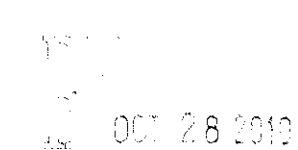
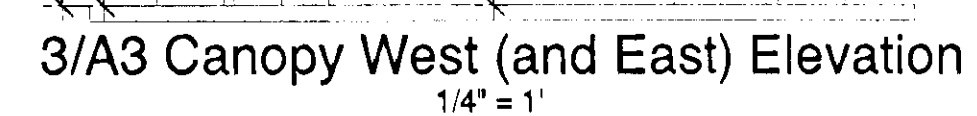
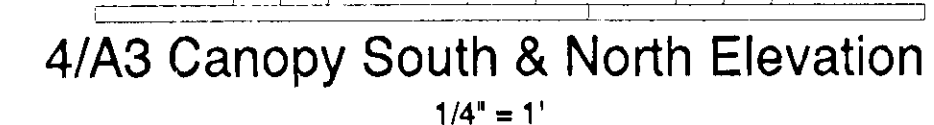




This architectural drawing shows the front elevation of the building. It features a central entrance with a pediment containing a circular window. The entrance is flanked by a series of columns and a long, low, arched structure. The drawing is a line sketch, showing the basic form and proportions of the building.

2/A3 North Elevation
1/8" = 1'



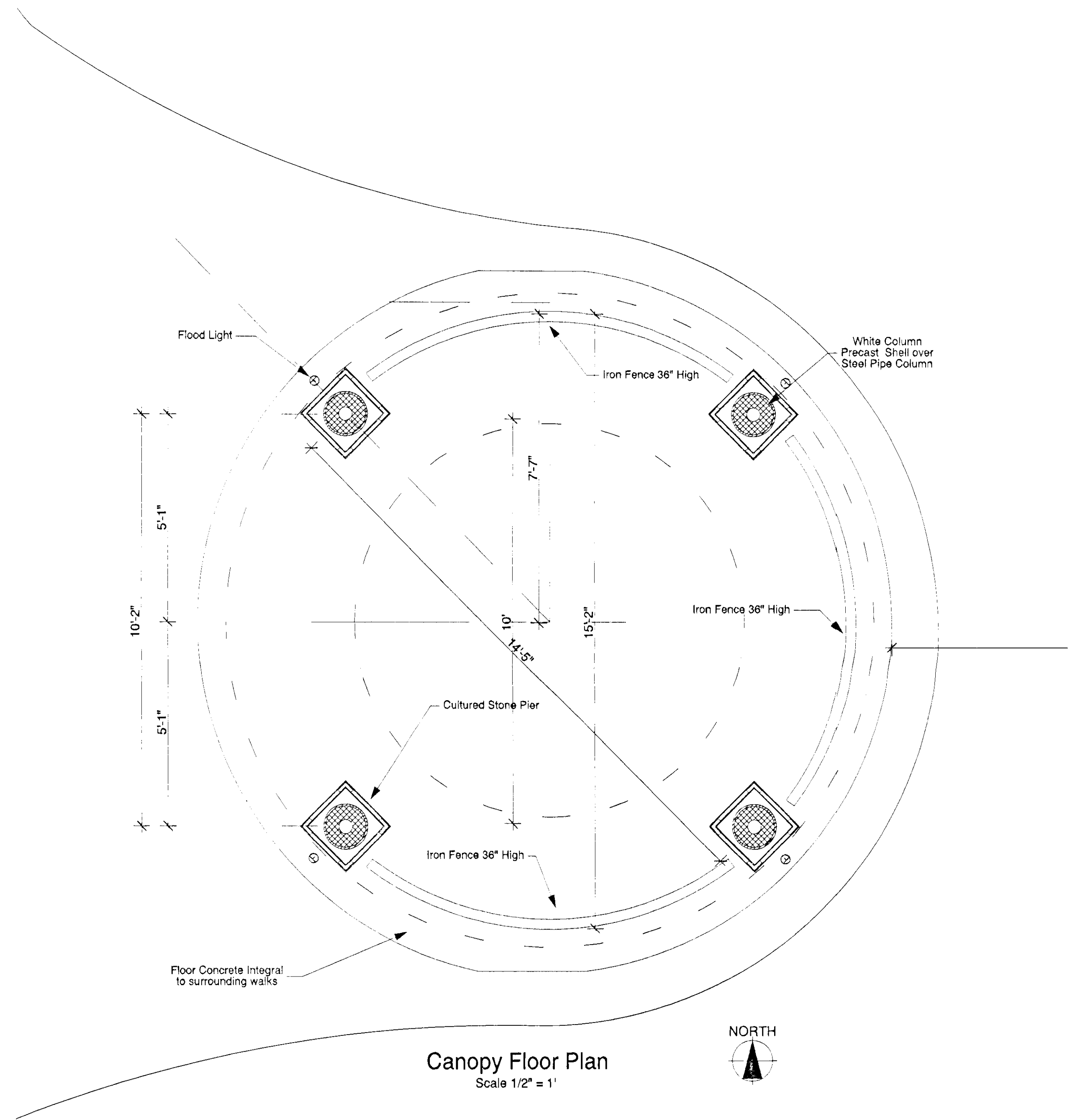
101 W. Brooks Ave, Suite C,
No. Las Vegas, NV 89030
(702) 657-0684
FAX (702) 657-0936

Elevations

[illegible]

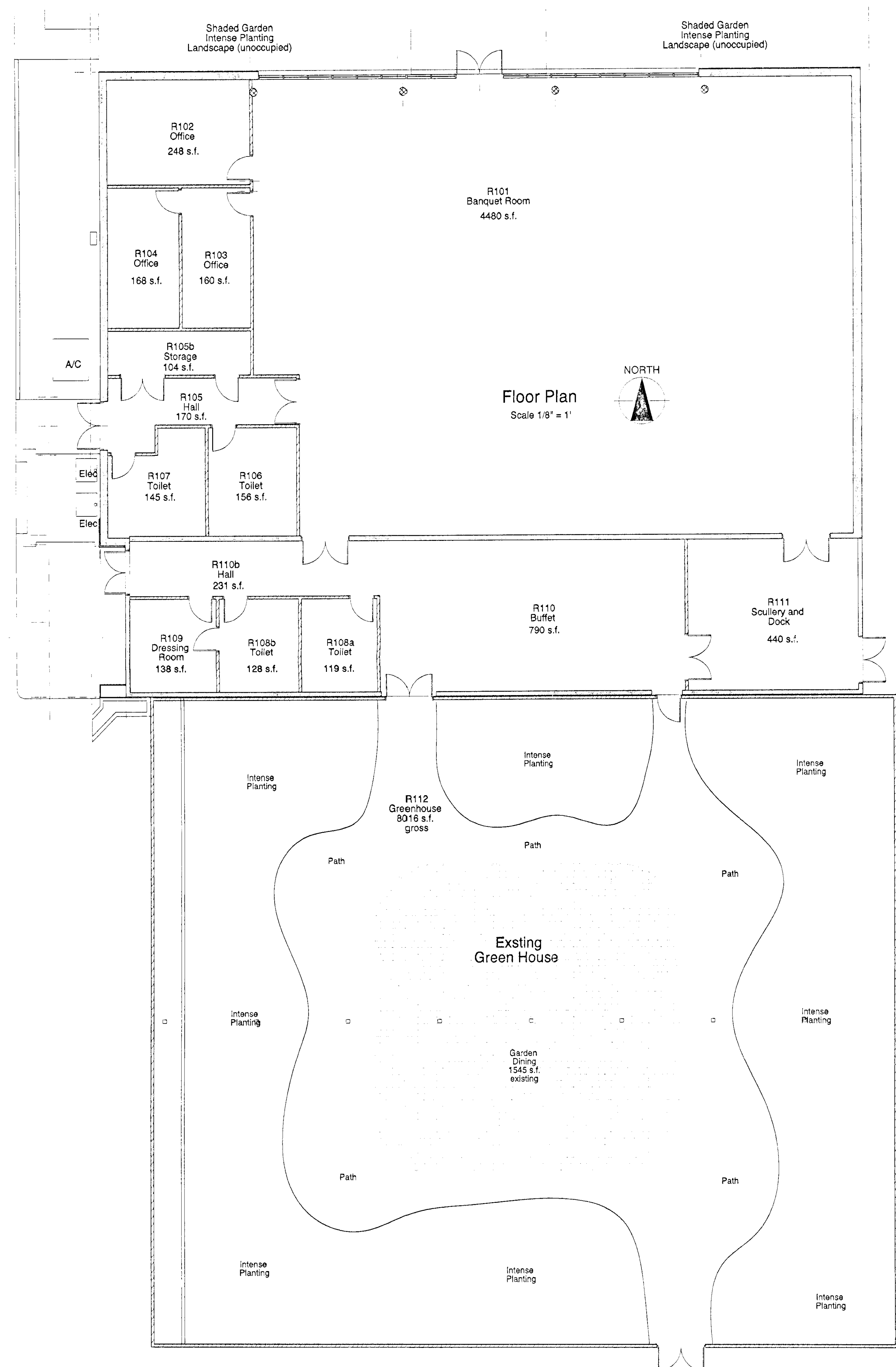
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JOB #: 1034
SCALE: _____
DRAWN: _____
DESIGNED: _____
CHECKED: _____
SHEET

A3

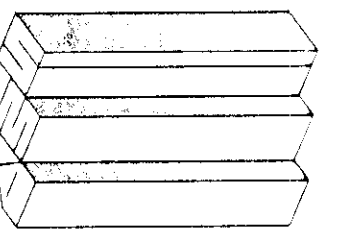


IBC Occupancy

Room #	Use	Area s.f.	IBC Occ per s.f.	IBC Occup.
R101	Banquet Room Dining	4,480	15	299
R102	Office	248	100	3
R103	Office	160	100	2
R104	Office	168	100	2
R105	Hall	104	-	-
R105b	Storage	170	300	1
R106	Toilet	156	-	-
R107	Toilet	145	-	-
R108A	Toilet	138	-	-
R108B	Toilet	128	-	-
R109	Dressing Room	118	100	2
R110	Buffer Serving	790	100	8
R110B	Hall	231	-	-
R111	Dock and Scullery	440	200	3
R112A	Dining	1,545	15	103
R112	Garden and Pathways	6,255	-	-
	Total	15,276		423



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Architecture & Planning



#2841
101 W. Brooks Ave, Suite C, (702) 657-0684
No. Las Vegas, NV 89030 FAX (702) 657-0936

Rainbow Gardens
Remodeling and Garden Modification
Parcel 162-06-510-023 & 024
4125 W. Charleston, Las Vegas, NV

Floor Plans

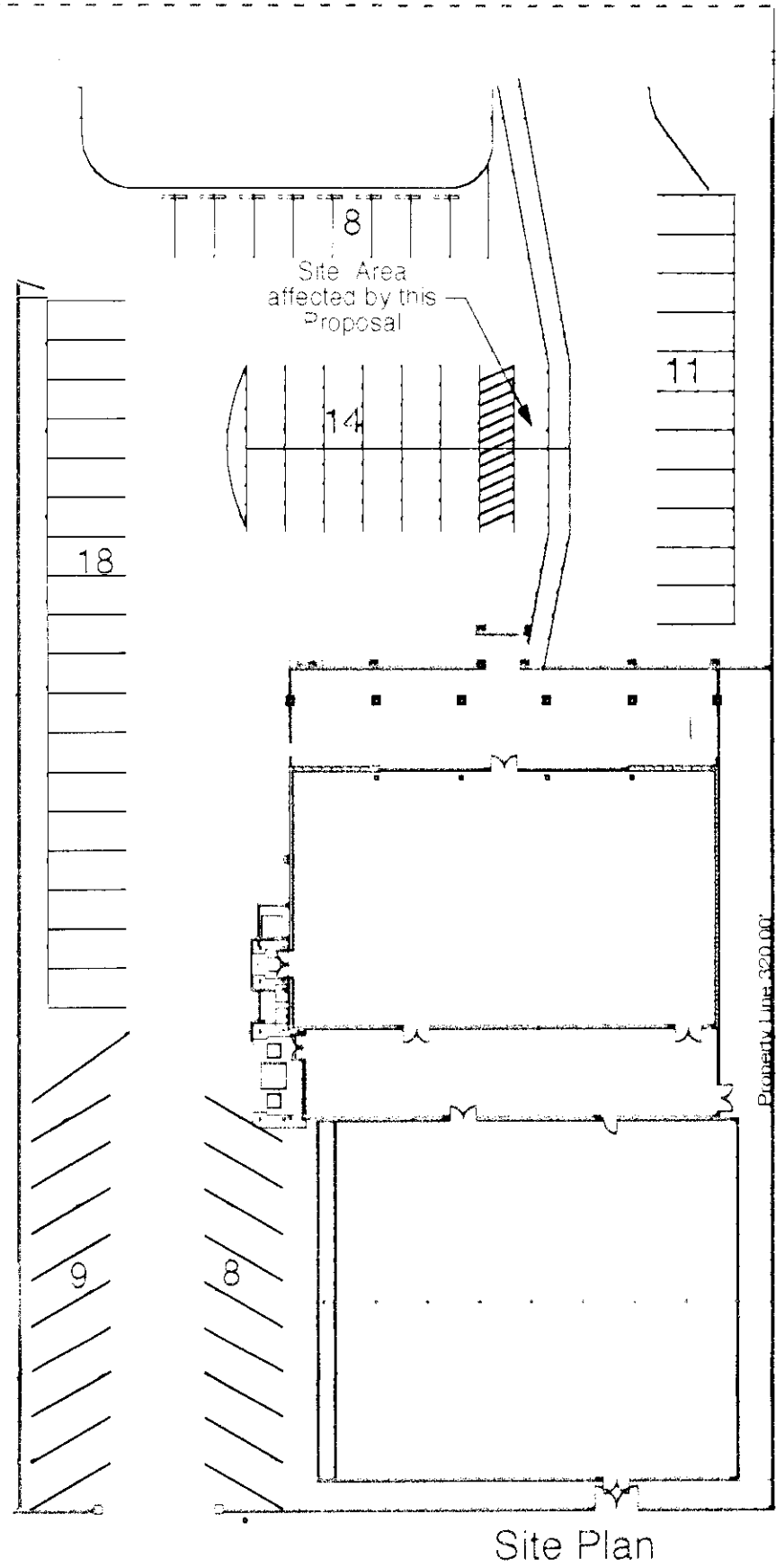
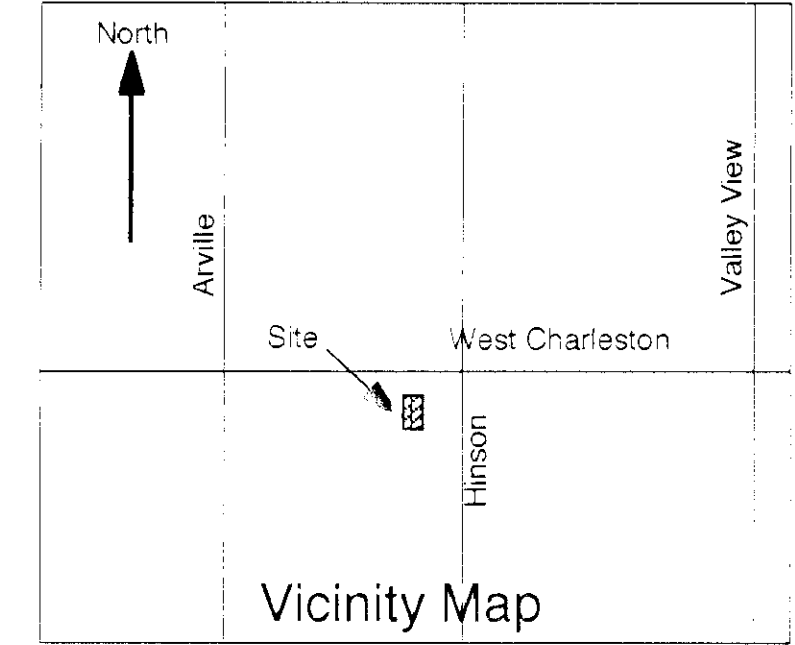
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REV	NO	DESCRIPTION	DATE	BY

