



**LAS VEGAS
CITY COUNCIL**

CAROLYN G. GOODMAN
MAYOR

STEVEN D. ROSS
MAYOR PRO TEM

LOIS TARKANIAN
RICKI Y. BARLOW
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BOB COFFIN
BOB BEERS

ELIZABETH N. FRETWELL
CITY MANAGER

October 6, 2016

Ms. Jana Forsythe
ESMI Properties, LLC
5252 Ricky Road
Las Vegas, Nevada 89130

**RE: EOT-66226 - EXTENSION OF TIME - VARIANCE
CITY COUNCIL MEETING OF OCTOBER 5, 2016**

Dear Ms. Forsythe:

The City Council at a regular meeting held on October 5, 2016 **APPROVED** a request for an Extension of Time of an approved Variance (VAR-53923) TO ALLOW TWO PARKING SPACES WHERE A MINIMUM OF NINE SPACES ARE REQUIRED AND TO ALLOW A PARKING LOT TO HAVE A NON-PAVED SURFACE on 0.85 acres at 5252 Ricky Road (APN 138-12-710-054), C-2 (General Commercial) Zone, Ward 5 (Barlow).

This approval is subject to the following conditions:

Planning

1. This Variance (VAR-53923) shall expire on August 20, 2017 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval of Variance (VAR-53923), Variance (VAR-53924), and Site Development Plan Review (SDR-53925) and all other site related actions as required by the Planning and Public Works Departments.

The Notice of Final Action was filed with the Las Vegas City Clerk on October 6, 2016.

Sincerely,

Thomas A. Perrigo *zk*
Director
Department of Planning

TAP:clb

CITY OF LAS VEGAS
DEPARTMENT OF PLANNING

DEVELOPMENT SERVICES CENTER
333 NORTH RANCHO DRIVE
3RD FLOOR
LAS VEGAS, NEVADA 89106

VOICE 702.229.6301

FAX 702.474.0352

TTY 7-1-1

www.lasvegasnevada.gov



/city of las vegas

CITY OF LAS VEGAS

DEVELOPMENT REVIEW COMMENT FORM



**Department of Planning
Case Planning Division
333 North Rancho Drive, 3rd Floor
Las Vegas, Nevada 89106
(702) 229-6301 phone (702) 385-7268 fax**

**EOT-66226 - EXTENSION OF TIME - VARIANCE - NONPUBLIC HEARING - APPLICANT/OWNER:
ESMI PROPERTIES, LLC** - For possible action on a request for an Extension of Time of an approved Variance (VAR-53923) TO ALLOW TWO PARKING SPACES WHERE A MINIMUM OF NINE SPACES ARE REQUIRED AND TO ALLOW A PARKING LOT TO HAVE A NON-PAVED SURFACE on 0.85 acres at 5252 Ricky Road (APN 138-12-710-054), C-2 (General Commercial) Zone, Ward 5 (Barlow).

CITY COUNCIL: OCTOBER 5, 2016

CASE PLANNER: STEVE GEBEKE CONSENT

Comments Due: SEPTEMBER 1, 2016

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) and Steve Gebeke (sgebeke@lasvegasnevada.gov). If you desire to meet with the case planner you may schedule an appointment by calling (702) 229-6301.

LIST COMMENTS BELOW:



DEPARTMENT OF PLANNING

APPLICATION / PETITION FORM

Application/Petition For: EXTENSION OF TIME VAR-53923

Project Address (Location) 5252 RICKY RD LV NV 89130

Project Name ESMI PROPERTIES LLC Proposed Use BLDG MAINTENANCE SERVICE & SALES USE

Assessor's Parcel #(s) 138 12 710 054 Ward # _____

General Plan: existing GC proposed NO CHANGE zoning: existing C2 proposed NO CHANGE

Commercial Square Footage 2450 Floor Area Ratio _____

Gross Acres .85 Lots/Units _____ Density _____

Additional Information _____

PROPERTY OWNER ESMI PROPERTIES LLC Contact JANA FORSYTHE
 Address 5252 RICKY RD Phone: 702 4855983 Fax: 702 4856870
 City LV State NV Zip 89130
 E-mail Address _____

APPLICANT ESMI PROPERTIES LLC Contact JANA FORSYTHE
 Address 5252 RICKY RD Phone: 702 4855983 Fax: 702 4856870
 City LV State NV Zip 89130
 E-mail Address _____

REPRESENTATIVE _____ Contact JANA FORSYTHE
 Address 5252 RICKY RD Phone: 702 4855983 Fax: 702 4856870
 City LV State NV Zip 89130
 E-mail Address JANA@FEICONSTRUCTION.COM

