

City Council Action Letter



Separator Sheet



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

April 21, 2006

Mr. Demetrius McWhorter
Big Mama's Rib Shack
2230 West Bonanza Road
Las Vegas, Nevada 89106

RE: VAR-11714 – VARIANCE
CITY COUNCIL MEETING OF APRIL 19, 2006
RELATED TO VAR-11712 AND SDR-11707

Dear Mr. McWhorter:

The City Council at a regular meeting held April 19, 2006 APPROVED the request for a Variance TO ALLOW A 6.8-FOOT REAR-YARD SETBACK WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, TO ALLOW A 2.3-FOOT SIDE-YARD SETBACK WHERE TEN FEET IS THE MINIMUM SETBACK REQUIRED, TO ALLOW A FIVE-FOOT CORNER-YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK ALLOWED, TO ALLOW A MAXIMUM LOT COVERAGE OF 83.6 PERCENT WHERE 50 PERCENT IS THE MAXIMUM LOT COVERAGE ALLOWED, AND TO ALLOW A REDUCTION OF BUILDING STEP-BACK REQUIREMENTS FOR A PROPOSED MIXED-USE DEVELOPMENT on 1.88 acres at 2228 and 2230 West Bonanza Road; and 704, 706, 708, and 710 Dike Lane (APNs 139-29-704-019 through 025), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on April 20, 2006. This approval is subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-11707) and Variance (VAR-11712).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

Sincerely,

A handwritten signature in cursive script, reading "Angela Crolli".

Angela Crolli
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

cc: See Attached List

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

18112-001-06-05
CLV 7009



Mr. Demetrius McWhorter
VAR-11714 – Page Two
April 21, 2006

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. of Fire Services

Ms. Kristen Neuman
APTUS Architecture
1200 South Fourth Street, Suite #206
Las Vegas, Nevada 89104

Mr. Demetrius McWhorter
9054 Barium Rock Avenue
Las Vegas, Nevada 89143

Mr. Demetrius McWhorter
Mr. Jeff Jordan
Rosebud Development
710 Dike Lane
Las Vegas, Nevada 89016

Action Letter



ACTION LETTER

Separator Sheet



LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

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MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
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STEVEN D. ROSS

DOUGLAS A. SELBY
CITY MANAGER

March 24, 2006

Mr. Demetrius McWhorter
Big Mama's Rib Shack
2230 West Bonanza Road
Las Vegas, Nevada 89106

RE: VAR-11714 - VARIANCE

Dear Mr. McWhorter:

Your request for a Variance TO ALLOW A 6.8-FOOT REAR-YARD SETBACK WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, TO ALLOW A 2.3-FOOT SIDE-YARD SETBACK WHERE TEN FEET IS THE MINIMUM SETBACK REQUIRED, TO ALLOW A FIVE-FOOT CORNER-YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK ALLOWED, TO ALLOW A MAXIMUM LOT COVERAGE OF 83.6 PERCENT WHERE 50 PERCENT IS THE MAXIMUM LOT COVERAGE ALLOWED, AND TO ALLOW A REDUCTION OF BUILDING STEP-BACK REQUIREMENTS FOR A PROPOSED MIXED-USE DEVELOPMENT on 1.88 acres at 2228 and 2230 West Bonanza Road; and 704, 706, 708, and 710 Dike Lane (APNs 139-29-704-019 through 025), C-1 (Limited Commercial) Zone, Ward 5 (Weekly), was considered by the Planning Commission on March 23, 2006.

The Planning Commission voted to recommend **APPROVAL** of your request, subject to the following:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-11707) and Variance (VAR-11712).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

CITY OF LAS VEGAS
400 STEWART AVENUE
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011

TTY 702.386.9108

www.lasvegasnevada.gov

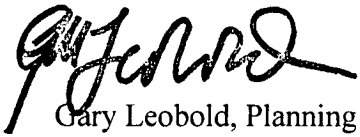
18112-001-06-05
CLV 7009



Mr. Demetrius McWhorter
VAR-11714 - Page Two
March 24, 2006

This item will be considered by the City Council on *April 19, 2006*, at 1:00 P.M. in the Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada. ***The Council requires that you or your representative be present at this meeting.*** If you or your representative chooses not to attend, the City Council may act in your absence without your input.

Sincerely,



Gary Leobold, Planning Supervisor
Planning and Development Department
Current Planning Division

GL:clb

cc: Ms. Kristen Neuman
APTUS Architecture
1200 South Fourth Street, Suite #206
Las Vegas, Nevada 89104

Mr. Demetrius McWhorter
9054 Barium Rock Avenue
Las Vegas, Nevada 89143

Mr. Demetrius McWhorter
Mr. Jeff Jordan
Rosebud Development
710 Dike Lane
Las Vegas, Nevada 89106

Applicant Letter



APPLICANT LETTER

Separator Sheet

PLANNING & DEVELOPMENT



DEVELOPMENT SERVICES CENTER

731 S. Fourth Street
Las Vegas, NV 89101

TTY 702-386-9108

Voice:

Administration 229-6353

Comp Planning 229-6022

Current Planning 229-6301

www.lasvegasnevada.gov

March 10, 2006

Mr. Demetrius McWhorter
Big Mama's Rib Shack
2230 West Bonanza Road
Las Vegas, Nevada 89106

RE: VAR-11714 - VARIANCE

Dear Mr. McWhorter:

Please be advised the City Planning Commission at its regular meeting on *March 23, 2006* has referred to above, will consider your request. This meeting will be held at 6:00 P. M. at the Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

A copy of staff's recommendations, any conditions related to your application and the *final agenda* will be mailed to you prior to the meeting. If you do not receive these documents by the day of the meeting, please call the Current Planning Division at 229-6301 or come into the Development Services Center at 731 South Fourth Street to request your copies.

The Planning Commission requires that you or your representative be present at this meeting.

Sincerely,

Gary Leobold, Planning Supervisor
Planning and Development Department
Current Planning Division

GL:clb

cc: Ms. Kristen Neuman
APTUS Architecture
1200 South Fourth Street, Suite #206
Las Vegas, Nevada 89104

Mr. Demetrius McWhorter
Mr. Jeff Jordan
Rosebud Development
710 Dike Lane
Las Vegas, Nevada 89106

Mr. Demetrius McWhorter
9054 Barium Rock Avenue
Las Vegas, Nevada 89143

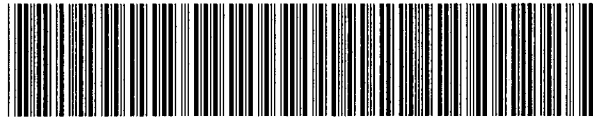
Mayor
Oscar B. Goodman

City Council
Gary Reese
(Mayor Pro Tem)
Larry Brown
Lawrence Weekly
Steve Wolfson
Lois Tarkanian
Steven D. Ross

City Manager
Douglas A. Selby



Public Hearing Notice



PUBLIC HEARING NOTICE

Separator Sheet

Las Vegas, Nevada

APRIL 3, 2006

TO: LAS VEGAS REVIEW JOURNAL

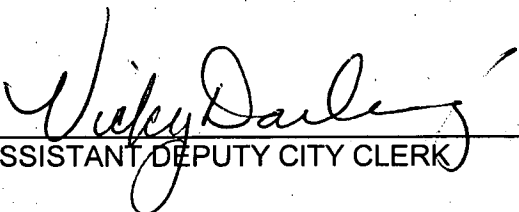
FROM: CITY CLERK

SUBJECT: PUBLICATION OF NOTICE OF PUBLIC HEARINGS – VARIANCES:
VAR-11270, VAR-11698, VAR-11700, VAR-11704, VAR-11710, VAR-11712,
VAR-11714 AND VAR-11723

Please publish the attached LEGAL NOTICE

ON THE FOLLOWING DATE: FRIDAY, APRIL 7, 2006 (One time)

Send me three copies of the Affidavit of Publication at your earliest convenience [no later than seven (7) days following final publication].



ASSISTANT DEPUTY CITY CLERK

cc: Finance Department – Accounts Payable
City Attorney – (on Ordinances)
Planning and Development Department
Front Desk

NOTICE OF PUBLIC HEARINGS
APRIL 19, 2006

NOTICE IS HEREBY GIVEN THAT ON WEDNESDAY, APRIL 19, 2006 at the hour of 1:00 P.M. in the Council Chambers, City Hall Complex, 400 Stewart Avenue, Las Vegas, Nevada, the City Council will consider the following Variances:

VAR-11270 - APPLICANT: BARRY ROSS - OWNER: KATHLEEN S. MAYERS - Request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 21 FEET WHERE 51 FEET IS THE MINIMUM SETBACK REQUIRED FOR A PROPOSED COMMERCIAL BUILDING, TO ALLOW A TRASH ENCLOSURE SETBACK OF FIVE FEET ADJACENT TO A RESIDENTIAL USE WHERE 50 FEET IS THE MINIMUM SEPARATION REQUIRED, AND TO ALLOW AN 11-FOOT REAR YARD SETBACK WHERE 15 FEET IS THE MINIMUM REQUIRED on 2.5 acres at 4550 West Oakey Boulevard (APNs 162-06-202-001 and 002), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian), LEGALLY DESCRIBED AS BEING A PORTION OF THE SOUTHEAST QUARTER (SE¼) OF THE NORTHWEST QUARTER (NW¼) OF SECTION 6, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.M.

VAR-11698 - APPLICANT: FAMILY PROMISE - OWNER: WIDOW'S MITE, INC. - Request for a Variance TO ALLOW TWO PARKING SPACES WHERE FIVE PARKING SPACES IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED AND TO ALLOW NO LOADING SPACE WHERE ONE LOADING SPACE IS REQUIRED on 0.13 acres at 502 West Van Buren Avenue (APN 139-27-110-043), R-4 (High Density Residential) Zone [PROPOSED: O (Office) Zone], Ward 5 (Weekly), LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 27, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M.

VAR-11700 - APPLICANT: FAMILY PROMISE - OWNER: WIDOW'S MITE, INC. - Request for a Variance TO ALLOW A 21-FOOT FRONT YARD SETBACK WHERE 25 FEET IS THE MINIMUM FRONT YARD SETBACK REQUIRED; TO ALLOW A FIVE-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM SIDE YARD SETBACK REQUIRED AND TO ALLOW A 40-FOOT LOT WIDTH WHERE 100 FEET IS THE MINIMUM LOT WIDTH REQUIRED AND TO PROVIDE NO TRASH ENCLOSURE WHERE A TRASH ENCLOSURE IS REQUIRED on 0.13 acres at 502 West Van Buren Avenue (APN 139-27-110-043), R-4 (High Density Residential) Zone [PROPOSED: O (Office) Zone], Ward 5 (Weekly), LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 27, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M.

VAR-11704 - APPLICANT: HONDA DEVELOPMENT, LLC - OWNER: SANDHILL VILLAGE, LLC - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 2.54 ACRES WHERE FIVE ACRES IS THE MINIMUM ACREAGE REQUIRED adjacent to the south side of Tully Avenue approximately 300 feet east of Sandhill Road (APN 140-30-801-006), R-E (Residence Estates) Zone under Resolution of Intent to R-3 (Medium Density Residential) Zone [PROPOSED: R-PD11 (Residential Planned Development - 11 Units Per Acre) Zone], Ward 3 (Reese), LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 27, TOWNSHIP 20 SOUTH, RANGE 60 EAST, M.D.M.

VAR-11710 - APPLICANT: THE MONTECITO COMPANIES - OWNER: MONTECITO MARKETPLACE, LLC, ET AL - Request for a Variance TO ALLOW 1,032 PARKING SPACES WHERE 1,209 PARKING SPACES IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED on 21.48 acres at the southeast corner of Durango Drive and Elkhorn Road (APNs 125-20-510-007, 008, 011, and 012), T-C (Town Center) Zone [UC-TC (Urban Center Mixed-Use) Town Center Land Use Designation], Ward 6 (Ross), LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHWEST QUARTER (NW¼) OF THE NORTHEAST QUARTER (NE¼) OF SECTION 20, TOWNSHIP 19 SOUTH, RANGE 60 EAST, M.D.M.

VAR-11712 - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: BIG MAMA'S COOKING OR KITCHEN, INC., ET AL - Request for a Variance TO ALLOW 400 PARKING SPACES WHERE 493 PARKING SPACES IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED FOR A PROPOSED MIXED-USE DEVELOPMENT on 1.88 acres at 2228 and 2230 West Bonanza Road; and 704, 706, 708, and 710 Dike Lane (APNs 139-29-704-019 through 025), C-1 (Limited Commercial) Zone, Ward 5 (Weekly), LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M.

VAR-11714 - VARIANCE RELATED TO VAR-11712 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: BIG MAMA'S COOKING OR KITCHEN, INC., ET AL - Request for a Variance TO ALLOW A 6.8-FOOT REAR-YARD SETBACK WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, TO ALLOW A 2.3-FOOT SIDE-YARD SETBACK WHERE TEN FEET IS THE MINIMUM SETBACK REQUIRED, TO ALLOW A FIVE-FOOT CORNER-YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK ALLOWED, TO ALLOW A MAXIMUM LOT COVERAGE OF 83.6 PERCENT WHERE 50 PERCENT IS THE MAXIMUM LOT COVERAGE ALLOWED, AND TO ALLOW A REDUCTION OF BUILDING STEP-BACK REQUIREMENTS FOR A PROPOSED MIXED-USE DEVELOPMENT on 1.88 acres at 2228 and 2230 West Bonanza Road; and 704, 706, 708, and 710 Dike Lane (APNs 139-29-704-019 through 025), C-1 (Limited Commercial) Zone, Ward 5 (Weekly), LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M.

