

**ACTION REPORT
CITY OF NORTH LAS VEGAS
PLANNING COMMISSION**

March 11, 2009

BRIEFING

5:38 P.M., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

CALL TO ORDER

6:00 P.M., Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive

WELCOME

Chairman Angelo Carvalho

VERIFICATION

Jo Ann Lawrence, Recording Secretary

PLEDGE OF ALLEGIANCE

Commissioner Jay Aston

PUBLIC FORUM

There was no public participation.

MINUTES

- Approval of the minutes for the Planning Commission meeting of February 11, 2009.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Cato

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

NAYS: None

ABSTAIN: None

NEW BUSINESS

1. **ZN-11-98 (38241) DIABLO PROPERTY MANAGEMENT LLC** (Public Hearing) An application submitted by Robert Goodsitt Real Estate on behalf of Diablo Property Management, LLC, property owner, for an amendment to a previously approved PUD, Planned Unit Development District to allow retail/commercial uses in the buildings adjacent to the northern property line. The property is located at the northeast corner of Craig Road and Valley Drive. The Assessor's Parcel Numbers are 139-06-613-002, 139-06-613-003, 139-06-613-004 and 139-06-613-005.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 10 AMENDED TO READ:

10. THAT THE DEVELOPMENT SHALL COMPLY WITH ALL APPLICABLE CODES AND ORDINANCES.

FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION.

MOTION: Vice-Chairman Shull

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

2. **UN-18-09 (38209) TERRIBLE'S-TEXACO** (Public Hearing). An application submitted by Vision Sign, Inc. on behalf of Herbst Development, LLC, property owner, for a special use permit in a C-2, General Commercial District to allow a 40-foot high freestanding sign where 18 feet is the maximum height allowed. The property is located at 1412 West Craig Road. The Assessor's Parcel Number is 139-04-602-009.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 5 AMENDED TO READ:

5. THE HEIGHT OF THE SIGN SHALL NOT EXCEED 32 FEET.

MOTION: Commissioner Cato

SECOND: Vice-Chairman Shull

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

NAYS: None

ABSTAIN: None

3. **UN-19-09 (38213) BLUE RHINO** (Public Hearing). An application submitted by Reed Henkelman on behalf of Dobos-2000, LP and Reed Henkelman, property owners, for a special use permit in an M-2, General Industrial District to allow the storage of hazardous materials (a maximum of 60,000 gallons of propane) in conjunction with a propane storage facility. The property is located west of Civic Center Drive and approximately 630 feet north of Branson Avenue. The Assessor's Parcel Numbers are 139-12-103-006 and 139-12-103-041.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Trivedi

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

4. **WAV-03-09 (38217) BLUE RHINO**. An application submitted by Reed Henkelman on behalf of Dobos-2000, LP and Reed and Tori Henkelman, property owners, for a waiver from Title 16 in an M-2, General Industrial District to waive the sidewalk requirement for a proposed propane storage facility. The property is located west of Civic Center Drive and approximately 630 feet north of Branson Avenue. The Assessor's Parcel Numbers are 139-12-103-006 and 139-12-103-041.

ACTION: WITHDRAWN

5. **UN-20-09 (38254) FLIP-N-OUT** (Public Hearing). An application submitted by Boyd Tracy Eliason on behalf of Tower Distribution Center, LLC, property owner, for a special use permit in an M-2, General Industrial District to allow an indoor recreational facility. The property is located at 1841 East Craig Road, Suite A. The Assessor's Parcel Number is 139-02-701-001.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 5 AMENDED TO READ:

5. APPROVAL OF TRAFFIC STUDY IS REQUIRED, OR AS OTHERWISE APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

MOTION: Commissioner Aston

SECOND: Commissioner Leavitt

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, and Cato

NAYS: None

ABSTAIN: Commissioner Trivedi

6. **UN-17-09 (38186) COLIN RESIDENCE** (Public Hearing). An application submitted by George E. Colin, property owner, for a special use permit in an R-3, Multi-Family Residential District to allow a single-family dwelling. The property is located at 2556 Ellis Street. The Assessor's Parcel Number is 139-13-410-215.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