DATE: 10/21/10
JOB #: 1034
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DRAWN: _____
DESIGNED: _____
CHECKED: _____
SHEET

A1

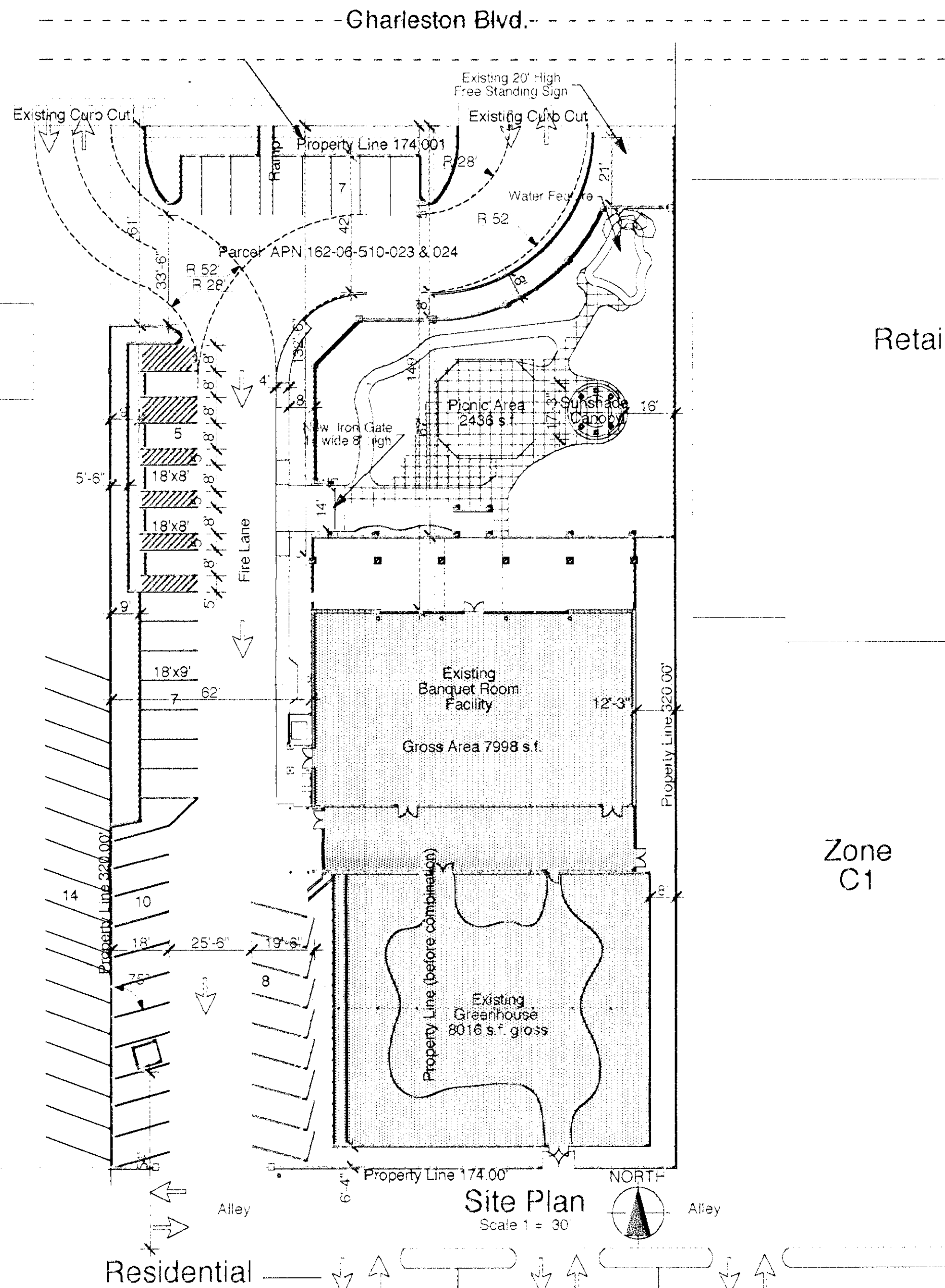
Rainbow Gardens
Remodeling and Garden Modification
Parcel 162-06-510-023 & 024
4125 W. Charleston, Las Vegas, NV



Existing Parking
Prior to Project Start

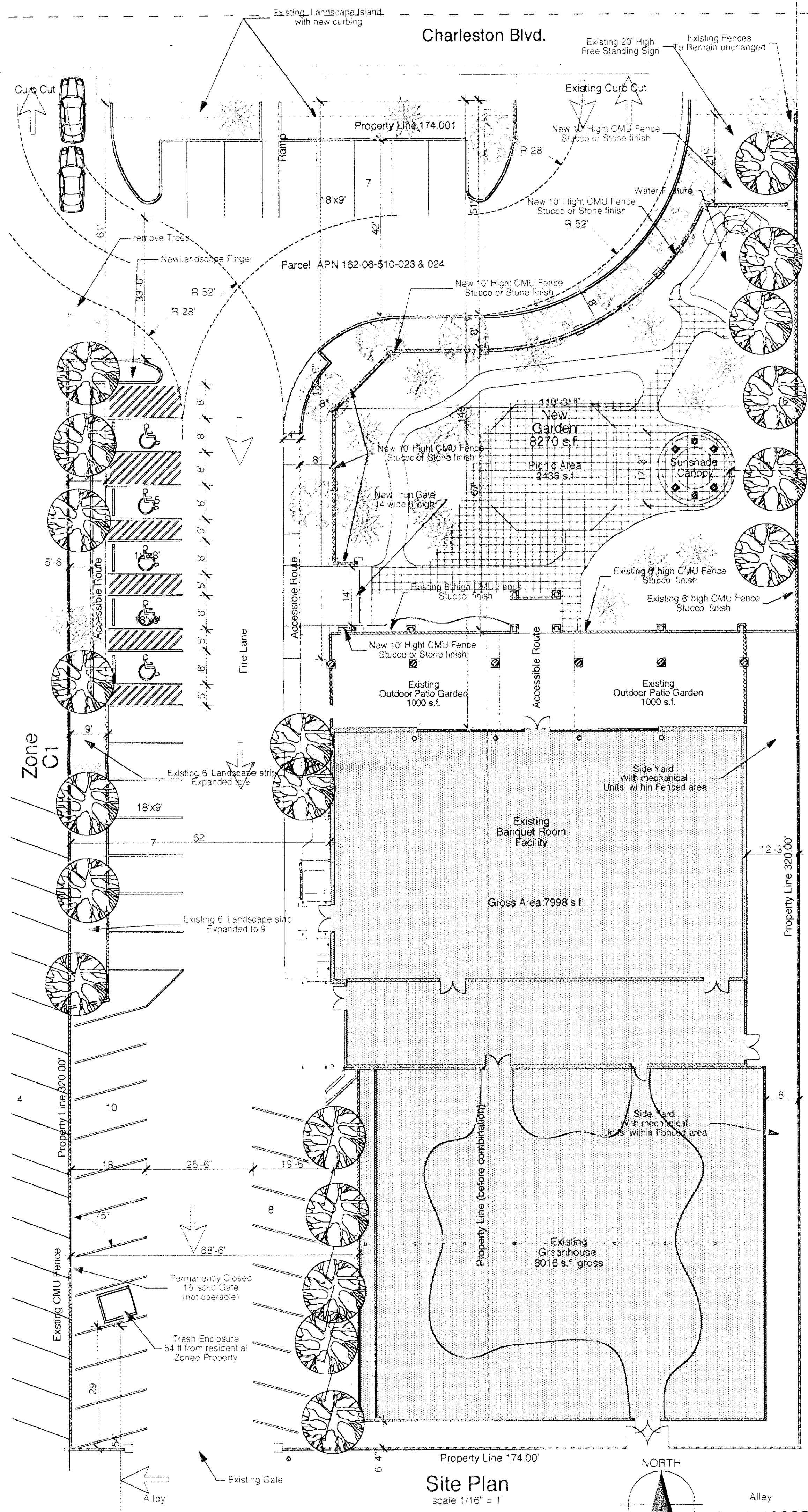
Parking Analysis

Area & Parking Calculations				
City of Las Vegas Title 19 - Zone C1				
	Area	Parking Factor	Spaces	Phase Total
Banquet Areas				
Banquet Room	4480 s.f.	Existing		
Offices, Halls, Toilets, Storage	2996 s.f.	Existing		
Walls and Structure	522 s.f.	Existing		
Patio Gardens	2000 s.f.	Existing Outdoor		
	9998 s.f.	Existing	100 s.f./space	100 Spaces
Green House Dining Area	1545 s.f.	Existing		
Green House Planting and pathways	5655 s.f.	Existing		
Mechanical Room and Structure	816 s.f.	Existing		
	8016 s.f.	Existing	100 s.f./space	81 Spaces
Added Banquet Area				
Patio Gardens Gathering Area (near chapel)	2200 s.f.	Proposed		
Chapel Canopy (accessory element)	236 s.f.	Proposed		
	2436 s.f.	Proposed	100 s.f./space	25 Added Spaces
	20450 s.f.	Load on Gross area =	206	Spaces
Banquet Total				
Front Garden (outdoor) spaces				
Front Garden (Yard) Landscaping	5834 s.f.	Proposed		
Total Front Garden including Banquet	8270 s.f.	Proposed		
Total Provided Onsite = 31 regular +6 handicap = 37 spaces				
Offsite Neighboring Joint use Cross-Access Available = 92 spaces				
Handicap Spaces Required = 4 spaces				
Handicap Spaces Provided = 5 spaces				
Parking Available Within 300 ft. = 129				
Site Area				
Parcel 023	0.73 acre	32000 s.f.		
Parcel 024	0.52 acre	23580 s.f.		
Site Area	1.25 acre	55580 s.f.		
Site coverage	37%			
Second Property				
Engineering Office (South Adjacent)	7000 s.f.	300 s.f./space	24	Spaces



