

MINUTES CITY OF NORTH LAS VEGAS PLANNING COMMISSION

Dean Leavitt, Chairman
Nelson Stone
Jay Aston
Harry Shull

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Marilyn Kirkpatrick, Vice-Chairman
Jo Cato
Steve Brown

Planning Commission MINUTES are available on the internet at:

www.cityofnorthlasvegas.com

November 12, 2003

CALL TO ORDER:

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

ROLL CALL:

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

STAFF PRESENT:

Misty Haehn, Acting Planning Manager
Marc Jordan, Principal Planner
Robert Eastman, 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 October 8, 2003.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Nelson Stone SECONDED to APPROVE the minutes of the October 8, 2003 Planning Commission Meeting.

The motion carried by UNANIMOUS vote.

Approval of the MINUTES for the Planning Commission meeting of October 22, 2003.

Commissioner Harry Shull MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE the minutes of the October 22, 2003 Planning Commission Meeting.

The motion carried by MAJORITY vote with Commissioner Nelson Stone abstaining from voting due to his absence at the October 22, 2003 Planning Commission meeting.

CONSENT AGENDA

A) PW-175-03 (12977) ANN/DECATUR MARKETPLACE

Accept the Commercial Developments Off-Site Improvements Agreement by Smith's Food & Drug Center, Inc., and accept the Performance Bond in the amount of \$788,218.86.

B) PW-176-03 (12978) ALIANTE NORTH

Approve the Amended Final Map.

C) PW-177-03 (12979) SENECA FALLS V

Approve the Amended Final Map.

D) PW-178-03 (12980) DONNA/DEER SPRINGS, UNIT 1A

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Centex Homes, and accept the Subdivision Bond in the amount of \$826,643.29.

E) PW-179-03 (12981) DONNA/DEERS SPRINGS, UNIT 1B

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Centex Homes, and accept the Subdivision Bond in the amount of \$418,222.20.

F) PW-180-03 (12982) ELDORADO, R1-70, NO.9, TM 19R

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Pardee Homes of Nevada, and accept the Performance Bond in the amount of \$1,410,220.13.

G) PW-181-03 (12983) SHADOW SPRINGS, PHASE 2, UNIT 5 AND PARK

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by KB Home Nevada, Inc., and accept the Performance Bond in the amount of \$1,118,759.13.

H) PW-182-03 (12984) JASMINE CONDOMINIUMS OFF-SITE SEWER

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Western Insurance Company to release the Surety Bond in the amount of \$14,520.00.

I) PW-183-03 (12985) DOVE CANYON, UNIT 4

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Gulf Insurance Company to release the Performance Bond in the amount of \$232,434.68.

J) PW-184-03 (12986) DOVE CANYON, UNIT 5

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Developers Surety & Indemnity Company to release the Performance Bond in the amount of \$300,077.53.

K) PW-185-03 (12987) SILVERWOOD RANCH, UNIT 3

Accept the off-site improvements for maintenance and advise the Director of Public Works to notify Gulf Insurance Company to release the Subdivision Bond in the amount of \$328,541.02.

L) PW-186-03 (12988) CENTENNIAL BRUCE SOUTH 40 ACRES, UNIT 1, PHASES 1 & 2

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by William Lyon Homes, and accept the Subdivision Bond in the amount of \$485,705.44.

M) PW-187-03 (12989) CENTENNIAL BRUCE WEST 40 ACRES, UNIT 3

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by William Lyon Homes accept the Subdivision Bond in the amount of \$276,699.50.

N) PW-188-03 (12991) PECOS PARK, UNIT 1 AND UNIT 1 CENTENNIAL ISLAND

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Avante Homes and accept the Off-Site Improvement Bond in the amount of \$1,366,984.63 for Unit 1 and \$17,319.01 for Unit 1 Centennial Island.

O) PW-189-03 (12992) PECOS PARK, UNIT 2

Approve the Final Map and the Subdivision Off-Site Improvements Agreement by Avante Homes, and accept the Off-Site Improvement Bond in the amount of \$608,087.15.

Commissioner Jay Aston MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE Consent Agenda Items A through O.

The motion carried by UNANIMOUS vote.

NEW BUSINESS

Item #1 AMP-58-03, #2 ZN-103-03 and #3 ZN-104-03 are related.

1) AMP-58-03 (12543) NORTHSTAR ESTATES (Public Hearing)

An application submitted by Stanpark Homes on behalf of the Lied Foundation Trust, Christina Hixson, Trustee, property owner, for an Amendment to the Master Plan of Streets & Highways to delete a portion of San Miguel Avenue commencing at Martin Luther King Boulevard and proceeding east approximately 1, 175 feet to the drainage channel. The Assessor's Parcel Numbers are 139-04-701-004, 139-04-701-005 and 139-04-801-001.

RECOMMENDATION:

The Development Services Department recommends that AMP-58-03 be **approved** and forwarded to City Council for final approval.

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

Lora Dreja, of VTN Nevada, 2727 S. Rainbow Boulevard, Las Vegas, Nevada 89146 appeared on behalf of the applicant and stated she concurs with staff's recommendations.

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

Commissioner Steve Brown MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE AMP-58-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #1 AMP-58-03, #2 ZN-103-03 and #3 ZN-104-03 are related.

2) ZN-103-03 (12530) NORTHSTAR ESTATES (Public Hearing)

An application submitted by Becker Realty Corporation on behalf of the Lied Foundation Trust, Christina Hixson, Trustee, property owner, for reclassification of property from an R-1 Single-Family Residential District to a C-P Professional Office Commercial District. The property is located at the northeast corner of Martin Luther King Boulevard and Alexander Road. The Assessor's Parcel Number is 139-04-801-001.

RECOMMENDATION:

The Development Services Department recommends that ZN-103-03 receive a **favorable recommendation** and be forwarded to the City Council for final consideration.

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

Lora Dreja, of VTN Nevada, 2727 S. Rainbow Boulevard, Las Vegas, Nevada 89146 appeared on behalf of the applicant and stated she concurs with staff's recommendations.

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

Commissioner Steve Brown MOVED and Commissioner Jay Aston SECONDED to APPROVE ZN-103-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #1 AMP-58-03, #2 ZN-103-03 and #3 ZN-104-03 are related.

3) ZN-104-03 (12545) NORTHSTAR ESTATES (Public Hearing)

An application submitted by Becker Realty Corporation on behalf of VTN, property owner, for reclassification of property from an R-1 Single Family Residential District to a C- 1 Neighborhood Commercial District. The property is generally located east Martin Luther King Boulevard and approximately 760 feet south of Craig Road. The Assessor's Parcel Number is 139-04-701-004.

RECOMMENDATION:

The Development Services Department recommends that ZN-104-03 receive a **favorable recommendation** and be forwarded to the City Council for final consideration.

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

Lora Dreja, of VTN Nevada, 2727 S. Rainbow Boulevard, Las Vegas, Nevada 89146 appeared on behalf of the applicant and stated she concurs with staff's recommendations.

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

Commissioner Steve Brown MOVED and Commissioner Jay Aston SECONDED to APPROVE ZN-104-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #4 AMP-60-03, #5 ZN-107-03 and #6 T-1036 are related.

4) AMP-60-03 (12701) TROPICAL & LAWRENCE (Public Hearing)

An application submitted by Centex Homes on behalf of American Care Group, Inc., property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of OS Open Space to LDR Low Density Residential. The property is generally located at the northeast corner of El Campo Grande Avenue and Lawrence Street. The Assessor's Parcel Number is 124-26-701-006.

RECOMMENDATION:

The Development Services Department recommends that AMP-60-03 and ZN-107-03 be **continued indefinitely** in order to allow the applicant sufficient time to address all issues regarding UN-13-94.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff is recommending this item be continued due to pending issues regarding Title 17 requirements for the adjacent cemetery.

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

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

Jim Lewis, Deputy City Attorney, stated he needs to review the Secretary of State's website to verify the corporate ownership of American Care Group, Inc.

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Chairman Dean Leavitt stated this item will be held to be heard at the end of this Agenda to allow the owner time to get to the meeting and appear on this item.

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This item was re-heard following Item #12 T1037.

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

Commissioner Harry Shull MOVED and Commissioner Nelson Stone SECONDED to APPROVE AMP-60-03 per staff's recommendations.

The motion carried by MAJORITY vote with Commissioner Jo Cato and Commissioner Steve Brown voting against the motion.

The item was APPROVED.

Item #4 AMP-60-03, #5 ZN-107-03 and #6 T-1036 are related.

5) ZN-107-03 (12702) TROPICAL & LAWRENCE (Public Hearing)

An application submitted by Centex Homes on behalf of American Care Group, Inc., property owner, for reclassification of property from an R-E Ranch Estates District to an R-1 Single-Family Residential District. The property is located at the northeast corner of Lawrence Street and El Campo Grande Avenue. The Assessor's Parcel Number is 124-26-701-006.

RECOMMENDATION:

The Development Services Department recommends that AMP-60-03 and ZN-107-03 be **continued indefinitely** in order to allow the applicant sufficient time to address all issues regarding UN-13-94.

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

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

Jim Lewis, Deputy City Attorney, stated he needs to review the Secretary of State's website to verify the corporate ownership of American Care Group, Inc.

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Chairman Dean Leavitt stated this item will be held to be heard at the end of this Agenda to allow the owner time to get to the meeting and appear on this item.

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Commissioner Harry Shull MOVED and Commissioner Nelson Stone SECONDED to APPROVE ZN-107-03 per staff's recommendations.

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

The item was APPROVED.

Item #4 AMP-60-03, #5 ZN-107-03 and #6 T-1036 are related.

6) T-1036 (12698) TROPICAL & LAWRENCE

An application submitted by Centex Homes on behalf of American Care Group, Inc., property owner, for approval of a tentative map in an R-E Ranch Estates District (proposed R-1 Single-Family Residential District) consisting of 92 single-family dwellings. The property is located at the northeast corner of Lawrence Street and El Campo Grande Avenue. The Assessor's Parcel Number is 124-26-701-006.