VAR-11723 - APPLICANT: INTERURBAN CONSTRUCTION, LLC - OWNER: URBAN LOFTS XIV, LTD. - Request for a Variance TO ALLOW 11,627 SQUARE FEET OF OPEN SPACE WHERE 61,079 SQUARE FEET IS THE MINIMUM AMOUNT OF OPEN SPACE REQUIRED on 6.07 gross acres at the northwest corner of 25th Street and Charleston Boulevard (APN 139-35-815-002), C-2 (General Commercial) Zone [PROPOSED: R-PD14 (Residential Planned Development - 14 Units Per Acre) Zone], Ward 3 (Reese), LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHWEST QUARTER (NW¼) OF THE SOUTHWEST QUARTER (SW¼) OF SECTION 35, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M.

ANY AND ALL INTERESTED PERSONS may appear and be heard at said meeting or, prior thereto, may file written objections thereto or approvals thereof with the City Clerk, 1st Floor, City Hall.

BARBARA JO RONEMUS, CITY CLERK

NOTICE OF PUBLIC HEARING

VARIANCE

MEETING: PLANNING COMMISSION
DATE: MARCH 23, 2006
TIME: 6:00 P.M.
LOCATION: CITY COUNCIL CHAMBERS
400 STEWART AVENUE
LAS VEGAS, NEVADA

VAR-11714

APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: BIG MAMA'S COOKING OR KITCHEN, INC., ET AL - REQUEST FOR A VARIANCE TO ALLOW A 6.8-FOOT REAR-YARD SETBACK WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED, TO ALLOW A 2.3-FOOT SIDE-YARD SETBACK WHERE TEN FEET IS THE MINIMUM SETBACK REQUIRED, TO ALLOW A FIVE-FOOT CORNER-YARD SETBACK WHERE 15 FEET IS THE MINIMUM SETBACK ALLOWED, TO ALLOW A MAXIMUM LOT COVERAGE OF 83.6 PERCENT WHERE 50 PERCENT IS THE MAXIMUM LOT COVERAGE ALLOWED, AND TO ALLOW A REDUCTION OF BUILDING STEP-BACK REQUIREMENTS FOR A PROPOSED MIXED-USE DEVELOPMENT ON 1.88 ACRES AT 2228 AND 2230 WEST BONANZA ROAD; AND 704, 706, 708, AND 710 DIKE LANE (APNS 139-29-704-019 THROUGH 025), C-1 (LIMITED COMMERCIAL) ZONE, WARD 5 (WEEKLY).

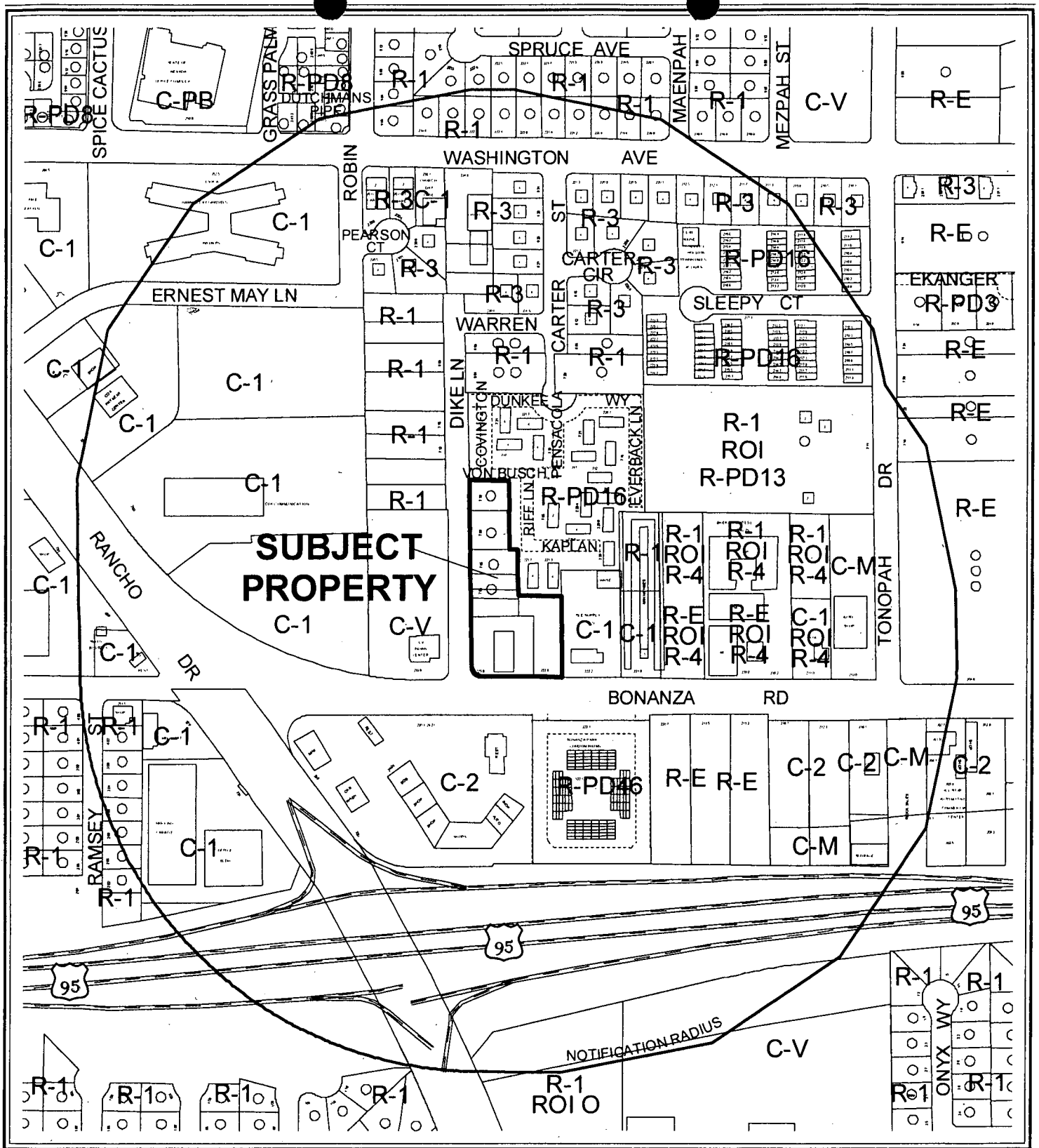
THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M.

Any and all interested persons may appear before the City Planning Commission either in person or by representative and object to or express approval of this request; or may, prior to this meeting, file written objections thereto or approval thereof with the Planning and Development Department, Current Planning Division, Development Services Center, 731 South Fourth Street, Las Vegas, Nevada 89101. Final Action on this request may be determined by the City Council. The date of the City Council meeting, if applicable, will be announced at the Planning Commission meeting after the discussion of the item. You may not receive an additional notice for the City Council meeting. For further information, please call (702) 229-6301 (TDD 386-9108) <http://www.lasvegasnevada.gov>.



GARY LEOBOLD, PLANNING SUPERVISOR
PLANNING AND DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION

SEE LOCATION MAP ON REVERSE SIDE



CASE: VAR-11714

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-1 (LIMITED COMMERCIAL)

0 300 600 Feet



Affidavit of Sign Posting



AFFIDAVIT OF SIGN POSTING

Separator Sheet



CITY OF LAS VEGAS SIGN POSTING AFFIDAVIT

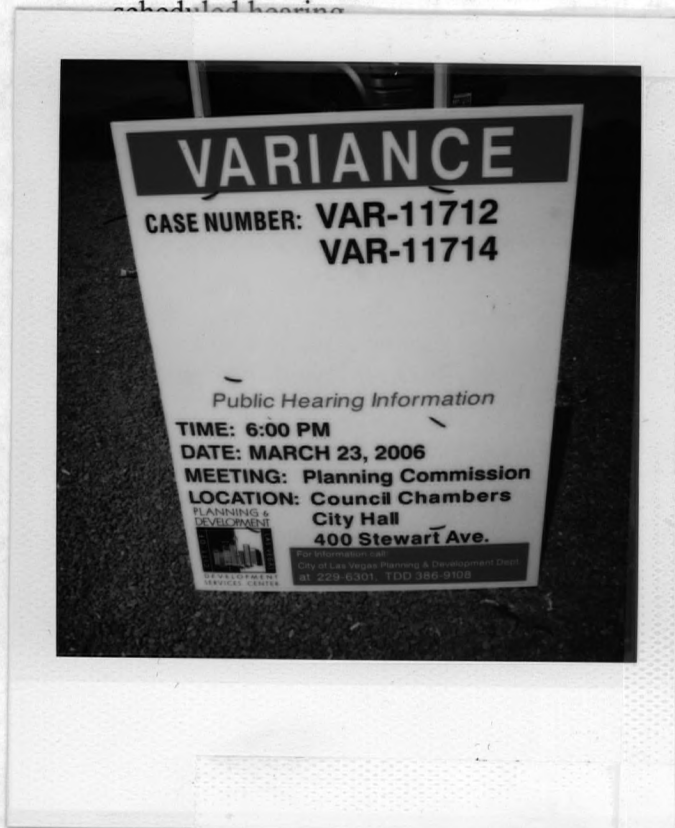


CASE NUMBER: VAR-11712 & VAR-11714

MEETING DATE: March 23, 2006

Sign Pro does hereby certify that a notice as required by Chapter 19.18.010(D) of the Zoning Code, was visibly posted for a period of not less than ten (10) calendar days prior to the first scheduled hearing.

1 of 6



[Signature]
Signature

3-12-6
Date

This affidavit must be returned to the Planning and Development Department, Current Planning Division, at 731 South 4th Street during regular business hours three (3) business days prior to the subject application being heard by the Planning Commission or City Council.



CITY OF LAS VEGAS SIGN POSTING AFFIDAVIT

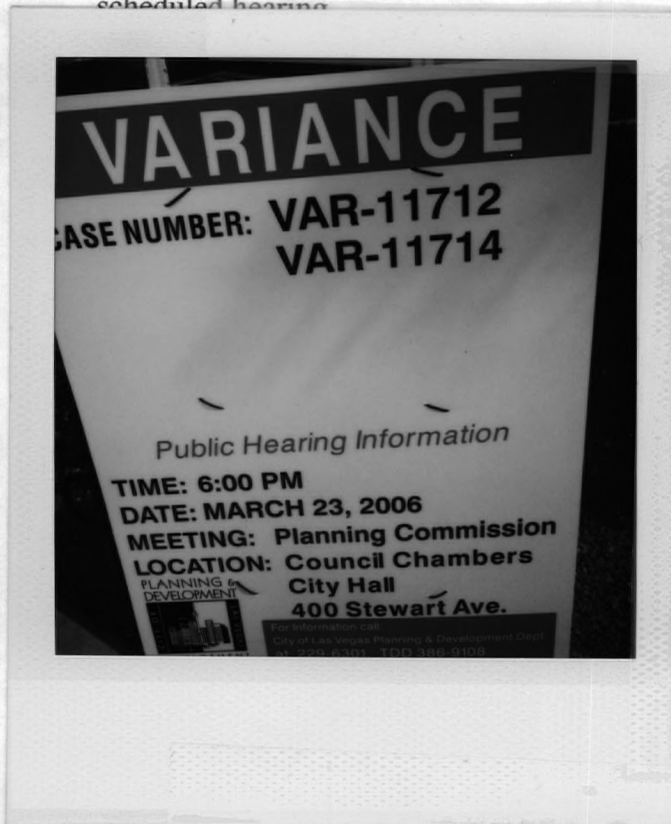


CASE NUMBER: VAR-11712 & VAR-11714

MEETING DATE: March 23, 2006

2 of 6

Sign Pro does hereby certify that a notice as required by Chapter 19.18.010(D) of the Zoning Code, was visibly posted for a period of not less than ten (10) calendar days prior to the first scheduled hearing.



[Signature]
Signature

3-12-6
Date

This affidavit must be returned to the Planning and Development Department, Current Planning Division, at 731 South 4th Street during regular business hours three (3) business days prior to the subject application being heard by the Planning Commission or City Council.



CITY OF LAS VEGAS SIGN POSTING AFFIDAVIT

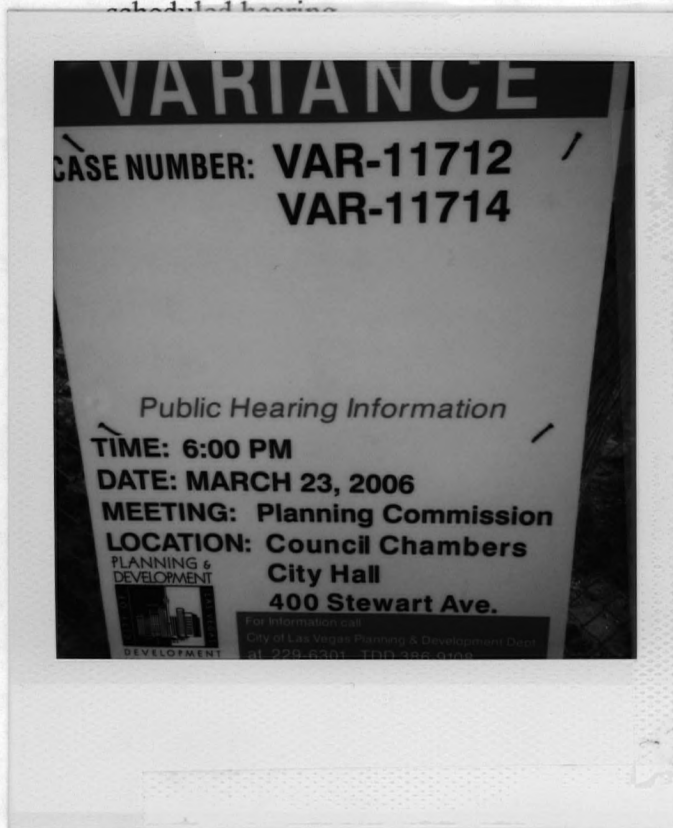


CASE NUMBER: VAR-11712 & VAR-11714

MEETING DATE: March 23, 2006

306

Sign Pro does hereby certify that a notice as required by Chapter 19.18.010(D) of the Zoning Code, was visibly posted for a period of not less than ten (10) calendar days prior to the first scheduled hearing.



