a. A six foot wide landscaped island shall be required within each parking row for every 15 parking spaces contained within the row.
 - b. The length and height of walls must be relieved through the use of changes in color, materials and/or relief such as the inclusion of beltlines, pilasters or pop-outs.
 - c. Stone, stucco, colored or exposed aggregate or textured finish concrete, decorative block and brick shall be used for building exteriors. All sides of the building must be coherently designed and treated.
 - d. Mechanical equipment must be screened from rights-of-way and a parapet will be required to screen any roof-mounted equipment.
3. That subsequent expansion or additions to the use shall be subject to Planning Commission review and approval.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
6. Half street improvements are required on Allen Lane or as otherwise directed by the Director of Public Works or his designee.
7. Dedication of additional right-of-way is required for a flared intersection at Craig Road and Allen Lane per *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1.
8. The property owner is required to grant a roadway easement for commercial driveway(s) prior to civil improvement plan approval.
9. A reversionary parcel map is required to be filed to create the parcel as proposed.
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 the *North Las Vegas Municipal Code* 17.24.130. Conformance may require modifications to the site.

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

Dave Pugsley, 2480 E. Tompkins Avenue, Las Vegas, Nevada 89121 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Acting Chairman Marilyn Kirkpatrick opened the Public Hearing. The following participants came forward:

- ▶ Linda Lemoine, 3709 Fortress Drive, North Las Vegas, Nevada 89031

Ms. Lemoine stated she is concerned about "unwanted" guests appearing in her backyard at times and is concerned about the "element this may attract."

- ▶ Tom Winter, 8300 Fairfield, Las Vegas, Nevada (no zip code stated)

Mr. Winter stated he is concerned about the different types of businesses going into this area.

Acting Chairman Marilyn Kirkpatrick closed the Public Hearing.

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to APPROVE UN-26-04 per staff's recommendations subject to the following change:

Condition #12 Added to Read: "The loading dock shall be screened from the adjacent residential development. Such screening shall be subject to staff review and approval."

Condition #13 Added to Read: "36 inch box trees, spaced 15-feet on center shall be planted with landscaped areas next to the residential property to serve as a landscaped screen for the loading docks. Such landscaping shall be subject to staff review and approval."

Condition #14 Added to Read: "A final development plan shall be submitted clarifying and detailing the items herein, to be reviewed by the Planning Commission."

Condition #15 Added to Read: "Storage of containers, wheeled or unwheeled, of any shape size will be indicated on the final development plan to be approved by the Planning Commission at a subsequent meeting."

The motion carried by UNANIMOUS vote.

The item was APPROVED.

15) UN-27-04 (14091) HEALTHY BODY MASSAGE & AESTHETICIAN (Public Hearing)

An application submitted by Thomas DeMarchis and Janice Spikes on behalf of West Craig Plaza, property owner, for a use permit in a C-2 General Commercial District to allow a massage establishment. The property is located at 4444 West Craig Road, Suite 100. The Assessor's Parcel Number is 139-06-201-010.

RECOMMENDATION:

The Department of Planning and Zoning recommends that UN-27-04 be **approved** subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.

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

Jean DeMarchis, 6647 Montezuma Castle Lane, North Las Vegas, Nevada 89084 appeared on behalf of the applicant and stated she concurs with staff's recommendations.

Acting Chairman Marilyn Kirkpatrick opened the Public Hearing. The following participants came forward:

- ▶ Pam Lynch, 4444 W. Craig Road, #112, North Las Vegas, Nevada 89032

Ms. Lynch stated she owns a business also at this same location and she is concerned about this new business being in compliance with codes and regulations.

- ▶ Tim Bui, 4444 W. Craig Road, North Las Vegas, Nevada 89032

Mr. Bui stated he is concerned about the applicant seeking a large number of parking spaces and as a business owner in this center he is concerned about the impact on his business.

- ▶ Tom Winter, 8300 Fairfield, Las Vegas, Nevada (no zip code stated)

Mr. Winter stated he is concerned about the types of businesses coming into this area and how it will affect property values.

Acting Chairman Kirkpatrick closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Jay Aston SECONDED to APPROVE UN-27-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Commissioner Jo Cato abstained from voting on this item due to a business interest.