RECOMMENDATION:

The Development Services Department recommends that T-1036 be **continued indefinitely** in order to allow the applicant sufficient time to address all issues regarding UN-13-94 and the vacation of the 200-foot easement.

State Statutes require the Planning Commission to act within 45 days, otherwise the tentative map would be deemed approved. Therefore, unless the applicant is willing to continue the application, the Development Services Department will have to recommend that T-1036 be denied.

If however, the Planning Commission **determines that approval is warranted** at this time, the development Services Department that T-1036 be subject to the following conditions.

1. That T-1036 shall become null and void if either AMP-60-03 or ZN-107-03 is not approved by City Council.
2. That the development comply with the Single Family Design Guidelines.
3. That the Nevada Power easement along Lawrence Street shall be landscaped.
4. That perimeter landscaping of the exterior street perimeter be designated as "Common Elements" and that interior perimeter landscaping commonly described as corner side yard landscaping be addressed as allowed for in the North Las Vegas Municipal Code Section 17.24.210(E).
5. That the perimeter walls be owned and maintained by the homeowners' association.
6. That corner side yard landscaping shall be maintained by the homeowner of the lot and that provisions and enforcement of such shall be provided within the CC&R's.
7. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
8. That plastic, vinyl and similar materials shall not be permitted as part, or in whole for the construction of any perimeter or return walls within this development. Furthermore, should vinyl fencing be used on common property lines, such fencing shall comply with the following:
 - a. That the proposed fence shall be engineered to resist the long-term effects of solar radiation, wind and dryness inherent to the Las Vegas Valley.
 - b. That the proposed fence shall be engineered, designed and installed to meet manufacturer's specifications and building code requirements.
 - c. All vinyl fencing shall be compatible for pool installations.
 - d. The posts and/or all connections shall not be attached to the homes.
9. Dedication of 14 feet of right-of-way along the west side of the drainage channel shall be provided for the Southern Nevada Regional Trail System.
10. Trail access easements shall be provided from Tropical Parkway and from the interior of the subdivision to the trail.

11. The 20-foot drainage easement proposed from Turtle Beach Avenue to the drainage channel shall also serve as pedestrian access to the trail system.
12. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
13. Additional right-of-way will need to be dedicated for the Tropical Parkway Channel/Upper Las Vegas Channel confluence.
14. The limits of the existing 200-foot drainage easement along the wash must be shown on the tentative map.
15. Approval of a drainage study is required prior to the submittal of the civil improvement plans.
16. 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.
17. Side lot easement to be revised to conform with North Las Vegas Municipal Code 17.24.210.D.4.a.
18. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' North Neighborhood Flood Control Mater Plan or as otherwise approved by the Director of Public Works or his designee.
19. 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.
20. The tentative map must be signed and dated by the Engineer.
21. The Federal Emergency Management Agency designated Special Flood Hazard Area must be shown on the tentative map.
22. Approval of a traffic study is required prior to the submittal of the civil improvement plans.
23. The civil improvement plans for the project must include schedule 40 PVC fiber optic conduit along Tropical Parkway.
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 the final map.
25. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
26. 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.

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

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

Jim Lewis, Deputy City Attorney, stated he needs to review the Secretary of State's website to verify the corporate ownership of American Care Group, Inc.

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Chairman Dean Leavitt stated this item will be held to be heard at the end of this Agenda to allow the owner time to get to the meeting and appear on this item.

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Marc Jordan, Principal Planner, stated another reason staff wishes this tentative map be continued is there is presently a drainage channel running right through the center of this 40-acre site and at this time there is apparently a 200-foot wide easement that goes through that property which the Public Works Department has indicated needs to be vacated, as well as after the proper right-of-way needs to be dedicated and there is a trail system (approximately 14 feet) that also needs to be dedicated and until all this is completed staff does not know how it will affect the design of the tentative map therefore staff is recommending continuance of this item.

Mr. Rasmussen stated he agrees with the continuance.

Commissioner Nelson Stone MOVED and Commissioner Jay Aston SECONDED to CONTINUE T-1036 INDEFINITELY.

The motion carried by UNANIMOUS vote.

The item was CONTINUED INDEFINITELY.

Item #7 AMP-62-03, #8 AMP-61-03 and #9 ZN-108-03 are related.

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

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

RECOMMENDATION:

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

Jennifer Lazovich, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant and requested this item be continued to the 11/25/03 Planning Commission meeting.

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

Commissioner Harry Shull MOVED and Commissioner Steve Brown SECONDED to CONTINUE AMP-62-03 to the 11/25/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 11/25/03.

Item #9 ZN-108-03 was heard next.

Item #7 AMP-62-03, #8 AMP-61-03 and #9 ZN-108-03 are related.

8) AMP-61-03 (12705) GRAND TETON/VALLEY (Public Hearing)

An application submitted by Pardee Homes of Nevada, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to MLDR Medium-Low Density Residential. The property is located at the southeast corner of San Mateo Street and Horse Drive. The Assessor's Parcel Numbers are 124-07-301-011, 124-07-301-012, 124-07-401-006 and 124-07-401-007.

RECOMMENDATION:

The Development Services Department recommends that AMP-61-03 **receive a favorable recommendation** and be forwarded to the City Council for final consideration.

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

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

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

Commissioner Harry Shull MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to APPROVE AMP-61-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

This item was heard following Item #7 AMP-62-03.

Item #7 AMP-62-03, #8 AMP-61-03 and #9 ZN-108-03 are related.

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

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

RECOMMENDATION:

The Development Services Department recommends that ZN-108-03 be **continued indefinitely** until such time that a traffic study supporting the removal of Racel Street is submitted and until such time that the Regional Flood Control Facility that parallels Grand Teton Drive is identified on the plans.

If, however, the Planning Commission determines from the evidence presented that a **favorable action** is warranted at this time, then the following conditions are recommended and that this item be forwarded to the City Council for final consideration:

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

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

Front (garage):	20 feet from back-of-sidewalk or Common Element, or property line if no sidewalk exists
Front (living area):	15 feet from back-of-sidewalk or Common Element, or property line if no sidewalk exists
Rear:	15 feet
Interior side:	5 feet
Corner side:	10 feet
17. The developer must notify those residents along Horse Drive that there is a model airplane flying field on the north side of Horse Drive and that there are possibilities of noise and that, while the airplanes are not allowed to fly to the south of Horse Drive, a pilot may lose control of his aircraft; and
18. That the primary park area be provided with the following amenities, subject to review and approval of the Department of Parks & Recreation:
 - 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. one large group shade area / gazebo (30' diameter), lighted
 - f. picnic tables and barbecue grills
 - g. benches spaced along park pathways
 - h. details of amenities to be provided
 - i. ½ court basketball, unlighted
 - j. climbing wall and playground mural
 - k. bicycle rack
 - l. game tables; and
18. That all of the primary park area be constructed prior to the issuance of the 100th building permit; and
19. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.
20. The alignments of Honduras Court and Brasil Avenue must align and connect with the alignments for Racel Street to the east and west of this development.
21. No certificate of occupancy will be granted for a residential unit within the development until after Fire Station 56 is in operation.
22. Notes shall be placed on the tentative and final maps referencing the applicable conditions of

approval, subject to review and approval by Planning staff; and

23. Approval of a drainage study is required prior to submittal of the civil improvement plans.
24. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
25. The following right of way dedications are required:
 - a. right of way for flared intersection at Horse Street and Aviary Way (formerly Valley Drive) and at Grand Teton Drive and Aviary Way
 - b. right of way for CAT bus turn-out on Grand Teton Drive near Aviary Way
 - c. 48' for right of way on Grand Teton Drive
 - d. approximately 50' of additional right of way along the north side of Grand Teton right of way for the proposed Grand Teton open channel regional facility
 - e. dedicate the right of way in accordance with the Master Plan of Streets and Highways
26. The property owner shall grant a pedestrian access easement for sidewalk not located in the right-of-way and roadway easements where the public and private streets intersect. In addition, a revocable encroachment permit must be acquired for landscape within the right-of-way.
27. The applicant must file a Merger & Resubdivision parcel map to create the proposed parcel.
28. The vacation of Racel Street (VAC-14-03) must record concurrent with the Merger & Resubdivision parcel map.
29. Should AMP-62-03 not be approved, a revision to show Racel Street per the Master Plan of Streets and Highways will be necessary.
30. Approval of a traffic study with queuing analysis is required prior to submittal of the civil improvement plans.
31. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Horse Drive, Grand Teton Drive and Valley Drive.
32. Provide 2 ingress lanes and 2 egress lanes at each entryway.
33. The mini cul de sacs shall serve no more than four lots. Use the standard cul de sacs to serve five or more lots.
34. Parking shall be limited to one side of the street. The developer shall provide red painted curb and install "no parking" signs.

Jennifer Lazovich, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant and requested this item be continued to the 11/25/03 Planning Commission meeting.

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

Commissioner Steve Brown MOVED and Commissioner Harry Shull SECONDED to CONTINUE ZN-108-03 to the 11/25/03 Planning Commission meeting.

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

The item was CONTINUED to 11/25/03.

Item #10 ZN-105-03, #11 ZN-106-03 and #12 T-1037 are related.

10) ZN-105-03 (12648) ALIANTE PARCEL 68 (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for reclassification of property from a MPC Master Planned Community District to a PSP MPC Public/Semi-Public/Master Planned Community District. The property is located at the northeast corner of Decatur Boulevard and Deer Springs Way. The Assessor's Parcel Number is 124-19-210-004.

RECOMMENDATION

The Development Services Department recommends that ZN-105-03 and ZN-106-03 be forwarded to the City Council with a **recommendation for permanent zoning** to the MPC / PSP, Master Planned Community / Public Semi-Public District by ordinance.

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

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

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

Commissioner Jay Aston MOVED and Commissioner Steve Brown SECONDED to APPROVE ZN-105-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #10 ZN-105-03, #11 ZN-106-03 and #12 T-1037 are related.