Signature

3-12-6
Date

This affidavit must be returned to the Planning and Development Department, Current Planning Division, at 731 South 4th Street during regular business hours three (3) business days prior to the subject application being heard by the Planning Commission or City Council.



CITY OF LAS VEGAS SIGN POSTING AFFIDAVIT

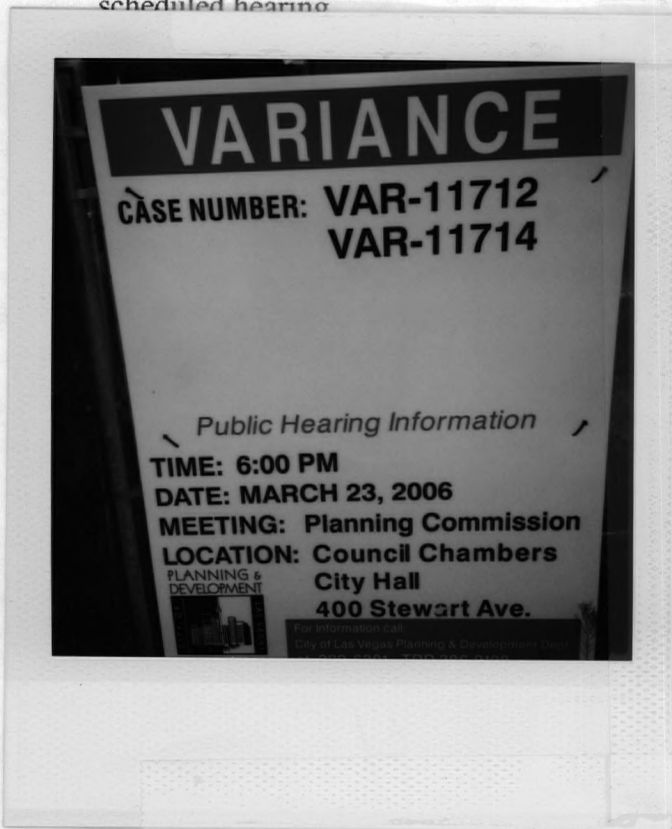


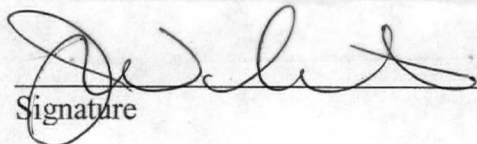
CASE NUMBER: VAR-11712 & VAR-11714

MEETING DATE: March 23, 2006

4 of 6

Sign Pro does hereby certify that a notice as required by Chapter 19.18.010(D) of the Zoning Code, was visibly posted for a period of not less than ten (10) calendar days prior to the first scheduled hearing.




Signature

3-12-6
Date

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CITY OF LAS VEGAS SIGN POSTING AFFIDAVIT



CASE NUMBER: VAR-11712 & VAR-11714

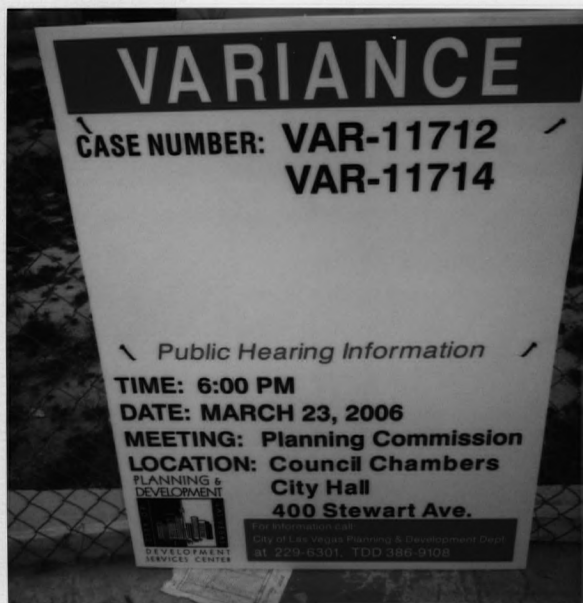
MEETING DATE: March 23, 2006

Sign Pro does hereby certify that a notice as required by Chapter 19.18.010(D) of the Zoning Code, was visibly posted for a period of not less than ten (10) calendar days prior to the first scheduled hearing.

5076

BONANZA

DIKE



[Signature]
Signature

3-12-6
Date

This affidavit must be returned to the Planning and Development Department, Current Planning Division, at 731 South 4th Street during regular business hours three (3) business days prior to the subject application being heard by the Planning Commission or City Council.



CITY OF LAS VEGAS SIGN POSTING AFFIDAVIT

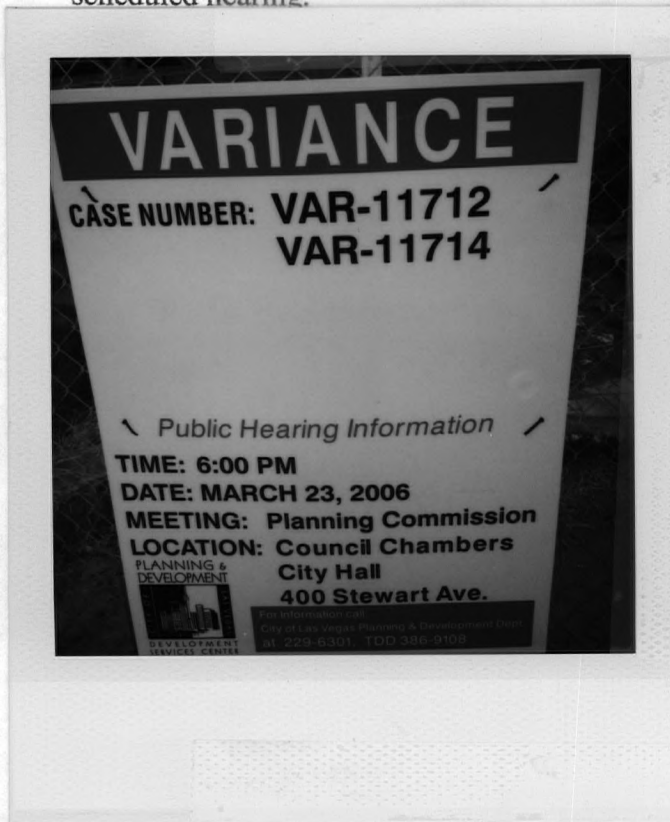


CASE NUMBER: VAR-11712 & VAR-11714

MEETING DATE: March 23, 2006

6 of 6

Sign Pro does hereby certify that a notice as required by Chapter 19.18.010(D) of the Zoning Code, was visibly posted for a period of not less than ten (10) calendar days prior to the first scheduled hearing.



BONANZA

Signature

3-12-6
Date

This affidavit must be returned to the Planning and Development Department, Current Planning Division, at 731 South 4th Street during regular business hours three (3) business days prior to the subject application being heard by the Planning Commission or City Council.

Route Form



ROUTE FORM

Separator Sheet

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

REQUEST FOR COMMENT

FROM: *PLANNING AND DEVELOPMENT*

VAR-11714

HAND DELIVERED

*DEVELOPMENT COORDINATION (DPW)	GARY REID	DSC
FIRE ENGINEERING	OZZIE MIRKHAH	DSC
*FLOOD CONTROL (DPW)	ROSA CORTEZ	DSC
*LAND DEVELOPMENT (DPW)	KENT CHANG	DSC
PERMITS/ INSPECTIONS	ROD CLARK	DSC
*RIGHT-OF-WAY (DPW)	CAROLYN CAVINESS	DSC
*SANITARY SEWERS (DPW)	TIM PARKS	DSC
*TRAFFIC ENGINEERING (DPW)	RICK SCHROEDER	DSC

SENT VIA COURIER/ US MAIL OR INTER-OFFICE MAIL

<CCSD>	GUY CORRADO	4212 EUCALYPTUS ANNEX
METRO	SGT. ROBERT ROSHACK	7 th FLOOR CITY HALL
OFFICE OF BUSINESS DEVELOPMENT	DAVID BRATCHER	2 nd FLOOR CITY HALL EXPANSION
NEIGHBORHOOD SERVICES	ANNE KILPONEN	2 nd FLOOR CITY HALL
*TEFO (DPW)	TOM WILKING	3104 BONANZA ROAD
*SID (DPW)	T. McDANIEL	4 th FLOOR CITY HALL
*SURVEY (DPW)	ALAN RIEKKI	WEST YARD

*** ONLY THOSE INDICATED WITH A STAR ARE TO BE ROUTED TO GARY REID, SR. ENG. ASSOC.**
ALL OTHER DIVISIONS PLEASE ROUTE YOUR COMMENTS DIRECTLY TO THE PLANNING AND
DEVELOPMENT DEPARTMENT **< US MAIL DELIVERY >**

VARIANCE
02/08/2006

Final DRT



Separator Sheet

CITY OF LAS VEGAS

DEVELOPMENT REVIEW COMMENT FORM



Planning and Development Department
Current Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101
(702) 229-6301 phone (702) 385-7268 fax

VAR-11714 - VARIANCE RELATED TO VAR-11712 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: BIG MAMA'S COOKING OR KITCHEN, INC., ET AL - Request for a Variance TO ALLOW A 6.5-FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM REAR YARD SETBACK REQUIRED AND TO ALLOW A MAXIMUM LOT COVERAGE OF 84 PERCENT WHERE 50 PERCENT IS THE MAXIMUM LOT COVERAGE ALLOWED FOR A PROPOSED MIXED-USE DEVELOPMENT on 1.88 acres at 2228 and 2230 West Bonanza Road; and 704, 706, 708, and 710 Dike Lane (APNs 139-29-704-019 through 025), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

THE ABOVE PROPERTY IS LEGALLY DESCRIBED AS BEING A PORTION OF THE NORTHEAST QUARTER (NE¼) OF THE SOUTHEAST QUARTER (SE¼) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M.

PLANNING COMMISSION: **MARCH 23, 2006**

CITY COUNCIL: **APRIL 19, 2006**

PLANNING SUPERVISOR: **GARY LEOBOLD**



PUBLIC HEARING

Comments Due: **FEBRUARY 22, 2006**

Comments not returned by the due date will not be incorporated into the staff report for this case. Comments may be submitted either on this sheet and routed via interoffice mail, U.S. mail, fax, or e-mailed to Carman Burney (cburney@lasvegasnevada.gov), the Agenda Tech responsible for this case. If you desire to meet with the case planner you may schedule an appointment by calling (702) 229-6301.

LIST COMMENTS BELOW:

Neighborhood Services List



Separator Sheet

City of Las Vegas - Planning and Development Department.

Development Notification

PC Meeting: March 23, 2006

The following neighborhood associations are located within approximately one(1) mile of this development application and have been notified of this case by the Planning and Development Department:

VAR-11714

Aida Brents Resident Council

Bonanza Village NA

Eastland Heights 1, 2, 3, & 4 NA

G-704 NA

Harry Levy Gardens Resident Council

Palomino Area Preservation NA

Pinto Palomino Residents

Rancho Manor NA

Rancho Oakey NA

Rancho South NA

Twin Lakes Village NA

West Las Vegas Neighborhood Executive Board

WLV-NAA4

WLV-NAA6

WLV-NAA7

WLV-NAA8

Hansen Sheet



Separator Sheet

Report Date 02/08/2006 10:59 AM

Submitted By

Page 1

A/P # 11714 VARIANCE

Application Information

Stages

	Date / Time	By		Date / Time	By
Processed	02/07/2006 14:45	983486	Temp COO		
Approved			COO Issued		
Final			Expires		

Associated Information

Type of Work	# Plans	0	Declared Valuation	0.00
Dept of Commerce	# Plans	0	Calculated Valuation	0.00
Priority	☒ Auto Reviews	Bill Group	Actual Valuation	0.00

Description of Work

VAR-11714 - VARIANCE RELATED TO VAR-11712 - PUBLIC HEARING - APPLICANT: ROSE BUD DEVELOPMENT, LLC - OWNER: BIG MAMA'S COOKING OR KITCHEN, INC., ET AL- Request for a Variance TO ALLOW 6.5-FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW A MAXIMUM LOT COVERAGE OF 84 PERCENT WHERE 50 PERCENT IS THE MAXIMUM LOT COVERAGE PERMITTED on 1.88 acres at 2228 and 2230 West Bonanza Road; and 704, 706, 708, and 710 Dike Lane (APNs 139-29-704-019 through 025), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

Parent A/P #

Project #	11714	Project/Phase Name	THE VIEW	Phase #	
Size/Area	1.88 ACRE	Size Description		% Completed	0.00
Proposed Start		Proposed Stop			
% Complete Formula					

Property/Site Information

Parcel 13929704023

Location

Owner/Tenant

Contact ID AC154987	Name	BIG MAMA'S COOKING OR KITCHEN	Organization	MCWHORTER ENTERPRISES LTD L L	
Mailing Address	2230 W BONANZA RD		State/Province	NV	
City	LAS VEGAS		Country		☐ Foreign
ZIP/PC	89106-4714		Evening Phone		
Day Phone	(702)271-3167 x		Mobile #		
Fax	(702)396-6593				

Contact ID AC1131920	Name	JEFF JORDAN	Organization		
Mailing Address	710 DIKE		State/Province	NV	
City	LAS VEGAS		Country		☐ Foreign
ZIP/PC	89106		Evening Phone		
Day Phone	(702)271-3167 x		Mobile #		
Fax	(702)396-6593				

Contact ID AC797715	Name	MCWHORTER DEMETRIUS GERHARD	Organization		
Mailing Address	9054 BARIUM ROCK AVE		State/Province	NV	
City	LAS VEGAS		Country		☐ Foreign
ZIP/PC	89143-2308		Evening Phone		
Day Phone	(702)271-3167 x		Mobile #		
Fax	(702)396-6593				

Linked Addresses

No Addresses are linked to this Application

A/P Linked Addresses

City of Las Vegas400 Stewart Ave
Las Vegas, NV 89101-2927**VAR Application****Report Date** 02/08/2006 10:59 AM**Submitted By**

Page 2

Address	Parcel Link	A/P Link
---------	-------------	----------

2228 W BONANZA RD
LAS VEGAS, 89106-**Linked Parcels**

No Parcels are linked to this Application

A/P Linked Parcels13929704019
13929704020
13929704021
13929704022
13929704023
13929704024
13929704025

Check Conditions Condition Supervisor Required	Approval	Approved By Comments	Approved Date	Applied By	Applied Date	Assigned
--	----------	-------------------------	---------------	------------	--------------	----------

No Conditions

Planning Condition	Description	Effective	Expire	Comments
--------------------	-------------	-----------	--------	----------

There is no planning condition for this project.