16) VAC-09-04 (14088) THE SHADOWS (Public Hearing)

An application submitted by Beazer Homes, on behalf of US Home Corporation, property owner, to vacate Tropical Parkway between McCarran Street and Statz Street. The Assessor's Parcel Numbers are 124-25-202-001 and 124-25-202-002.

RECOMMENDATION:

The Planning and Zoning Department recommends that VAC-09-04 be **approved** with the following conditions of approval:

1. A reversionary parcel map is required to be filed to include the area of vacation with the parcel to the south.
2. The vacation is required to record concurrently with the reversionary parcel map. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.
3. The applicant must comply with all conditions of the approved traffic study.

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

Laura Dreyer, of VTN Nevada, 27276 S. Rainbow Boulevard, Las Vegas, Nevada 89146 appeared on behalf of the applicant.

Acting Chairman Marilyn Kirkpatrick opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Harry Shull MOVED and Commissioner Jay Aston SECONDED to APPROVE VAC-09-04 per staff's recommendations subject to the following change:

Condition #4 Added to Read: "The legal description shall be revised to except the existing Nevada Power Company easement per instrument 734259:914."

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

The item was APPROVED.

**There was a break in the proceedings at 9:00 PM
The meeting reconvened at 9:17 PM**

Items #17 VN-08-04, #18 SPR-14-04 and #19 VN-09-04 are related.

17) 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.

RECOMMENDATION:

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

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

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

1. That, unless expressly authorized through the variance, waiver or another method, this development shall comply with all applicable codes and ordinances; and
2. That all conditions of UN-51-02 be satisfied prior to the issuance of any construction permits; and
3. That all conditions of UN-13-04 be satisfied prior to the issuance of any construction permits; and
4. That, if SPR-14-04 is approved, this development shall comply with all applicable conditions thereof; and
5. Applicant to demonstrate how they intend to resolve the issue of a building encroaching into the public right-of-way; and
4. Approval of a traffic study is required prior to submittal of the civil improvement plans; and
5. Nevada Department of Transportation concurrence with the results of the traffic study is required prior to approval of the civil improvement plans; and
6. Driveway number and location are subject to review and approval by the City of North Las Vegas traffic engineer and must meet the standards set forth in *North Las Vegas Municipal Code* 17.24.130. Conformance may require modifications to the site; and
7. A Merger and Resubdivision parcel map must be filed to create parcels as proposed; and
8. The property owner is required to grant a roadway easement for commercial driveway(s) prior to civil improvement plan approval; and
9. Plans are required to accurately depict property lines; the sidewalk and property line are several feet apart along Las Vegas Boulevard North. Landscaping requirements must be met within private lands; and
10. A copy of the Nevada Department of Transportation encroachment permit for landscaping in the right-of-way along Las Vegas Boulevard North must be provided; and
11. Dedication of the following right-of-way is required:
 - a. 15' radius at Carroll Street and Carey Avenue

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

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 3/24/04 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 VN-08-04 to the 3/24/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 3/24/04.

Items #17 VN-08-04, #18 SPR-14-04 and #19 VN-09-04 are related.

18) 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.

RECOMMENDATION:

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

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

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

1. That, unless expressly authorized through the variance, waiver or another method, this development shall comply with all applicable codes and ordinances; and
2. That all conditions of UN-51-02 be satisfied prior to the issuance of any construction permits; and
3. Applicant to demonstrate how they intend to resolve the issue of a building encroaching into the public right-of-way; and
4. Approval of a traffic study is required prior to submittal of the civil improvement plans; and
5. Nevada Department of Transportation concurrence with the results of the traffic study is required prior to approval of the civil improvement plans; and
6. Driveway number and location are subject to review and approval by the City of North Las Vegas traffic engineer and must meet the standards set forth in *North Las Vegas Municipal Code* 17.24.130. Conformance may require modifications to the site; and
7. A Merger and Resubdivision parcel map must be filed to create parcels as proposed; and
8. The property owner is required to grant a roadway easement for commercial driveway(s) prior to civil improvement plan approval; and
9. Plans are required to accurately depict property lines; the sidewalk and property line are several feet apart along Las Vegas Boulevard North. Landscaping requirements must be met within private lands; and
10. A copy of the Nevada Department of Transportation encroachment permit for landscaping in the right-of-way along Las Vegas Boulevard North must be provided; and
11. Dedication of the following right-of-way is required:
 - a. 15' radius at Carroll Street and Carey Avenue

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

Prior to the Planning Commission meeting, the applicant requested the item be continued to the 3/24/04 Planning Commission meeting.