Retail

Zone C1



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FAX (702) 657-0596

**Rainbow Gardens
Remodeling and Garden Modification**
Parcel 162-06-510-023 & 024
4125 W. Charleston, Las Vegas, NV

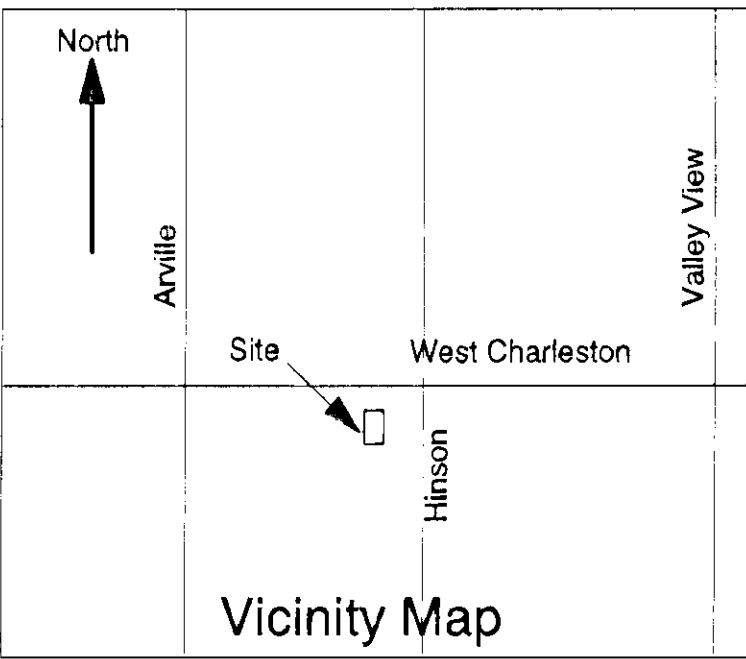
Site Plan

SHEET TITLE

REV	NO	DESCRIPTION	DATE	BY
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

DATE: 9/28/10
JOB #: 1034
SCALE: _____
DRAWN: _____
DESIGNED: _____
CHECKED: _____
SHEET

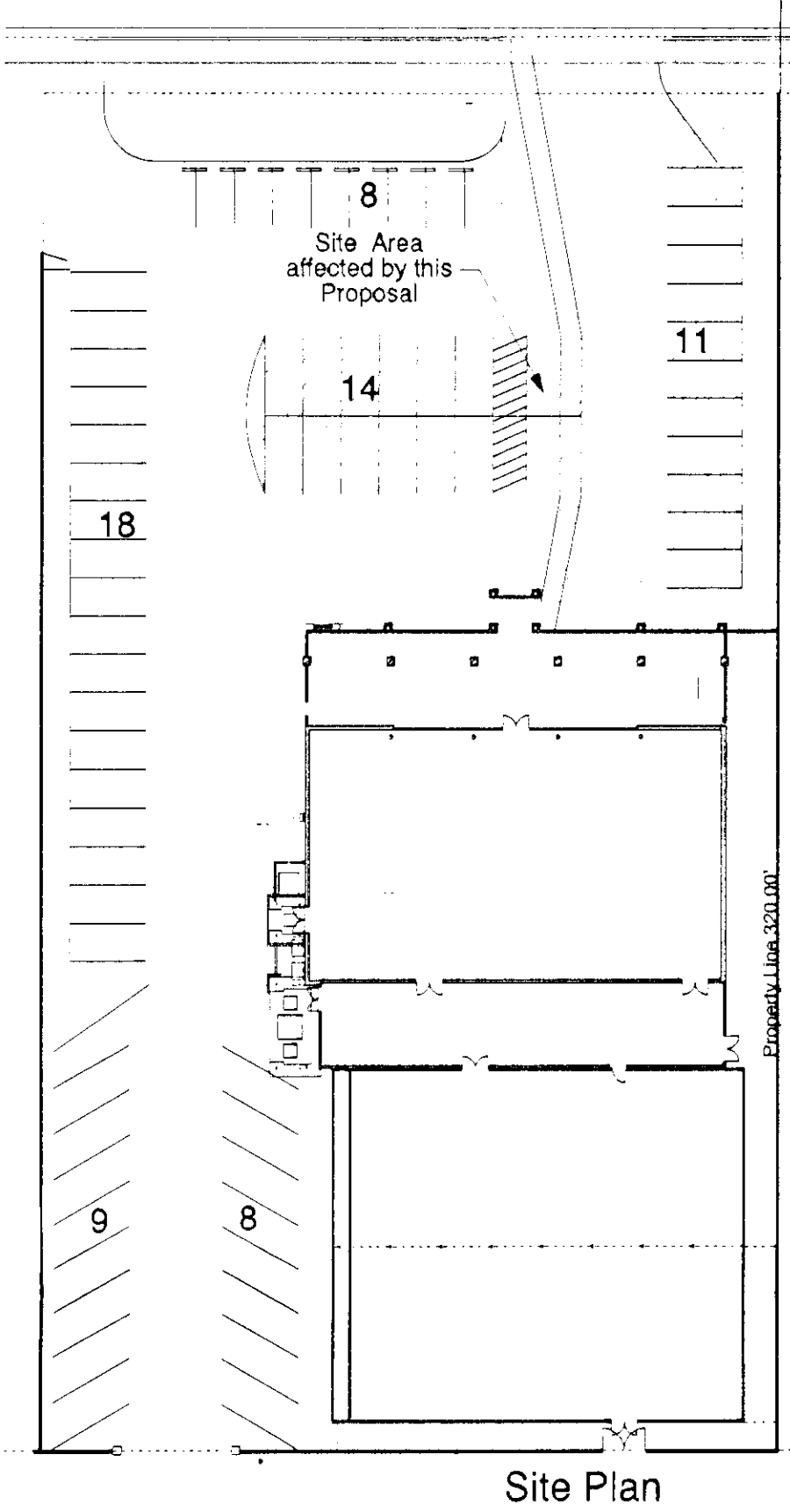
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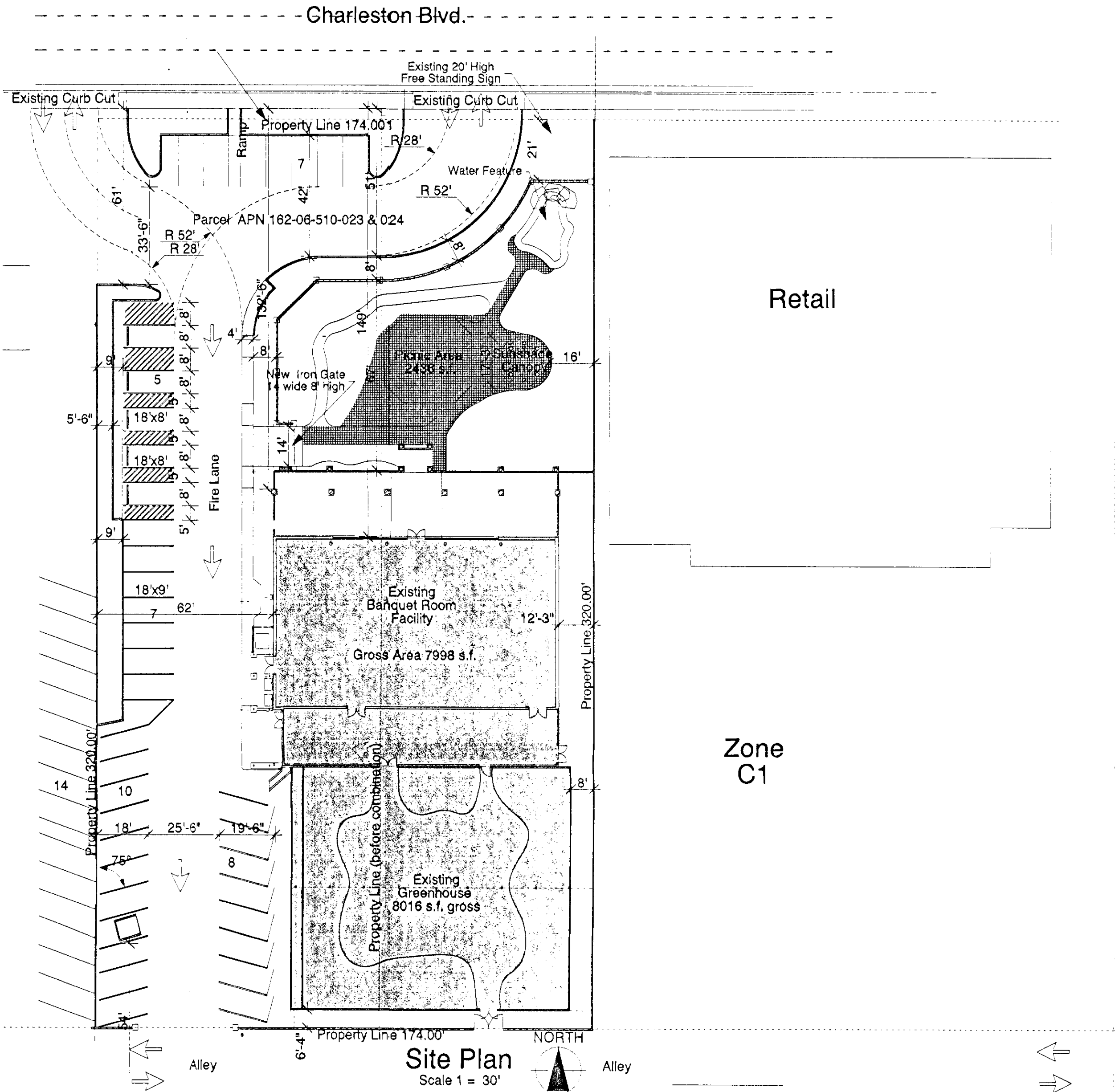
Rainbow Gardens

Remodeling and Garden Modification

Parcel 162-06-510-023 & 024
4125 W. Charleston, Las Vegas, NV

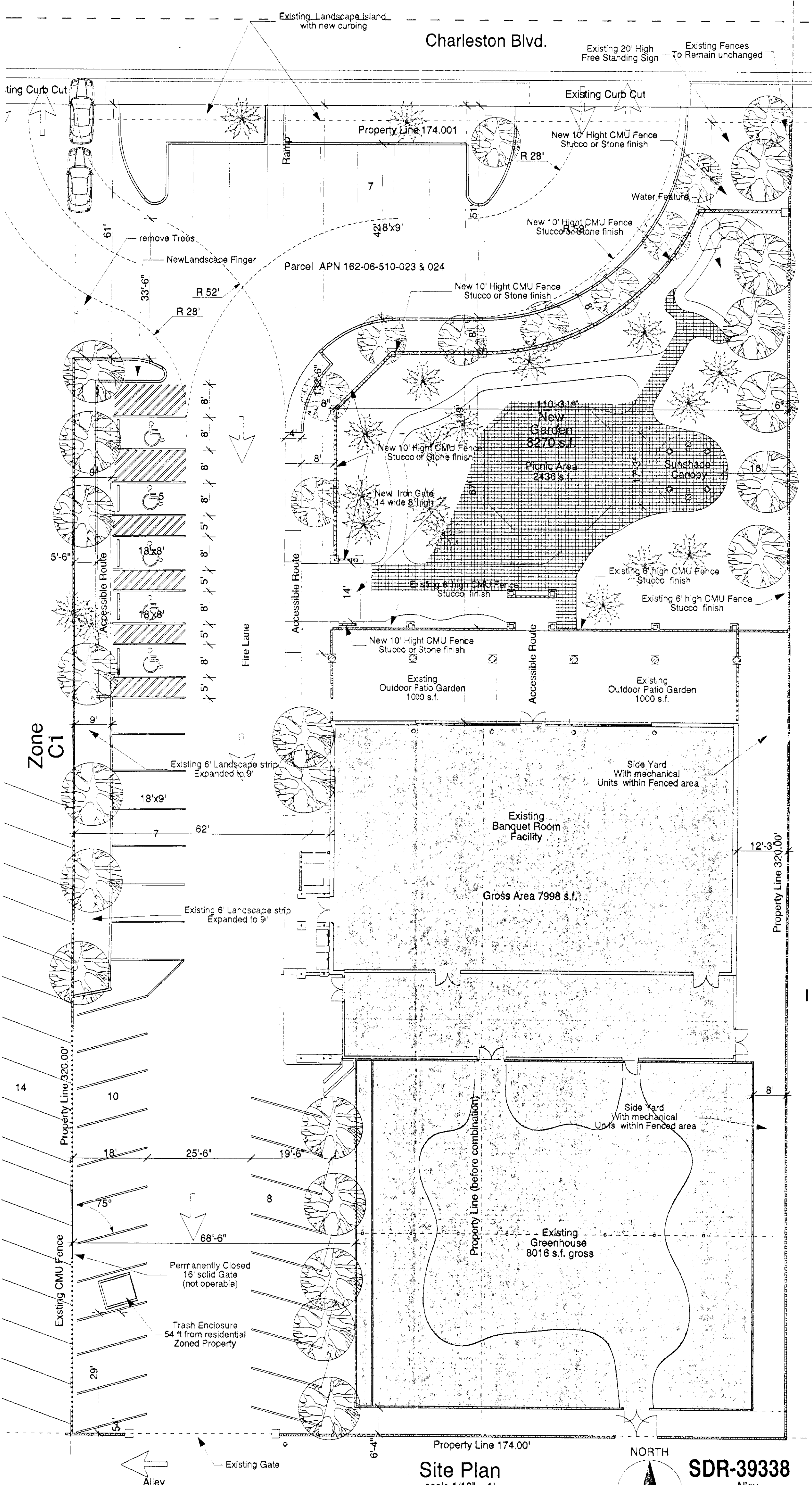
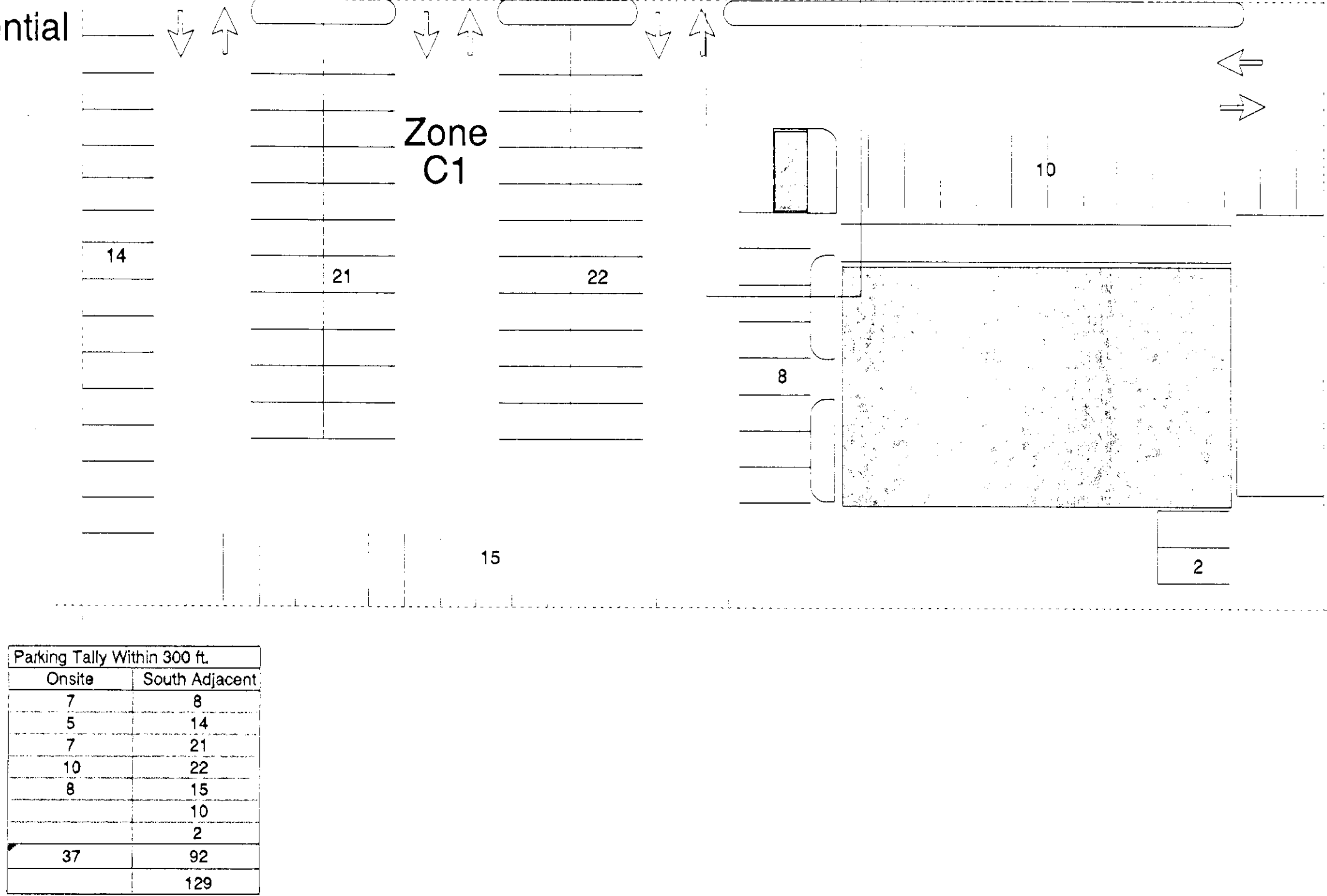


Existing Parking
Prior to Project Start



Parking Analysis

Area & Parking Calculations				
City of Las Vegas Title 19 - Zone C1				
	Area	Parking Factor	Spaces	Phase Total
Banquet Areas				
Banquet Room	4490 s.f.	Existing		
Offices, Halls, Toilets, Storage	2996 s.f.	Existing		
Walls and Structure	522 s.f.	Existing		
Patio Gardens	2000 s.f.	Existing Outdoor		
	9998 s.f.	Existing	100 s.f./space	100 Spaces
Green House Dining Area	1545 s.f.	Existing		
Green House Planting and pathways	5655 s.f.	Existing		
Mechanical Room, and Structure	816 s.f.	Existing		
	8016 s.f.	Existing	100 s.f./space	81 Spaces
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	2436 s.f.	Proposed	100 s.f./space	25 Added Spaces
Banquet Total	20450 s.f.			206 Spaces
Front Garden (outdoor) spaces				
Front Garden (Yard) Landscaping	5834 s.f.	Proposed		
Total Front Garden including Banquet	8270 s.f.	Proposed		
Total Provided Onsite = 31 regular +6 handicap = 37 spaces				
Offsite Neighboring Joint use Cross-Access Available 92 spaces				
Handicap Spaces Required 4 spaces				
Handicap Spaces Provided 5 spaces				
Site Area				
Parcel 023	0.73 acre	32000 s.f.		
Parcel 024	0.52 acre	23680 s.f.		
Site Area	1.25 acre	55680 s.f.		
Site coverage	37%			
Second Property				
Engineering Office (South Adjacent)	7000 s.f.	300 s.f./space	24 Spaces	
Parking Available Within 300 ft.				
Onsite Parking Existing 68				
Total 129				



D. W. Strait, AIA

Architecture & Planning

#2841

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FAX (702) 657-0936

Rainbow Gardens

Remodeling and Garden Modification

Parcel 162-06-510-023 & 024
4125 W. Charleston, Las Vegas, NV

Site Plan

SHEET TITLE

REV	DESCRIPTION	DATE	BY
1			

DATE: 9/28/10

JOB #: 1034

SCALE:

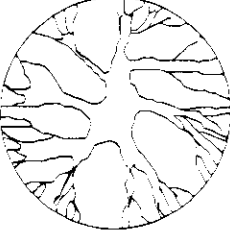
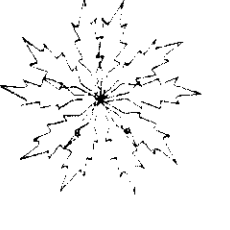
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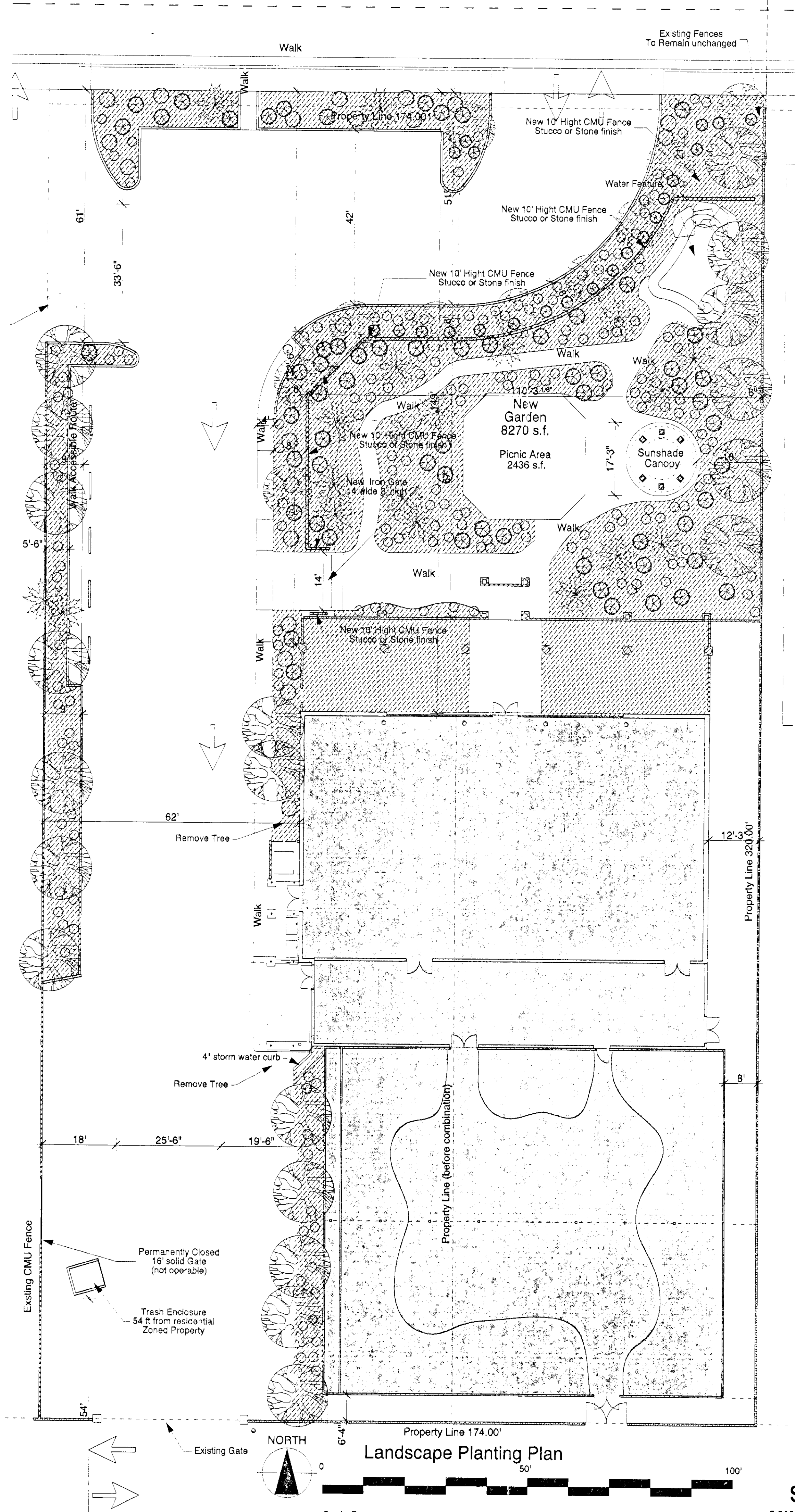
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SHEET

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Planting Legend			
	Mandel Pine - Mature where existing 25'-35' High - Where planted new, 24" Box	Qty 29 Ea	or more
	Fan Palm - Various varieties - Sizes Vary according to Placement 8' to 20' High	24" Box	Qty 21 Ea
	Dwarf Mock Orange - Pittosporum tobira Or Generic Equivalent as allowed by the County Development Standards Irrigation systems will be installed to provide adequate water for plants that are in place as of the final inspection.	5 Gal.	Qty 34 Ea
	Silver Cloud Texas Sage - Leucophyllum candidum (leucophyllum sp) Or Generic Equivalent as allowed by the City of Henderson Development Standards Density shall be 3 to Each Required Tree - Shrubs in excess of this amount may be of smaller size or they may be omitted. Irrigation systems will be installed to provide adequate water for plants that are in place as of the final inspection.	5 Gal.	Qty 90Ea
	Low Moisture Ornamental Plants as ground cover	3 Gal.	Qty 175 Ea
	Decomposed Granite rock mulch or Shredded Cedar Bark over weedstop fabric with scattered ground cover of Cat's claw (Macfadyena unguis-cati), Deer Grass - Muhlenbergia Rigens, and aptania cordifolia and with accent plants of rosemary (rosemernus officinales) and yellow trumpet flower, (tecoma stans var angustata) Red tipped Photinia, and various other ornamental, color displaying species. NO noxious or known allergenic pollen generating plants will be used.		



Landscape Planting Plan

D. W. Strait, AIA

Architecture & Planning

#2841

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No. Las Vegas, NV 89030

(702) 657-0684

FAX: (702) 657-0936

Rainbow Gardens

Remodeling and Garden Modification

Parcel 162-06-510-023 & 024, NV

4125 W. Charleston, Las Vegas, NV

SHEET TITLE

Planting Plan

REV/NO	DESCRIPTION	DATE	BY

SEP 29 2010

DATE: 9/28/10

JOB #: 1034

SCALE:

DRAWN:

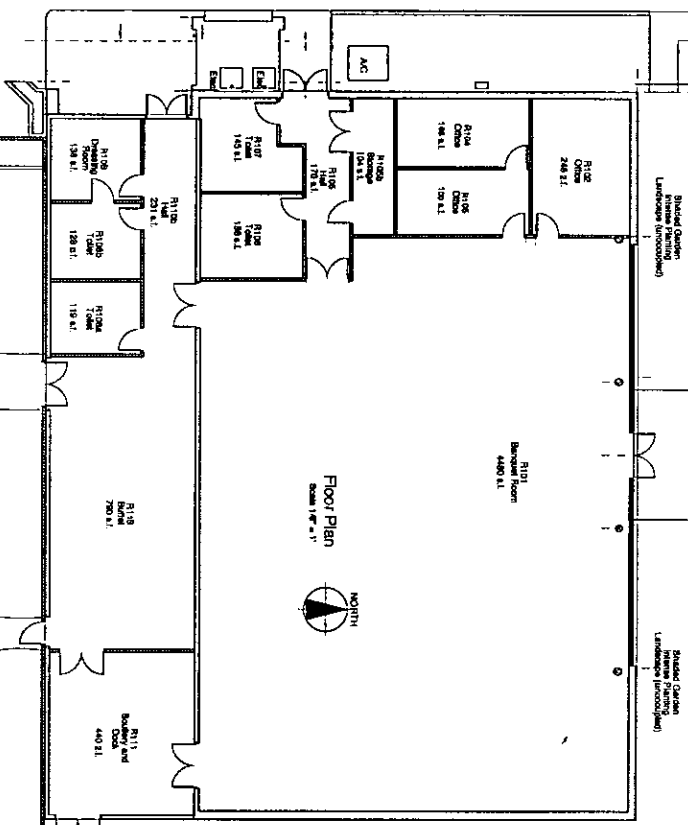
DESIGNED:

CHECKED:

SHEET



BC Occupancy		BC	
Region	Area	BC	BC
P101	Stratford-Dundas Downs	1,400	1
P102	Chico	146	3
P103	Chico	146	3
P104	Chico	146	3
P105	Chico	146	3
P106	Chico	146	3
P107	Chico	146	3
P108	Chico	146	3
P109	Chico	146	3
P110	Chico	146	3
P111	Chico	146	3
P112	Chico	146	3
P113	Chico	146	3
P114	Chico	146	3
P115	Chico	146	3
P116	Chico	146	3
P117	Chico	146	3
P118	Chico	146	3
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P196	Chico	146	3
P197	Chico	146	3
P198	Chico	146	3
P199	Chico	146	3
P200	Chico	146	3



Floor Plan



NOV 01 2010

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Rainbow Gardens
Remodeling and Garden Modification
Parcel 162-06-516-023 & 024
4125 W. Charleston, Las Vegas, NV

SHEET TITLE

Floor Plans

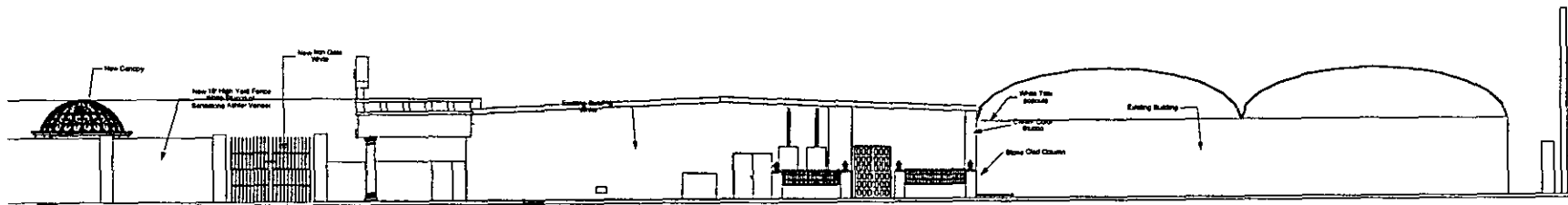


D. W. Strait, AIA
Architecture & Planning

#284

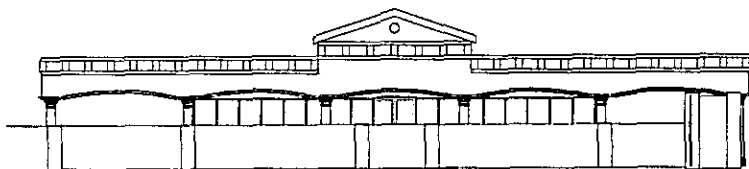
101 W. Brooks Ave., Suite C, (702) 657-0684
 No. Las Vegas, NV 89030 FAX (702) 657-0696

A1

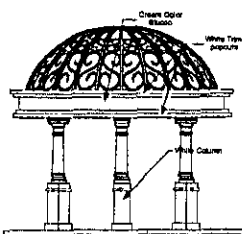


1/A3 West Elevation

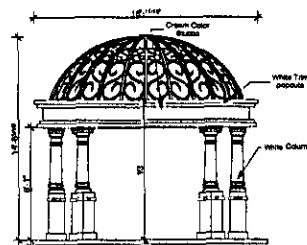
See submitted photos for more Views of Existing Buildings



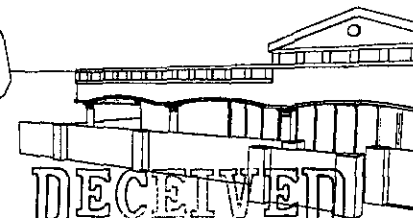
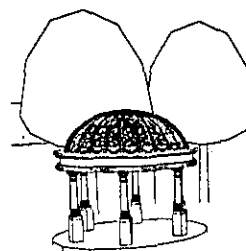
2/A3 North Elevation
1/8" = 1'



4/A3 Canopy South & North Elevation
1/8" = 1'



3/A3 Canopy West (and East) Elevation
1/4" = 1'



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OCT 28 2010

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Architecture & Planning
42841
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Las Vegas, NV 89103
(702) 887-2884
FAX (702) 887-2885

Rainbow Gardens
Remodeling and Garden Modification
Phase 1: Remodeling & Construction
42841 W. Russell Ave. Suite C, Las Vegas, NV
Elevations
SHEET TITLE

REVISION DESCRIPTION
DATE
BY

DATE: 10/28/2010
JOB #: 42841
SCALE:
DRAWN:
CHECKED:
SHEET
A3

Rainbow Gardens
Color Board
4125 W. Charleston



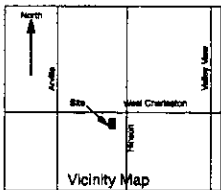
VAR-39335
VAR-39337
SDR-39338

Renovation will preserve the existing color scheme of "cream" base colors with "white" trim and moulding colors. Iron work will be white. Sandstone ashlar masonry veneer will be used as accent at piers and at parts of the garden landscape features. Aged copper patina will appear as an accent color on the new garden canopy.

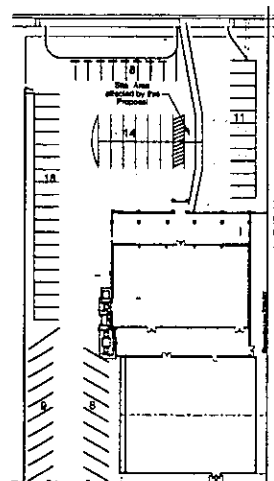
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AUG 26 2010

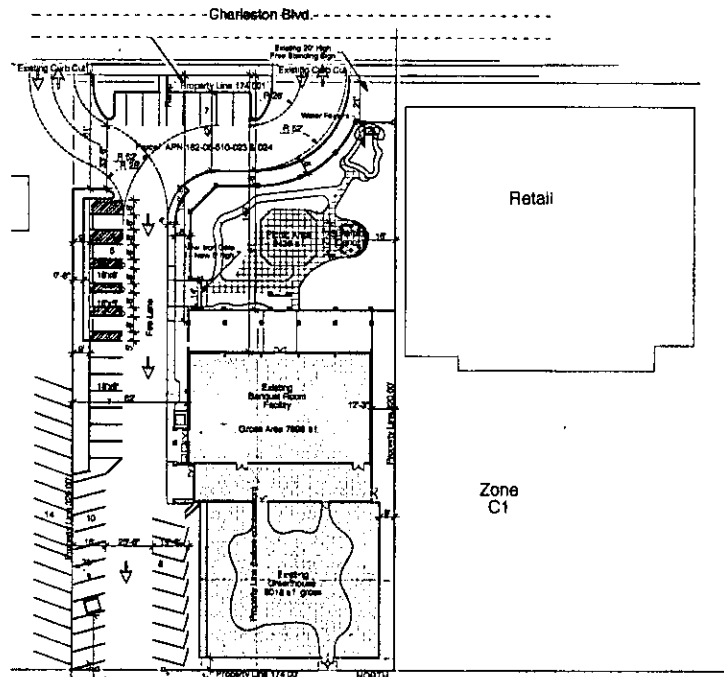
City of Las Vegas



Rainbow Gardens Remodeling and Garden Modification Parcel 162-06-510-023 & 024 4125 W. Charleston, Las Vegas, NV