11) ZN-106-03 (12649) ALIANTE PARCEL 67B (Public Hearing)

An application submitted by North Valley Enterprises, LLC, property owner, for reclassification of property from a MPC Master Planned Community District to a PSP/MPC Public/Semi-Public Master Planned Community District. The property is located north of Deer Springs Way and approximately 287 feet east of Aliante Parkway. The Assessor's Parcel Number is 124-20-611-003.

RECOMMENDATION

The Development Services Department recommends that ZN-105-03 and ZN-106-03 be forwarded to the City Council with a **recommendation for permanent zoning** to the MPC / PSP, Master Planned Community / Public Semi-Public District by ordinance.

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

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

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

- ▶ Cedric Williams, 2805 Terrel Way, North Las Vegas, Nevada 89084

Mr. Williams stated he learned of the Public Hearing through a mail notification, however he did not understand the purpose of the hearing and now having attended the meeting he understands.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Chairman Dean Leavitt SECONDED to APPROVE ZN-106-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #10 ZN-105-03, #11 ZN-106-03 and #12 T-1037 are related.

12) T-1037 (12700) ALIANTE PARCEL 20

An application submitted by Astoria Homes on behalf of 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 308 single-family dwellings. The property is located south of Elkhorn Road and approximately 1,014 feet southwest of Aliante Way. The Assessor's Parcel Number is 124-20-110-001.

The Development Services Department recommends that T-1037 be approved subject to the following conditions:

1. Seagull Dive (Court) exceeds the design standards of the modified stub street for the City of North Las Vegas, which is limited to a maximum length of 100 feet and a maximum lot frontage of four. Make the necessary corrections or use a standard cul-de-sac design.
2. The property line between lot 37 and common element #6 is not shown; it appears that the square footage should be corrected also.
3. Approval of a drainage study is required prior to approval of the civil improvement plans.
4. Conformance with the overall drainage study is required.
5. Approval of a traffic study update is required prior to submittal of the civil improvement plans.
6. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Elkhorn Road.
7. Common Element #s 5, 6, 8, and 9 shall use an Open Space / Recreational Trail / Parks Connections as shown in the Aliante Family Village Design Standards and shall be labeled as a landscape areas and open spaces as "common elements to be privately maintained."
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. The subject site must receive the required R-1 MPC zoning classification prior to filing of the final map, or T-1037 shall become null and void.
10. Five copies of a revised tentative map incorporating the conditions of approval shall be submitted for review of the Public Works Department and the Planning Division prior to submittal of the final map.

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

Rick Barron, with Astoria Homes, 9555 Del Webb Boulevard, Las Vegas, Nevada 89134 appeared on behalf of the applicant and stated he concurs with staff's recommendations.

Mr. Eastman stated he would like to make one change to condition #5:

"Approval of a traffic study update is required prior to **approval** of the civil improvement plans."

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to APPROVE T-1037 per staff's recommendations subject to the following change:

Condition #5 Changed to Read: "Approval of a traffic study update is required prior to **APPROVAL** of the civil improvement plans."

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Jim Lewis, Deputy City Attorney, stated, with regard the Items #4 AMP-60-03, #5 ZN-107-03 and #6 T-1036, the Planning Commission may proceed with staff's recommendations on the AMP and the Zone Change (ZN), but hold the tentative map at the Planning Commission as cemeteries are a "special use" in R-E and R-1 and there is not too much concern about the land use issue. Mr. Lewis stated it may be verified the owner is giving up his right completely to the land use before the tentative map is heard by the Planning Commission.

ITEM #4 WAS HEARD NEXT.

13) UN-85-03 (12537) VIRGIL A. ROGERS (Public Hearing)

An application submitted by Virgil A. Rogers, property owner, for a use permit in an R-E Ranch Estates District to allow a 2,130 square foot metal garage. The property is located at 4437 Palomino Estates Street. The Assessor's Parcel Number is 139-06-114-003.

RECOMMENDATION:

The Development Services Department recommends that UN-85-03 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.
2. The accessory structure shall not exceed the height of the dwelling.
3. The accessory structure shall take on the character of the dwelling using the same materials, colors and style.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff has no objections to this item as it does not occupy more than 25% of the rear yard, however the applicant is proposing a building that is all metal and more of a kwanza-hut design and based on the existing dwelling unit which is constructed of stucco and wood-siding and asphalt shingle roofing, staff would recommend that the design of the building be changed to match that of the house using similar materials and colors. In addition, at the time a building permit is sought, this applicant would need to present evidence that the proposed accessory structure does not exceed the height of the existing dwelling unit, as that is a requirement of Title 17.

Virgil Rogers, 4437 Palomino Estates, North Las Vegas, Nevada 89031 appeared on behalf of the applicant.

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

- ▶ David Lowry, 4516 Tennessee Walker, North Las Vegas, Nevada (no zip code stated)

Mr. Lowry stated he opposes a building of this size in the neighborhood and does not want this application approved.

- ▶ Susan Selby, 4444 Cayuse, North Las Vegas, Nevada 89031

Ms. Selby stated she opposes this application due to its large size.

- ▶ Teresa Stricker, 4721 Pacer Avenue, North Las Vegas, Nevada 89031

Ms. Stricker stated she is the President of the Board of Directors at Palomino Estates and the association CC&Rs prohibit this type of use.

- ▶ Brenda Hardesty, 4724 Charger Avenue, North Las Vegas, Nevada 89031

Ms. Hardesty stated she opposes this size building and has a signed petition by the surrounding homeowners indicating the same.

- ▶ Angela Miller, 4621 Charger, Las Vegas, Nevada 89031

Ms. Miller stated she opposes this item as she does not want to see structures such as these in the neighborhood.

- ▶ Diana Davidson, 4621 Steeplechase, North Las Vegas, Nevada 89031

Ms. Davidson stated opposes this size structure. She stated the applicant does not live at this property and hopes the Planning Commission denies this application.

- ▶ Laurie Beecher, 4627 Steeplechase Avenue, North Las Vegas, Nevada 89031

Ms. Beecher stated she opposes this project as this building will be visible from the street. She suggested perhaps the applicant should consider reducing the size of the structure.

- ▶ Meagan Maynard, 4509 Gun Smoke Circle, North Las Vegas, Nevada 89031

Ms. Maynard stated she opposes this item as she feels it will not benefit the neighborhood.

Chairman Leavitt closed the Public Hearing.

Mr. Rogers stated he would like a continuance of this application so that he may consider different options to address the neighbor's concerns.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Harry Shull SECONDED to CONTINUE UN-85-03 INDEFINITELY.

The motion carried by UNANIMOUS vote.

The item was CONTINUED INDEFINITELY.

14) UN-87-03 (12675) BROOKS ST. BUSINESS PARK (Public Hearing)

An application submitted by Leslie H. Smith on behalf of CIBOLA, Inc., property owner, for a use permit in a C-1 Neighborhood Commercial District to allow an automobile service facility. The property is located at the northwest corner of Fort Sumter Drive and Brooks Street. The Assessor's Parcel Number is 139-14-103-001.

RECOMMENDATION:

The Development Services Department recommends that UN-87-03 be **continued indefinitely** to allow the applicant time to consider reducing the number of auto service bays or the number of total square feet and to redesign the site to be in compliance with the Commercial Development Standards and Design Guidelines (§17.24.200 NLV Municipal Code.)

If the applicant is unable or unwilling to continue this item indefinitely, then the Development Services Department recommends that this item be **denied** because the proposed site plan design would create an adverse impact on the quality of life for the residents in the subject neighborhood.

However, if the Planning Commission determines that a **favorable action is warranted** at this time, then the following conditions are recommended:

1. That this special use permit is site specific and non-transferable; and
2. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
3. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines, with the following exceptions:
 - a. That ten feet (10.00') of landscaping be provided adjacent to the eastern (residential) property line. The landscape buffer shall be planted with 24" evergreen trees spaced not greater than ten feet (10.00') on-centers. Additional landscape materials shall be provided in accordance with code requirements; and
 - b. That foundation landscaping be provided such that the 6-foot landscape planters be provided on each side of all the offices, rather than between the offices and the parking stalls. Sidewalks shall be provided in accordance with code requirements; and
4. That exterior roof ladders shall not be permitted. All access to the roofs shall be from the insides of the buildings; and
5. That exterior drain scuppers shall not be permitted; and
6. That the hours of operation shall be limited to 7:00 am to 8:00 pm; and
7. That outside overnight parking of vehicles shall not be permitted. Overnight shall be deemed from 8:00 pm to 7:00 am; and
8. That the wall-mounted air-conditioner units be moved to the sides of the offices rather than the fronts of the offices; and
9. That, if necessary, the number of service bays and/or total building square footage of the auto service facility be reduced to ensure compliance with all applicable codes and ordinances; and
10. Approval of a drainage study is required prior to submittal of the civil improvement plans.
11. Half street improvements for Brooks Avenue is required.

12. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.
13. The billboard shall be removed from the public right of way.
14. Approval of a traffic study is required prior to submittal of the civil improvement plans.
15. Driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the commercial standards set forth in North Las Vegas Municipal Code 17.24.130. Conformance may require modifications to the site; and
16. That Fire access lanes shall be designed and installed in accordance with the Fire Code.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff is recommending this item be continued indefinitely to allow the applicant time to submit a revised plan that complies with all ordinance requirements, as well as setback requirements which is a 20-foot setback next to I-15. They will need to meet that setback requirement or apply for a variance and get that approved by the Planning Commission, which the applicant has not applied for.

Leslie Smith, 4711 E. Flamingo Road, Las Vegas, Nevada 89121 appeared on behalf of the applicant.

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

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to APPROVE UN-87-03 per staff's recommendations subject to the following change:

Delete Condition #13.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

15) UN-88-03 (12687) LOUIS DIFRANCESCO (Public Hearing)

An application submitted by Louis D. Francesco on behalf of CHC 1984 Trust and Mohler Investment Company, property owners, for a use permit in a C-1 Neighborhood Commercial District and C-2 General Commercial District to allow mini-warehousing. The property is located east of Decatur Boulevard and approximately 666 feet north of Craig Road. The Assessor's Parcel Number is 139-06-215-017.