Commissioner Nelson Stone MOVED and Commissioner Jay Aston SECONDED to CONTINUE SPR-14-04 to the 3/24/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 3/24/04.

Items #17 VN-08-04, #18 SPR-14-04 and #19 VN-09-04 are related.

19) 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.

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.

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

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

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to CONTINUE VN-09-04 to the 4/14/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 4/14/04

20) T-1070 (14089) LAMB & TROPICAL

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

RECOMMENDATION

The Planning and Zoning Department recommends that T-1070 be **continued indefinitely** to allow the applicant to address Public Works and Planning concerns.

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

1. Relocate the entry street, Belmont Shores Way, to 660 feet north of the Tropical Parkway intersection.
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 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. Remove the street section thickness from the typical sections. The off-site pavement sections will be determined by the Department of Public Works.
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 PVC fiber optic conduit along the project's Lamb Boulevard frontage.
8. Access locations are subject to review and approval of the City of North Las Vegas Traffic Engineer.
9. The property owner is required to grant roadway easements where public and private streets intersect prior to civil improvement plan approval.
10. All common elements shall be labeled as such and to be maintained by the Homeowners Association.
11. Plans are required to have common element "B"/drainage easement labeled to be privately maintained and its boundary lines shown as solid.
12. Plans are required to have the street adjacent to common element "P" labeled with a name.
13. Plans are required to have common element "J" labeled as a pedestrian access easement.
14. A revocable encroachment permit for the landscaping in the public right-of-way is required to be obtained prior to civil improvement plan approval.
15. Plans are required to show limits of the Southern Nevada Water Authority 50 feet permanent easement as per preliminary title report.

16. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in Clark County Area Uniform Standard Drawing No. 210. If roll curb is to be used, provide an additional six inches of right of way for each half street.
17. Sidewalk is required on a minimum of one side of all interior, private streets.
18. Dedication of the following right-of-way is required:
 - a. Lamb Boulevard (offset) 70 feet and associated spandrel
 - b. Azure Avenue 30 feet and associated spandrel
 - c. Right-of-way dedication for a CAT bus turn-out on Lamb Boulevard near Tropical Parkway in accordance with *Clark County Area Uniform Standard Drawing* Number 234.1.
 - d. Dedication of additional right-of-way is required for the Range Wash Flood channel adjacent to and parallel with the UPRR right-of-way per the Las Vegas Valley Flood Control Master Plan. The open space area shall not include the square footage of the channel dedication.
19. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
20. The tentative shall comply with all conditions of ZN-07-04, if a conflict occurs the more restrictive shall apply.
20. Unless expressly authorized through a variance, waiver or another approved method; the development shall comply with all applicable codes, ordinances, and design standards.
21. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review of the Public Works Department and the Planning Division prior to submittal of the final map.

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

Bob Gronauer, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant and stated he will agree to a two (2) week continuance to the 3/24/04 Planning Commission meeting.

Commissioner Nelson Stone MOVED and Commissioner Jay Aston SECONDED to CONTINUE T-1070 to the 3/24/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 3/24/04.

OLD BUSINESS

21) 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 Planning Commission meeting at the request of the applicant.

However, as the applicant also requested an amendment to the original application, this item had to be re-noticed with the new information and the application had to be continued until the March 10, 2004 Planning Commission meeting..

The applicant is requesting a total half-street width of 11 feet rather than 19 feet as initially requested.

However, 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.

RECOMMENDATION:

The Planning and Zoning Department recommends that AMP-12-04 be **denied** as the proposed amendment to the Master Plan of Streets and Highways violates Title 16 and is not in line with the *Clark County Standard Drawings*.

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

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

Commissioner Nelson Stone MOVED and Commissioner Jay Aston SECONDED to CONTINUE AMP-12-04 to the 4/14/04 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 4/14/04.