VARIANCE

N Parent Project link required?

Final City Council letter received

Y Will this go to the City Council?

Annotated minutes received

Is there a condition of approval for a Required Review?

If yes, when does it need to be reviewed?

Meeting Information

Meeting Information Meeting Date Comments Added By	Meeting Type Add Date	Meeting Status Modified By	Modified Date	YES Votes	NO Votes	ABSTENTIONS
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03/23/2006 PC SCHEDULED

0 0 0

EBERZINA 02/07/2006

Template Type	A/P #	A/P Type	Status	Stage
---------------	-------	----------	--------	-------

No children exist for this project

Employee Employee ID	Last	First	MI	Comments
-------------------------	------	-------	----	----------

No Employee Entries

Log Action Comments	Description	Entered By	Start	Stop	Hours
---------------------------	-------------	------------	-------	------	-------

PAYMNT CK NAME,# WHO PICKED UP PERMIT 983657 02/07/2006 15:15
ROSE BUD DEVELOPMENT LLC CK 1060 / DEMETRIUS / 271-3167

0.00

Justification Letter



JUSTIFICATION LETTER

Separator Sheet

February 7, 2006

City of Las Vegas
Planning and Development Department
731 S. Fourth Street
Las Vegas, NV 89101

RE: APN: 139-29-704-019 thru 139-29-704-025

Subject: **Variance**

A. Setback Variance

B. Lot Coverage Variance

Dear Sirs:

We respectfully submit this application for a Variance on the project formally called The View. Changes to the design of the project have required us to file this new application. The View Project received full project approval by the Las Vegas City Council on October 5, 2005. The View is now a mixed-use MID-RISE residential condominium development located on the corner of Bonanza Road and Dike Lane in the City of Las Vegas. This project will provide a true mix of retail and residential components into one development. The project contains approximately 10,000 square feet of commercial space on the first level. We envision a fantastic mix of retail shops that will complement the neighborhood. The project now contains 300 residential condominium units contained within one residential building. The building is 8 stories tall, and sits atop a parking structure for a total height of 12 stories. The new building height is 180 feet as opposed to the previously approved 25 story tower that was 275' in height.

Within this application, we are requesting two **Variances** for our project. A Variance to adjust the setback requirements and a Variance to increase the lot coverage was already approved as part of SDR-6507 that was previously approved at the City Council Meeting of October 5, 2005. These requests were once called waivers to the SDR. New City of Las Vegas Planning procedures now require us to file these "once called waiver requests to the SDR" as Variances and to submit them as a separate application.

The first Variance that we are requesting is a Variance from the Setback Requirements. Below is a listing of the setback Variances we are requesting:

REAR: We requesting a Rear Yard setback of 6'-8" for a short distance where 10' was previously approved and where 20'0" is required by code. This setback of 6'-8" only spans a very small portion of the site where one of the old house lots jogs in, approximately only 15 feet in distance. The rest of the rear setbacks continue to meet the already approved 10' requirement.

SIDE: We are requesting Side Yard setbacks of 20', 10'3", 2'-3", and 3" where 10 feet is required minimum. These Side Yard setbacks were already approved on our previous application submittal and are continually required on this new application make the project viable.

CORNER SIDE: We are requesting a Corner Side Yard setback of 5' where 15' is the required minimum. Again, this 5' Corner Side Yard setback was part of an already approved waiver in our previous application.

FRONT: We have always and continue to meet this front Yard setback requirement. No Variance is required nor requested.

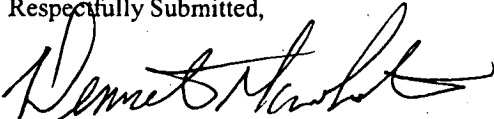
These additional Variances are being respectfully requested because the site consists of several parcels of different sizes. This aspect makes the site very irregular in shape. Also, the property lines within the site are irregular. The property lines are not straight and irregularly angle at varying degrees throughout the site. Because of this, the site has major site constraints, which made it extremely difficult to design a practical, efficient, and low impact parking structure. This was not possible without requiring these additional Variances to the setback requirement. With these small, already previously approved reductions to the setback, we are now able to redesign the site to reduce the parking structure by three stories. We feel that this setback Variance will not have any negative impact on the neighborhood or the abutting property owners. On our last submittal, no one opposed our setback requests either at the Planning Commission or The City Council.

VAR-11714
03/23/06 PC

The second item we are requesting is a Variance from the Maximum Lot Coverage allowed. We are requesting lot coverage in the amount of 83.6% net where 50% is the maximum allowed. On our previous approval we were allowed lot coverage in the amount of 56%. The rear four parcels that comprise the site are currently older single-family residential lots that are very narrow. This narrowness has caused us to have to cover more lot than what is allowed to allow for the parking structure to function in a practical and efficient manner. Again, site constraints have dictated a need for higher lot coverage than what is normally allowed. Also, this 83.6% lot coverage request is a little deceiving. Our project consists of substantial open space above and on top of the parking structure. There are two amenity decks planned. If these open space areas were allowed to be counted in the lot coverage calculations, then we would only be requesting a lot coverage increase to 63%. Because of the code, we have to count the lot coverage even if on top of the structure there is open space for the condo owners to enjoy. We feel that this needs to be addressed in the code as more and more of these types of projects are planned to be built. The open space is there, it is just up and on top of the parking structure. It was designed this way to give the condo owners privacy and protection from the activities that take place on the street level. We feel that this open space is even better than if it were on the ground just surrounded by some sort of screening. Also, just a few blocks away in the Downtown Centennial Overlay, projects are allowed up to 100% lot coverage. As we are a part of the Downtown Redevelopment Plan, we also feel that we should be afforded some leniency in the code. We have worked very hard to design a structure that functions and comes as close as possible in meeting the existing lot coverage requirements.

In our opinion, these Variance requests will not negatively impact the design of the proposed project. We have made every attempt to try and follow City of Las Vegas Development Code as closely as possible in the design and layout of this site. We hope that you will join us in our attempt to bring a much-needed high caliber project into that area, which has been in a state of decay for several decades now.

Respectfully Submitted,



Demetrius McWhorter
Rose Bud Development, LLC

VAR-11714
03/23/06 PC

Application



Separator Sheet

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VARIANCE - SETBACK / LOT COVERAGE
 Project Address (Location) 2230 WEST BONANZA ROAD LAS VEGAS, NV 89106
 Project Name THE VIEW Proposed Use _____
 Assessor's Parcel #(s) 139-29-704-023, 024, 025 Ward # 5
 General Plan: existing SC proposed SC Zoning: existing C-1 proposed C-1
 Commercial Square Footage _____ Floor Area Ratio _____
 Gross Acres _____ Lots/Units _____ Density _____
 Additional Information _____

PROPERTY OWNER BIG MAMAS RIB SHACK Contact DEMETRIUS MCWHORTER
 Address 2230 WEST BONANZA ROAD Phone: 271-36167 Fax: 396-6593
 City LAS VEGAS State NV Zip 89106

APPLICANT ROSE BUD DEVELOPMENT, LLC Contact DEMETRIUS MCWHORTER
 Address 2230 WEST BONANZA ROAD Phone: 271-3167 Fax: 396-6593
 City LAS VEGAS State NV Zip 89106

REPRESENTATIVE APTUS ARCHTITECTURE Contact KRISTEN NUEMAN
 Address 1200 S FOURTH ST SUITE 206 Phone: 839-1200 Fax: 839-1213
 City LAS VEGAS State NV Zip 89104

FOR DEPARTMENT USE ONLY

Property Owner Signature* [Signature]

* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name DARGIN MCWHORTER

Subscribed and sworn before me

This 7th day of February, 20 06

Cindy Lou Ord

Notary Public in and for said County and State



Case #	<u>VAR. 11714</u>
Meeting Date:	<u>3/23/06</u>
Total Fee:	<u>\$600</u>
Date Received:	<u>2/7/06</u>
Received By:	<u>[Signature]</u>

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.



PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VARIANCE SET BACK / LOT COVERAGE
Project Address (Location) 2230 WEST BONANZA ROAD LAS VEGAS, NV 89106
Project Name THE VIEW Proposed Use _____
Assessor's Parcel #(s) 139-29-704-020, 021, 022 Ward # 5
General Plan: existing SC proposed SC Zoning: existing C-1 proposed C-1
Commercial Square Footage _____ Floor Area Ratio _____
Gross Acres _____ Lots/Units _____ Density _____
Additional Information _____

PROPERTY OWNER DEMETRIUS MCWHORTER Contact DEMETRIUS MCWHORTER
Address 9054 BARIUM ROCK AVE Phone: 271-3167 Fax: 396-6593
City LAS VEGAS State NV Zip 89143

APPLICANT ROSE BUD DEVELOPMENT, LLC Contact DEMETRIUS MCWHORTER
Address 2230 WEST BONANZA ROAD Phone: 271-3167 Fax: 396-6593
City LAS VEGAS State NV Zip 89106

REPRESENTATIVE APTUS ARCHTITECTURE Contact KRISTEN NUEMAN
Address 1200 S FOURTH ST SUITE 206 Phone: 839-1200 Fax: 839-1213
City LAS VEGAS State NV Zip 89104

FOR DEPARTMENT USE ONLY

Property Owner Signature Demetrius McWhorter

* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name DEMETRIUS MCWHORTER

Subscribed and sworn before me

This 7th day of February, 2006

Cindy Lou Ord

Notary Public in and for said County and State



Case #	<u>VAR-11714</u>
Meeting Date:	<u>3/23/06</u>
Total Fee:	<u>\$1000</u>
Date Received:	<u>2/7/06</u>
Received By:	<u>E. Beltrami</u>

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VARIANCE - SET BACK / LOT COVERAGE
 Project Address (Location) 2230 WEST BONANZA ROAD LAS VEGAS, NV 89106
 Project Name THE VIEW Proposed Use _____
 Assessor's Parcel #(s) 139-29-704-019 Ward # 5
 General Plan: existing SC proposed SC Zoning: existing C-1 proposed C-1
 Commercial Square Footage _____ Floor Area Ratio _____
 Gross Acres _____ Lots/Units _____ Density _____
 Additional Information _____

PROPERTY OWNER JEFF JORDAN Contact DEMETRIUS MCWHORTER
 Address 710 DIKE LANE Phone: 271-3167 Fax: 396-6593
 City LAS VEGAS State NV Zip 89106

APPLICANT ROSE BUD DEVELOPMENT, LLC Contact DEMETRIUS MCWHORTER
 Address 2230 WEST BONANZA ROAD Phone: 271-3167 Fax: 396-6593
 City LAS VEGAS State NV Zip 89106

REPRESENTATIVE APTUS ARCHTITECTURE Contact KRISTEN NUEMAN
 Address 1200 S FOURTH ST SUITE 206 Phone: 839-1200 Fax: 839-1213
 City LAS VEGAS State NV Zip 89104

FOR DEPARTMENT USE ONLY

Property Owner Signature* [Signature]

* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

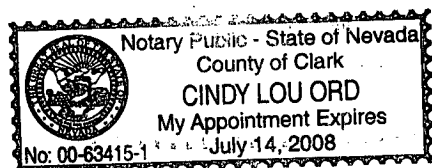
Print Name JEFF JORDAN

Subscribed and sworn before me

This 7th day of February, 20 06

Cindy Lou Ord

Notary Public in and for said County and State



Case #	<u>VAR. 11714</u>
Meeting Date:	<u>3/23/06</u>
Total Fee:	<u>\$1000</u>
Date Received:	<u>2/17/06</u>
Received By:	<u>[Signature]</u>

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.



PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: VARIANCE LOT COVERAGE / SETBACK
Project Address (Location) 2230 WEST BONANZA ROAD LAS VEGAS, NV 89106
Project Name THE VIEW Proposed Use _____
Assessor's Parcel #(s) 139-29-704-019 Ward # 5
General Plan: existing SC proposed SC Zoning: existing C-1 proposed C-1
Commercial Square Footage _____ Floor Area Ratio _____
Gross Acres _____ Lots/Units _____ Density _____
Additional Information _____

PROPERTY OWNER JEFF JORDAN Contact DEMETRIUS MCWHORTER
Address 710 DIKE LANE Phone: 271-3167 Fax: 396-6593
City LAS VEGAS State NV Zip 89106

APPLICANT ROSE BUD DEVELOPMENT, LLC Contact DEMETRIUS MCWHORTER
Address 2230 WEST BONANZA ROAD Phone: 271-3167 Fax: 396-6593
City LAS VEGAS State NV Zip 89106

REPRESENTATIVE APTUS ARCHTITECTURE Contact KRISTEN NUEMAN
Address 1200 S FOURTH ST SUITE 206 Phone: 839-1200 Fax: 839-1213
City LAS VEGAS State NV Zip 89104

FOR DEPARTMENT USE ONLY

Property Owner Signature*

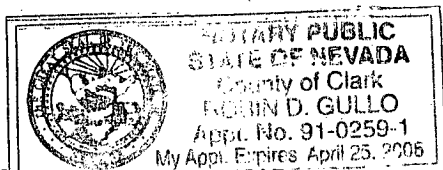
* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

Print Name JEFF JORDAN

Subscribed and sworn before me

This 9th day of Feb., 20 06

Notary Public in and for said County and State



Revised 04/26/05

Case #

Meeting Date:

Total Fee:

Date Received:*

Received By:

*The application will not be deemed complete until the submitted materials have been reviewed by the Planning and Development Department for consistency with applicable sections of the Zoning Ordinance.

