

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

December 10, 2008

*All Staff Reports and attachments are available on the City's  
Website - [http:// www.cityofnorthlasvegas.com](http://www.cityofnorthlasvegas.com)*

**BRIEFING**

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

**CALL TO ORDER**

6:02 P.M., Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive

**WELCOME**

Vice-Chairman Harry Shull

**VERIFICATION**

Melissa Krause-Gradney, Office Assistant

**PLEDGE OF ALLEGIANCE**

Commissioner Dilip Trivedi

**PUBLIC FORUM**

There was no public participation.

### MINUTES

- Approval of the minutes for the Planning Commission meeting of October 22, 2008

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

- Approval of the minutes for the Planning Commission meeting of November 12, 2008.

ACTION: APPROVED

MOTION: Commissioner Leavitt

SECOND: Commissioner Trivedi

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

NAYS: None

ABSTAIN: None

### NEW BUSINESS

1. **UN-114-08 (37290) DEER SPRINGS TOWN CENTER** (Public Hearing). An application submitted by Deer Springs Town Center, LLC, property owner, for a special use permit in a C-2, General Commercial District to allow a convenience food restaurant. The property is located at the northeast corner of North 5<sup>th</sup> Street and Deer Springs Way. The Assessor's Parcel Number is 124-23-210-003.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

2. **UN-113-08 (37272) RUGRATS WORLD** (Public Hearing). An application submitted by Sherezada Cifani, property owner, for a special use permit in an R-1, Single-Family Residential District to allow a child care facility; group home. The property is located at 6221 Villa Emo Street. The Assessor's Parcel Number is 124-29-111-020.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Cato

SECOND: Commissioner Leavitt

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

NAYS: None

ABSTAIN: None

3. **UN-116-08 (37427) DECATUR COURT** (Public Hearing). An application submitted by Decatur Court, LLC, property owner, for a special use permit in a C-2, General Commercial District to allow a convenience food restaurant. The property is located at 5530 Decatur Boulevard. The Assessor's Parcel Number is 124-31-101-008.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH A NEW CONDITION NO. 7, THE ORIGINAL CONDITION NO. 7 RENUMBERED TO CONDITION NO. 8 AND CONDITION NOS. 5 AND 6 AMENDED AS FOLLOWS:

5. THE APPLICANT SHALL SUBMIT A TRAFFIC STUDY UPDATE FOR REVIEW AND APPROVAL, OR AS OTHERWISE APPROVED BY THE DIRECTOR OF PUBLIC WORKS.
6. A MINIMUM OF FIVE STACKING SPACES SHALL BE PROVIDED BEHIND THE ORDERING BOX FOR THE DRIVE-THRU, OR AS OTHERWISE APPROVED BY THE DIRECTOR OF PUBLIC WORKS.
7. AN AUTO TURN ANALYSIS SHALL BE SUBMITTED, WHICH DEMONSTRATES THAT THE LARGEST VEHICLE TO ACCESS THE FACILITY CAN MANEUVER INTO THE PROPOSED DRIVE-THRU.

MOTION: Commissioner Cato

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

4. **UN-118-08 (37452) COMMUNITY BIBLE CHURCH** (Public Hearing). An application submitted by Pacific Design Concepts on behalf of CP Development, LLC, property owner, for a special use permit in a PUD, Planned Unit Development District to allow a church. The property is located at 3040 West Cheyenne Avenue, Suite 120. The Assessor's Parcel Number is 139-08-416-009.

ACTION: WITHDRAWN

5. **UN-117-08 (37448) NEW CITY HALL AND CIVIC PLAZA** (Public Hearing). An application submitted by the City of North Las Vegas, property owner, for a special use permit in an R-A/PSP, Redevelopment Area/Public/Semi-Public Subdistrict to allow a 145 foot high building where 60 feet is the maximum height allowed for the proposed 211,017 square foot North Las Vegas City Hall building. The property is located south of North Las Vegas Boulevard and approximately 200 feet west of Civic Center Drive. The Assessor's Parcel Number is 139-23-504-005.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NO. 7; FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

6. **UN-119-08 (37455) 3 TOMATOES & A MOZZARELLA** (Public Hearing). An application submitted by Richard Tyson Jr. on behalf of Craig Road Group LLC, property owner, for a special use permit in a C-2, General Commercial District to allow an "on-sale" establishment (full liquor on-sale) and a waiver of the 400 feet proximity distance requirement from a park. The property is located at 945 West Craig Road. The Assessor's Parcel Number is 139-04-713-009.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

MOTION: Commissioner Leavitt

SECOND: Commissioner Brown

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

NAYS: None

ABSTAIN: None

7. **VAC-16-08 (37438) MILLER SUBSTATION** (Public Hearing). An application submitted by NV Energy, property owner, to vacate a 25-foot slope easement along the southern property line. The property is located at the northwest corner of Commerce Street and Carey Avenue. Assessor's Parcel Number is 139-15-401-010.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

8. **UN-36-03 (37292) NORTH COAST HOTEL & CASINO** (Public Hearing). An application submitted by Coast Hotel & Casinos, Inc., property owner, for an extension of time of a previously approved special use permit in a C-2, General Commercial District to allow a casino/hotel and to allow a building to exceed the maximum building height of 60 feet (approximately 190 feet). The property is located at 4205 East Centennial Parkway. The Assessor's Parcel Number is 123-30-501-008.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS WITH THE DELETION OF CONDITION NOS. 27, 28 AND 29