The buildings have also been redesigned to comply with the commercial design standards and the Fire Department turning radii. The proposed buildings are better but require additional elements to fully comply with the commercial design standards; including additional vertical relief elements and the incorporation of roof drains. Additionally, the proposed perimeter wall is not shown but should comply with the commercial design standards.

However, as the use seems appropriate the Development Services Department recommends that UN-88-03 be approved subject to the following conditions:

1. Approval of a drainage study is required prior to submittal of the civil improvement plans.
2. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
3. City of Las Vegas concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
4. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.
5. Access from Decatur Boulevard shall be from the existing driveway.
6. Gate number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer.
7. Approval of a traffic study is required prior to submittal of the civil improvement plans.
8. Fire access lanes shall be designed and installed in accordance with the Fire Code.
9. Unless expressly authorized through a variance, waiver or another approved method; development shall comply with all applicable codes, ordinances, and design standards.

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

Kenneth Chow, 7730 W. Sahara Avenue, Las Vegas, Nevada (no zip code stated) appeared on behalf of the applicant and stated he concurs with staff's recommendations.

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

- ▶ Meagan Maynard, 4509 Gun Smoke Circle, North Las Vegas, Nevada 89031

Ms. Maynard stated she does not feel this project would benefit the neighborhood. She stated she would prefer a different type of business at this location.

- ▶ David Lowry, 4516 Tennessee Walker, North Las Vegas, Nevada (no zip code stated)

Mr. Lowry stated he opposes a mini storage at this location and if this item is approved, he would like to see a condition limiting the hours of operation.

Chairman Leavitt closed the Public Hearing.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to APPROVE UN-88-03 per staff's recommendations subject to the following changes:

Condition #10 Added to Read: "that the hours of operation be Monday through Friday be 6:00 AM to 7:00 PM, Saturday and Sunday 8:00 AM through 9:00 PM."

Condition #11 Added to Read: "that non-illuminating signage be along Decatur."

Condition #12 Added to Read: "to require all landscaping to meet the Commercial Standards and that a 25% increase in the trees along the residential wall."

The motion carried by MAJORITY vote with Commissioner Harry Shull and Commissioner Jay Aston voting against the motion.

The item was APPROVED.

16) VAC-24-03 (12704) ANN & PECOS (Public Hearing)

An application submitted by Runvee Hobart Ltd NV c/o TELISCHAK & Co., property owner, to vacate a portion of Ann Road commencing at Pecos Road and proceeding east approximately 2,654 feet. The Assessor's Parcel Numbers are 123-30-301-001 and 123-31-101-001.

RECOMMENDATION

The Development Services Department recommends that VAC-24-03 be **denied**.

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

1. The following right of way dedications are required:
 - a. 60' right of way for Lamb Boulevard and associated spandrels
 - b. 80' right of way for Walnut Road and associated spandrels
 - c. 60' right of way for Tropical Parkway from Pecos Road to Sandy Lane transitioning to 50' from Sandy Lane to Lamb Boulevard and associated spandrels
 - d. additional right of way for flared intersections at Tropical Parkway and Pecos Road, Ann Road and Pecos Road, Tropical Parkway and Walnut Road, Tropical Parkway and Lamb Boulevard and at Ann Road and Lamb Boulevard
 - e. right of way for CAT bus turn-outs at Pecos Road near Ann Road, Tropical Parkway near Pecos Road, Tropical Parkway near Walnut Road, Lamb Boulevard near Ann Road, Ann road near Lamb Boulevard, Ann Road near Pecos Road and on Walnut Road near Tropical Parkway
 - f. additional right of way for the flood control facility paralleling the UPRR and various other proposed flood control facilities to be better determined by a drainage study
 - g. additional right of way for the bridge area where Lamb Boulevard and the UPRR intersect.
2. Amend the Master Plan of Streets and Highways to remove Ann road or dedicate 80' right of way for Ann Road along its existing alignment from Pecos Road to where it curves northerly and intersects with Walnut Road and between the UPRR and I-15.

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

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

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Nelson Stone SECONDED to CONTINUE VAC-24-03 to the 12/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 12/10/03.

17) ZOA-11-03 (12683) CITY OF NORTH LAS VEGAS (Public Hearing)

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

RECOMMENDATION

The Development Services Department recommends that ZOA-11-03 be **approved**.

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

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

- ▶ Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, Nevada 89109

Ms. Lazovich requested this ordinance be continued for two (2) weeks to allow time to see if there are any issues that need addressing.

- ▶ Joel Rubin, 1375 E. Baseline Road, San Bernardino, California 92410

Mr. Rubin stated he is please with staff's recommendations and hopes this item is approved.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Jay Aston SECONDED to APPROVE ZOA-11-03 per staff's recommendations.

The MOTION TO APPROVE FAILED with Vice-Chairman Marilyn Kirkpatrick, Commissioner Nelson Stone, Commissioner Jo Cato and Commissioner Steve Brown voting against the motion.

Commissioner Nelson Stone MOVED and Vice-Chairman Marilyn Kirkpatrick SECONDED to CONTINUE ZOA-11-03 to the 12/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 12/10/03.

18) FDP-24-03 (12703) REVERE STREET & GOWAN ROAD

An application submitted by Greystone Nevada, LLC, property owner, for a Final Development Plan review in a PUD Planned Unit Development District, consisting of 115 single-family dwellings. The property is generally located southeast corner of Revere Street and Gowan Road. The Assessor's Parcel Numbers are 139-10-311-001 thru 139-10-311-116.

RECOMMENDATION:

The Development Services Department recommends that FDP-24-03 be approved with the following conditions of approval:

1. Unless expressly authorized through a variance, waiver or another approved method development shall comply with all applicable codes and ordinances.
2. The applicant shall comply with all conditions of development for the PUD Planned Unit Development District (ZN-47-02) and the tentative map (T-937).
3. The City of North Las Vegas does not permit the construction of any buildings within a Federal Emergency Management Agency (FEMA) designated Special Flood Hazard Area (SFHA). Under this policy, the applicant must meet the following requirements prior to issuance of permits and certificates of occupancy:
 - a. Grading and off-site construction permits may be issued once a copy of the Conditional Letter of Map Review (CLOMR) application has been submitted to FEMA for processing.
 - b. Building permits may be issued once a CLOMR has been obtained from FEMA.
 - c. Certificates of Occupancy can be issued once a Letter of Map Revision (LOMR) has been obtained from FEMA.
4. All known geologic hazards shall be shown on the final development plan, tentative map and the civil improvement plans. Geologic hazards such as fault lines or fissures affecting residential structures may substantially alter the final development plan and tentative map layout and require the submission of a revised final development plan and/or tentative map which must be approved by the City prior to final approval of the civil improvement plans.
5. As previously recorded, the common elements must be labeled with the corresponding letter.
6. Label the open space between lots 20 and 21 as a common element to be maintained by the homeowners association.
7. The final map must be amended.
8. Eliminate the median island(s) within Lonesome Drum Street or designate lots 45-47 as a common element, remove the associated driveways and amend the final map accordingly.
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.
10. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Gowan Road and Revere Street.
11. The development must comply with the Single-Family Design Standards, including, but not limited to:
 - a.) All landscaping requirements; and
 - b.) Architectural detailing on all elevations.

12. The open space amenities shall include, at a minimum:
- a.) Circuitous lighted paths;
 - b.) A minimum of twenty (20) 24-inch box trees per acre;
 - c.) At least two (2) differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface and accompanying shade ramada;
 - d.) At least one (1) large open space area for group / organized play;
 - e.) At least one (1) large group shade area / gazebo (30' diameter), lighted;
 - f.) Picnic tables and barbecue grills;
 - g.) Benches spaced along park pathways;
 - h.) Horseshoe pits;
 - i.) Exercise stations along pathway;
 - j.) Details of amenities to be provided.

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

Rebecca Ralston, of Carter Burgess, Inc., 6655 Bermuda Road, Las Vegas, Nevada 89119 appeared on behalf of the applicant and stated she concurs with staff's recommendations.

Commissioner Harry Shull MOVED and Commissioner Steve Brown SECONDED to APPROVE FDP-24-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

19) T-1033 (12695) SIMMONS MARKETPLACE II

An application submitted by Marathon Commercial on behalf of ASF Investments, LLC, property owner, for approval of a one-lot commercial tentative map in a C-1 Neighborhood Commercial District. The property is located at the southeast corner of Ferrell Street and Ann Road. The Assessor's Parcel Number is 124-32-102-005.

RECOMMENDATION:

The Development Services Department recommends that T-1033 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 no site plan approval is granted, assumed or implied. All reviewing departments and agencies shall reserve the right to provide comments, corrections and conditions related to the site until such time that the Major Site Plan is submitted for review and approval by the Planning Commission; and
3. That the applicant file for and obtain approval from the Planning Commission for a Major Site Plan Review for the shopping center prior to applying for any building permits related to the development of this site; and
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. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original tentative map layout.
7. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan* or as otherwise approved by the Director of Public Works or his designee.
8. The property owner shall grant an easement for the commercial driveways prior to approval of the civil improvement plans.
9. The property owner shall sign a restrictive covenant for utilities prior to approval of the civil improvement plans.
10. Approval of a traffic study is required prior to submittal of the civil improvement plans.
11. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road.
12. Off-site improvements, including but not limited to, street lights, curb, gutter, sidewalk and pavement as required by the Director of Public Works.

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

Russ Silverton, with Civiltec, Inc.. 4795 S. Sandhill Road #14, Las Vegas, Nevada 89121 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-1033 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

20) T-1034 (12696) QUAIL RUN ESTATES

An application submitted by Pacific Holt Corporation on behalf of the James E. Barnett, IRA and David J. Barnett, IRA, c/o Nevada State Bank Trust Department, property owners, for approval of a tentative map in an R-E Ranch Estates District consisting of 25 single-family dwellings. The property is located west of Allen Lane and approximately 665 feet south of Washburn Road. The Assessor's Parcel Number is 124-31-701-017.