Deed



Separator Sheet

QUITCLAIM DEED

A/N: RPTT 8

Exempt #11

FOR VALUABLE CONSIDERATION the receipt of which is hereby acknowledged
 J. LILLIAN CARTWRIGHT, A WIDOW

do/ye hereby remise(s), release(s) and forever quitclaim(s) to:
 JEFF JORDAN, AN UNMARRIED MAN

all that real property situate in the County of _____ State of Nevada, described as follows:

FOR THE LEGAL DESCRIPTION SEE SAME ON EXHIBIT "A" ATTACHED
 HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

APN: 139-29-704-019

DATED: December 22, 1997

J. Lillian Cartwright

Id... C636 432277290

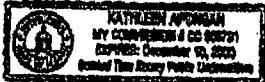
FL.
 STATE OF NEVADA
 COUNTY OF Clark

On Dec. 23, 1997
 before me, the undersigned, a Notary Public in and for
 said County and State, personally appeared
 J. LILLIAN CARTWRIGHT

known to me to be the person(s) described in and who
 executed the foregoing instrument, who acknowledged to
 me that he executed the same freely and voluntarily
 and for the uses and purposes therein mentioned.

WITNESS my hand and official seal.

Kathleen Apogon
 Notary Public in and for said County and State



ENCLOSURE NO. } 97170485
 OTHER NO.

WHEN RECORDED MAIL TO: Jeff Jordan
 710 Dike Lane, Las Vegas, NV
 89106

DESCRIPTION: THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF CLARK, STATE OF NEVADA AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST N.D.M., DESCRIBED AS FOLLOWS:

COMMENCING THE EAST QUARTER CORNER (SE 1/4), CORNER OF SAID SECTION 29,
THENCE NORTH 86 DEG. 27' 00" WEST ALONG THE NORTH LINE OF THE
SOUTHWEST QUARTER (SE 1/4) OF SAID SECTION 29, A DISTANCE OF
605.00 FEET; THENCE SOUTH 00 DEG. 25' 00" EAST PARALLEL WITH THE
EAST LINE OF SAID SOUTHWEST QUARTER (SE 1/4) TO A POINT BEARING
NORTH 00 DEG. 25' 00" WEST A DISTANCE OF 132.62 FEET FROM THE
ROAD AS SAID ADJUTANT GENERAL HENNOND AND KNOWN AS BONHAR
ROAD, BEING THE SOUTHERLY LINE OF THE LAND DESCRIBED IN
DOCUMENT NO. 171167, RECORDS OF THE LAND OFFICE, STATE OF
NEVADA, BEING THE SOUTHWEST CORNER OF THE LAST MENTIONED LAND;
THECE NORTHEAST ALY, RECORDED AUGUST 28, 1943 AS DOCUMENT
NO. 171017 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE WESTERLY
ALONG THE SOUTH LINE OF THE LAST MENTIONED LAND, A DISTANCE OF
216.36 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE WESTERLY
ALONG THE SOUTH LINE OF THE LAND DESCRIBED IN THE DEED TO
MRS. WILLIAM F. RECORDS OF SECOND NOVEMBER, 1943; AS DOCUMENT
NO. 171177 OF RECORDS OF SAID COUNTY; BEING THE SOUTHWEST CORNER
SAID PLOT BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 00
DEG. 25' 00" PARALLEL WITH SAID EAST - LINE OF SECTION 29, A
DISTANCE OF 76.00 FEET; THENCE WESTERLY PARALLEL WITH THE
AFOREMENTIONED SOUTH LINE DESCRIBED IN DOCUMENT NO. 171147, A
DISTANCE OF 109.00 FEET TO A POINT IN THE WEST LINE OF LAND
RECORDED IN DOCUMENT NO. 195000, BEING IN DEED RECORDED APRIL 18,
1943 AS DOCUMENT NO. 195000, BEING THE SOUTHWEST CORNER OF SAID
NEVADA; THENCE SOUTH 00 DEG. 31' 00" EAST ALONG SAID WESTERLY
LINE OF HENNOND LAND TO THE SOUTHWEST CORNER THEREOF; THENCE
EAST ALONG THE SOUTHERLY LINE OF SAID HENNOND LAND 106 FEET
MORE OR LESS TO THE POINT OF BEGINNING.

EXCEPTING FROM THE MOST WESTERLY SIX (6) FEET OF THE ABOVE DESCRIBED LAND, THE INTEREST IN AND TO SAID WESTERLY SIX (6) FEET CONVEYED TO THE CITY OF LAS VEGAS FOR ROAD PURPOSES BY DEED RECORDED JULY 20, 1945, AS DOCUMENT NO. 200944 OF OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

CLARK COUNTY, NEVADA
JUDITH A. VANDEVER, RECORDER
RECORDED AT REQUEST OF

STEWART TITLE OF NEVADA
12-31-97 15:05 804
BOOK 97123 PAGE 525
FEE 8.00 AMT. EXCISE

APN: 139-29-704-020
Affix R.P.T.T. \$663.00
ESCROW NO. 15041391-JW
WHEN RECORDED MAIL DEED AND TAX
STATEMENTS TO:
DEMETRIUS GERHARD MCWHORTER

9054Barium Rock Ave.
Las Vegas, NV 89143

20050113-0003900

Fee: \$16.00 RPTT: \$612.00

N/C Fee: \$0.00

01/13/2005

14:11:37

128050003161

Requestor:

LAND TITLE OF NEVADA

Frances Deane
Clark County Recorder

DMU

Pos: 3

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That ELSA M. RODRIGUEZ, a married woman as her sole and separate property, in consideration of \$10.00 the receipt of which is hereby acknowledged, do hereby Grant, Bargain, Sell and Convey to DEMETRIUS GERHARD MCWHORTER,

all that real property situate in the County of CLARK, State of Nevada, bounded and described as follows:

See Exhibit "A" attached hereto and made a part hereof.

- SUBJECT TO:
1. Taxes for the current fiscal year, and any and all taxes (including supplemental taxes) and assessments levied or assessed after the recording date of this document.
 2. Rights of way, reservations, restrictions, easements and conditions of record.
 3. New Deed of Trust to record concurrently herewith.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

Witness my hand(s) this 13TH day of DECEMBER, 2004.

ELSA M. RODRIGUEZ
ID: P.S. PPT. 204872126

~~STATE OF NEVADA~~
~~CLARK COUNTY~~

On, this 13th day of December, 2004, personally appeared before me, a Notary Public, ELSA M. RODRIGUEZ, personally known (or proven) to me to be the person(s) whose name(s) is/are subscribed to the within instrument who acknowledged that he/she/they executed the instrument.

~~NOTARY PUBLIC IN AND FOR THE STATE OF NEVADA~~

Eric G. Flaxman

Vice Consul of the United States of America

APN: 139-29-704-021
ESCROW NO.

MAIL TAX STATEMENT TO AND
WHEN RECORDED RETURN TO:

DEMETRIUS MCWHORTER
9054 BARIUM ROCK AVE
LAS VEGAS, NV 89143

20040909-0005546
Fee: \$17.00 RPTT: \$943.50
09/09/2004 18:00:35 T20040096881
Rea: DEMETRIUS MCWHORTER
Frances Deane N/C: \$0.00
Clark County Recorder Pgs: 4

GRANT, BARGAIN, SALE DEED

R.P.T.T. \$

THIS INDENTURE WITNESSETH That HENRY H COLLINS JR.
FOR A VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, does
hereby Grant, Bargain, Sell and Convey to
DEMETRIUS MCWHORTER

all that real property situate in the County of CLARK, State of Nevada, bounded and described
as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HERIN

706 DIKE LN
LAS VEGAS, NV 89106

SUBJECT TO:

1. Taxes for the fiscal year 2004-2005.
2. Rights of way, reservations restrictions, easements
and conditions of record.

Together with all and singular the tenements, hereditaments and appurtenances thereunto
belonging or in anywise appertaining.

WITNESS my hand this day of , 2004.

Together with all and singular hereditament and appurtenances thereunto belonging or in any way appertaining to.

In Witness Whereof, I/We have hereunto set my hand/our hands on 13th day of August 20 04.

Henry Collins Jr
Signature of Grantor

Henry Collins Jr
Print or Type Name Here

Mary Sue Collins
Signature of Grantor

Mary Sue Collins
Print or Type Name Here

STATE OF
COUNTY OF

On this 13th day of August, 20 04, personally appeared
before me, a Notary Public, Henry Collins Jr & Mary Sue Collins
personally known to me to be the person(s) whose name(s) is subscribed to the above instrument
who acknowledged that he executed this instrument. Witness my hand and official seal.

Joan Elise Kissling
Notary Public

My commission expires: 2-28-07

Consult an attorney if you doubt this forms fitness for your purpose.



20050308-0004939

APN: 139-29-704-022
Recording requested by and mail documents and
tax statements to:

Name: DEMETRIUS MCWHORTER
Address: 9054 BARIUM ROCK AVE
City/State/Zip: LAS VEGAS, NV 89143

DED104
Nevada Legal Forms & Books, Inc. (702) 870-8977
www.legalformsrus.com

Fee: \$17.00 RPTT: \$765.00
MC Fee: \$0.00

03/08/2005 15:19:00
T200500A2441

Requestor:
DEMETRIUS MCWHORTER

Frances Deane
Clark County Recorder

ADF
Pgs: 4

RPTT: _____

QUITCLAIM DEED

THIS INDENTURE WITNESSES that the GRANTOR(S): HENRY H COLLINS JR
AND MARY SUE COLLINS

for and in consideration of TEN Dollars (\$ 10.00)
do hereby QUITCLAIM the right, title and interest, if any, which GRANTOR may have in all that real
property, the receipt of which is hereby acknowledged, to the GRANTEE(S):

DEMETRIUS G. MCWHORTER

all that real property situated in the City of LAS VEGAS
County of CLARK, State of NEVADA

bounded and described as follows: (Set forth legal description and commonly known address)

704 DIKE LN
LAS VEGAS, NV 89106

SEE ATTACHED EXHIBIT "A" FOR LEGAL
DESCRIPTION.

**WARNING: THE COUNTY RECORDER MAY CHARGE AN ADDITIONAL FEE IF YOU
WRITE WITHIN THE 1" MARGINS OF THIS DOCUMENT OR VIOLATE ANY OTHER
RECORDING REQUIREMENTS IMPOSED BY YOUR COUNTY RECORDER.**

HCTR
MISC

Together with all and singular hereditament and appurtenances thereunto belonging or in any way appertaining to.

In Witness Whereof, I/We have hereunto set my hand/our hands on 13th day of August, 20 04.

Mary Sue Collins
Signature of Grantor

Mary Sue Collins
Print or Type Name Here

Henry Collins Jr
Signature of Grantor

Henry Collins Jr
Print or Type Name Here

STATE OF Nevada
COUNTY OF Clark

On this 13th day of August, 20 04, personally appeared before me, a Notary Public Mary Sue Collins & Henry Collins personally known to me to be the person(s) whose name(e) is subscribed to the above instrument who acknowledged that he executed this instrument. Witness my hand and official seal.

Joan Elise Kissling
Notary Public

My commission expires: Feb 28, 2007

Consult an attorney if you doubt this forms fitness for your purpose.



RPTT: 1312.50

GRANT, BARGAIN, SALE DEED

98-11-2379-AG

THIS INSTRUMENT WITNESSETH: That: McDONALD'S REAL ESTATE COMPANY OF COLUMBIA, MARYLAND, the Grantor, in consideration of \$10.00 and other valuable consideration, the receipt of which is hereby acknowledged, does hereby Grant, Bargain and Sell to Big Mama's Cooking or Kitchen, Inc. and McWhorter Enterprises Limited, L.L.C., a Nevada Limited- Liability Company, the Grantee, all that real property situate in the County of Clark, State of Nevada, the Property, bounded and described as follows:

See Exhibit "A" attached hereto and by reference made a part hereof for the complete legal description.

APN: 139-29-704-023; 139-29-704-024 and 139-79-704-025.

As part of the consideration for the sale of the Property from the Grantor to the Grantee, by accepting this deed, Grantee covenants that the Property shall not be used for restaurant purposes for a period of twenty (20) years from the date of this deed. The term "restaurant" as used in this restriction shall apply to any type of food service establishment which serves any amount of any of the following products: hamburgers or cheeseburgers. Provided that any food service establishment which offers as the primary method of service for all meal times, food and drink orders, taken by and served by a waiter or waitress at the customer's table is excluded from the term "restaurant". In addition, and not by way of example, the following restaurants operating under the listed trade names, or operating under any successor trade names are prohibited within the area and for the time period specified in this restriction: Burger King, Carl's Jr., Checkers, Del Taco, Fuddrucker's, Hardee's, Hot-N-Now, In and Out Burgers, Jack in the Box, Rally's, Taco Bell, Wendy's, White Castle, Backyard Burgers and Whataburger. This restriction shall be a covenant running with the land and be binding upon the Grantee, its heirs, administrators, successors and assigns.