22) UN-13-04 (13678) SOUTHWEST AUTO INC. (Public Hearing)

An application submitted by Southwest Auto. Inc. on behalf of G & M Development, Inc., property owner, for a use permit in a C-2 General Commercial District to allow an automotive sales facility. The property is located at 2404 North Las Vegas Boulevard. The Assessor's Parcel Number is 139-14-812-164.

This item was continued from the February 11th Planning Commission meeting.

(from the 2/11/04 Planning Commission meeting):

RECOMMENDATION:

The Planning and Zoning Department recommends that UN-13-04 be continued indefinitely to allow the applicant time to resolve the concerns addressed above.

If the applicant is unable or unwilling to continue this item, the Planning and Zoning Department recommends that this item be denied.

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

1. That, unless expressly authorized through the variance, waiver or another method, this development shall comply with all applicable codes and ordinances; and
2. Applicant must demonstrate how they intend to resolve the issue of a portion of the building encroaching into the public right of way; and
3. Plans are required to accurately depict property lines; the sidewalk and property line are several feet apart along Las Vegas Boulevard North. Landscaping requirements must be met within private lands; and
4. A copy of the Nevada Department of Transportation encroachment permit for landscaping in the right of way along Las Vegas Boulevard North must be provided; and
5. 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
6. That the maximum number of vehicles allowed to be displayed, stored and/or sold from this site is five (5) at any one time; and
7. That all on-site improvements be provided, as well as setback issues resolved, prior to application of a business license; and
8. That all landscaping and signage be brought into compliance with current ordinance requirements; and
9. That this approval shall not warrant, imply or influence the approval or denial of any future requests for waivers, variances or deviations from the requirements set forth in the Municipal Code.

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

Acting Chairman Marilyn Kirkpatrick called for the applicant to come forward.

The applicant was not present.

Acting Chairman Kirkpatrick opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to DENY UN-13-04 per staff's recommendations subject to the following:

As requested the Redevelopment staff has reviewed the application for UN-13-04 to allow an automotive sales facility. Redevelopment staff recommends that UN-13-04 be denied. Redevelopment staff has concerns that if this application is approved a precedent will be set for a proliferation of use permit requests for auto sales along the Las Vegas Boulevard corridor and add to the existing blight that is present.

Furthermore, since use permits run with the property we are concerned that the use could be expanded into a larger area than intended by the simple merging of surrounding properties into the parcel under consideration.

Redevelopment staff recommends that the applicant be denied based on the following:

- a. Granting of this use permit will adversely affect the City master plan and the North Redevelopment Area Plan.**
- b. That the proposed use at the particular location will not contribute to the general well-being of the neighborhood and community.**

The motion carried by UNANIMOUS vote.

The item was DENIED.

An application submitted by Signature Homes, on behalf of Plaster Development Co., Inc., property owner, to vacate a portion of Stagecoach Circle and corresponding utility easements commencing approximately 76 feet west of Donna Street and proceeding west approximately 426 feet. The Assessor's Parcel Number is 139-02-110-002.

This item was continued from the February 25, 2004 Planning Commission meeting at the request of the applicant.

To date, no additional information has been received by staff pertaining to this item.

(from the 2/25/04 Planning Commission meeting):

RECOMMENDATION

As the proposed vacation will allow the applicant to develop the site in a more comprehensive manner the Planning and Zoning Department recommends that VAC-06-04 be **approved** for the vacation of Stagecoach Circle, with the following conditions:

1. The vacation is required to record concurrent with the final map.
2. No building, structure, fence, or tree shall be placed upon or under said parcel of land to be vacated now or hereafter.
3. Southwest Gas Corporation shall not be liable for any damages to any of the improvements placed within said easement due to normal or necessary operation using reasonable care.

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

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

Acting Chairman Marilyn Kirkpatrick opened the Public Hearing. No participants came forward. The Public Hearing was closed.