7. **SPR-02-09 (38210) CROSSROAD TOWNE CENTER SOUTH.** An application submitted by WIP-CD, LLC, property owner, for a site plan review in a C-2, General Commercial District to allow an additional 45-foot high directory sign along the 215 Beltway. The property is located at 6393 San Mateo Street. The Assessor's Parcel Number is 124-30-112-001.

ACTION: CONTINUED TO MARCH 25, 2009

MOTION: Vice-Chairman Shull

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

8. **SPR-03-09 (38221) MOUNTAIN VIEW INDUSTRIAL PARK BUILDINGS 3 & 4.** An application submitted by Templeton Development Corporation on behalf of Kapex LLC, property owner, for a site plan review in an M-2, General Industrial District to allow landscape waivers from the Industrial Development Standards. The property is located at 13975 Grand Valley Parkway. The Assessor's Parcel Number is 103-15-010-001.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NOS. 3.D AND 11 AMENDED TO READ:

- 3.D. IT SHALL NOT BE ENTITLED TO A PERMANENT CERTIFICATE OF OCCUPANCY FOR THE LAND UNTIL THE DEVELOPMENT AGREEMENT, EXECUTED BY APPLICANT, HAS BEEN RECORDED IN THE OFFICIAL RECORDS OF CLARK COUNTY; AND

11. ALL NEVADA POWER COMPANY EASEMENTS, APPURTENANCES, LINES AND POLES MUST BE SHOWN AND SHALL BE LOCATED ENTIRELY WITHIN THE PERIMETER LANDSCAPE AREA OF THIS DEVELOPMENT.

MOTION: Commissioner Brown
SECOND: Vice-Chairman Shull
AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi
NAYS: None
ABSTAIN: None

9. **WAV-04-09 (38249) MOUNTAIN VIEW INDUSTRIAL PARK BUILDINGS 3 & 4.** An application submitted by Templeton Development Corporation on behalf of Kapex LLC, property owner, for a waiver from Title 16 in an M-2, General Industrial District to waive the required off-site improvements. The property is located at 13975 Grand Valley Parkway. The Assessor's Parcel Number is 103-15-010-001.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH CONDITION NO. 1 AMENDED TO READ:

1. THE DEVELOPER SHALL PROVIDE A 24-FOOT PAVED ACCESS ROAD WITH PUBLIC ROADWAY EASEMENT FROM THE PROPERTY TO GRAND VALLEY PARKWAY.

FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Vice-Chairman Shull
SECOND: Commissioner Brown
AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi
NAYS: None
ABSTAIN: None

OLD BUSINESS

10. **AMP-08-08 (35792) LOSEE STATION RESORT & CASINO** (Public Hearing). An application submitted by Losee Elkhorn Properties LLC, property owner, for an amendment to the Master Plan of Streets and Highways to increase Severence Lane between Losee Road and Statz Street from a 60-foot right-of-way to an 80-foot right-of-way. The Assessor's Parcel Numbers are 124-13-401-001, 124-13-401-002, 124-13-401-005, 124-13-401-006, 124-13-401-007 and 124-13-401-008. **(Continued July 9, August 13, and December 10, 2008)**

ACTION: CONTINUED TO JUNE 24, 2009

MOTION: Commissioner Leavitt
SECOND: Vice-Chairman Shull
AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston,
Brown, Cato and Trivedi
NAYS: None
ABSTAIN: None

11. **VAC-07-08 (35796) LOSEE STATION RESORT & CASINO** (Public Hearing). An application submitted by Losee Elkhorn Properties LLC, property owner, to vacate Elkhorn Road between Losee Road and Statz Street; and to vacate Berg Street between Severence Lane and Elkhorn Road. The Assessor's Parcel Numbers are 124-13-401-001, 124-13-401-002, 124-13-401-005, 124-13-401-006, 124-13-401-007 and 124-13-401-008. **(Continued July 9, August 13, and December 10, 2008)**