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

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 JANA FORSYTHE
 State of Nevada
 County of Clark
 Subscribed and sworn before me

This 15TH day of August, 2016 by Jana Forsythe
[Signature]

Notary Public in and for said County and State

FOR DEPARTMENT USE ONLY

| | |
|----------------|------------------|
| Case # | <u>EST-66226</u> |
| Meeting Date: | <u>10/5/16</u> |
| Total Fee: | <u>300.00</u> |
| Date Received: | <u>8/15/16</u> |
| Received By: | <u>M Rex</u> |

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





DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-66226 APN: 138-12-710-054

Name of Property Owner: ESMI PROPERTIES LLC

Name of Applicant: JANA & TIM FORSYTHE

Name of Representative: SELF

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: _____

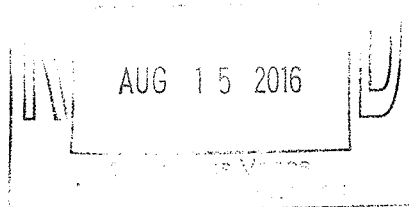
State of Nevada
County of Clark

Jana Forsythe
Print Name: JANA FORSYTHE

Subscribed and sworn before me

This 15TH day of August, 2016 by Jana Forsythe.

Karen Gonzalez
Notary Public in and for said County and State



Justification Letter

Issue-

After starting the construction company in 2006, F.E.I. Construction was looking for a new office. The owners Jana and Tim Forsythe, initially had an office space, but soon were affected by the recession. For several years they worked out of their home, and were now ready to separate home from office. Jana met Bonnie Shoning of Bill B. Shoning Contractors, a general building, painting, drywall and carpentry contractor in Las Vegas since 1984, at a BOWD (Business Opportunity Workforce Development) class in the fall of 2012. Bonnie told Jana about their construction company's converted residential to office building on 5252 Ricky Road, Las Vegas, NV 89130. Bonnie said they needed to sell immediately.

Jana and Tim drove by the office. The location was enticing (it was less than a 10 minute drive from their home). They contacted their Commercial Real Estate Broker, MDL, to reach out to the Shoning's Commercial Real Estate Broker, Albright Callister & Associates. After an initial walk through, including an assessment of clean-up and before operation move-in needs, it was apparent that all the office would need was new flooring, new paint, and new blinds.

The office building had built in plan desks in four offices. The greens and pinks were reminiscent of the popular interior design palette of the late 80s/early 90s.

BEFORE PICTURES:



EOT-66226

City of Las Vegas
Department of Planning

With the previous owner being a contractor (Bill B. Shoning Contractors) and the new tenant being a contractor (F.E.I. Construction) the intended use of the property has not changed. The building at 5252 Ricky Road, Las Vegas, NV 89130 will continue to be used as office space, as it has previously been used for the past twenty (20) plus years.

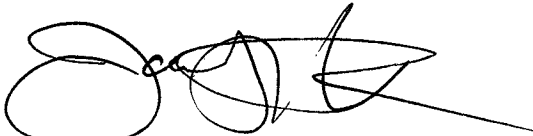
Information-

F.E.I. Construction currently has five (5) full-time employees at this location and the hours of operation are Monday-Friday 7:00AM- 4:00PM.

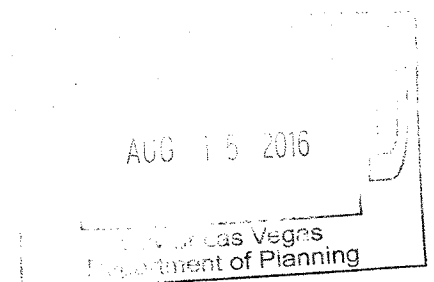
This is an existing building that has previously been used as an office and will continue to be used, in the same manner, as an office. In updating the interior paint, a low VOC paint was purchased from a locally owned WBE. Also in updating the flooring, a VCT was purchased from a local WBE and the carpet tiles were recycled from a nearby office remodel project.

Due to sluggish economic growth, employee turnover, and time constraints we are requesting an extension of time.

Sincerely,



Jana Forsythe
WBE, WOSB, BOWD, DBE, and ESB Certified



EOT-66226



F.E.I.