Existing Parking
Prior to Project Start

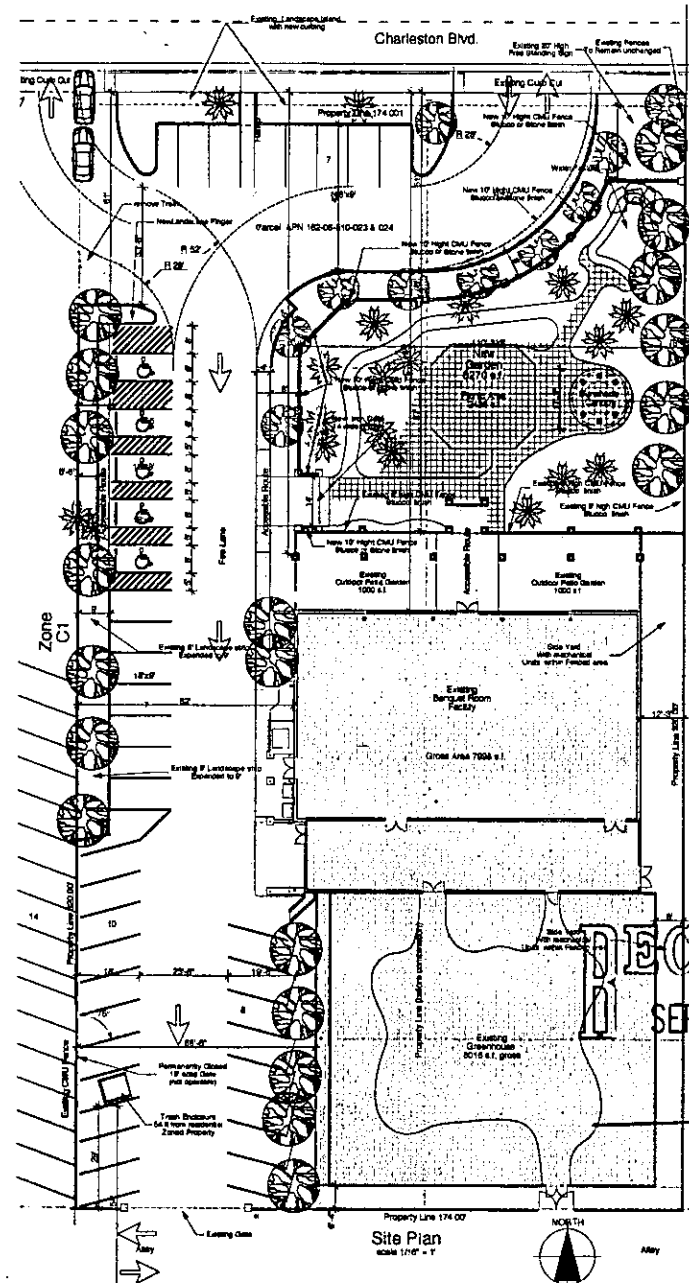


Site Plan
Scale 1" = 30'

Parking Analysis

Area & Parking Calculations City of Las Vegas Title 14 - Zone C1				
Area	Parking Factors	Spaces	Pross Total	
Banquet Area				
Banquet Room	4400 s.f.	Existing		
Office, Hall, Tables, Storage	2000 s.f.	Existing		
Male and Female Restrooms	100 s.f.	Existing		
Public Restrooms	2000 s.f.	Existing		
Green House Dining Area	1500 s.f.	Existing	100 s.f. Approx.	100 Spaces
Green House Planting and Pathways	8000 s.f.	Existing		
Masterpiece Room and Stucco	2000 s.f.	Existing		
Added Banquet Area	5000 s.f.	Proposed	100 s.f. Approx.	100 Spaces
Public Garden (Golfing Area, other shops)	1000 s.f.	Proposed		
Chapel (Ceremony, accessory services)	1000 s.f.	Proposed		
Banquet Total	10000 s.f.	Proposed	100 s.f. Approx.	100 Spaces
Public Garden (Golfing Area, other shops)	1000 s.f.	Proposed		
Chapel (Ceremony, accessory services)	1000 s.f.	Proposed		
Total Public Garden (including Banquet)	2000 s.f.	Proposed		
Total Proposed Credits = 91 regular + 8 handicap = 99				99 spaces
Other negotiating joint use Cross-Acces Available				0 spaces
Handicap Spaces Required				8 spaces
Handicap Spaces Provided				0 spaces
Parking Available Within 1/4 mi. R.				100 spaces
Credits Parking Existing				0 spaces
Second Property				
Engineering Office (Block Adjacent)				

SDR-39338



Site Plan
Scale 1/4" = 1'

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Architecture & Planning
4125 W. Charleston, Las Vegas, NV
703.703.0000
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703.703.0000

Rainbow Gardens
Remodeling and Garden Modification
4125 W. Charleston, Las Vegas, NV
SHEET TITLE
Site Plan

DATE: 09/29/2010
JOB #
SCALE
DRAWN
DESIGNED
CHECKED
SHEET

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38

Rainbow Gardens Remodelling and Garden Modification

Period 162-06-510-023 11 024
4125 W Charleston, Las Vegas, NV

Planting Plan

DATE _____
JOB # _____
SCALE _____
DRAWN _____
DESIGNED _____
CHECKED _____
SHEET _____

LS1

SDR-39338

CITY OF LAS VEGAS

Linda Hartman-Maynard, Planner II

Planning & Development Department

731 South Fourth Street

Las Vegas, NV 89101

Voice – (702) 229-6899

Fax – (702) 385-7268

Email lhartman-maynard@lasvegasnevada.gov

Date:	11/23/10	To: Dwaine Anderson
Fax Number:	702-243-6177	Company: A&S Construction LLC
Voice Number:	702-241-7460	
CLV Project Number:	176461-C-10 and Block Wall application 176463-C-10	
Description:	Rainbow Gardens at 4125 W. Charleston Blvd	

I reviewed the above referenced project for Planning only. The following comments and/or corrections must be addressed to complete the plans review. Please submit a written response to each of the items listed below and three revised drawings, and submit all revisions thru the Building Departments Plans Tech. Please be advised that there may be additional comments from other plans examiners or agencies that could affect the project. Additionally, your response may trigger more comments from me or other plans examiners. Should you have any questions, please feel free to contact me.

Pursuant to Site Development Plan Review SDR-393382 and Title 19 requirements:

- 1. Pursuant to Title 19.12 Landscape, Wall and Buffer Standards;** Perimeter walls, end walls, return walls and common area walls shall be decorative and shall be installed by the developer. Acceptable decorative materials include, without limitation, stone, decorative block, slump, stone, and wrought iron, shall have a minimum of twenty percent contrasting material. **The submitted wall elevations must indicate finish and contrasting materials of 20% of the total wall. Please revise the wall elevations to be a minimum of twenty percent contrasting material, and indicate the decorative material for the cap.**
- 2. Per condition 1 of SDR-39338;** Recordation and execution of an agreement satisfactory to the City Attorney outlining the terms and conditions of shared parking between the owners of APNs 162-06-510-023, 024 and 028 shall be required prior to the issuance of any building permits. **Submit a copy of the recorded shared parking agreement.**
- 3. Per condition 9 of SDR-39338;** A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. **Please submit the required landscape plan for the site.**
- 4. Per condition 12 of SDR-39338;** Parking lot light standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not created fugitive lighting on adjacent properties. **Any additional lighting to be installed must be indicated on the submitted plans.**

City of Las Vegas
ADMINISTRATIVE ACTIONS

☐ Action: REVISED ELEVATIONS
Date: 10/28/10 Staff: S. Swanton
Notes: Revised elevations (Sheet A3) submitted to meet Condition
#10. Floor plans not needed, as the approval is unrelated
to the existing buildings and info on site plan is sufficient.
Plans date stamped 10/28/10.
Floor plan submitted 11/1/10 consistent with site plan. Satisfies
Condition #10 of SDR. 39338.

☐ Action: _____
Date: _____ Staff: _____
Notes: _____

☐ Action: _____
Date: _____ Staff: _____
Notes: _____

☐ Action: _____
Date: _____ Staff: _____
Notes: _____

Parking Analysis Rainbow Gardens

Area & Parking Calculations									
City of Las Vegas Title 19 - Zone C1									
	Area		Parking Factor		Spaces	Phase	Total		
Banquet Areas									
Banquet Room	4480 s.f.	Existing							
Offices, Halls, Toilets, Storage	2996 s.f.	Existing							
Walls and Structure	522 s.f.	Existing							
Patio Gardens	2000 s.f.	Existing Outdoor							
	9998 s.f.	Existing	100 s.f./space		100	Spaces			
Green House Dining Area	1545 s.f.	Existing							
Green House Planting and pathways	5655 s.f.	Existing							
Mechanical Room, and Structure	816 s.f.	Existing							
	8016 s.f.	Existing	100 s.f./space		81	Spaces			
Added Banquet Area									
Patio Gardens Gathering Area (near chapel)	2200 s.f.	Proposed							
Chapel Canopy (accessory element)	236 s.f.	Proposed							
	2436	Proposed	100 s.f./space		25	Added Spaces			
Banquet Total	20450 s.f.		Load on Gross area=		206	Spaces			
Front Garden (outdoor) spaces									
Front Garden (Yard) Landscaping	5834 s.f.	Proposed	-						
Total Front Garden Including Banquet	8270 s.f.	Proposed							
Total Provided Onsite = 31 regular +6 handicap = 37 spaces									
Offsite Neighboring Joint use Cross-Access Available 92 spaces									
Handicap Spaces Required 4 spaces									
Handicap Spaces Provided 5 spaces									
Site Area									
Parcel 023	0.73 acre	32000 s.f.							
Parcel 024	0.52 acre	23680 s.f.							
Site Area	1.25 acre	55680 s.f.							
Site coverage	37%								
Second Property									
Engineering Office (South Adjacent)	7000 s.f.		300 s.f./space		24	Spaces			
Parking Available Within 300 ft. 129									
Onsite Parking Existing 68									

SDR-39338

RECEIVED
SEP 29 2010

Steve Swanton

To: Carman Burney; Steve Gebeke
Cc: Steve Swanton
Subject: Revised plans received for SDR-39338 (10/21/10 PC)

(2nd rev 09/29/10)

I have received revised plans for SDR-39338. The revised plans have been processed as specified by the procedures established on May 29, 2007 and updated March 2010.

Steve Swanton, AICP
Senior Planner
Planning and Development Department
City of Las Vegas

♦ ♦ ♦

Voice: 702-229-4714
Fax: 702-384-1397
sswanton@lasvegasnevada.gov

APN: 162-06-510-028,
162-06-510-023 & 024

RECORDERS' USE

When recorded, return to:

Baughman & Turner, Inc.
1210 Hinson Street
Las Vegas, Nevada 89102

Inst #: 201101050003162
Fees: \$22.00
N/C Fee: \$25.00
01/05/2011 03:38:40 PM
Receipt #: 633644
Requestor:
BAUGHMAN & TURNER INC
Recorded By: ADF Pgs: 9
DEBBIE CONWAY
CLARK COUNTY RECORDER

JOINT ACCESS AGREEMENT

GRANT OF RECIPROCAL ACCESS AND PARKING

THIS AGREEMENT is made by Baughman & Turner, Inc. and Rainbow Gardens.

WHEREAS, BAUGHMAN & TURNER AND STEPHEN F. TURNER FAMILY TRUST, DBA, BAUGHMAN & TURNER, INC. is the owner in fee of the real property known as APN 162-06-510-028, legally described on Exhibit A (Lot 1).

WHEREAS, KELLY K. AND IWONA M. HULSEY, DBA, RAINBOW GARDENS is the owner in fee of the real property known as APN 162-06-510-023 & 024 legally described on Exhibit B (Lot 2).

WHEREAS, Baughman & Turner, Inc. hereto desires to grant reciprocal parking, and access to such parking, across Lot 1

BAUGHMAN & TURNER, INC. hereby grants and conveys to Rainbow Gardens access and parking to its tenants, business invitees, licensees and employees the non-exclusive right to use that portion of Lot 1 legally described in Exhibit A, attached hereto and incorporated herein as a part of this agreement in common with the tenants, business invitees, licenses and employees of the owner of Lot 2, for access and surface parking, together with the right of ingress and egress, thereto and therefrom, over and across that portion of Lot 1 which are parking and driveway areas as shown on Exhibit "C".

THEREFORE, IT IS AGREED AS FOLLOWS:

1. The owners of Lot 1 hereto agree not to construct or maintain, or permit to be constructed or maintained, any improvements on the portions of Lot 1 which would interfere with the parking easements granted herein without 90 day prior notice. The

restriction imposed herein does not apply to improvements, such as, surface paving, lighting towers, cement parking blocks or other improvements which are normal to parking lots.

2. Term: The rights and easements created by this agreement and instrument are pertinent to and for the benefit of Lot 2 described herein and shall continue and remain in full force and effect in perpetuity.

3. **Indemnity and Insurance:** To the fullest extent provided by law, Rainbow Gardens shall indemnify, defend protect, and hold the owners of Lot 1 and their respective successors and assigns, harmless from all liability whatsoever on account of any damage, injury, lien, claim, or demands related to the use by the indemnifying party and its occupants, invitees, and permittees of the Property, or as a result of the breach by the indemnifying party of its duties and obligations under this Agreement. The obligations to indemnify set forth above shall also include attorney's fees and court costs.

4. This Joint Access Agreement is not intended to replace the Licensing Agreement already in place, signed by both parties (See Exhibit "D"), but to memorialize this agreement.

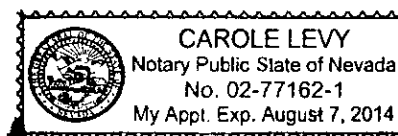
WITNESS our hands this 5th day of January, 2010.

Stephen F. Turner
Stephen F. Turner, Trustee

STATE OF NEVADA)
) ss
COUNTY OF CLARK)

On January 5, 201st~~0~~, personally appeared before me, a Notary Public, Stephen F. Turner, personally known (or proved) to me to be the person whose name is subscribed to the above instrument who acknowledged that they executed the above instrument.

Paule Levy
Notary Public



My Commission expires: August 7, 2014

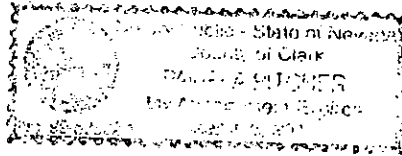
~~Kelly K. Hulsey~~

Iwona M. Hulsey

COUNTY OF CLARK)

On January 5, 2018, personally appeared before me, a Notary Public, Kelly K. Hulsey and Iwona M. Hulsey personally known (or proved) to me to be the person whose name is subscribed to the above instrument who acknowledged that they executed the above instrument.

Notary Public



My Commission expires: March 6, 2011

APN 162-06-510-028

Exhibit "A"

Legal Description

Parcel I:

The North 125 feet of Lot Three (3) in Block One (1) of HINSON HEIGHTS, as shown by map thereof on file in Book 2 of Plats, page 82, in the Office of the County Recorder, Clark County, Nevada.

Parcel II:

The South 25 feet of Lot Three (3) in Block One (1) of HINSON HEIGHTS, as shown by map thereof on file in Book 2 of Plats, page 82, in the Office of the County Recorder, Clark County, Nevada

APN 162-06-510-023 & 024

Exhibit "B"

Legal Description

Being the Westerly Fifty (50) feet of Lot Two (2), Block One (1) and Easterly Fifty (50) feet of Lot Fifteen (15), Block One (1), of Hinson Heights Subdivision, as shown by map thereof on file in Book 2 of Plats, Page 82, in the Office of the County Recorder of Clark County, Nevada.