Commissioner Jay Aston MOVED and Commissioner Steve Brown SECONDED to APPROVE VAC-06-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

24) T-1061 (13652) DONNA & N. 5TH

An application submitted by Signature Homes on behalf of Bonnie Denney, Billy Ray and Michelle C. Anthony, Elsie M. Musick and Plaster Development, Inc., property owners, for approval of a tentative map in an R-1 Single-Family Residential District consisting of 108 single-family dwellings. The property is generally located west of Donna Street approximately 210 feet south of Lone Mountain Road. The Assessor's Parcel Numbers are 139-02-101-009, 139-02-101-011, 139-02-101-016, 139-02-101-017, 139-02-101-019, 139-02-110-001, 139-02-110-002, 139-02-110-003, 139-02-110-004, 139-02-110-005, 139-02-110-006, 139-02-110-007, 139-02-110-008, 139-02-110-009, 139-02-110-010 and 139-02-110-011.

This application was continued from the January 28, 2004, February 11, 2004 and February 25, 2004 Planning Commission meetings at the request of the applicant.

Another revised tentative map was submitted on March 2, 2004 which has now been reviewed.

A property reclassification (ZN-02-04) from the R-E, Ranch Estates district, to the R-1, Single-Family Residential district was approved at the January 14, 2004 Planning Commission meeting for a portion of the subject site. The public hearing on that application was held and the item approved at City Council on February 18, 2004 (Ordinance #1940).

RECOMMENDATION:

The Planning & Zoning Department recommends that T-1061 be approved subject to the following conditions:

1. That T-1061 shall become null and void if not approved by the City Council.
2. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
3. That all lots shall meet a minimum lot size of 6,000 square feet.
4. That the development comply with the Single Family Design Guidelines.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. The proposed drainage easements are subject to review and approval with the technical drainage study.
7. Proposed interior, private streets must meet the minimum standards for the City of North Las Vegas set forth in Clark County Area Uniform Standard Drawing No. 210. If roll curb is to be used, provide an additional six inches of right of way for each half street.
8. Sidewalk is required on a minimum of one side of all interior private streets.
9. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geologic 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.
10. 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.
11. Approval of a traffic study is required prior to submittal of the civil improvement plans.
12. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along North 5th Street.

13. VAC-06-04, vacating the public utility easement over Stage Coach Circle, the three feet along all side yards, and the five feet along private streets except over lot 11 as granted per Lone Mountain Ranch Subdivision in Plan Book 42, Page 55 of Clark County records. Should the vacation be denied, this map shall be revised accordingly.
14. the property owner must grant a pedestrian access easement for sidewalk located outside of the public right of way.
15. A revocable encroachment permit for landscaping in the public right of way is required.
16. The property owner is required to grant roadway easements where public and private streets intersect.
17. The final map shall be labeled as a Merger and Resubdivision.
18. Applicant to provide proof of relinquishment of all privately held utility easements over entire site.
19. Street names must be approved by the City of Las Vegas Central Fire Alarm Office and shown on the conformed tentative map prior to final signature.
20. All common elements shall be labeled and must be maintained by the Home Owners Association.
21. 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.
24. 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 of the final map.
25. Fire access lane width and turning radii shall be designed, installed, and maintained in accordance with the Fire Code.
26. That the perimeter walls be owned and maintained by the Homeowners' Association.
27. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
28. All conditions of the approved Tentative Map shall be placed as notes on the Final Map.
29. 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 Vicki Adams, Planner, on behalf of staff who indicated staff is recommending approval of this item.

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

Commissioner Jay Aston MOVED and Commissioner Steve Brown SECONDED to APPROVE T-1061 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #25 SPR-15-04 and #26 T-1068 are related.

25) SPR-15-04 (13917) JASMINE CONDOS UNIT 3

An application submitted by Taney Engineering on behalf of Lam De and Mancam, et. al., property owners, for a site plan review in an R-1 Single-Family Residential District (proposed R-3 Multifamily Residential District) consisting of 80 multi-family units. The property is generally located south of Tropical Parkway and approximately 285 feet west of Valley Drive. The Assessor's Parcel Number is 124-30-303-001.

This item was continued from the February 25, 2004, Planning Commission meeting to allow the applicant sufficient time to submit revised plans regarding the 20-foot landscape buffer required along the west property line.

The applicant had initially requested that a five (5) foot landscape buffer be allowed adjacent to the west property line in lieu of the 20-foot landscape buffer required.