AUG 27 2014

Construction

August 25, 2014

LAS VEGAS
CITY COUNCIL

CAROLYN G. GOODMAN
MAYOR

STAVROS S. ANTHONY
MAYOR PRO TEM

LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW
BOB COFFIN
BOB BEERS

ELIZABETH N. FRETWELL
CITY MANAGER

Ms. Jana Forsythe
ESMI Properties LLC
5252 Ricky Road
Las Vegas, Nevada 89130

RE: VAR-53923 [PRJ-53875] – VARIANCE
RELATED TO VAR-53924 AND SDR-53925
CITY COUNCIL MEETING OF AUGUST 20, 2014

Dear Ms. Forsythe:

The City Council at a regular meeting held August 20, 2014 APPROVED the request for a Variance TO ALLOW TWO PARKING SPACES WHERE A MINIMUM OF NINE SPACES ARE REQUIRED AND TO ALLOW A PARKING LOT TO HAVE A NON-PAVED SURFACE on 0.85 acres at 5252 Ricky Road (APN 138-12-710-054), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on August 21, 2014. This approval is subject to:

Planning

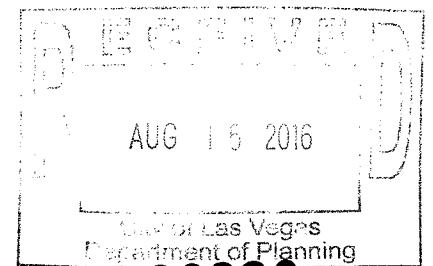
1. Approval of and conformance to the Conditions of Approval for Variance (VAR-53924) and Site Development Plan Review (SDR-53925) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Gabriela Portillo-Brenner
Deputy City Clerk for
Beverly K. Bridges, MMC, City Clerk

CITY OF LAS VEGAS
495 S. MAIN STREET
LAS VEGAS, NEVADA 89101

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov



EOT-66226



ESMI PROPERTIES LLC

| Business Entity Information | | | |
|-----------------------------|------------------------------------|-----------------------|---------------|
| Status: | Active | File Date: | 3/15/2013 |
| Type: | Domestic Limited-Liability Company | Entity Number: | E0134392013-5 |
| Qualifying State: | NV | List of Officers Due: | 3/31/2017 |
| Managed By: | Managing Members | Expiration Date: | |
| NV Business ID: | NV20131162766 | Business License Exp: | 3/31/2017 |

| Additional Information | |
|------------------------|--|
| Central Index Key: | |


| Registered Agent Information | | | |
|------------------------------|--------------------------------|--------------------|---------------|
| Name: | JANA FORSYTHE | Address 1: | 4825 PINON DR |
| Address 2: | | City: | LAS VEGAS |
| State: | NV | Zip Code: | 89130 |
| Phone: | | Fax: | |
| Mailing Address 1: | | Mailing Address 2: | |
| Mailing City: | | Mailing State: | |
| Mailing Zip Code: | | | |
| Agent Type: | Noncommercial Registered Agent | | |

| Financial Information | | | |
|-----------------------------------------|---|-----------------|------|
| No Par Share Count: | 0 | Capital Amount: | \$ 0 |
| No stock records found for this company | | | |

| - Officers <input type="checkbox"/> Include Inactive Officers | | | |
|---------------------------------------------------------------|------------------|------------|-----|
| Managing Member - JANA S FORSYTHE | | | |
| Address 1: | 4825 PINON DRIVE | Address 2: | |
| City: | LAS VEGAS | State: | NV |
| Zip Code: | 89130 | Country: | USA |
| Status: | Active | Email: | |
| Managing Member - TIMOTHY C FORSYTHE | | | |
| Address 1: | 4825 PINON DRIVE | Address 2: | |
| City: | LAS VEGAS | State: | NV |
| Zip Code: | 89130 | Country: | USA |
| Status: | Active | Email: | |

| - Actions/Amendments | |
|----------------------|--|
| | |

| | | | |
|-----------------------------------|--------------------------|------------------------|---|
| Action Type: | Articles of Organization | | |
| Document Number: | 20130176720-19 | # of Pages: | 2 |
| File Date: | 3/15/2013 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Initial List | | |
| Document Number: | 20130176721-20 | # of Pages: | 1 |
| File Date: | 3/15/2013 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Annual List | | |
| Document Number: | 20140042248-77 | # of Pages: | 1 |
| File Date: | 1/21/2014 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Annual List | | |
| Document Number: | 20150014895-35 | # of Pages: | 1 |
| File Date: | 1/13/2015 | Effective Date: | |
| (No notes for this action) | | | |
| Action Type: | Annual List | | |
| Document Number: | 20160058478-21 | # of Pages: | 1 |
| File Date: | 2/8/2016 | Effective Date: | |
| (No notes for this action) | | | |

| | |
|-----------------------------------------------------------------------------------|----------------|
| A.P.N. # | 138-12-710-054 |
| R.P.T.T. | \$1,173.00 |
| Escrow No. | 01415-2954 |
| Recording Requested By: | |
|  | |
| Mail Tax Statements To: | Same as below |
| When Recorded Mail To: | |
| ESMI Properties LLC | |
| 5252 Ricky Road | |
| Las Vegas, NV 89130 | |