RECOMMENDATION:

The Development Services Department recommends that T-1034 be **approved** subject to the following conditions:

1. That the development comply with the Single Family Design Guidelines, including, but not limited to providing 15 feet of perimeter landscaping (which may include a sidewalk) for Lots 1, 12, 13 and 24 along Willis Street and Allen Lane and be maintained by the abutting property owners, which shall be addressed as a note on the final map.
2. That the perimeter walls for Lots 1, 12, 13 and 24 terminate approximately at the mid-point of the dwelling and integrate the perimeter landscaping with the lot landscaping to create a uniform appearance and be maintained by the abutting property owners, which shall be addressed as a note on the final map.
3. That plastic, vinyl and similar materials shall not be permitted as part, or in whole for the construction of any perimeter or return walls within this development. Furthermore, should vinyl fencing be used on common property lines, such fencing shall comply with the following:
 - a. That the proposed fence shall be engineered to resist the long-term effects of solar radiation, wind and dryness inherent to the Las Vegas Valley.
 - b. That the proposed fence shall be engineered, designed and installed to meet manufacturer's specifications and building code requirements.
 - c. All vinyl fencing shall be compatible for pool installations.
 - d. The posts and/or all connections shall not be attached to the homes.
4. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
5. Fire access lane width shall be designed, installed and maintained in accordance with the Fire Code.
6. Approval of a drainage study is required prior to the submittal of the civil improvement plans.
7. The property owner shall grant roadway easements where private and public streets intersect.
8. The following right-of-way dedications are required:
 - a. 30 feet of right-of-way for Willis Street.
 - b. right-of-way for a portion of drainage channel in the northeast corner of the parcel
9. Approval of a traffic study is required prior to submittal of the civil improvement plans.
10. The private drive must accommodate one (1) ingress lane and two (2) egress lanes (minimum 32' wide, lip of gutter to lip of gutter).
11. Private drive to be posted with "no parking" signs and red painted curb on both sides.
12. Reduce the severity of the curves in the curvilinear street.
13. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.

14. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

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

Mike Szymanski, of EMS Engineering, 5160 S. Eastern Avenue, Las Vegas, Nevada (no zip code stated) 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 T-1034 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

21) T-1035 (12697) WASHBURN & NORTH 5TH

An application submitted by Tru-West Development, Inc. on behalf of Brian A. and Julie A. Lee, property owners, for a tentative map in a PUD Planned Unit Development District consisting of 101 single-family dwellings. The property is generally located at the southeast corner of Washburn Road and North Fifth Street. The Assessor's Parcel Numbers are 124-35-301-001, 124-35-301-002, 124-35-301-003, 124-35-301-004, 124-35-302-004, 124-35-302-005, and 124-35-304-002.

RECOMMENDATION:

The Development Services Department recommends that T-1035 be approved subject to the following conditions:

1. All conditions of approval for ZN-41-03.
2. All local facilities and street centerline grades must be constructed on 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.
3. 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.
4. Remove section thickness from the typical sections. The off-site pavement sections will be determined by the Department of Public Works.
5. Dedicate additional right-of-way for a flared intersection per Uniform Standard Drawings for Public Works' Construction Off-site Improvements Drawing Number 201.1 at North 5th Street and Washburn Road.
6. A revocable encroachment permit for landscaping in the right-of-way will be required prior to approval of the civil improvement plans.
7. A final map must be labeled as a Merger and Resubdivision.
8. The property owner must grant a pedestrian access easement for the portions of the sidewalk outside of the right-of-way prior to approval of the civil improvement plans.
9. Label all common elements "to be maintained by the Homeowners Association."
10. Vacation 11-03 to record concurrently with the final map.
11. The property owner shall grant roadway easements where public and private streets intersect.
12. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Washburn Road and North 5th Street.
13. 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.
14. Fire access lanes shall be designed, installed, and maintained in accordance with Fire Code requirements.

15. That the developer meet jointly with the Departments of Parks and Recreation and Development Services to discuss amenities and usability of the proposed open space areas prior to submitting a final development plan. The amenities to be included in the open space which shall contain, at a minimum, the following items:
 1. Circuitous lighted paths; and
 2. Twenty (20) 24-inch trees per acre; and
 3. At least 2 differing age appropriate play structures for children with EPDM resilient fall protection over a non-porous surface, with an accompanying shade ramada; and
 4. A large open space area for group/organized play; and
 5. One large group shade area/gazebo (30' diameter), lighted; and
 6. Picnic tables and barbecue grills; and
 7. Benches spaced along park pathways; and
 8. All Open Space amenities are to be ADA accessible; and
 9. A separate picnic area in the large turf area.
16. That all conditions mentioned herein be satisfied prior to recording any final map.
17. That this development be in compliance with the PUD Open Space requirements.

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

James Leland, of Stantec Consulting, 7251 W. Charleston Boulevard, Las Vegas, Nevada 89117 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 T-1035 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

OLD BUSINESS

22) UN-42-03 (10962) L.279 NORTHERN PASSAGE (Public Hearing)

An application submitted by AT&T Wireless on behalf of St. Marks Place, LLC, property owner, for a use permit in a C-1 Neighborhood Commercial District to allow a telecommunication tower (80' tower and related facilities) with a zero (0) setback to the east and 90 foot setback to the north where 200 feet is required from a residential district. The property is located at the northeast corner of Losee Road and Centennial Parkway. The Assessor's Parcel Number is 124-24-401-002.

This item was continued from the June 25th, July 23rd, August 27th and October 8th Planning Commission meetings at the applicant's request.

(from the 6/25/03 Planning Commission meeting:

RECOMMENDATION

The Development Services Department recommends that UN-55-03 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.
2. That a temporary barrier must be installed along the edge of the new paving to prevent vehicles from driving on unimproved surfaces.
3. Approval of a traffic study update is required prior to submittal of civil improvement plans.
4. The pending improvements to Craig Road may impact the access to the site.
5. A copy of the shared parking and access agreement must be provided.
6. APN 139-01-611-007 and APN 139-01-611-008 must be consolidated to remove the parcel line.

Prior to the Planning Commission meeting, the applicant requested UN-42-03 be WITHDRAWN.

The item was WITHDRAWN.

23) ZN-19-03 (9829) PT CORPORATION (Public Hearing)

An application submitted by PT Corporation, property owner, for reclassification of property from an R-E Ranch Estates District to a C-1 Neighborhood Commercial District. The property is generally located at the southeast corner of Lawrence Street and Centennial Parkway. The Assessor's Parcel Number is 124-26-501-001.

This item was continued from the April 9, 2003, the May 14, 2003 and the June 11, 2003 Planning Commission meetings at the applicant's request. The applicant has requested that the application be placed on the November 12, 2003 Planning Commission agenda, however, no additional information has been received by the Development Services Department and, therefore, the recommendation for denial remains the same.

(from the 4/9/03 Planning Commission meeting):

RECOMMENDATION:

The Development Services Department recommends that ZN-19-03 be **denied** as it does not conform to the Comprehensive Plan, Land Use Element, for this area.

The application was presented by Marc Jordan, Principal Planner, on behalf of staff who indicated staff is recommending this application be denied as it is not in compliance with the existing Comprehensive Plan.

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

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

Commissioner Steve Brown MOVED and Commissioner Nelson Stone SECONDED to DENY ZN-19-03 per staff's recommendations.

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

The item was DENIED.

Item #24 AMP-57-03 and #25 ZN-102-03 are related.

24) AMP-57-03 (12458) CRAIG & LOSEE (Public Hearing)

An application submitted by Unlimited Holdings on behalf of Wesley D. Adams, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of Industrial to Regional Commercial. The property is located at the northeast corner of Losee Road and Craig Road. The Assessor's Parcel Numbers are 139-01-101-014, 139-01-201-003, 139-01-201-027, 139-01-201-028, 139-01-201-029, 139-01-201-031, 139-01-201-032, 139-01-201-033 and 139-01-201-034.

The item was continued from the Planning Commission meeting of October 22, 2003.

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

RECOMMENDATION:

The Development Services Department recommends that AMP-57-03 be **denied** as there is no compelling reason to amend the Comprehensive Plan.

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

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

Commissioner Jay Aston MOVED and Commissioner Harry Shull SECONDED to CONTINUE AMP-57-03 to the 12/10/03 Planning Commission meeting.

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

The item was CONTINUED to 12/10/03.

25) ZN-102-03 (12459) CRAIG & LOSEE (Public Hearing)

An application submitted by Unlimited Holdings on behalf of Wesley D. Adams, property owner, for reclassification of property from a M-2 General Industrial District to a C-2 General Commercial District. The property is located at the northeast corner of Losee Road and Craig Road. The Assessor's Parcel Numbers are 139-01-101-014, 139-01-201-003, 139-01-201-027, 139-01-201-028, 139-01-201-029, 139-01-201-031, 139-01-201-032, 139-01-201-033 and 139-01-201-034.

The item was continued from the Planning Commission meeting of October 22, 2003.

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

RECOMMENDATION:

The Development Services Department recommends that AMP-57-03 be **denied** as there is no compelling reason to amend the Comprehensive Plan.

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

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

Commissioner Harry Shull MOVED and Commissioner Jay Aston SECONDED to CONTINUE ZN-102-03 to the 12/10/03 Planning Commission meeting.

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

The item was CONTINUED to 12/10/03.

Item #26 ZN-99-03 and #27 T-1030 are related.

26) ZN-99-03 (12441) ANN/LOSEE (Public Hearing)

An application submitted by Richmond American Homes on behalf of Losee Ann 2002, LLC, property owner, for reclassification of property from a PUD Planned Unit Development District to a PUD Planned Unit Development District consisting of 353 single-family detached dwellings and approximately seven (7) acres of commercial. The property is located at the southwest corner of Losee Road and El Campo Grande Avenue. The Assessor's Parcel Numbers are 124-35-501-003 and 124-26-802-001.