The applicant submitted revised plans that indicate that the parking along the west property line has been reduced from 57 parking stalls to 34 parking stalls. The landscaping proposed along the west property line would range from areas with approximately 20 feet of landscaping to diamond shaped areas with approximately eight (8) feet in width of landscaping, after every two (2) parking stalls and five (5) feet of landscaping between the diamonds.

The applicant is requesting that a decrease in the landscaping be allowed in order to allow additional parking for the existing Jasmine Condos subdivision. The applicant has stated that the waiver will not create a visual problem as the adjacent property will be between four (4) to six (6) feet higher in elevation than the proposed Jasmine Condos Unit 3.

The site plan as submitted indicates the parking along the west property line has been significantly reduced from the original submittal in order to accommodate landscaping. The proposed development would be over parked by 31 parking spaces, however, it appears that the minimum required parking is not enough to accommodate the residents in the development, therefore, the applicant is providing more than necessary.

The applicant has provided an increased landscape buffer area than originally proposed and is also providing additional parking for the residents. Therefore, staff does not object to the landscape buffer as proposed on the site plan. However, the applicant will be required to provide landscaping along the west property line with approved plant and shrub materials for a minimum ground coverage of 80% at maturity, not including trees, and provide a 24" box tree within each diamond proposed on the site plan.

RECOMMENDATION:

The Department of Planning and Zoning recommends that the SPR-15-04 be approved subject to the following conditions:

1. The development shall comply with the Multi-Family Design Standards, with the exception that the landscape buffer along the west property line shall be provided as indicated on the approved site plan.
2. The applicant shall provide landscaping along the west property line with approved plant and shrub materials for a minimum ground coverage of 80% at maturity, not including trees, and provide a 24" box tree within each diamond proposed and in all areas as required by the Multi-Family Design Standards.
3. That the site plan shall to comply with all applicable codes and ordinance.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan* or as otherwise approved by the Director of Public Works or his designee.

6. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geologic 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.
7. The property owner is required to grant a roadway easement for commercial driveway(s) prior to civil improvement plan approval.
8. All common elements shall be labeled as such and to be maintained by the homeowners association.
9. All conditions of the approved traffic study must be complied with.
10. At a minimum the following amenities shall be provided:
 - a. circuitous lighted paths
 - b. a minimum of 20 24-inch box trees per acre
 - c. at least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
 - d. at least one large open space area for group / organized play
 - e. picnic tables and barbecue grills
 - f. benches spaced along park pathways
 - g. ADA accessibility
 - h. details of amenities to be provided
 - i. sand volleyball court
 - j. basketball court at an adjacent site

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

Robert Cunningham, 4445 S. Jones Boulevard, Las Vegas, Nevada 89103 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Jay Aston MOVED and Commissioner Steve Brown SECONDED to APPROVE SPR-15-04 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Items #25 SPR-15-04 and #26 T-1068 are related.

26) T-1068 (13921) JASMINE CONDOS UNIT 3

An application submitted by Taney Engineering on behalf of Lam De and Mancam, et. al., property owners, for approval of a tentative map in an R-1 Single-Family Residential District (proposed R-3 Multifamily Residential District) consisting of 80 multifamily units. The property is generally located south of Tropical Parkway and approximately 285 feet west of Valley Drive. The Assessor's Parcel Number is 124-30-303-001.

RECOMMENDATION:

The Department of Planning and Zoning recommends that the T-1068 be approved subject to the following conditions:

1. The development shall comply with the Multi-Family Design Standards, with the exception that the landscape buffer along the west property line shall be provided as indicated on the approved tentative map.
2. The applicant shall provide landscaping along the west property line with approved plant and shrub materials for a minimum ground coverage of 80% at maturity, not including trees, and provide a 24" box tree within each diamond proposed and in all areas as required by the Multi-Family Design Standards.
3. That the tentative map comply with all applicable codes and ordinance.
4. Approval of a drainage study is required prior to submittal of the civil improvement plans.
5. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan* or as otherwise approved by the Director of Public Works or his designee.
6. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geologic 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.
7. Street names must be approved by the City of Las Vegas Central Fire Alarm Office and shown on the conformed tentative map prior to final signature.
8. The property owner is required to grant a roadway easement for commercial driveway(s) prior to civil improvement plan approval.
9. Plans are required to show ownership/unit lines.
10. All common elements shall be labeled as such and to be maintained by the homeowners association.
11. All conditions of the approved traffic study must be complied with.