And

The Easterly 74 feet of the Westerly 124 feet of Lot Two (2) in Block One (1) of HINSON HEIGHTS, as shown by map thereof on file in Book 2 of Plats, Page 82, in the Office of the County Recorder of Clark County, Nevada.

EXCEPTING THEREFROM the Southerly 25 feet as granted to Clark County for alley purposes.

TOGETHER WITH a right of way and easement with rights on ingress and egress, over and across the Westerly eight (8) feet of the Easterly 30 feet of the Northerly 192 feet of the Southerly 217 feet of Lot Two (2) in Block One (1) of HINSON HEIGHTS on file in Book 2 of Plats, Page 82, in the Office of the County Recorder of Clark County, Nevada.

Exhibit "C"

Charleston Boulevard

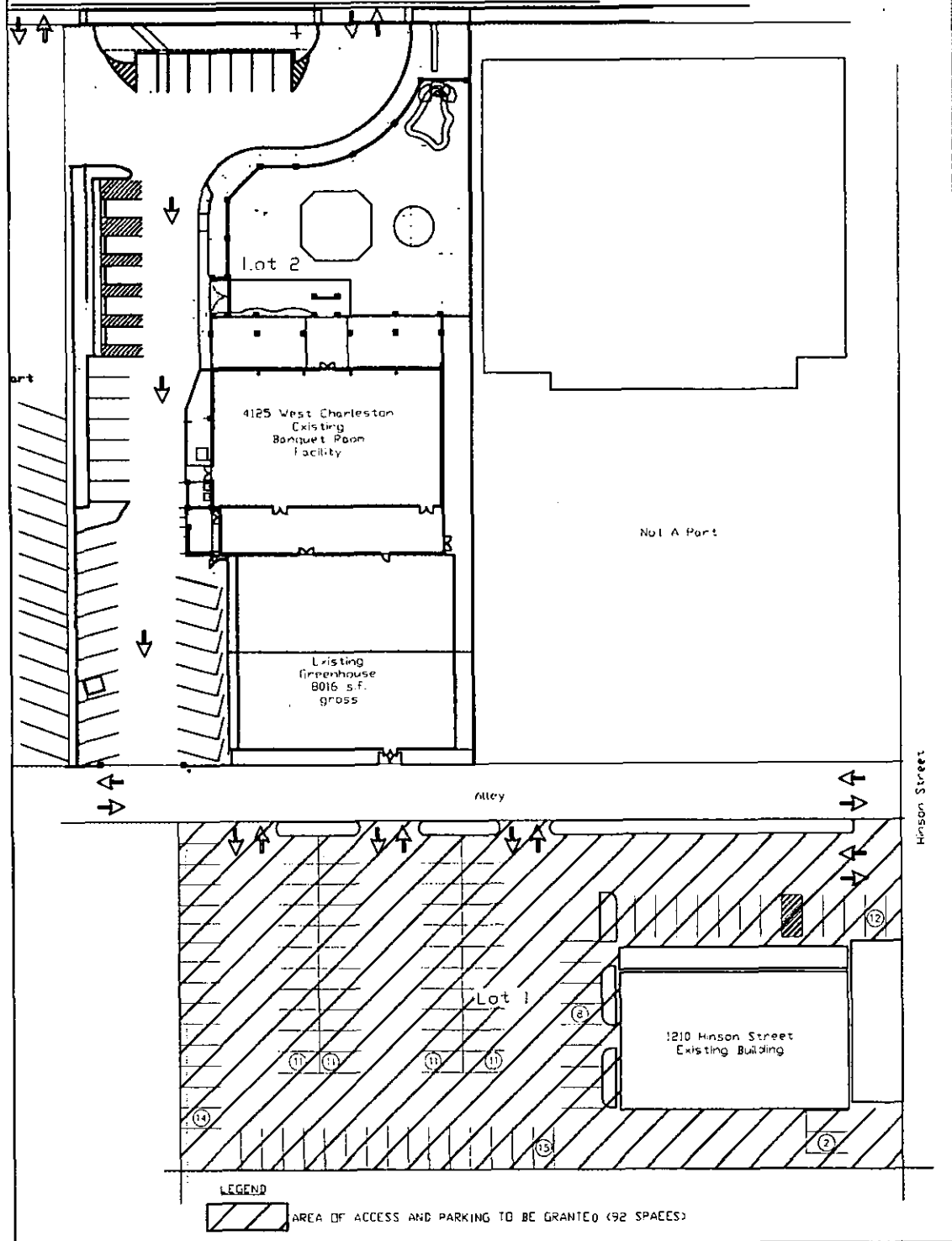


EXHIBIT 'D'

License Agreement

This License Agreement (the Agreement) is made on this _____ day of _____, 2010, by and between Baughman & Turner, Inc. (Owner) and Rainbow Gardens, Inc. (User).

- 1. License:** Owner agrees to permit User to use area shown in Exhibit "C" located at 1210 Hinson Street, Las Vegas, Nevada shown as APN 162-06-510-028 for the use of all unused parking spaces, with necessary vehicular ingress and egress, and User accepts the right to use premises in an as-is condition, upon and subject to terms and conditions hereinafter set forth. It is hereby agreed and understood that this agreement is a license to use premises and that no right or title is granted.
- 2. License Period:** The term of this Agreement shall be on going in five (5) year increments commencing on November 1, 2010 and will automatically renew after each term.
- 3. Termination:** Owner/User each reserve the right to terminate this Agreement with a 180 day prior written notice.
- 4. Annual Considerations:** The annual consideration will be Seventy Eight Hundred Dollars (\$7,800.00) per year to be paid in monthly installments of Six Hundred Fifty Dollars (\$650.00) payable on the 3rd day of the month.
- 5. Use of Premises:** User shall use and occupy Premises for parking for the business of Weddings and Wedding Receptions.
- 6. Improvements:** User accepts responsibility of all Improvements. User shall not make any alterations or improvements without prior written consent of Owner. Consent will not be unreasonably withheld.
- 7. Maintenance:** User shall keep and maintain the premises in good condition and repair in ordinance with and upon terms and conditions contained herein during the license period. User shall use its best effort to provide all precautions for safety and protection of persons and property and keep Premises free from waste.
- 8. Indemnification:** User shall indemnify and hold Owner and Premises harmless from any and all claims, demands, judgments, liabilities, losses, costs, expenses, and liens in connection with the Premises or arising from any accident, injury, damage, caused to any person or property as a result of Rainbow Gardens, Inc. using premises.
- 9. Assignments:** User shall not assign or transfer this Agreement, or mortgage, pledge, hypothecate or encumber the rights granted herein, nor shall this Agreement inure to the benefit of any trustee in bankruptcy, receiver of other successor of User, whether by operation of law or

otherwise, without such consent. Any attempt to assign or transfer this Agreement without Owner's consent shall be null and void and of no force and effect. Owner shall have the right to assign this Agreement and delegate all or any portion of its duties hereunder to any entity that is the purchaser of all or substantially all the assets of Owner or any division of Owner having primary responsibility hereunder, or to any entity that is the successor to Owner by merger, consolidation or otherwise, or that is an affiliate of Owner. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, successors and assigns.

- 10. Notices:** a) Any and all notices and demands by or from the Owner to the User, or by or from the User to the Owner, required or desired to be given hereunder shall be in writing and shall be validly given or made if served either personally or if deposited in the United States mail, certified or registered, postage prepaid, return receipt requested. If such notice or demand be served by registered or certified mail in the manner provided, service shall be conclusively deemed given two (2) days after mailing or upon receipt, whichever is sooner.

To Owner: Baughman & Turner, Inc.
 1210 Hinson Street
 Las Vegas, Nevada 89102

To User: Rainbow Gardens, Inc.
 4125 W. Charleston Boulevard
 Las Vegas, Nevada 89102

- b) Any part hereto may change its address for the purpose of receiving notices or demands as herein provided by a written notice given in the manner aforesaid to the other party hereto, which notice of change of address shall not become effective, however, until the actual receipt thereof by the other party.
- c) All notices hereunder shall be as specific as reasonably necessary to enable the party receiving the same to respond thereto.

11. Insurance: User shall, at its sole cost and expense, procure and maintain in full force and effect insurance in the following forms and types and in amounts not less than the specified below with an insurance carrier or carriers approved by Owner:

- i. Workman's Compensation
 Statutory Limits \$1,000,000.00 Combined

- ii. Automobile and Vehicle Liability
Single Limit \$1,000,000.00 Combined
- iii. Comprehensive General Liability
Single Limit \$2,000,000.00

Owner shall be named as an additional insured (and at Owner's option any other persons, firms or corporations designated by Owner shall be additionally named insured) under such insurance. Prior to the commencement of this Agreement, User shall furnish to Owner certificates, in form and substance satisfactory to Owner, issued by the insurance carrier or carriers for each policy of insurance to be maintained by Provider that the insurance coverage as specified above is and shall remain in force. Each certificate and policy of insurance shall contain an endorsement or provision requiring not less than thirty (30) days written notice to Owner prior to cancellation or change in the coverage of such policy. User shall indemnify and hold Owner harmless against any and all claims, demands, actions, damages, injuries, lawsuits, causes of actions and proceedings and all obligations and claims of every kind of nature whatsoever in common law or in equity, arising in connection with the use of the Premises, including any and all reasonable expenses and attorneys' fees incurred in connection therewith.

12. Entire Agreement: This agreement sets forth the entire understanding and agreement between the parties hereto and supersedes all previous communications, negotiations, and agreements, whether oral or written, with respect to the subject matter hereof. No addition to or modification of this Agreement shall be binding on either party unless reduced to writing and duly executed by or on behalf of the parties hereto. No representation or statement not expressly contained in this Agreement or in any written, properly executed amendment to this Agreement shall be binding upon Owner or User as a warranty or otherwise.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the 5th day of January, 2010.

USER:

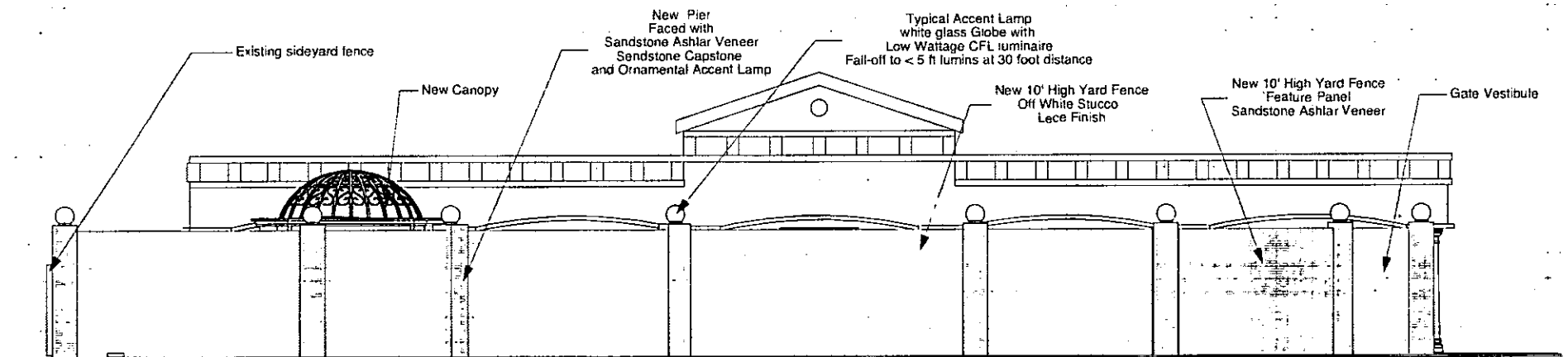
BY: Kelly Hulsey
KELLY HULSEY

ITS: Owner

OWNER:

BY: Stephen F. Turner
STEPHEN F. TURNER

ITS: Owner

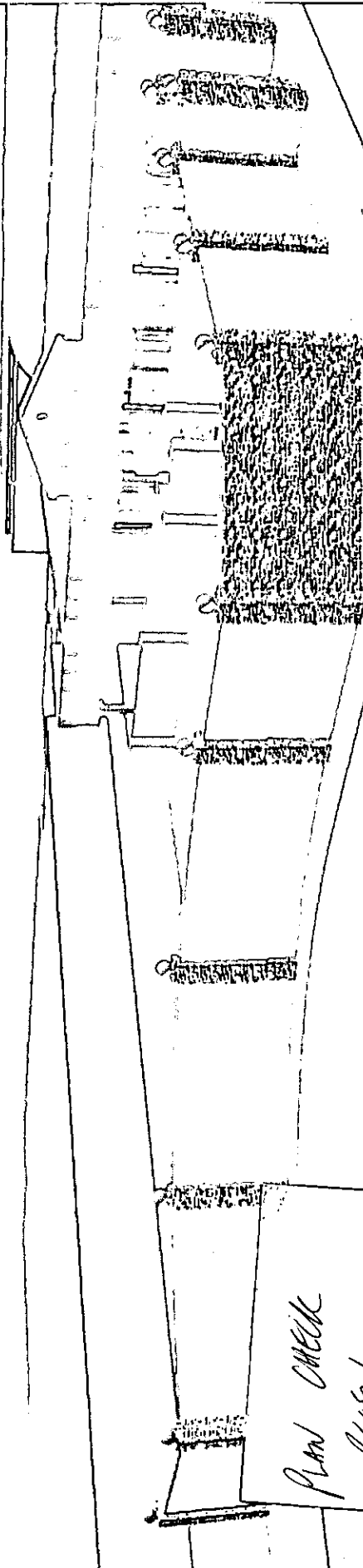


F1 North Fence Elevation

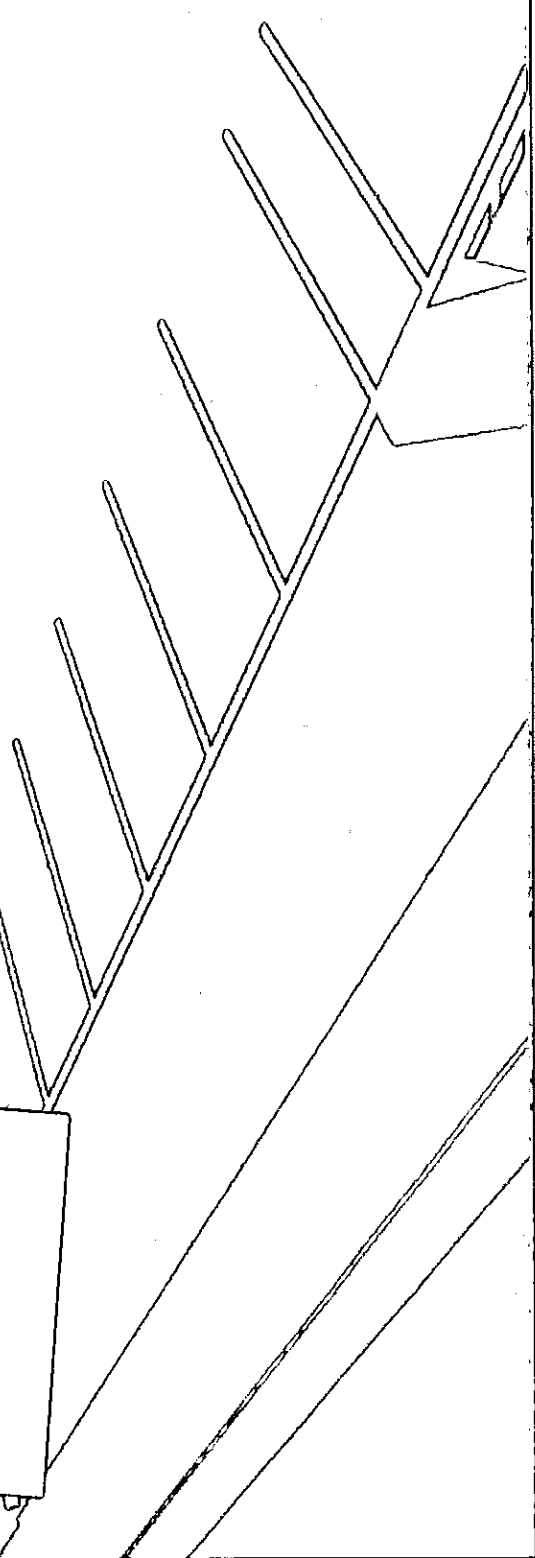
1/8" = 1'

RECEIVED
NOV 24 2010

RECEIVED
NOV-24-2010



PLAN CHECK
REVIEW
#38517





DEVELOPMENT SERVICES CENTER

731 S. Fourth Street
Las Vegas, NV 89101

Voice: 702-229-6301
Fax: 702-474-0352
TTY: 702-386-9108

www.lasvegasnevada.gov

October 14, 2010

CORRECTED LETTER

Mr. and Mrs. Kelly Hulsey
4125 West Charleston Boulevard
Las Vegas, Nevada 89102

RE: SDR-39338 – MINOR SITE DEVELOPMENT PLAN REVIEW ADMINISTRATIVE CYCLE - OCTOBER 2010

Dear Mr. and Mrs. Hulsey:

Your request for a Minor Site Development Plan Review FOR THE ADDITION OF 2,436 SQUARE FEET OF GARDEN BANQUET AREA TO AN EXISTING 18,014 SQUARE-FOOT BANQUET FACILITY AND WEDDING CHAPEL on 1.28 acres at 4125 West Charleston Boulevard (APNs 162-06-510-023 and 024), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian), has been considered administratively by the Planning and Development Department staff.