The item was continued from the Planning Commission meeting of October 22, 2003, to allow the applicant sufficient time to submit a preliminary development plan that addresses all issues of concern. At the time this memorandum we prepared revised plans had not been submitted for review. Therefore, staff's recommendation for indefinite continuance has not changed.

If however, the Planning Commission determines that **approval is warranted** at this time, the Development Services Department recommends that ZN-99-03 be subject to the following conditions:

1. That the development shall comply with the Single-Family Development Design Standards, including, but not limited to sidewalks along 100-foot rights-of-way to be separated from the back of curb by a minimum of five (5) feet.
2. That the minimum lot size shall be 4,500 square feet.
3. That the following setbacks shall apply:
 - a. Front: Fifteen (15) feet, provided all garages maintain a 20-foot front setback.
 - b. Interior side: Five (5) feet.
 - c. Corner side: Ten (10) feet.
 - d. Rear yard: Fifteen (15); and
4. Dedication of 14 feet of right-of-way along the west side of the drainage channel shall be provided for the Southern Nevada Regional Trail System.
5. Trail access easements shall be provided from the north end, south end, Ann Road and from the interior of the subdivision to the trail.
6. That at least 25% of the required open space be installed prior to the issuance of a building permit for the 88th residential dwelling unit; and that 50% be installed prior to the issuance of a building permit for the 176th residential dwelling unit; and that 100% be installed prior to the issuance of a building permit for the 264th residential dwelling.
7. The all interior and perimeter street scape areas that are used to help satisfy the open space provisions shall be in compliance with the PUD requirements, including but not limited to the minimum landscaping width requirements, meandering sidewalks and providing the required landscaping materials.
8. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the open space/park areas showing landscaping and amenities. Prior to submittal of the final development plan, the applicant must schedule a meeting with the Parks and Recreation Director or designee to determine what amenities will be required of the private park areas.
9. That perimeter landscaping of the exterior street perimeter be designated as "Common Elements" and that interior perimeter landscaping commonly described as corner side yard landscaping be addressed as allowed for in the North Las Vegas Municipal Code Section 17.24.210(E).

10. That the perimeter walls be owned and maintained by the homeowners' association.
11. That corner side yard landscaping shall be maintained by the homeowner of the lot and that provisions and enforcement of such shall be provided within the CC&R's.
12. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
13. 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.
14. That plastic, vinyl and similar materials shall not be permitted as part, or in whole for the construction of any perimeter wall, return wall or common area wall within this development. Furthermore, should vinyl fencing be used on common property lines, such fencing shall comply with the following:
 - a. That the proposed fence shall be engineered to resist the long-term effects of solar radiation, wind and dryness inherent to the Las Vegas Valley.
 - b. That the proposed fence shall be engineered, designed and installed to meet manufacturer's specifications and building code requirements.
 - c. All vinyl fencing shall be compatible for pool installations.
 - d. The posts and/or all connections shall not be attached to the homes.
15. That the commercial uses within the proposed 5.9± acre neighborhood commercial center shall only be those allowed in the C-1, Neighborhood Commercial District as principally permitted uses, or as special uses subject to Title 17 § 24.020.
16. That all commercial development shall conform to the C-1, Neighborhood Commercial District requirements, including, but not limited to setbacks and building heights.
17. That all commercial development shall be in compliance with the Commercial Design Standards.
18. A final development plan, subject to Planning Commission review and approval, is required for the commercial component in its entirety prior to consideration of any special use permits.
19. A building permit must be issued for the major anchor within the commercial component prior to issuance of a building permit for pad development.
20. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
21. 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.
22. If the applicant chooses to construct 41' wide private streets, it should be noted that parking is limited to one side and the developer must install "no parking" signs and provide red painted curb.
23. The feasibility of the sewer line crossing of the Upper Las Vegas Wash at the southern end of the tentative map will be considered upon drainage study submittal.
24. Label all adjacent public right-of-way and include street names.
25. Approval of a drainage study is required prior to submittal of the civil improvement plans.
26. Clark County Regional Flood Control District concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
27. All local facilities and street centerline grades must be constructed in conformance with the City of

28. Show the limits of the existing FEMA SFHA Zone A on the tentative map and civil improvement plans.
29. Remove section thickness from the typical sections. The off-site pavement sections will be determined by the Department of Public Works.
30. The side lot drainage and utility easement shall conform to North Las Vegas Municipal Code 17.24.210.D.4.a.
31. All known geologic hazards shall be shown on the tentative map and the civil improvement plans. Subsequent identification of additional hazards may be substantially alter the original tentative map layout.
32. The site surrounds the proposed Upper Las Vegas Wash Channel Regional Facility; additional right of way may be required.
33. Approval of a traffic study is required prior to submittal of the civil improvement plans.
34. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Losee Road and Ann Road/Tropical Parkway connector.
35. The following right of way dedications are required:
 - a. flared intersection at Ann(Tropical)/Losee Road
 - b. bus turn-out on the south leg of the Ann (Tropical)/ Losee intersection
36. North Las Vegas Municipal code 16.20.050 (G) states "Whenever a subdivision abuts upon an undedicated and/or unimproved street, the subdivider shall provide as part of the subdivision, the necessary improvements and/or dedication for the portion of the street contained within the subdivision boundaries". Therefore 30' of right of way must be dedicated for Lawrence Street.
37. Parcel map 893 must be recorded in process prior to recordation of the final map.
38. All Nevada Power Company transmission line poles and easements must be shown and must be completely located within the landscape area.
39. The water line easement granted by order of instrument 971015:755 must be vacated.
40. Label all common elements "to be maintained by the homeowners association".
41. The area around cul-de-sac at the end of Vintage Pine Street must be labeled.
42. Label area to the east of lot 232.
43. Label private or public on easement between lots 33 and 34.
44. Label areas on both sides of lot 256.
45. Label all perimeter streets.
46. Label the Upper Las Vegas Wash Channel.
47. Show areas affected by the Kern River Gas lines also referred to in document labeled "Agreement" between City of North Las Vegas and Bountiful Nevada Transportation Corp.
48. Label park as a CE to be privately maintained.
49. Street suffixes must adhere to the City of North Las Vegas address standards.

50. All residential areas within the development shall be provided with common usable open space with active and passive recreational facilities.
51. As a minimum the following amenities shall be provided within the open space:
- 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. A third play structure and a hard surface for games such as hop-scotch;
 - d. at least one large open space area for group / organized play;
 - e. one large group shade area / gazebo (30' diameter), lighted;
 - f. picnic tables and barbecue grills;
 - g. benches spaced along park pathways;
 - h. 3 10' x 10' shade structures;
 - i. 1 12' x 12' shade structure; and
 - j. details of amenities to be provided

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

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

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to CONTINUE ZN-99-03 to the 12/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 12/10/03.

Item #26 ZN-99-03 and #27 T-1030 are related.

27) T-1030 (12444) ANN/LOSEE

An application submitted by Richmond American Homes on behalf of Losee Ann 2002, LLC, property owner, for approval of a tentative map in an R-E Ranch Estates District (proposed PUD Planned Unit Development District) consisting of 353 single-family dwellings and seven (7) acres of commercial. The property is located at the southwest corner of Losee Road and El Campo Grande Avenue. The Assessor's Parcel Numbers are 124-35-501-003 and 124-26-802-001.

The item was continued from the Planning Commission meeting of October 22, 2003, to allow the applicant sufficient time to submit a revised tentative map addressing all issues of concern. At the time this memorandum was prepared revised tentative maps had not been submitted for review. Therefore, staff's recommendation for indefinite continuance has not changed.

If however, the Planning Commission determines that **approval is warranted** at this time, the Development Services Department recommends that T-1030 be subject to the following conditions:

1. The applicant has a pending rezoning application (ZN-99-03) to the PUD Planned Unit Development District. The applicant shall obtain permanent zoning to the PUD Planned Unit Development District, otherwise, the tentative map shall be null and void.
2. The development shall comply with all conditions of approval for ZN-99-03.
3. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
4. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

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

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

Commissioner Nelson Stone MOVED and Commissioner Harry Shull SECONDED to CONTINUE T-1030 to the 12/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was CONTINUED to 12/10/03.

28) FDP-23-03 (12446) CHEYENNE MARKET PLACE

An application submitted by Cheyenne Market Place, LLC, property owner, for a Final Development Plan review in a PUD Planned Unit Development District consisting of a shopping center with retail, office and limited warehousing uses totaling 133,193 square feet. The property is located at 1370 West Cheyenne Avenue. The Assessor's Parcel Number is 139-09-801-008.

This application was continued from the Planning Commission meeting of October 22, 2003.

RECOMMENDATION:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances; and
2. That the development of this site shall comply with all applicable conditions of ZN-23-89, Ordinance No. 1552 and Ordinance No. 1743; and
3. Approval of a drainage study is required prior to submittal of the civil improvement plans; and
4. Approval of a traffic study is required prior to submittal of the civil improvement plans; and
5. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Cheyenne Avenue and Martin Luther King Boulevard; and
6. Driveway number and location are subject to review and approval by the City of North Las Vegas Traffic Engineer; and
7. The property owner shall grant easements for the commercial driveways not previously granted prior to approval of the civil improvement plans; and
8. Sign a restrictive covenant for utilities; and
9. Dedication for and construction of a CAT bus turn-out on Martin Luther King Boulevard; and
10. Show the location of the existing power poles and any associated easements; and
11. Clearly show the limits of the rights-of-way and any proposed dedication(s); and
12. That the development of this site be in compliance with the Commercial Development Standards and Design Guidelines.

The application was presented by Robert Eastman, Planner, on behalf of staff who indicated staff is recommending this item be continued indefinitely to allow the applicant time to address concerns of the

Public Works Department.