12. At a minimum the following amenities shall be provided:
 - a. circuitous lighted paths
 - b. a minimum of 20 24-inch box trees per acre
 - c. at least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada
 - d. at least one large open space area for group / organized play
 - e. picnic tables and barbecue grills
 - f. benches spaced along park pathways
 - g. ADA accessibility
 - h. details of amenities to be provided
 - i. sand volleyball court
 - j. basketball court at an adjacent site

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

Robert Cunningham, 4445 S. Jones Boulevard, Las Vegas, Nevada 89103 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Commissioner Nelson Stone MOVED and Commissioner Steve Brown SECONDED to APPROVE T-1068 per staff's recommendations subject to the following change:

"Approval based on Exhibit A (on file)."

The motion carried by UNANIMOUS vote.

The item was APPROVED.

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

27) T-1065 (13792) VILLAGES AT SIERRA RANCH

An application submitted by American Premiere Homes on behalf of John and Gabriella Michelin, property owners, for approval of a tentative map in an R-E Ranch Estates District (proposed PUD Planned Unit Development District) consisting of 967 single-family dwellings. The property is located at the southeast corner of Commerce Street and Azure Avenue. The Assessor's Parcel Numbers are 124-27-601-001 and 124-27-701-001.

This item was continued from the February 11th and February 25th Planning Commission meetings.

(from the 2/11/04 Planning Commission meeting):

RECOMMENDATION:

The Planning & Zoning Department recommends that T-1065 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 ZN-08-04 be approved by the City Council; and
3. That this development comply with all conditions of ZN-08-04; and
4. That the Land Use Tabulation chart on Sheet 1 of 10 shall be amended to reflect the following:

<u>Village No.</u>	<u>Minimum lot size</u>	<u>Area (Acres)</u>	<u>No. of Lots</u>
1	60' x 100' (6,000sf)	20.84	88
2	40' x 90' (3,600sf)	24.15	149
3	43' x 90' (3,870sf)	22.65	159
4	40' x 75' (3,000sf)	17.41	111
5	40' x 75' (3,000sf)	19.12	171
6	60' x 100' (6,000sf)	24.93	91
7	45' x 100' (4,500sf)	23.01	108
8	45' x 100' (4,500sf)	15.88	90

5. That the details provided on sheet 10 of 10 shall not be considered or implied to be "approved" as part of this tentative map; and
6. That the maximum number of lots proposed for this development shall not exceed 967; and
7. That the primary open space areas located at the intersection of Tropical Parkway and Goldfield Street be developed according to the following:
 - Northwest corner (3.138 acres) shall be completed prior to the issuance of the 118th building permit for Villages 1 and 2, combined.
 - Southwest corner (3.131 acres) shall be completed prior to the issuance of the 135th building permit for Villages 3 and 4, combined.
 - Southeast corner (3.969 acres) shall be completed prior to the issuance of the 130th building permit for Villages 5 and 6, combined.
 - Northeast corner (2.862 acres) shall be completed prior to the issuance of the 99th building permit for Villages 7 and 8, combined.
8. That a minimum 15.37 acres of open space be provided within this development and in accordance with the requirements set forth in the Zoning Ordinance; and