SUBJECT TO:

- 1) Taxes for the fiscal year, paid current.
- 2) Conditions, covenants, restrictions, reservations, rights, rights of way, and easements of record, if any.
- 3) Effect of patent executed by the State of Nevada, recorded in Book 1 of Deeds page 115.
- 4) Mineral rights, reservations and exclusions in the patent from the State of Nevada.
- 5) Water rights and claims of title to water.
- 6) Zoning and building laws or ordinances.
- 7) Private, public and utility easements and roads and highways, whether or not of record.
- 8) The terms, reservations and conditions of the sale of the Property from Grantor to Grantee.

Together with all and singular the tenements, hereditaments and appurtenances thereunder belonging or in anywise appertaining.

Witness, this 19 day of June, 1998.

McDONALD'S REAL ESTATE COMPANY
OF COLUMBIA, MARYLAND

By

Martin W. Chmura
Martin W. Chmura, Attorney-in-Fact

Attorney-in-Fact



ACKNOWLEDGMENT - MEDICAL'S
(No attestation required)

STATE OF ILLINOIS) ss:
COUNTY OF DUPAGE)

1. Reciprocity Provision, a Heavy Public In and for the county and was awarded, DO HEREBY CERTIFY that William W. Carson, Administrator on behalf of MCNEALLOY'S REAL ESTATE COMPANY OF CLATSOP, CLATSOP, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as said authorized party appeared before me the day in person and acknowledged that she signed, called and delivered the said instrument as her free and voluntary act and as such authorized party and as the free and voluntary act of said corporation for the uses and purposes as therein set forth.

Given under my hand and notarial seal, this 1st day of June, 1968.

Robert A. Thompson My commission expires November 2, 1968
Harris, Pa.

History Public:
Accountancy/Accountant

OFFICIAL
ROMANITY FLAVIAN
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXPIRES NOV. 2, 1999

Legal Description



Separator Sheet

EXHIBIT "A"

LEGAL DESCRIPTION

That portion of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 29, Township 20 South, Range 61 East, M.D.B.&M., described as follows:

Commencing at the East Quarter corner of said Section 29; thence along the North line of said Southeast Quarter (SE 1/4) North, $88^{\circ}27'$ West, 1051.00 feet; thence parallel with the East line of said Southeast Quarter (SE 1/4) South, $0^{\circ}25'$ East, to a point distant North $0^{\circ}25'$ West, 332.62 feet from the North line of Clark Avenue (now Bonanza Road) as said avenue existed on December 3, 1938, said point being the true point of beginning; thence South $0^{\circ}25'$ East 62.50 feet; thence parallel with the North line of the land described in the deed to Walter Pulsipher, et ux, recorded December 3, 1938 in Book 25 of Deeds, Page 161, as Document No. 77568 of Records of said County, South $88^{\circ}44'$ East, 120.00 feet to the West line of the land described in the deed to Victor J. Meyers, et ux, recorded December 7, 1938, in Book 25 of Deeds, Page 167 as Document No. 77601 of records of said County; Thence along said West line, North $0^{\circ}25'$ West, 62.50 feet; thence North $88^{\circ}44'$ West, 120.00 feet to the true point of beginning.

706 E. Dike

H C 5r
M S C.

EXHIBIT "A"

COMMENCING AT A POINT ON THE NORTH BOUNDARY OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 29, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M., CLARK COUNTY, NEVADA, FROM WHICH THE QUARTER SECTION CORNER BETWEEN SECTION 28 & 29. SAID TOWNSHIP AND RANGE BEARS SOUTH 88°27' EAST, 1051.00 FEET DISTANT; THENCE SOUTH 0°25' EAST, AND PARALLEL TO THE EAST BOUNDARY OF SAID SECTION 29 TO A POINT 432.52 FEET NORTH 0°25' WEST FROM THE NORTH BOUNDARY OF THE RIGHT OF WAY OF CLARK AVENUE, PRODUCED, AS THE SAME IS NOW ESTABLISHED THE POINT OF BEGINNING. THENCE SOUTH 88°44' EAST AND PARALLEL TO THE NORTH BOUNDARY OF SAID CLARK AVENUE RIGHT OF WAY, A DISTANCE OF 100.00 FEET; THENCE SOUTH 0°25' EAST AND PARALLEL TO THE EAST BOUNDARY OF SAID SECTION 29, A DISTANCE OF 100 FEET; THENCE NORTH 88°44' WEST AND PARALLEL TO THE NORTH BOUNDARY OF 100.00 FEET; THENCE NORTH 0°25' WEST AND PARALLEL TO THE EAST BOUNDARY OF SAID SECTION 29, A DISTANCE OF 100.00 FEET TO THE SAID POINT OF BEGINNING.

SAID LEGAL DESCRIPTION IS THE SAME AS SHOWN IN THE PREVIOUS DEED FROM JOHNNIE E. MORGAN AND ELSA M. RODRIGUEZ, HUSBAND AND WIFE AS GRANTOR TO ELSA M. RODRIGUEZ, A MARRIED WOMAN AS HER SOLE AND SEPARATE PROPERTY AS GRANTEE, RECORDED ON APRIL 15, 1994 IN BOOK 940415 AS INSTRUMENT NO. 02337, OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

ASSESSED

EXHIBIT

DESCRIPTION

COPY

All that real property situated in the County of Clark, State of Nevada, bounded and described as follows:

That portion of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 29, Township 20 South, Range 61 East, M.D.B. & M., in the City of Las Vegas, County of Clark, State of Nevada, more particularly described as follows:

Commencing at the East Quarter (E 1/4) corner of said Section 29, thence along the North line of said Southeast Quarter (SE 1/4) North 88°27'00" West 1051.00 feet, thence parallel with the East line of said Southeast Quarter (SE 1/4), South 0°25'00" East to a point distant North 0°25'00" West 270.12 feet from the North line of Clark Avenue (now Bonanza Road), as said Avenue existed on December 3, 1938, said point being the true point of beginning; thence South 0°25'00" East 62.00 feet; thence South 88°44'00" East 120.00 feet; thence North 0°25'00" West 62.00 feet; thence North 88°44'00" West 120.00 feet, to the true point of beginning.

.....

ASSESORS

704. E. DIKE

HC JR
MSE

Exhibit A

Parcel One (1)

That portion of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section 29, Township 20 South, Range 61 East, M.D.M., in the City of Las Vegas, County of Clark, State of Nevada, described as follows:

COMMENCING at the East Quarter corner of said Section 29; Thence along the North line of said Southeast Quarter (SE1/4), North 88°37'00" West 1051.00 feet; Thence parallel with the East line of said Southeast Quarter (SE1/4), South 0°25'00" East to a point distance North 0°25'00" West 370.12 feet from the North line of Clark Avenue (now Bonanza Road) as said Avenue existed on December 3, 1938, said point of being the TRUE POINT OF BEGINNING; Thence South 0°25'00" East 118.37 feet; Thence parallel with the North line of the land described in the Deed to Walter Polipher, et ux, recorded December 3, 1938, in Book 25 of Deeds, Page 61 as Document No. 77568 of the records of said county, South 88°44'00" East 120.00 feet to the West line of the land described in the Deed to Victoria J. Meyers, et ux, recorded December 7, 1938, in Book 25 of Deeds, Page 167 as Document No. 77601 of said records; Thence along the West line, North 0°25'00" West 118.37 feet; Thence North 88°44'00" West 120.00 feet to the TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM the North 62.00 feet thereof.

Parcel One A (1A)

An undivided 3/640 interest in and to that artesian well located in the Southeast Quarter (SE1/4) of Section 29, Township 20 South, Range 61 East, M.D.B. & M., said artesian well being known as the Russell Well, together with a right-of-way through existing ditches and pipe lines between said land said well.

Parcel Two (2)

That portion of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section 29, Township 20 South, Range 61 East, M.D.B. & M., more particularly described as follows:

Commencing at the East Quarter (E1/4) corner of said Section 29; Thence along the North line of said Southeast Quarter (SE1/4), North 88°40'23" West, 1051.00 feet; Thence parallel with the East line of said Southeast Quarter (SE1/4), South 0°37'08" East, 1194.61 feet, more or less, to a point distant North 0°37'08" West 160.12 feet from the North line of Clark Avenue (now Bonanza Road) as said Avenue existed on December 3, 1938, said point also being the TRUE POINT OF BEGINNING; Thence South 0°37'08" East 20 feet to the Northwest Corner (NW) of that parcel conveyed by Martha Bainbridge, a widow and now unmarried, to Luther E. Ragdale and Ethel Ragdale, husband and wife as joint tenants, dated March 28, 1963, recorded April 20, 1963, as Document No. 355964, Clark County, Nevada, records; Thence continuing South 0°37'08" East a distance of 132.98 feet to a point on the present right-of-way line of Bonanza Road as described, and conveyed in the Deed to said State of Nevada, recorded July 22, 1943, in Book 33 of Deeds, Page 253 as Document No. 168450, Clark County, Nevada, records; Thence South 89°03'11" East along said present right-of-way of Bonanza Road, 154.99 feet; Thence North 0°37'08" West 152.64 feet; Thence North 88°55'13" West 155.00 feet to the TRUE POINT OF BEGINNING.

EXCEPTING from the above described Parcel Two (2) that portion conveyed from Luther E. Ragdale et ux, to the City of Las Vegas, described as follows:

A certain tract or parcel of land lying and being situated in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section 29, Township 20 South, Range 61 East, M.D.M., and being more particularly described as follows:

Commencing at the Southeast (SE) corner of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of said Section 29, Thence South 00°17'08" East along the East line of the said Section 29 a distance of 4.86 feet to a point in the centerline of Bowman Road as said centerline is defined in the certain Deed to the State of Nevada, recorded July 21, 1961, in Book 53 of Deeds, Page 253 as Document No. 164456, Clark County, Nevada, records, Thence North 89°47'18" West along said centerline of Bowman Road a distance of 1690.71 feet to a point in the boundary prolongation of the West line of that certain parcel of land described in the Deed to Luther E. Baughdale et ux, recorded April 20, 1961, as Document No. 355358 of Official Records of Clark County, Nevada, Thence North 00°17'08" West along said West line a distance of 30.01 feet to a point in a line that is parallel with, and distant 30.00 feet Northwesterly, measured at right angles, from the aforementioned centerline of Bowman Road, Thence South 89°47'18" East along said parallel line a distance of 19.71 feet to a point in the boundary of Bowman Road, Thence North 89°47'18" West along said West line a distance of 71.12 feet to the point of tangency of said curve with the aforementioned West line of said parcel described in the said Deed recorded as Document No. 355358, Thence South 00°17'08" East along said West line a distance of 18.71 feet to the TRUE POINT OF BEGINNING.

THENCE BEGINNING from the above described Parcel Two (2) the portion conveyed from Luther E. Baughdale et al to the City of Las Vegas, described as follows:

A certain tract or parcel of land lying and being situated in the City of Las Vegas, County of Clark, State of Nevada, and being a portion of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of Section 29, Township 20 South, Range 61 East, M.D.M., and being more particularly described as follows:

COMMENCING at the Southeast corner of the Northeast Quarter (NE1/4) of the Southeast Quarter (SE1/4) of said Section 29, Thence South 00°17'08" East along the East line of said Section 29 a distance of 7.86 feet to a point in the centerline of Bowman Road as said centerline is defined in the certain Deed to the State of Nevada, recorded July 21, 1961, in Book 53 of Deeds, Page 253 as Document No. 164456, Clark County, Nevada, records, Thence North 89°47'18" West along said centerline of Bowman Road a distance of 1690.71 feet to a point in the boundary prolongation of the West line of that certain parcel of land described in the Deed to Luther E. Baughdale et ux, recorded April 20, 1961, as Document No. 355358 of Official Records of Clark County, Nevada, Thence North 00°17'08" West along said boundary prolongation and along said West line a distance of 48.49 feet to a point in the Northwesterly right-of-way line of Bowman Road as said Northwesterly right-of-way line is defined in the certain Deed to the State of Nevada, recorded July 21, 1961, in Book 53 of Deeds, Page 253 as Document No. 164456, Clark County, Nevada, records, Thence continuing North 00°17'08" West along said West line a distance of 1.53 feet to a point in a line that is parallel with, and distant 30.00 feet Northwesterly, measured at right angles, from the aforementioned centerline of Bowman Road, Thence South 89°47'18" East along said parallel line a distance of 229.21 feet to a point in the East line of that certain parcel of land described in the Deed to Quarter E. Carr, recorded July 16, 1949 in Book 63 of Deeds, Page 284, as Document No. 344111, Clark County, Nevada, records, Thence South 00°17'08" East along said East line a distance of 4.47 feet to a point in the aforementioned Northwesterly right-of-way line of Bowman Road, Thence North 89°47'18" West along said Northwesterly right-of-way line a distance of 239.99 feet to the TRUE POINT OF BEGINNING.

APN Map



Separator Sheet

NOTES

This map is for assessment use only and does NOT represent a survey. No liability is assumed for the accuracy of the data delineated herein. Information on roads and other non-assessed parcels may be obtained from the Road Document Listing in the Assessor's Office.

This map is compiled from official records, including surveys and deeds, but only contains the information required for assessment. See the recorded documents for more detailed legal information.