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

Commissioner Nelson Stone MOVED and Commissioner Jay Aston SECONDED to APPROVE FDP-23-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

29) T-1021 (12102) NELSON RANCH

An application submitted by Centex Homes on behalf of Waterfall, LLC, property owner, for approval of a tentative map in an O-L Open Land District (proposed PUD) consisting of 754 single family dwellings. The property is generally located at the northeast corner of Aviary Way and Grand Teton Drive. The Assessor's Parcel Numbers are 124-07-701-001, 124-07-701-002 and 124-07-801-0

This tem was continued from the October 22, 2003 Planning Commission meeting to allow the applicant time to submit a revised tentative map. A revised map was submitted on October 28. Development Services has not been able to review the submitted tentative at this time, a revised memorandum should be available to the Planning Commission at the November 12 meeting.

RECOMMENDATION:

The Development Services Department recommends that T-1021 be approved subject to the following conditions:

1. Separate Tentative Maps require separate applications. Please remove the roman numerals from the title block or submit separate applications for each.
2. Provide more details on the round about design.
3. Arrowhead Ranch Parkway and Savannah Ranch Parkway to be renamed Racel Street.
4. Spear Ranch Trail and Nelson Ranch Drive to be renamed Willis Street.
5. Approval of a drainage study is required prior to submittal of the civil improvement plans.
6. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
7. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan* or as directed by the Director of Public Works.
8. The following right of way dedications are required:
 - a. Flared intersections at Grand Teton Drive and Aliante Parkway;
 - b. Flared intersections at Grand Teton Drive and Aviary Way;

- c. CAT bus turn-out on Horse Drive near Aliante Parkway and on Grand Teton Drive near Aliante Parkway; and
 - d. Dedicate a 46-foot wide drainage easement north of and parallel to Grand Teton Drive or successfully obtain an amendment to the Clark County Regional Flood Control District that relocates the future flood control facility into the Grand Teton Drive right-of-way.
9. The drainage and utility easement must be revised to a public pedestrian access/drainage/public utility easement that conforms to North Las Vegas Municipal Code 17.24.210.d.4.a.
 10. Roundabout design shall conform to the Federal Highway Administration's *Roundabouts: An Informational Guide* design criteria and is subject to approval of the City Traffic Engineer.
 11. Approval of a master traffic study with modeling to include 20 year projections is required prior to submittal of the civil improvement plans.
 12. 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.
 13. Fire lanes shall be designed, installed and maintained in accordance with Fire Code requirements.
 14. A minimum of two means of Fire Department access shall be provided to each group of 25 or more residential units.
 15. The alignments of Nelson Ranch and Hidden Ranch Road must align with the alignments for Willis Street to the north and south of this development.
 16. No certificate of occupancy will be granted for a residential unit within the development until after Fire Station 56 is in operation.
 17. T-1021 shall comply with all conditions of approval for ZN-69-03.
 18. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
 19. Unless expressly authorized through a variance, waiver or other approved method, the development shall comply with all applicable codes and ordinances.

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

Dean Rasmussen, of Orion Engineering, 3068 E. Sunset Road, Suite 9, Las Vegas, Nevada 89120 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 T-1021 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was APPROVED.

Item #35 T-1012 was heard next.

Item #30 VAC-17-03, #31 VAC-18-03 and #32 T-1007 are related.

30) VAC-17-03 (11885) LAUREL CANYON (Public Hearing)

An application submitted by Richmond American Homes on behalf of Silver Bowl Invest., LLC, et. al., property owner, for a vacation of approximately 1,321 feet of Sandy Lane between Hammer Lane and Washburn Road; to vacate the southerly 5 feet of Fisher Avenue commencing approximately 140 feet east of Pecos Road and proceeding west approximately 490 feet; to vacate approximately 596 feet of Fisher Avenue between Queen Street and Sandy Lane ; to vacate approximately 577 feet of Queen Street between Hammer Lane and Fisher Avenue and to vacate approximately 589 feet of Hammer Lane between Queen Street and Sandy Lane. The Assessor's Parcel Number is 123-31-202-001.

This application was continued from the October 22, 2003 Planning Commission meeting at the request of the applicant.

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

RECOMMENDATION

The Development Services Department recommends that this item be **continued** until a traffic study demonstrating the adequacy of the internal street network and supporting the vacation is submitted and accepted by Public Works.

Should the Planning Commission choose to **approve this application** the Department of Public Works recommends the following as conditions of approval:

1. The legal description must be revised to include vacation of radius at southwest corner of Queen Street and Hammer Lane.
2. The vacation must record concurrently with the final map.
3. Approval of a traffic study demonstrating the vacation is required prior to submittal of civil improvement plans.

Jennifer Lazovich, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109

appeared on behalf of the applicant and requested this item be continued to the 12/10/03 Planning Commission meeting.

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

Commissioner Harry Shull MOVED and Commissioner Nelson Stone SECONDED to CONTINUE VAC-17-03 to the 12/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was 12/10/03.

Item #30 VAC-17-03, #31 VAC-18-03 and #32 T-1007 are related.

31) VAC-18-03 (11887) LAUREL CANYON (Public Hearing)

An application submitted by Richmond American Homes on behalf of Silver Bowl Investment, LLC, et. al., property owner, for a vacation of 20 feet of the southerly right of way of Ann Road commencing at Walnut Road and proceeding east approximately 1,102 feet and the vacation of 50 feet of right of way of Ann Road commencing approximately 1,172 feet east of Walnut Road and proceeding east approximately 327 feet. The Assessor's Parcel Number is 123-31-501-001.

This application was continued from the October 22, 2003 Planning Commission meeting at the request of the applicant.

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

RECOMMENDATION

The Development Services Department recommends that VAC-18-03 be **approved** subject to the following conditions:

1. The Master Plan of Streets and Highways must be amended to include the adjusted right of way and street renaming (formerly Ann Road).
2. The vacation must record concurrently with the final map.
3. The legal description must be revised to exclude the vacation of the area east of the knuckle; the City must retain the area for drainage and utilities.

Jennifer Lazovich, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant and requested this item be continued to the 12/10/03 Planning Commission meeting.

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

Commissioner Jay Aston MOVED and Commissioner Jo Cato SECONDED to CONTINUE VAC-18-03 to the 12/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was 12/10/03.

Item #30 VAC-17-03, #31 VAC-18-03 and #32 T-1007 are related.

32) T-1007 (11273) LAUREL CANYON

An application submitted by Richmond American Homes on behalf of Revere, LLC, property owner, to approve a tentative map in a PUD Planned Unit Development District consisting of 469 single-family dwellings. The property is generally located at the southwest corner of Hammer Lane and Donovan Way. The Assessor's Parcel Numbers are 123-31-501-001, 123-31-202-001, 123-31-203-001, 123-31-203-002, 123-31-203-003, 123-31-203-004, 123-31-204-001, 123-31-204-002, 123-31-204-004, 123-31-301-006, 123-31-301-011, 123-31-601-001.

This application was continued from the October 22, 2003 Planning Commission meeting at the request of the applicant.

(from the 7/23/03 Planning Commission meeting):

RECOMMENDATION:

As the proposed tentative map does not have the underlining landuse designation or the required residential zoning, the Development Services Department recommends that T-1007 be denied. If the Planning Commission feels that denial is not warranted, then the tentative map should be **continued** to allow the applicant time to meet with the Public Works Development Services and Fire Departments, as well as the Clark County School District to address their concerns.

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

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This Tentative Map shall be null and void if AMP-19-03 and ZN-36-03 are not approved by the City Council.

3. All conditions for ZN-36-03 shall also apply, if a conflict occurs, the more restrictive shall apply.
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. 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*.
7. Remove section thickness from the typical sections. The off-site pavement sections shown on the civil plans will be designed in accordance with Standard Specifications Section 401 using the AASHTO model.
8. The drawing must be revised to show the Southern Nevada Water Authority (SNWA) water-line 60' acquisition and additional 60' easement adjacent to drainage channel dedication.
9. The Nevada Power Company power poles and easement must be delineated per document 418073 recorded on March 4, 1964 in book 519 per the preliminary title report.
10. The property owner must file a reversionary parcel map to combine parcels prior to approval of the civil improvement plans.
11. The plans must be revised to label the area south of Washburn Road and adjacent to the Union Pacific Railroad (UPRR) as public or private. Responsibility for maintenance of this area will need to be shown.
12. Label all landscape areas and open spaces as "Common elements to be maintained by the homeowner's association".
13. The Master Plan of Streets and Highways (MPSH) must be amended to show Ann Road between Pecos Road and Lamb Boulevard (Ann Road was realigned to Walnut).
14. The rights-of-way of adjacent streets must be dedicated in accordance with the MPSH.
15. Roadway easements must be granted where public and private streets intersect.
16. A portion of Fisher Avenue must be vacated where the street transitions from sixty feet to fifty-one feet.
17. The 50-feet of existing right-of-way along the old Ann Road alignment will need to be vacated, reserving a Public Utility Easement for drainage and SNWA right-of-way.
18. The word "easement" must be removed from the drainage channel adjacent to UPRR. This was dedicated per instrument 98116:01899.
19. Approval of a traffic study with modeling to demonstrate the adequate capacity of internal streets and two entry points is required prior to submittal of the civil improvement plans.
20. Parking on the internal streets is limited to one side. Developer must install "No Parking" signs.
21. There is no implied approval of the water and sanitary sewer facilities as shown. The need for a sanitary sewer lift station and force mains must be sufficiently demonstrated; the City of North Las Vegas does not normally accept maintenance for these facilities.
22. 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.
23. A minimum of two paved means of access from existing streets to this development will be provided.

24. Fire hydrants shall be designed and installed in accordance with Fire Code requirements.
25. That the maximum number of dwelling units permitted within the development be 469.
26. The minimum lot size shall be 4,500 square feet with a minimum lot width of 45 feet.
27. That all conditions mentioned herein be satisfied prior to recording any final map.
28. That the following setbacks apply:
 - a. Front: Fifteen (15) feet, provided all garages maintain a 20-foot front setback.
 - b. Interior side: Five (5) feet.
 - c. Corner side: Ten (10) feet.
 - d. Rear yard: Fifteen (15) feet.
29. That the perimeter walls be owned and maintained by the homeowners' association.
30. That corner side yard landscaping be maintained by the homeowners' association.
31. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
32. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development.
33. A final development plan shall be required for Planning Commission review and approval. The final development plan shall provide details of the park areas showing landscaping and amenities.
34. Fisher Way shall conform to the Curvilinear Street Requirement as described in 16.20.050 of the Municipal Code.