9. All common elements must be labeled and are to be maintained by the Homeowner's Association; and
10. That all "Utility Easements" identified on the map be revised to include public pedestrian access easements that conform to North Las Vegas Municipal Code 17.24.210.D.4.a., including but not limited to landscaping and an ADA-compliant meandering sidewalk. The pedestrian accessways shall be open / accessible to all residents at all times; and
11. That the lot configuration and subdivision design are not approved. Changes to the submitted map shall be required prior to the tentative map satisfying all codes and ordinances; and
12. That the perimeter walls be owned and maintained by the homeowners' association; and
13. That corner side yard landscaping be maintained by the homeowners' association; and
14. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping; and
15. That a pedestrian access easement be provided over any / all emergency access easements. The easement(s) shall be landscaped and provided with a meandering sidewalk. The pedestrian access shall be open / accessible to all residents at all times; and
16. Notes shall be placed on the conforming tentative and final maps referencing the applicable conditions of approval, subject to review and approval by Planning staff; and
17. That five (5) copies of the conforming tentative map, incorporating all conditions mentioned herein, be submitted to the Department of Public Works prior to the issuance of any construction permits.
18. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
19. Fire access lanes shall be designed, installed, and maintained in accordance with Fire Code requirements.
20. Commerce Street must be show a fifty foot half street the entire length of the project.
21. The following right of way dedications are required:
 - a. Additional 10 feet for Commerce Street and associated spandrels
 - b. 80 feet for Tropical Parkway and associated spandrels
 - c. 30 feet for Azure Avenue and associated spandrels
 - d. 60 feet for Goldfield Street and associated spandrels
 - e. 30 feet for El Campo Grande Avenue and associated spandrels
 - f. right of way dedication for a CAT bus turn-out in accordance with Clark County Area Uniform Standard Drawing Number 234.1. on North 5th Street near Tropical Parkway, on Tropical Parkway near North 5th Street, on Commerce Street near Tropical Parkway and on Tropical Parkway near Commerce Street
 - g. Additional right of way for a flared intersection at Tropical Parkway & Commerce Street and at Tropical Parkway & North 5th Street per Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 201.1 and 245.1.
 - h. Or as approved by the Department of Public Works.
22. If Nevada Power Company poles need to be relocated, it shall be at the expense of the developer.
23. Show all easements per the preliminary title report.
24. Lots to be renumbered to eliminate duplication.

25. Label all common elements to be maintained by the homeowners association.
26. Plans are required to show the width of the public utility easement expanded to include street light foundations.
27. The property owner is required to grant a pedestrian access easement for sidewalk outside of the public right-of-way prior to civil improvement plan approval.
28. A revocable encroachment permit for landscaping within the public right of way is required prior to approval of the civil improvement plans.
29. Street names must be approved by the City of Las Vegas Central Fire Alarm Office and shown on the conformed tentative map prior to final signature.
30. Approval of a master transportation study/plan with modeling of 20 year projections is required prior to submittal of the civil improvement plans.
31. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along the project's North 5th Street, Commerce Street and Tropical Parkway frontages.
32. Access locations along Tropical Parkway are to be aligned across from one another. The locations are subject to review and approval of the City traffic engineer.
33. Entrance streets into a residential subdivision shall provide a minimum right of way width of 60 feet, or as approved by the Department of Public Works.
34. If the interior streets are to be public, the minimum right-of-way width is 48 feet per *Uniform Standard Drawings for Public Works Construction Off-Site Improvements Drawing No. 207*, otherwise the streets shall be private.
35. Sidewalk is required on a minimum of one side of all interior, private streets.
36. 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.
37. Approval of a drainage study is required prior to submittal of the civil improvement plans.
38. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Geologic 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.
39. The footprint of proposed structures shall be plotted on all lots impacted by faults / fissures.
40. Proposed structures shall not be within five feet of any fault / fissure.
41. 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.
42. 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. The notice shall also state the R.C. Farms, in part, is protected by state statutes as an agricultural use.
43. The side lot easements must be revised and conform to North Las Vegas Municipal Code 17.24.210.D.4.a.

44. The Zone A limits of the Federal Emergency Management Agency (FEMA) designated Special Flood Hazard Area (SFHA) must be shown on the tentative map.

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

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

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to APPROVE T-1065 per staff's recommendations.

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

The item was APPROVED.

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: James Lewis, Senior Deputy City Attorney, spoke of the issue of "Good Cause" in relation to N.R.S. 278.050.

CHAIRMAN'S BUSINESS: None

ADJOURNMENT: 10:30 PM

A motion to ADJOURN the March 10, 2004 meeting of the Planning Commission of the City of North Las Vegas was made by Acting Chairman Marilyn Kirkpatrick. Commissioner Nelson Stone SECONDED the motion.

Marilyn Kirkpatrick, Acting Chairman

ATTEST:

Ted Karant, Recording Secretary