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That for valuable consideration, the receipt of which is hereby acknowledged,

Bill B. Shoning, Sr. and Bonnie Lou Shoning as Co-Trustees of The Shoning Trust, dated August 7, 1998, as to an undivided 50% interest; and Bill B. Shoning, Jr. and Katherine Lee Shoning, husband and wife as joint tenants, as to an undivided 50% interest

does hereby Grant, Bargain Sell and Convey to

ESMI Properties LLC, a Nevada limited liability Company

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

See Exhibit "A" attached hereto and by this reference made a part hereof

SUBJECT TO:

1. Taxes for fiscal year;
2. Reservations, restrictions, conditions, rights, rights of way and easements, if any of record on said premises.

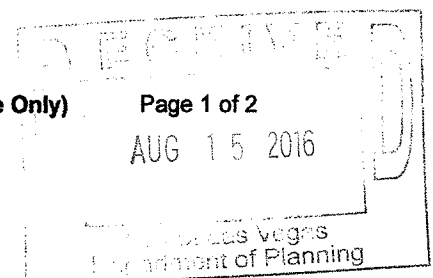
Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

Dated: April 19, 2013

(One Inch Margin on all sides of Document for Recorder's use Only)

Page 1 of 2

AUG 15 2016



The Shoning Trust dated
August 7, 1998

Bill B. Shoning, Sr.
Bill B. Shoning, Sr., co-trustee

Bill B. Shoning, Jr.
Bill B. Shoning, Jr.

Bonnie Lou Shoning
Bonnie Lou Shoning, co-trustee

Katherine Lee Shoning
Katherine Lee Shoning

State of Nevada }
County of Clark } ss.

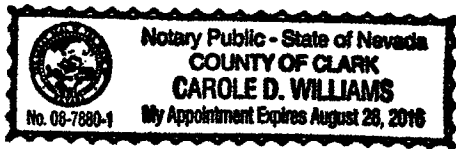
This instrument was acknowledged before me on April 19, 2015
by: Bill B. Shoning, Sr. and Bonnie Lou Shoning

Signature: Carole D. Williams
Notary Public

State of Nevada }
County of Clark } ss.

This instrument was acknowledged before me on April 19, 2015
by: Bill B. Shoning, Jr. and Katherine Lee Shoning

Signature: Carole D. Williams
Notary Public



Notary Clarification:
County of Clark
Carole D. Williams
No. 08-7880-1
Expires: August 28, 2016

(One Inch Margin on all sides of Document for Recorder's use Only)

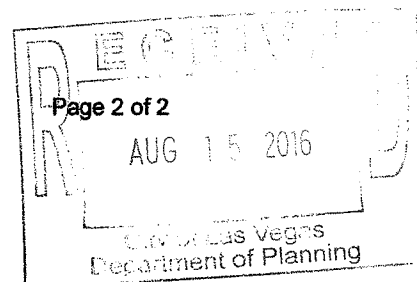


EXHIBIT "A"
LEGAL DESCRIPTION

Parcel I:

Lot Twenty-Two (22) in Block Two (2) of Elstner Estates Subdivision, as shown by map thereof on file in Book 3 of Plats, Page 86, in the office of the County Recorder of Clark County, Nevada.

Parcel II:

That portion of Block Two (2) of Elstner Estates, as shown by map thereof on file in Book 3 of Plats, page 86, in the office of the County Recorder of Clark County, Nevada, described as follows:

Beginning at the Northwest corner of Lot Twenty-Two (22) in Block Two (2) of Elstner Estates; thence along the Northerly prolongation of the West line of said Lot Twenty-Two (22), North $31^{\circ}45'24''$ West a distance of 47.90 feet; thence North $60^{\circ}03'55''$ East a distance of 42.90 feet; thence North $64^{\circ}23'41''$ East a distance of 79.77 feet to the Northerly prolongation of the East line of said Lot Twenty-Two (22), South $27^{\circ}04'47''$ East a distance of 42.98 feet to the Northeast corner of said Lot Twenty-Two (22); thence from a tangent which bears South $62^{\circ}55'13''$ West, Southwesterly along the North line of said Lot Twenty-Two (22), being the arc of a circle concave Southeasterly, having a radius of 1455.54 feet, through a central angle of $4^{\circ}40'37''$, an arc distance of 118.81 feet to the point of beginning.

ASSESSOR'S COPY