The Planning and Development Department staff has administratively **APPROVED** your request subject to:

Planning and Development

1. Recordation and execution of an agreement satisfactory to the City Attorney outlining the terms and conditions of shared parking between the owners of APNs 162-06-510-023, 024 and 028 shall be required prior to the issuance of any building permits.
2. Conformance to the approved conditions for Rezoning (Z-0030-80).
3. This approval shall be void two years from the date of final approval, unless a building permit for new construction has been issued. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan and landscape plan date stamped 09/29/10, and building elevations, date stamped 08/26/10, except as amended by conditions herein.
5. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 09/29/10. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

Mayor
Oscar B. Goodman

City Council
Gary Reese
(Mayor Pro Tem)

Steve Wolfson
Lois Tarkanian
Steven D. Ross
Ricki Y. Barlow
Stavros S. Anthony

City Manager
Elizabeth N. Fretwell



6. Prior to occupancy, 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 Building and Safety Department.
7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
8. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to approval of a final inspection.
9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
10. Revised elevations and floor plans shall be submitted to and approved by the Planning and Development Department, prior to or at the time application is made for a building permit, to remove canopies along the west elevation that are no longer a part of this approval.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Remove and replace all substandard sidewalk improvements adjacent to this site and replace with new sidewalk improvements meeting Current City Standards unless otherwise allowed by the City Engineer. The existing "pan" style driveways may remain.
16. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the ITS Communication Infrastructure Phase 1B project, the Oakley Meadows Storm Drain Phase 2 project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

This action by the Planning and Development Department staff on October 14, 2010 is final unless a written appeal is filed with the Director of Planning and Development Department within ten days of the date of this letter.

Sincerely,



Steve Gebeke
Planning Supervisor
Case Planning Division

SG:clb

cc: Mr. David Strait
101 West Brooks Avenue, Suite C
North Las Vegas, Nevada 89030

Carman Burney

From: Steve Swanton
Sent: Thursday, October 14, 2010 10:55 AM
To: Carman Burney
Cc: Steve Gebeke
Subject: SDR-39338 (Admin) Revised condition

Carman,

Please amend Condition #1 and #8 on this approval as shown below and send out a corrected letter. Thank you!

1. Recordation and execution of an agreement satisfactory to the City Attorney outlining the terms and conditions of shared parking between the owners of APNs 162-06-510-023, 024 and 028 shall be required prior to the issuance of any building permits.

8. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to approval of a final inspection.

Steve Swanton, AICP
Senior Planner
Planning and Development Department
City of Las Vegas

♦ ♦ ♦

Voice: 702-229-4714
Fax: 702-384-1397
sswanton@lasvegasnevada.gov



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October 13, 2010

Mr. and Mrs. Kelly Hulsey
4125 West Charleston Boulevard
Las Vegas, Nevada 89102

**RE: SDR-39338 – MINOR SITE DEVELOPMENT PLAN REVIEW
ADMINISTRATIVE CYCLE - OCTOBER 2010**

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3. This approval shall be void two years from the date of final approval, unless a building permit for new construction has been issued. An Extension of Time may be filed for consideration by the City of Las Vegas.
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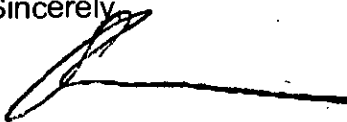
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17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

This action by the Planning and Development Department staff on October 13, 2010 is final unless a written appeal is filed with the Director of Planning and Development Department within ten days of the date of this letter.

Sincerely,



Steve Gebeke
Planning Supervisor
Case Planning Division

SG:clb

cc: Mr. David Strait
101 West Brooks Avenue, Suite C
North Las Vegas, Nevada 89030

City of Las Vegas

AGENDA MEMO

ADMINISTRATIVE MINOR REVIEW DATE: OCTOBER 2010

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: KELLY AND IWONA HULSEY

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
SDR-39338	Staff recommends APPROVAL, subject to conditions:	

**** CONDITIONS ****

SDR-39338 CONDITIONS

Planning and Development

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3. This approval shall be void two years from the date of final approval, unless a building permit for new construction has been issued. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All development shall be in conformance with the site plan and landscape plan date stamped 09/29/10, and building elevations, date stamped 08/26/10, except as amended by conditions herein.
5. Any changes based upon right-of-way, traffic or drainage studies or street improvements required by the city or public utilities shall not reduce the widths of perimeter landscape buffers, height of walls or quantities of plant materials from that on submitted landscape plans date stamped 09/29/10. Any changes based upon subsequently submitted studies must be accommodated elsewhere on the site.

Conditions Page Two**October 21, 2010 - Planning Commission Meeting**

6. Prior to occupancy, 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 Building and Safety Department.
7. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
8. The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits.
9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
10. Revised elevations and floor plans shall be submitted to and approved by the Planning and Development Department, prior to or at the time application is made for a building permit, to remove canopies along the west elevation that are no longer a part of this approval.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

15. Remove and replace all substandard sidewalk improvements adjacent to this site and replace with new sidewalk improvements meeting Current City Standards unless otherwise allowed by the City Engineer. The existing "pan" style driveways may remain.

Conditions Page Three
October 21, 2010 - Planning Commission Meeting

16. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the ITS Communication Infrastructure Phase 1B project, the Oakey Meadows Storm Drain Phase 2 project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
17. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The site, which is located at 4125 West Charleston Boulevard, consists of an existing 16,014 square-foot banquet facility and wedding chapel and two 1,000 square-foot outdoor patio covers. The building is situated near the south and east property lines, allowing for 68 parking spaces along the north and west sides of the site. The applicant proposes to remove a portion of the northern parking area to add an extensively landscaped garden banquet area with a water feature, picnic area and chapel canopy. The garden area will be surrounded by a proposed 10-foot tall wall with a 14-foot wide wrought iron gate. The site modifications will reduce the number of onsite parking spaces from 68 to 37, and will require recordation and execution of a shared parking agreement prior to issuance of any permits for site development in order to comply with Title 19.10 parking requirements. As the changes to the existing development do not alter the basic relationship of this development to adjacent property and are compatible with adjacent property, staff is approving this minor Site Development Plan Review with conditions.

ISSUES

- The site is parking impaired, pursuant to Title 19.10.010(C). Only the increased number of spaces generated by remodeling, alteration or expansion of the existing development is required. In this case, 25 additional spaces are needed in addition to the 31 spaces lost as a result of the proposed garden development. Without recordation of a shared parking agreement that will allow the minimum number of spaces needed to meet the requirements of the Banquet Facility use, a variance will be necessary to allow a reduction in the amount of required onsite parking.
- A mapping action to combine the portions of Lots 2 and 15 of Hinson Heights Subdivision that fall within parcel boundaries will be required as a condition of approval. The map must record prior to the issuance of permits for development of the site.
- A Rural Preservation Neighborhood boundary is located to the south of the alley abutting the south property line of the subject site.
- Building setbacks on the subject site are nonconforming, most recently approved at the time the greenhouse was constructed in 1980.

Staff Report Page Two
October 21, 2010 - Planning Commission Meeting

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/22/69	The Board of City Commissioners approved a Rezoning (Z-0062-69) from R-E (Residence Estates) to C-1 (Limited Commercial) for property generally located on the west side of Hinson Street between Del Rey Avenue and Charleston Boulevard (primarily 1210 Hinson Street), subject to a one-year Resolution of Intent. The Planning Commission and staff recommended approval.
08/19/70	The Board of City Commissioners approved an Extension of Time of a previously approved Rezoning (Z-0062-69) from R-E (Residence Estates) to C-1 (Limited Commercial) for property generally located on the west side of Hinson Street between Del Rey Avenue and Charleston Boulevard, subject to a six-month Resolution of Intent.
06/16/76	The Board of City Commissioners approved a Rezoning (Z-0033-76) from R-E (Residence Estates) and C-1 (Limited Commercial) to C-1 (Limited Commercial) on 1.28 acres at 4125 West Charleston Boulevard. The Planning Commission and staff recommended approval. The Resolution of Intent expired on 06/17/77.
05/21/80	The Board of City Commissioners approved a Rezoning (Z-0030-80) from R-E (Residence Estates) and C-1 (Limited Commercial) to C-1 (Limited Commercial) on 1.28 acres at 4125 West Charleston Boulevard. The Planning Commission and staff recommended approval.

<i>Most Recent Change of Ownership</i>	
02/04/10	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
c. 1958	The northernmost building on the site was constructed.
11/27/62	A building permit (#14127) was issued for a storage shed at 4125 West Charleston Boulevard. A final inspection was approved on 04/10/64.
09/01/64	A building permit (#27690) was issued for remodeling and enclosure of a storage shed at 4125 West Charleston Boulevard. A final inspection was approved on 02/05/65.
05/28/80	A building permit (#2803) was issued for an 8,016 square-foot greenhouse at 4125 West Charleston Boulevard. A final inspection was approved on 08/18/80.
08/08/80	A building permit (#4402) was issued for an addition to an existing nursery building at 4125 West Charleston Boulevard. Inspection information was not available.

Staff Report Page Three
 October 21, 2010 - Planning Commission Meeting

08/30/89	A building permit (#89037712) was issued for a 170 square-foot double-faced freestanding pole sign at 4125 West Charleston Boulevard. A final inspection was approved on 10/19/89.
09/11/89	A business license (B23-00005) was issued for a banquet facility at 4125 West Charleston Boulevard. The license is still active. Ownership and business name listed on the license were changed on 03/09/10.
05/11/92	A building permit (#92145077) was issued for fire damage repair at 4125 West Charleston Boulevard. A final inspection was completed on 06/10/92.
05/11/92	A building permit (#92145120) was issued for electrical repair due to fire at 4125 West Charleston Boulevard. A final inspection was completed on 06/10/92.
02/13/97	A building permit (#97003199) was issued for a city design, 112-foot long by six-foot tall block wall at 4125 West Charleston Boulevard. Several inspections were completed, but a final inspection was not approved.
03/11/97	A building permit (#97004872) was issued for a pond water feature at 4125 West Charleston Boulevard. An inspection was completed, but no final inspection was approved.
01/06/00	A building permit (#00000277) was issued for remodeling to the exterior façade at 4125 West Charleston Boulevard. A final inspection was completed on 03/15/00.
01/12/00	A building permit (#00000683) was issued for a tenant improvement buildout (electrical only) at 4125 West Charleston Boulevard. A final inspection was completed on 03/03/00.
05/10/10	A business license (W01-00122) was issued for a wedding chapel at 4125 West Charleston Boulevard. The license is still active.

Pre-Application Meeting	
08/10/10	A pre-application meeting was held, where submittal requirements for a wall variance, parking variance and Site Development Plan Review for addition of the garden area were discussed. Other issues included the following: • The proposed addition of attached canopies to the existing entrance area would trigger the need for sprinklers throughout the entire building. • A Variance will be required to allow the reduction in parking on the site. • A Variance to allow a 10-foot tall block wall within the front yard area will be required. • The existing legal lots over this site must be combined through a separate mapping action. • The applicant has a lease agreement with the owner of the parcel to the south for shared parking and trash facilities, but does not have a recorded document specifically addressing shared parking.

Staff Report Page Four
October 21, 2010 - Planning Commission Meeting

Neighborhood Meeting

A neighborhood meeting is not required, nor was one held.

Field Check

09/16/10	A field check was conducted on the site. The following items were noted: • The site contains a well maintained commercial building. • Landscaping is in good condition. • There are no trash facilities on the site.
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Details of Application Request**Site Area**

Net Acres	1.28
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Surrounding Property	Existing Land Use Per Title 19.04	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Banquet Facility/Wedding Chapel	SC (Service Commercial)	C-1 (Limited Commercial)
North	Private Club	SC (Service Commercial)	C-1 (Limited Commercial)
South	Office	SC (Service Commercial)	C-1 (Limited Commercial)
	Undeveloped	R (Rural Density Residential)	R-E (Residence Estates)
East	General Retail	SC (Service Commercial)	C-1 (Limited Commercial)
	General Retail	SC (Service Commercial)	R-E (Residence Estates)
West	Tavern	SC (Service Commercial)	C-1 (Limited Commercial)

Master Plan Areas

	Yes	No	Compliance
Master Plan Area		X	N/A

Staff Report Page Five
October 21, 2010 - Planning Commission Meeting

<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
A-O (Airport Overlay) District (175 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	55,680 SF	N/A
Min. Lot Width	100 Feet	174 Feet	Y
Min. Setbacks			
• Front	20 Feet	149 Feet	Y
• Side	10 Feet	8 Feet	N*
• Rear	20 Feet	6 Feet	N*
Min. Setbacks (Accessory Structures)			
• Front	20 Feet	68 Feet	Y
• Side	8 Feet	15 Feet	Y
• Rear	8 Feet	223 Feet	Y
Min. Distance Between Buildings	6 Feet	10 Feet	Y
Max. Lot Coverage	50 %	34 %	Y
Max. Building Height	N/A	16 Feet	Y
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened	By condition
Mech. Equipment	Screened	Screened	Y

*Existing setbacks are legally nonconforming pursuant to Building Permit #2803 (1980).

Pursuant to Title 19.08.060, the following Residential Adjacency Standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	51 Feet	40 Feet	N*
Adjacent development matching setback	10 Feet	8 Feet	N*
Trash Enclosure	50 Feet	54 Feet	Y

*Existing setbacks are legally nonconforming pursuant to Building Permit #2803 (1980).