USE THIS SCALE (FEET) WHEN MAP REDUCED FROM 11X17 ORIGINAL

MAP LEGEND

- PARCEL BOUNDARY 001
- SUBD BOUNDARY 1.00
- ROAD EASEMENT 202
- PM/LD BOUNDARY 5
- NON-PARCEL LOT LINE 5
- MATCH LINE / LEADER LINE 5
- ROAD ID NUMBER 015

ASSESSOR'S PARCELS - CLARK CO., NV.
M. W. Schofield, Assessor

T20S R61E

R60E	R61E	R62E
125	124	123
138	139	140
163	162	161

29

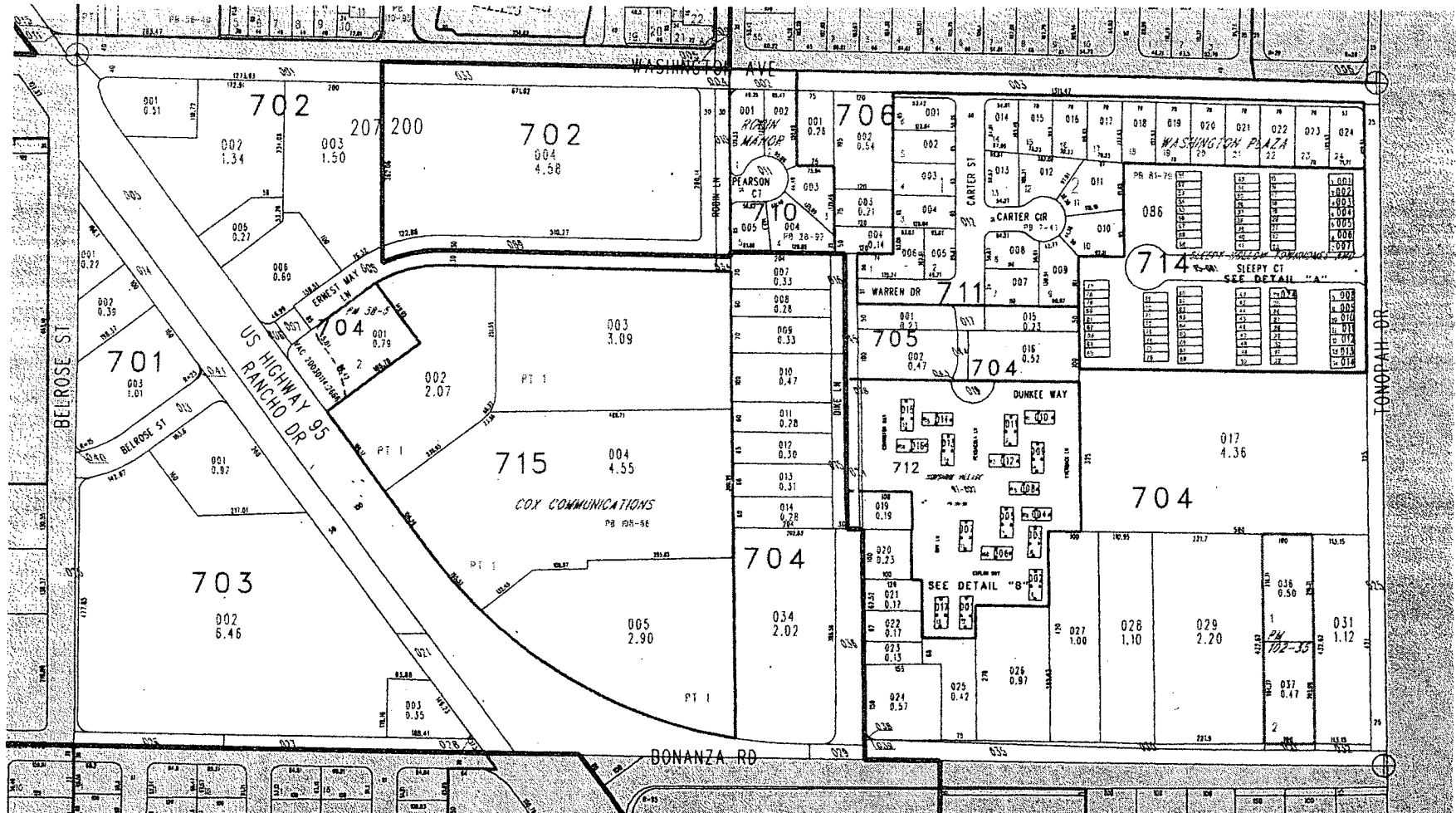
6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

N 2 SE 4

6	4	8	4
5	1	5	1
6	2	6	2
7	3	7	3
8	4	8	4
5	1	5	1

139-29-7

Scale: 1"=200' Rev: 06/27/03



VAR-11714
03/23/06 PC

TAX DIST 200,207

SOFI



Separator Sheet



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-11714** APN: 139-29-704-019

Name of Property Owner: JEFF JORDAN

Name of Applicant: ROSE BUD DEVELOPMENT, LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

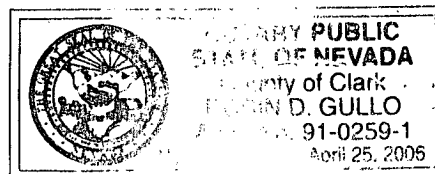
Signature of Property Owner: _____

Print Name: JEFF JORDAN

Subscribed and sworn before me

This 9th day of Feb., 2006

Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-11714 APN: 139-29-704-023, 024, 025

Name of Property Owner: Big Mama's Cooking or Kitchen, Inc. & McWhorter Enterprises, LLC

Name of Applicant: ROSE BUD DEVELOPMENT, LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: *Dargin McWhorter*

Print Name: DARGIN MCWHORTER

Subscribed and sworn before me

This 7th day of February, 2006

Cindy Lou Ord
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-11714** APN: 139-29-704-020, 021, 022
Name of Property Owner: DEMETRIUS MCWHORTER
Name of Applicant: ROSE BUD DEVELOPMENT, LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

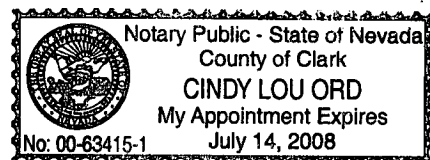
Signature of Property Owner: _____

Print Name: DEMETRIUS MCWHORTER

Subscribed and sworn before me

This 7th day of February, 2006

Cindy Lou Ord
Notary Public in and for said County and State





PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-11714** APN: 139-29-704-019
Name of Property Owner: JEFF JORDAN
Name of Applicant: ROSE BUD DEVELOPMENT, LLC

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: _____

Partner(s): _____

APN: _____

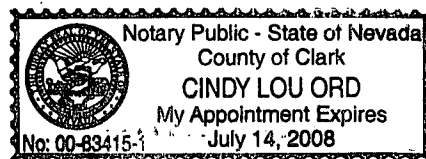
Signature of Property Owner: _____

Print Name: JEFF JORDAN

Subscribed and sworn before me

This 7th day of February, 2006

Cindy Lou Ord
Notary Public in and for said County and State



Protest / Approval Letter



Separator Sheet

VAR-11714
SDR-11701
VAR-11712

RECEIVED
MAR 15 2006

March 13, 2006

Daniel & Grace Lorenzo
840 Rancho Drive #4207
Las Vegas, NV 89106
SUNSHINE VILLAGE HOA, 712 DIKE LANE, LAS VEGAS, NV 89106

Planning & Development Department
Current Planning Division
Development Services Center
731 South Fourth Street
Las Vegas, NV 89101

RE: SDR- 11707; VAR-11712; VAR-11714

Dear Sir or Madam:

As part of the Sunshine Village HOA I am writing to express my objection to the proposed development plan and attendant variances as requested by Rose Bud Development, LLC.

Sunshine Village provides much needed low income housing in the Las Vegas Valley. For the past 14 years we have strived to maintain a comfortable and respectable environment for underprivileged residents to call home. This is oftentimes a challenging and time consuming task, but as owners we believe it is important to our tenants and the community.

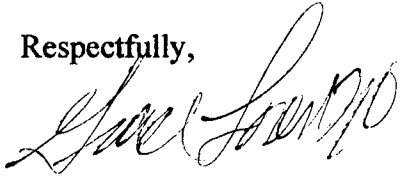
Rose Bud Development, LLC has requested waivers to allow a reduction of landscape requirements as well as a variance of setback requirements. They have also requested a variance to allow fewer parking spots than is required for a proposed mixed-use development of this size. We find the parking spot request most troublesome, as overflow from the proposed mixed-use development will surely end up in the Sunshine Village parking lot. This will necessitate the Sunshine Village HOA taking expensive preventive measures such as erecting a gate, which will in turn necessitate the raising of rents for our tenants.

The request to allow a reduction of landscape and variance of setback requirements is equally alarming. These variances will permit Rose Bud Development, LLC to turn our quaint neighborhood into a virtual "concrete jungle" compromising the esthetic value of our property. If Rose Bud Development, LLC is permitted to move forward with this proposed mixed-use

VAR-11714
P

development we implore you to hold them to the required standards and to not approve these variances.

Respectfully,

A handwritten signature in cursive script, appearing to read "Grace Lorenzo".

Grace Lorenzo

RECEIVED

MAR 15 2006

cc: Councilman Lawrence Weekly, Ward 5

Project Checklist



Separator Sheet

Pre-Application Conference		CITY OF LAS VEGAS Planning & Development Department SUBMITTAL CHECKLIST		Additional Notes
Item Required				
YES	NO			
APPLICATION				
☒	☐	Signed and notarized by <i>all</i> property owners or authorized agent(s)		
☒	☐	Grant deed and legal description		
☒	☐	<i>Detailed</i> justification letter		
☒	☐	Reduced 8.5" x 11" copy of <i>all</i> plans and elevations		
☒	☐	Full size, rolled, color copy of <i>all</i> plans and elevations		
☒	☐	Correct fee(s): \$ <u>300</u> \$ <u>300</u> \$ <u> </u> Total = \$ <u>600</u>		
☒	☐	Statement of Financial Interest		
☐	☒	Development Impact Notice and Assessment (DINA)		
☐	☒	Project of Regional Significance		
SITE PLAN Folded Plans: <u>5</u> Rolled/Colored Plans: <u>8</u>				
☒	☐	11" x 17" min. to 24" x 36" max. page size		Must have Set backs Labeled
☒	☐	North arrow, scale, and vicinity map		
☒	☐	<i>All</i> property lines and present dimensions labeled		
☒	☐	<i>All</i> building setbacks labeled		
☒	☐	<i>All</i> adjacent existing land uses and street names labeled		
☒	☐	<i>All</i> points of ingress and egress shown		
☒	☐	ADA accessibility requirements shown/labeled		
☒	☐	Parking standard(s) utilized: <u>19.10</u>		
☒	☐	Parking space count and typical dimensions labeled		
☒	☐	#regular #compact #handicap Total		
☒	☐	<i>All</i> free-standing sign locations shown and heights and sizes noted		
LANDSCAPE PLAN Folded Plans: Rolled/Colored Plans:				
☐	☐	11" x 17" min. to 24" x 36" max. page size		/
☐	☐	North arrow, scale, and vicinity map		
☐	☐	<i>All</i> property lines and present dimensions labeled		
☐	☐	<i>All</i> required perimeter landscape planters shown		
☐	☐	<i>All</i> required parking lot fingers/islands shown		
☐	☐	Quantity, size, species/variety of <i>all</i> trees, shrubs, and ground cover		
BUILDING ELEVATIONS Folded Plans: Rolled/Colored Plans:				
☐	☐	11" x 17" min. to 24" x 36" max. page size		/
☐	☐	Scale and building dimensions labeled		
☐	☐	North, south, east, and west elevations of <i>all</i> buildings		
☐	☐	<i>All</i> building materials and colors noted		
☐	☐	8" x 10" photo of original color and material board		
☐	☐	<i>All</i> wall sign locations shown and sizes noted		
FLOOR PLANS Folded Plans: Rolled Plans:				
☐	☐	11" x 17" min. to 24" x 36" max. page size		/
☐	☐	Scale and building dimensions labeled		
☐	☐	<i>All</i> building entrances/exits shown		
☐	☐	Use of <i>all</i> rooms noted/labeled		

THIS FORM MUST ACCOMPANY THE APPLICATION SUBMITTAL and is valid for no more than 60 days after the Pre-App date.

Applicant: Rosebud Application Type: VAR - Setbacks/Lot Coverage
 APN: 139-29-704-019 to -025 Location: Bonanza / Dike
 Planner: DRankin Pre-App Meeting Date: 1/26/06 Earliest PC Date: 3/23/06

Comments



Separator Sheet

Memorandum

City of Las Vegas
Department of Public Works
Development Coordination

To: Department of Planning and Development
From: Bart Anderson, Manager, Development Coordination, Department of Public Works *BTA*
CC: Ed Byrge, Right-of-Way; Wayne Dowdey, Land Development; O. C. White, Traffic Engineering; Alan R. Riekk, Survey (FM, PM, & A's only)
Date: February 22, 2006
Re: **VAR-11714** Rose Bud Development, LLC NEC of Bonanza Road and Dike Lane
Request for a setback and lot coverage Variance

COMMENTS:

We have no comment on the Variance request for property located on the northeast corner of Bonanza Road and Dike Lane to allow a 6.5 foot rear yard setback where 20 feet is the minimum rear yard setback required and to allow a maximum lot coverage of 84 percent where 50 percent is the maximum lot coverage allowed for a proposed mixed use development.

We note that this site is the subject of a Site Development Plan Review SDR-11707; all site-related conditions of approval are addressed with that action.

CITY OF LAS VEGAS
PLANNING COMMISSION RECOMMENDATIONS / COMMENTS

FROM: CLARK COUNTY DEPARTMENT OF AVIATION

APPLICATION NUMBERS: SDR-11707;VAR-11712;VAR-11714

PROJECT: Rose-bud Development, LLC, 12-story Mixed-use

LOCATION: NE of Bonanza Blvd. & Dike Ln.

MEETING DATE: March 23, 2006

COMMENTS:

The proposed development may be subject to continuing noise and over-flights from aircraft utilizing the North Las Vegas Airport (NLVA). Future demand for air travel and airport operations is anticipated to increase significantly, with a fifty percent increase of flight operations expected to occur at the NLVA over the next two decades. Please note that, while they are limited, nighttime operations regularly occur at the NLVA.