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

9. **ZN-27-08 (37635) GOLDFIELD PLAZA CONDOMINIUMS** (Public Hearing). An application submitted by the City of North Las Vegas on behalf of Jimmy J. Stubler, Hubert S. and Zelpha M. Wingerd, property owners, for a reclassification of property from an R-A/R-2, Redevelopment Area/Medium High Density Residential Subdistrict to an M-1, Business Park Industrial District. The property is located at 1813-1819 Goldfield Street. The Assessor's Parcel Numbers are 139-22-710-000 through 139-22-710-006.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

MOTION: Commissioner Leavitt  
SECOND: Commissioner Brown  
AYES: Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None  
ABSTAIN: None

10. **ZOA-11-08 (37569) CNLV PAWNSHOP ORDINANCE** (Public Hearing). An application submitted by the City of North Las Vegas to amend Title 17 (Zoning Ordinance), Sections 17.12.020, 17.24.020, and 17.28.050 to change the requirements for deferred deposit loans, short-term loans, auto-title loans and pawnshops; and to provide for other matters properly related thereto.

ACTION: APPROVED; FORWARDED TO CITY COUNCIL FOR FINAL CONSIDERATION

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

11. **FDP-06-08 (37451) HANGARS AT CLAYTON** An application submitted by Commercial Lofts LLC, property owner, for a final development plan in a PUD, Planned Unit Development District consisting of an office/warehouse development. The property is located at the southwest corner of Colton Avenue and Clayton Street. The Assessor's Parcel Numbers are 139-08-811-000 through 139-08-811-044.

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

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

12. **SPR-19-08 (37422) BROADACRES OPEN AIR MARKET** An application submitted by Broadacres Open Air Marketplace, LLC, property owner, for an amendment to a previously approved site plan review in a C-3, General Service Commercial District to amend a condition of approval. The property is located at 2960 North Las Vegas Boulevard. The Assessor's Parcel Numbers are 139-13-605-006 through 139-13-605-010.

ACTION: CONTINUED TO JANUARY 14, 2009

MOTION: Commissioner Trivedi  
SECOND: Commissioner Leavitt  
AYES: Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None  
ABSTAIN: None

**OLD BUSINESS**

13. **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 and August 13, 2008)**

ACTION: CONTINUED TO MARCH 11, 2009

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

14. **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 and August 13, 2008)**

ACTION: CONTINUED TO MARCH 11, 2009

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

15. **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 and August 13, 2008)**

ACTION: CONTINUED TO MARCH 11, 2009

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

16. **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 and August 13, 2008)**

ACTION: CONTINUED TO MARCH 11, 2009

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

17. **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 and August 13, 2008)**

ACTION: CONTINUED TO MARCH 11, 2009

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

18. **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 and August 13, 2008)**

ACTION: CONTINUED TO MARCH 11, 2009

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

19. **SPR-25-08 (36344) INDIGO APARTMENTS.** An application submitted by Ann Allen Commons LLC, property owner for a site plan review in an R-3, Multi-Family Residential District consisting of a 166 unit multi-family development. The property is located east of Willis Street and approximately 370 feet north of Ann Road. The Assessor's Parcel Number is 124-30-802-022. **(Continued August 27, September 24 and October 22, 2008)**

ACTION: CONTINUED TO JANUARY 14, 2009

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

20. **UN-105-08 (37063) SPEEDWAY HOTEL & CASINO (Public Hearing).** An application submitted by Ganaste, LLC, property owner, for a special use permit in a C-2, General Commercial District to allow six (6) temporary buildings. The property is located at 3227 Civic Center Drive. The Assessor's Parcel Numbers are 139-11-803-002, 139-11-815-001 and 139-11-815-003. **(Continued November 12, 2008)**

ACTION: CONTINUED TO JANUARY 14, 2009

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

21. **UN-110-08 (37164) CARL'S JR. (Public Hearing).** An application submitted by S.L. Investment, Inc. on behalf of Cheyenne Marketplace, LLC, property owner, for a special use permit in a PUD, Planned Unit Development District to allow a convenience food restaurant. The property is located at the northeast corner of Cheyenne Avenue and Martin Luther King Boulevard. The Assessor's Parcel Number is 139-09-801-011. **(Continued November 12, 2008)**

ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

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

### **PUBLIC FORUM**

There was no public participation.

### **DIRECTOR'S BUSINESS**

Planning and Zoning Director Frank Fiori explained the Parks and Recreation Department was requesting to change the date of the Joint meeting with the Planning Commission from January 14, 2009 to February 10, 2009, as it had been determined the Parks and Trails project had not progressed to the point necessary to hold the joint meeting.

The Commission agreed to hold the joint meeting on February 10, 2009.

Director Fiori let the Commission know they would be provided with more information regarding the time and location of the meeting and wished the Commissioners a Happy Holiday.

### **CHAIRMAN'S BUSINESS**

There was no report given.

Commissioner Dean Leavitt wished everyone a Happy Holiday.

Commissioner Jo Cato thanked everyone for their support during the past year and shared that she was awarded the Channel 8 Community Pride Award for community service, which would be featured in February on Channel 8.

### **ADJOURNMENT**

The meeting adjourned at 6:52 p.m.