ACTION: CONTINUED TO JUNE 24, 2009

MOTION: Commissioner Leavitt
SECOND: Vice-Chairman Shull
AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston,
Brown, Cato and Trivedi
NAYS: None
ABSTAIN: None

12. **AMP-07-08 (35791) LOSEE STATION RESORT & CASINO** (Public Hearing). An application submitted by Losee Elkhorn Properties LLC, property owner, for an amendment to the Comprehensive Plan, land use element, to change the current designation of Mixed-Use Neighborhood to Resort Commercial. The property is located at the southwest corner of Statz Street and Severence Lane. The Assessor's Parcel Numbers are 124-13-401-001, 124-13-401-002, 124-13-401-005 through 124-13-401-008. **(Continued July 9, August 13, and December 10, 2008)**

ACTION: CONTINUED TO JUNE 24, 2009

MOTION: Commissioner Leavitt
SECOND: Vice-Chairman Shull
AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston,
Brown, Cato and Trivedi
NAYS: None
ABSTAIN: None

13. **ZN-20-08 (35795) LOSEE STATION RESORT & CASINO** (Public Hearing). An application submitted by Losee Elkhorn Properties LLC, property owner, for a reclassification of property from an R-E, Ranch Estates District to a PUD, Planned Unit Development District consisting of a casino/hotel. This property is located at the southwest corner of Statz Street and Severence Lane. The Assessor's Parcel Numbers are 124-13-401-001, 124-13-401-002, 124-13-401-005 through 124-13-401-008. **(Continued July 9, August 13, and December 10, 2008)**

ACTION: CONTINUED TO JUNE 24, 2009

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Shull

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

NAYS: None

ABSTAIN: None

14. **GED-03-08 (35793) LOSEE STATION RESORT & CASINO** (Public Hearing). An application submitted by Losee Elkhorn Properties LLC, property owner, for a petition to establish a Gaming Enterprise District. The property is located at the southwest corner of Statz Street and Severence Lane. The Assessor's Parcel Numbers are 124-13-401-001, 124-13-401-002, 124-13-401-005 through 124-13-401-008. **(Continued July 9, August 13, and December 10, 2008)**

ACTION: CONTINUED TO JUNE 24, 2009

MOTION: Commissioner Leavitt

SECOND: Vice-Chairman Shull

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

NAYS: None

ABSTAIN: None

15. **UN-64-08 (35794) LOSEE STATION RESORT & CASINO** (Public Hearing). An application submitted by Losee Elkhorn Properties LLC, property owner, for a special use permit in an R-E, Ranch Estates District (proposed PUD, Planned Unit Development District) to allow a casino/hotel. The property is located at the southwest corner of Statz Street and Severence Lane. The Assessor's Parcel Numbers are 124-13-401-001, 124-13-401-002, 124-13-401-005 through 124-13-401-008. **(Continued July 9, August 13, and December 10, 2008)**

ACTION: CONTINUED TO JUNE 24, 2009

MOTION: Commissioner Leavitt
SECOND: Vice-Chairman Shull
AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston,
Brown, Cato and Trivedi
NAYS: None
ABSTAIN: None

PUBLIC FORUM

There was no public participation.

DIRECTOR'S BUSINESS

Nick Vaskov, Assistant City Attorney recommended a book to the Commission titled The Zoning of America which outlines the rise of modern zoning controls in America and outlines a famous case called "Euclid" which was the first Supreme Court case that upheld zoning controls. The book also gave a good background on zoning and the fundamentals of the law of zoning and how it developed.

CHAIRMAN'S BUSINESS

There was no report given.

ADJOURNMENT

The meeting adjourned at 7:52.