It should also be noted that the FAA no longer approve remedial noise mitigation measures for incompatible development, impacted by aircraft operations, which was constructed after October 1, 1998. Therefore, Federal funds will not be available in the future should the owners of dwelling units within the proposed project wish to be purchased or have the units soundproofed by Clark County.

Federal Aviation Regulations (Title 14, Part 77) require that the Federal Aviation Administration (FAA) be notified before the construction or alteration of any building or structure that will exceed a slope of 100:1 for a distance of 20,000 feet from the nearest point of any airport runway, or for any structure greater than 200 feet in height. Such notification allows the FAA to determine what impact, if any, the proposed development will have upon navigable airspace, and allows the FAA to determine whether the development requires obstruction marking or lighting.

Clark County Code (Title 20, Subsection 13), pursuant to Chapter 497 of the Nevada Revised Statutes, requires that a Permit from the Clark County Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) must also be obtained prior to construction. Per 20.13.040 of Clark County Code, an aviation easement will be required for any structure, which will exceed the 100:1 slope for North Las Vegas Airport (NLVA).

The proposed development will exceed the 100:1 notice requirement. **Therefore, applicant is required to file FAA form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, and, depending upon the FAA's determination, obtain either a Permit from the Clark County Director of Aviation or a Variance from the AHABA prior to construction.**

Name: John Kokesz Date: 3/20/06

Title: Senior Planner

Plans (PMT)

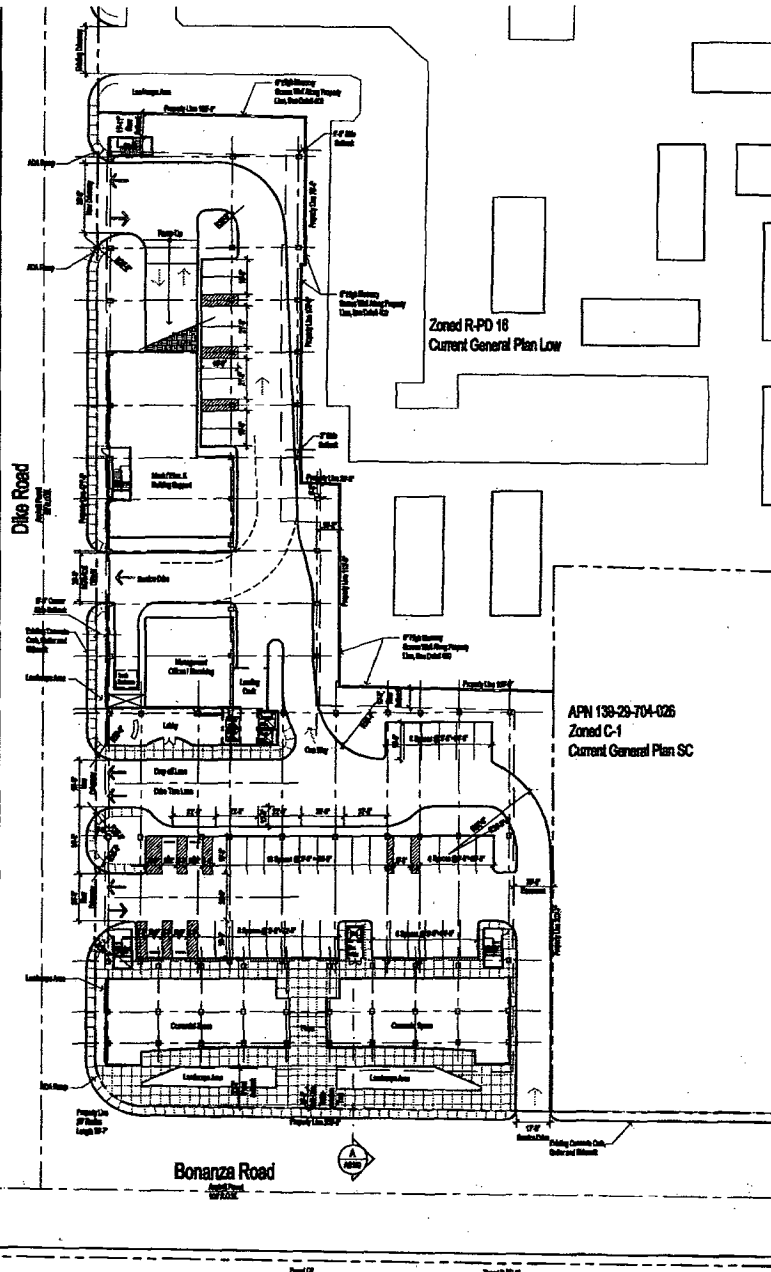


Separator Sheet

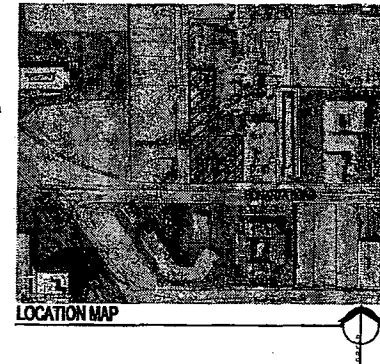
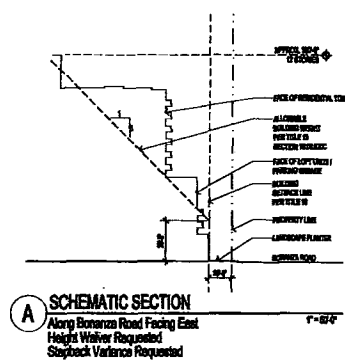
APN 139-29-704-013
Zoned R-1
Current General Plan M-L

APN 139-29-704-014
Zoned R-1
Current General Plan M-L

APN 139-29-704-034
Zoned C-V
Current General Plan SC



SITE PLAN AND GROUND FLOOR



RECEIVED
FEB 28 2006

Site Zoning

SITE DATA:

PARCEL NUMBERS 139-29-704-024
139-29-704-023
139-29-704-022
139-29-704-021
139-29-704-020
139-29-704-019

JURISDICTION CITY OF LAS VEGAS
EXISTING ZONING C-1
EXISTING GENERAL PLAN DESIGNATION SC
SITE IS LOCATED IN THE "REDEVELOPMENT AREA" AND THE "NEIGHBORHOOD REVITALIZATION AREA"

PROPOSED ZONING (for all parcels) C-1
PROPOSED GENERAL PLAN (for all parcels) SC

SITE AREA 78,399 NSF
1.79 ACRES NET

MAX. LOT COVERAGE ALLOWED 65%
LOT COVERAGE PROPOSED 63.0% NET (Variance Requested)
UNITS 300
UNITS PER ACRE 168

SETBACKS:

	REQ'D	PROVIDED
FRONT	20'	20'-0"
REAR	20'	0'-0" (Variance Requested)
SIDE	10'	20'-0", 10'-0", 0'-0" (Variance Requested)
CORNER SIDE	15'	0'-0" (Variance Requested)

MAX HEIGHT: NONE
PROPOSED HEIGHT: 12 STORIES and 187' MAX. HEIGHT

LANDSCAPE BUFFERS
SEE LANDSCAPE PLAN L100

Site Data

CONDOMINIUM UNITS:

UNIT INFORMATION
RESIDENTIAL TOWER 300 UNITS
TOTAL UNITS 300 UNITS

BUILDING AREAS:

TOTAL COMMERCIAL 10,000 S.F.

PARKING ANALYSIS:

CONDOMINIUM (300 UNITS)
2 Bedroom Units 18 @ 1.75 = 32
1 Bedroom Studio Units 282 @ 1.25 = 353
Visitors 208 @ 1.0 units = 208
Total 493 Spaces

PARKING COMPUTATIONS - COMMERCIAL / (RETAIL, OFFICE)

Commercial 10,000 @ 1.175 = 58
Total 58 Spaces

Total Spaces Required
Residential 435 Spaces
Commercial 58 Spaces
Total 493 Spaces

Total Required Parking 493 Spaces

Parking Provided 323 Spaces
Compact parking Provided (less than 30%) 77 Spaces
Total Provided Parking (18.0 % Variance Requested) 400 Spaces

* Parking is provided in a four story parking structure

VAR-11712 VAR-11714
SDR-11707 03/23/06 PC
REVISED

The View
Rose Bud Development LLC
2230 W. Bonanza
Las Vegas, NV 89106

APTUS Architecture

1200 South 4th Street
Suite 204
Las Vegas, Nevada 89104
P 702.251.1200
F 702.251.1201
info@aptusarchitecture.com

APTUS PROJECT NO. 05.106
ARCHITECT

ENGINEER

NOTES

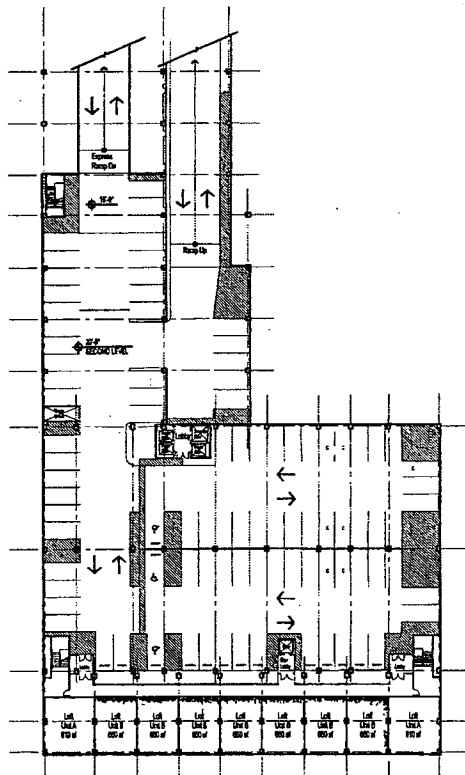
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NO.	DESCRIPTION	DATE
2	City Of Las Vegas	2/27/06
1	City Of Las Vegas	2/6/06
NO.	DESCRIPTION	DATE
	ISSUED	

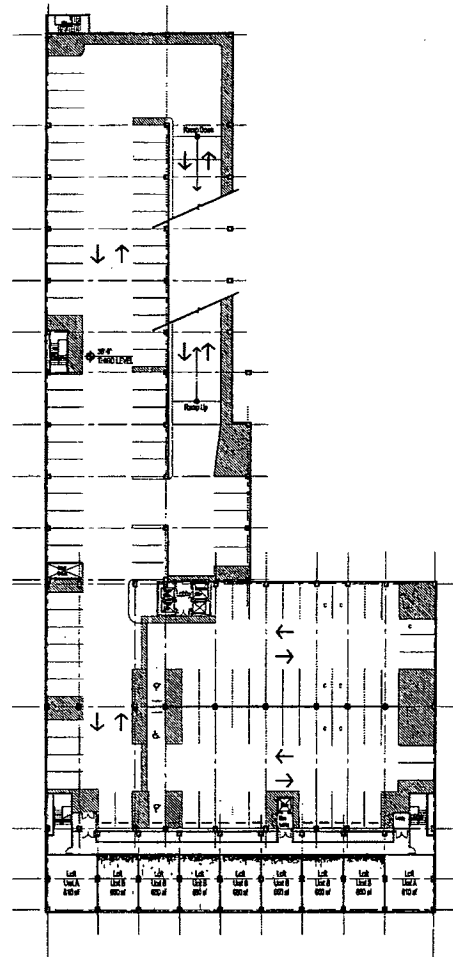
TITLE
SITE PLAN /
GROUND
FLOOR PLAN

DRAWN BY

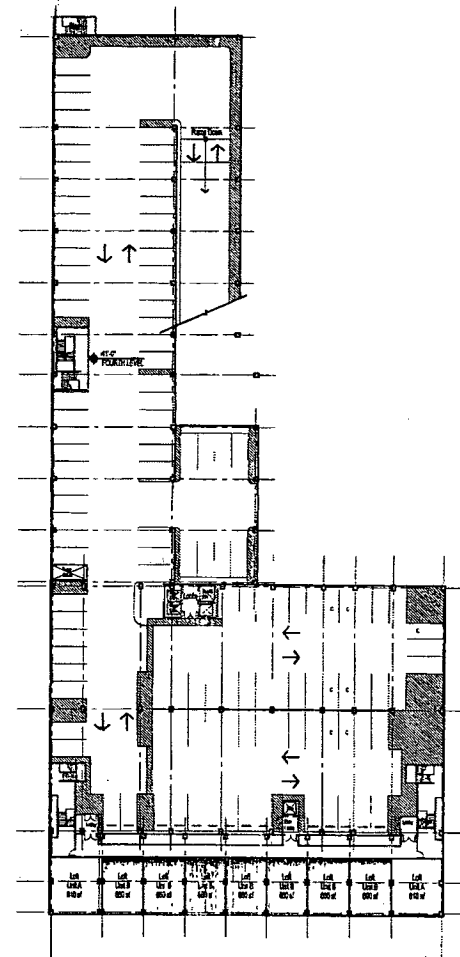
AS100
THE VIEW



2. Second Floor



3. Third Floor



4. Fourth Floor



The View
Mixed Use Development
2230 W. Bonanza
Las Vegas, Nevada 89106

APTUS Architecture

1300 South 4th Street
Suite 206
Las Vegas, Nevada 89104
P 702.439.1200
F 702.439.1212
info@aptusarchitects.com

APTUS PROJECT NO. 05.106

ARCHITECT

ENGINEER

NOTES

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NO.	DESCRIPTION	DATE
1	City of Las Vegas SDR (Revised)	12/7/04
2	City of Las Vegas San Development Review	3/4/06

ISSUED

TITLE
SECOND,
THIRD AND
FOURTH
FLOOR PLANS
DRAWING NO.

A101

RECEIVED
FEB 28 2006

VAR-11712 VAR-11714
SDR-11707 03/23/06 PC
REVISED

Plans (Approved Site Plan)



PLANS - APPROVED SITE PLAN

Separator Sheet