35. Measures to achieve a noise level reduction, outdoor-to-indoor, of 25 decibels must be incorporated into the design and construction.
36. The following Park and Recreation amenities shall be provided:
 1. circuitous lighted paths
 2. a minimum of 20 24-inch box trees per acre
 3. at least 2 differing age appropriate play structures for children with EPDM resilient fall protection, and accompanying shade ramada
 4. a large open space area for group / organized play
 5. one large group shade area / gazebo (30' diameter), lighted
 6. picnic tables and barbecue grills
 7. benches spaced along park pathways
 8. A minimum of one half-court basketball area
 9. Open Space amenities are to be ADA accessible
36. All conditions of the approved Tentative Map shall be placed as notes on the Final Map.
37. 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.

Jennifer Lazovich, of KKB&R, 3800 Howard Hughes Parkway, 7th Floor, Las Vegas, Nevada 89109 appeared on behalf of the applicant and requested this item be continued to the 12/10/03 Planning Commission meeting.

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

Commissioner Nelson Stone MOVED and Commissioner Jo Cato SECONDED to CONTINUE

T-1007 to the 12/10/03 Planning Commission meeting.

The motion carried by UNANIMOUS vote.

The item was 12/10/03.

Items #33 AMP-52-03 and #34 ZN-74-03 are related.

33) AMP-52-03 (12286) CENTENNIAL & COMMERCE (Public Hearing)

An application submitted by Land Baron Investments on behalf of the Marilyn Redd Trust, Janette Bunch Trustee, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of LDR Low Density Residential to Community Commercial. The property is located at the northwest corner of Commerce Street and Centennial Parkway. The Assessor's Parcel Number is 124-22-401-004.

These items were continued at the applicant's request at the October 22, 2003 meeting.

(from the 10/8/03 Planning Commission meeting):

RECOMMENDATIONS:

The Development Services Department recommends that AMP-52-03 be denied as the proposed plan amendment does not meet the standards established in the Comprehensive Plan.

Chairman Dean Leavitt stated the applicant has requested this item be continued, and before commencing with this item he called on Jim Lewis, Deputy City Attorney for comment.

Jim Lewis, Deputy City Attorney, stated that this item #33 AMP-52-03 and its companion item #34 ZN-74-03 have been continued twice after the effective date of new N.R.S. 278.05073 which reads as follows:

"In a County whose population is 400,000 or more (which Clark County qualifies) the Commission shall not

grant to an applicant more than two (2) continuances on the same matter unless the Commission determines upon good cause shown that the granting of additional continuances is warranted.”

Mr. Lewis further stated the Planning Commission has the discretion to determine “good cause” and if the applicant cannot convince the Planning Commission that “good cause” exists, then the motion should be for denial of this item.

Bill Curran, of Curran & Parry, 300 S. 4th Street, Suite 1201, Las Vegas, Nevada 89101 appeared on behalf of the applicant. Mr. Curran stated he would like to have this item continued to the 12/10/03 Planning Commission meeting to allow his client to submit a market analysis to staff. He also stated he was not involved with this application when it was originally filed.

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

- ▶ Terry Urquhart, 6624 Montezuma Castle Lane, North Las Vegas, Nevada 89084

Mr. Urquhart stated he feels this project would increase risk to the children in the neighborhood due to increased traffic.

Chairman Leavitt closed the Public Hearing.

Commissioner Harry Shull MOVED and Commissioner Jay Aston SECONDED to CONTINUE AMP-52-03 to the 12/10/03 Planning Commission meeting.

The MOTION TO CONTINUE FAILED with Vice-Chairman Marilyn Kirkpatrick, Commissioner Nelson Stone, Commission Jo Cato and Commissioner Steve Brown voting against the motion.

Vice-Chairman Marilyn Kirkpatrick MOVED and Commissioner Jo Cato SECONDED to DENY THE REQUEST FOR CONTINUANCE of AMP-52-03 and this item shall be heard in its regular sequence on this Agenda.

The motion carried by UNANIMOUS vote.

Item # 7 AMP-62-03 and #9 ZN-108-03 were heard next as a requested continuance.

*****This item was re-heard following Item #35 T-1012*****

(2nd Presentation)

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

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

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

- ▶ Harry Himmenger, 331 River Glider Avenue, North Las Vegas, Nevada (no zip code stated)

Mr. Himmenger stated he opposes this project as he does not feel commercial belongs in this neighborhood and the increased traffic would pose an unnecessary risk to the children in the neighborhood.

Chairman Leavitt closed the Public Hearing.

Commissioner Nelson Stone MOVED and Commissioner Steve Brown SECONDED to DENY AMP-52-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was DENIED.

Items #33 AMP-52-03 and #34 ZN-74-03 are related.

34) ZN-74-03 (12287) LAND BARON INVESTMENTS (Public Hearing)

An application submitted by Land Baron Investments on behalf of the Marilyn Redd Trust, Janette Bunch Trustee, property owner, for reclassification of property from an R-E Ranch Estates District to an C-2, General Commercial District. The property is located at the northwest corner of Commerce Street and Centennial Parkway. The Assessor's Parcel Number is 124-22-401-004.

These items were continued at the applicant's request at the October 22, 2003 meeting.

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

The Development Services Department recommends that ZN-74-03 be **denied** as the subject site does not comply with the guidelines established in the Comprehensive Plan.

(2nd Presentation)

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

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

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

- ▶ Harry Himmenger, 331 River Glider Avenue, North Las Vegas, Nevada (no zip code stated)

Mr. Himmenger stated he opposes this project as he does not feel commercial belongs in this neighborhood and the increased traffic would pose an unnecessary risk to the children in the neighborhood.

Chairman Leavitt closed the Public Hearing.

Commissioner Nelson Stone MOVED and Commissioner Steve Brown SECONDED to DENY ZN-74-03 per staff's recommendations.

The motion carried by UNANIMOUS vote.

The item was DENIED.

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

35) T-1012 (11763) CENTEX HOMES

An application submitted by Centex Homes on behalf of the Daniel S. Mosley Rev.Trust Agreement et.al., Dirt Alley LLC, Gerald L & Nancy L Erwin and Heidi Boilini, Robert Cohen and the Matonovich Family Trust, property owners, to approve a tentative map in an R-1 Single-Family Residential District. The property is generally located at the northwest corner of San Miguel Avenue and Coleman Street. The Assessor's Parcel Numbers are 139-05-701-007, 139-05-701-008, 139-05-701-009, 139-05-702-006, 139-05-702-005 and 139-05-702-004.

This item was continued from the October 8th and October 22nd Planning Commission meetings to allow the applicant time to submit a traffic study supporting the vacation of Fuselier Drive.

RECOMMENDATION:

The Development Services Department recommends that T-1012 approved subject to the following conditions of approval:

1. That T-1012 shall become null and void if AMP-41-03 and ZN-56-03 is not **approved** by the City Council.
2. That the development comply with the Single Family Design Standards.
3. That perimeter landscaping of the exterior street perimeter be designated as "Common Elements" and that interior perimeter landscaping commonly described as corner side yard landscaping be addressed as allowed for in the North Las Vegas Municipal Code Section 17.24.210(E).
4. That the perimeter walls be owned and maintained by the homeowners' association.
5. That all perimeter walls, end walls, return walls and common area walls shall be decorative subject to staff review and approval
6. That corner side yard landscaping shall be maintained by the homeowner of the lot and that provisions and enforcement of such shall be provided within the CC&R's.
7. That the developer disclose to prospective home buyers that corner side yard landscape areas are reserved exclusively for landscaping.
8. That plastic, vinyl and similar materials not be permitted as part, or in whole, for the construction of any walls or fences within this development.
9. The 40-foot Fire Department emergency access and utility easement proposed from Coleman Street to Oscar Mariano Avenue shall also serve as pedestrian access to the development. The proposed easement would need to comply with Section 17.24.10.D.4 of the Municipal Code and be maintained by the homeowners' association.
10. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
11. Approval of a drainage study is required prior to submittal of the civil improvement plans.
12. 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.
14. The following right of way and associated spandrel dedications are required:
 - a. 50 feet for Simmons Street
 - b. 30 feet for San Miguel Avenue
13. The final map must be labeled as a merger and resubdivision.
14. The developer is responsible for relocating power lines and placing them underground.
15. Fuselier Drive must be vacated.
16. The property owner must grant a pedestrian access easement for the portions of the sidewalk outside of the right of way prior to approval of the civil improvement plans.
17. A revocable encroachment permit must be obtained for landscape in the right of way.
18. A public utility easement and emergency access easements as indicated on the final map must be granted prior to approval of the civil improvement plans.
19. A traffic mitigation analysis is required.
20. The installation of sprinklers for fire suppression is required in each residential unit, unless the applicant provides a suitable alternative acceptable to the City prior to recording the final map.

21. All conditions of approval shall be incorporated into the note section of the map and filed with the Final Map.
22. Five copies of a conforming tentative map incorporating the conditions of approval shall be submitted for review to the Public Works Department and the Planning Division prior to submittal of the final map.

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

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

Commissioner Steve Brown MOVED and Chairman Dean Leavitt SECONDED to APPROVE T-1012 per staff's recommendations.

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

The item was APPROVED.

Item #33 was heard next.

PUBLIC FORUM

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

No members of the public came forward.

DIRECTOR'S BUSINESS: None

CHAIRMAN'S BUSINESS:

None

ADJOURNMENT:

11:25 PM

A motion to ADJOURN the November 12, 2003 meeting of the Planning Commission of the City of North Las Vegas was made by Chairman Dean Leavitt. Commissioner Nelson Stone SECONDED the motion.

Dean Leavitt, Chairman

ATTEST:

Ted Karant, Recording Secretary