Staff Report Page Six
October 21, 2010 - Planning Commission Meeting

Pursuant to Title 19.10 and Title 19.12, the following standards apply:

Landscaping (and Open Space) Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	4 Trees	4 Trees	Y
• South	1 Tree / 30 Linear Feet	4 Trees	0 Trees	N*
• East	1 Tree / 30 Linear Feet	10 Trees	6 Trees	N
• West	1 Tree / 30 Linear Feet	10 Trees	7 Trees	N*
TOTAL PERIMETER TREES		28 Trees	17 Trees	N*
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	10 Trees	7 Trees	N*
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	15 Feet		9 Feet	N*
• South	15 Feet		0 Feet	N*
• East	8 Feet		0 Feet	N*
• West	8 Feet		0 Feet	N*
Wall Height	6 to 8 Feet Adjacent to Residential		Not Indicated	Y

*Existing landscaping on the site is legally nonconforming.

Functional Classification of Street(s)	Governing Document	Street Width (Feet)	Compliance with Street Section
Charleston Boulevard – Primary Arterial	Master Plan of Streets and Highways	100	Y

Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Banquet Facility (existing)	18,014 SF (includes outdoor patio gardens)	1/100 SF GFA	68*		68		Y
Banquet Facility (proposed)	2,436 SF	1/100 SF GFA	+25		-31		N
TOTAL SPACES REQUIRED			93		37		N
Regular and Handicap Spaces Required			89	4	32	5	N
Percent Deviation			60%				

*The subject site is parking impaired per Title 19.10.010.

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October 21, 2010 - Planning Commission Meeting

ANALYSIS

The Title 19.04 and 19.20 definition of "Banquet Facility" includes outdoor garden or reception facilities. The proposed garden area covers 8,270 square feet, according to the site plan. Approximately 2,436 square feet of this area is usable for outdoor banquet space; this area includes a proposed picnic area, sunshade canopy and open area within a walking loop path. The remainder of the space consists of trees, shrubs and a water feature. Thirty-one parking spaces would be lost as a result of the site improvements. The site plan indicates that no additional indoor banquet facility space would be added to the existing facilities.

The garden area is proposed to be enclosed by a maximum 10-foot tall solid stucco/stone wall for privacy and sound mitigation from nearby traffic. Solid walls above five feet are allowed by Title 19 if located behind the required front yard setback line, which in this case is 20 feet behind the front property line. An eight-foot tall, 14-foot wide wrought iron gate is proposed along the west side of the wall to allow vehicular access to the garden banquet area. An existing six-foot block wall is located along the east perimeter and will not be altered by this request. Landscaping will be added along the front of the wall for further buffering and aesthetics.

The site as it currently exists is parking impaired and contains 68 parking spaces. The loss of 31 spaces due to the placement of the garden area, coupled with the 25 additional spaces needed to satisfy the parking requirements for the additional garden banquet area per Title 19.04, brings the total parking deficit to 56 spaces. The applicant has indicated that the owner of the property to the south on Assessor's Parcel Number 162-06-510-028 will allow the applicant to use the existing parking facilities on this offsite parcel to compensate for the parking deficiency on the subject site. The two owners have been operating under a gentleman's agreement to share access and parking for many years; however, Title 19.10 requires recordation of a shared parking agreement satisfactory to the City Attorney between the owners of the onsite and offsite parking facilities in order to allow the offsite parking facilities to be counted toward the requirements of the onsite use. APN 162-06-510-028 currently contains 95 spaces; the proposed plan indicates that restriping of the lot will reduce this number to 92 spaces. The existing use on this lot is a 7,000 square-foot office, which requires 24 spaces per Title 19.04. All of the conditions necessary for offsite parking eligibility can be satisfied. Recordation of the shared parking agreement will be a condition of approval of this Minor Site Development Plan Review, and will be required prior to the issuance of any building permits on the subject site. This condition eliminates the need for a variance for the reduction of required onsite parking.

Currently, the site does not include a trash enclosure. Given the type of use, trash facilities are required and must be located on site. A new trash enclosure is proposed along the west side of the parking area that meets the required 50-foot minimum distance separation from a parcel zoned for residential use. The site plan does not indicate whether the enclosure contains a gate, a roof or trellis as required by Title 19.08. A standard condition of approval requires adherence to all city code requirements, including those requirements for trash enclosure design and location.

Staff Report Page Eight
October 21, 2010 - Planning Commission Meeting

The existing building is bisected by an existing lot line from the original residential subdivision map covering this neighborhood. A condition of approval will require remapping action such that the lot area within APNs 162-06-510-023 and 024 is combined and coterminous with the existing parcel boundaries covering this site. The map is to be recorded prior to the issuance of any building permits on the subject site.

FINDINGS (SDR-39338)

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed garden banquet area will not create any negative effect on the surrounding properties. This area will be screened from Charleston Boulevard and the adjacent retail development by existing and proposed solid walls.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development will be consistent with Title 19 standards with recordation and execution of a shared parking agreement between the owners of this property and the property to the south. The site is legally nonconforming with respect to building setbacks and landscaping.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Access to the site is from two existing driveways from Charleston Boulevard and a 20-foot rear alley. The alley access is restricted during non-business hours. The Department of Public Works recommends that a joint access agreement for this site and the site adjacent to the west be recorded for the shared western driveway. The applicant has revised the design of this driveway to reduce off-street traffic conflicts. With the new design, circulation will not negatively impact neighborhood traffic.

- 4. Building and landscape materials are appropriate for the area and for the City;**

Building materials include stone and stucco, which are appropriate for this development. Landscape materials are sufficient in type and quantity to meet Title 19 requirements in the proposed area and maintain landscaping in previously approved areas of the site.

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October 21, 2010 - Planning Commission Meeting

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The wall elevations provide an aesthetically appealing screen from noise and activity off-site and are compatible with nearby retail development.

6. **Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The proposed development will be subject to building permit review and inspection, thereby safeguarding the public health, safety and general welfare.

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT



DEVELOPMENT SERVICES CENTER

731 S. Fourth Street
Las Vegas, NV 89101

Voice: 702-229-6301
Fax: 702-474-0352
TTY: 702-386-9108

www.lasvegasnevada.gov

September 30, 2010

Mr. and Mrs. Kelly Hulsey
4125 West Charleston Boulevard
Las Vegas, Nevada 89102

**RE: SDR-39338 – MINOR SITE DEVELOPMENT PLAN REVIEW
ADMINISTRATIVE CYCLE - OCTOBER 2010**

Dear Mr. and Mrs. Hulsey:

Your request for a Minor Site Development Plan Review FOR THE ADDITION OF 2,436 SQUARE FEET OF GARDEN BANQUET AREA TO AN EXISTING 18,014 SQUARE-FOOT BANQUET FACILITY AND WEDDING CHAPEL on 1.28 acres at 4125 West Charleston Boulevard (APNs 162-06-510-023 and 024), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian), will be considered administratively by the Planning and Development Department staff.

Staff will determine within thirty (30) days of the date of this letter whether or not your request will be approved as submitted. We will notify you in writing as to our determination after we have reviewed the details of the request.

If you have any questions or need additional information please do not hesitate to contact me at (702) 229-6301.

Sincerely,

Steve Gebeke
Planning Supervisor
Case Planning Division

SG:clb

cc: Mr. David Strait
101 West Brooks Avenue, Suite C
North Las Vegas, Nevada 89030

Mayor
Oscar B. Goodman

City Council
Gary Reese
(Mayor Pro Tem)
Steve Wolfson
Lois Tarkanian
Steven D. Rass
Ricki Y. Barlow
Stavros S. Anthony

City Manager
Elizabeth N. Fretwell



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 *BA*
CC: Nancy Almanzan, Right-of-Way; Tom Hayes, Land Development; O. C. White, Traffic Engineering; Alan Riecki, Survey (FM, PM, & A's only)
Date: September 24, 2010
Re: **SDR-39338** Kelly & Iwona Hulse 4125 W. Charleston Blvd.
Request for a Site Development Plan Review for a proposed remodel to an existing wedding chapel and banquet facility

COMMENTS:

We note that this action may require some type of mapping. We recommend that the Planning Department impose the condition that "The applicant shall coordinate with the City Surveyor and other city staff to determine the most appropriate mapping action necessary to consolidate the existing lots. The mapping action shall be completed and recorded prior to the issuance of any building permits."

CONDITIONS OF APPROVAL:

1. Remove and replace all substandard sidewalk improvements adjacent to this site and replace with new sidewalk improvements meeting Current City Standards unless otherwise allowed by the City Engineer. The existing "pan" style driveways may remain.
2. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the ITS Communication Infrastructure Phase 1B project, the Oakey Meadows Storm Drain Phase 2 project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.
3. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing final grade elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

REQUEST FOR COMMENT

FROM: PLANNING AND DEVELOPMENT

SDR-39338

HAND DELIVERED

*DEVELOPMENT COORDINATION (DPW)	ROGER BAILEY	DSC
FIRE ENGINEERING	OZZIE MIRKHAH	DSC
*FLOOD CONTROL (DPW)	ALBERT SUNG	DSC
*LAND DEVELOPMENT (DPW)	DAVID GUERRA	DSC
PERMITS/ INSPECTIONS	ROD CLARK	DSC
*RIGHT-OF-WAY (DPW)	MARY WULFF	DSC
*SANITARY SEWERS (DPW)	JOE PEÑA	DSC
*TRAFFIC ENGINEERING (DPW)	RICK SCHROEDER	DSC

SENT VIA COURIER/ US MAIL OR INTER-OFFICE MAIL

<CCSD>	LINDA PERRI	4190 McLeod Drive, 2 nd Floor
METRO	BRIAN O'CALLAGHAN	7 th FLOOR CITY HALL
OFFICE OF BUSINESS DEVELOPMENT	TOM BURKART	2 nd FLOOR CITY HALL EXPANSION
NEIGHBORHOOD SERVICES	ANNE KILPONEN	2 nd FLOOR CITY HALL
*TEFO (DPW)	REBECCA WHITLOCK	2900 RONEMUS
*STREETS & SANITATION (DPW)	JERRY WALKER	2875 RONEMUS
*PARKS & OPEN SPACES (DPW)	JOHN BLACK	2875 RONEMUS
*SID (DPW)	PATRICK MURPHY	420 N. FOURTH STREET
*SURVEY (DPW)	ALAN RIEKKI	WEST YARD
<EMBARQ> (SDPR only)	SANDRA HOLLEY	330 VALLEY VIEW BOULEVARD
LAS VEGAS VALLEY WATER DISTRICT (NO PLANS)	HEIDI DEXHEIMER ENGINEERING DESIGN DIVISION	100 CITY PARKWAY, SUITE #700 (HAND DELIVERY ADDRESS ONLY)
CLARK COUNTY (IT) (NO PLANS)	SHARON RICE (INFORMATION TECHNOLOGY DEPT)	500 GRAND CENTRAL PARKWAY, 4 th Floor
NELLIS AFB (NO PLANS)	DEBORAH MACNEILL	4430 Grissom Avenue, Building 11, Suite 103D

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

SDPR
08/27/2010

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

SDR-39338 - SITE DEVELOPMENT REVIEW PLAN RELATED TO VAR-39335 AND VAR-39337 -
PUBLIC HEARING - APPLICANT/OWNER: KELLY AND IWONA HULSEY - Request for a Site
Development Plan Review FOR AN EXISTING 15,776 SQUARE-FOOT WEDDING CHAPEL AND BANQUET
FACILITY on 1.25 acres at 4125 West Charleston Boulevard (APNs 162-06-510-023 and 024), C-2 (General
Commercial) Zone, Ward 1 (Tarkanian).

PLANNING COMMISSION: *OCTOBER 21, 2010*
CITY COUNCIL: *NOVEMBER 17, 2010*

PLANNING SUPERVISOR: *STEVE GEBEKE*

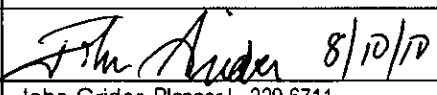


PUBLIC HEARING

Comments Due: *SEPTEMBER 21, 2010*

*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:

Pre-Application Conference Item Required <table style="width: 100%;"> <tr> <td style="width: 50%; text-align: center;">YES</td> <td style="width: 50%; text-align: center;">NO</td> </tr> </table>		YES	NO	CITY OF LAS VEGAS Planning & Development Department SUBMITTAL CHECKLIST			
YES	NO						
APPLICATION PACKET							
		☒ ☐ Application signed and notarized by all property owners or authorized agent(s)		NOTES: Visit the CLV website for blank application, SOFI & DINA forms @ http://www.lasvegasnevada.gov/ (Follow - "I Want To . . ." -> "Apply for -> Planning Applications")			
		☒ ☐ Grant deed and legal description					
		☒ ☐ Detailed justification letter					
		☒ ☐ Original meeting notes and checklist(s) signed by planner					
		☒ ☐ Correct fee(s): \$ 500.00 (Application) + \$ 500.00 (Notification) + \$ 30.00 (Recordation) = \$ 1030.00 Total					
		☒ ☐ Statement of Financial Interest (SOFI) signed and notarized by all property owners or authorized agent(s)					
		☐ ☒ Development Impact Notice and Assessment (DINA)					
		☐ ☒ Project of Regional Significance (PRS)					
		☒ ☐ Color & Materials Board per Site Development Plan Review Submittal Requirements					
		☒ ☐ Copy of Business Licenses: (Owner: ☐ Applicant: ☒ Representative: ☐)					
ALL SUBMITTED PLANS AND ELEVATIONS MUST BE LEGIBLE AND DRAWN TO SCALE (UNLESS OTHERWISE INDICATED)							
SITE PLAN							
		☒ ☐ 11" x 17" min. to 24" x 36" max. page size		Folded Plans: 6			
		☒ ☐ North arrow, scale, and vicinity map		Colored, Rolled Plans: 1			
		☒ ☐ All property lines and present dimensions labeled		Reduced Copy (8-1/2x11 BW): 1			
		☒ ☐ All building setbacks labeled		NOTES:			
		☒ ☐ All adjacent existing land uses and street names labeled					
		☒ ☐ All points of ingress and egress shown					
		☒ ☐ ADA accessibility requirements shown/labeled					
		☒ ☐ Parking standard(s) utilized:					
		☒ ☐ Parking space count and typical dimensions labeled # regular + [30% or less of total] # compact + # handicap = Total					
		☒ ☐ All free-standing sign locations shown and heights and sizes noted					
LANDSCAPE PLAN							
		☒ ☐ 11" x 17" min. to 24" x 36" max. page size		Folded Plans: 1			
		☒ ☐ North arrow, scale, and vicinity map		Colored, Rolled Plans: 1			
		☒ ☐ All property lines and present dimensions labeled		Reduced Copy (8-1/2x11 BW): 1			
		☒ ☐ All required perimeter landscape planters shown		NOTES:			
		☒ ☐ All required parking lot fingers/islands shown					
		☒ ☐ Quantity, size, species/variety of all trees, shrubs, and ground cover					
BUILDING ELEVATIONS							
		☒ ☐ 11" x 17" min. to 24" x 36" max. page size		Folded Plans: 1			
		☒ ☐ Scale and building dimensions labeled		Colored, Rolled Plans: 1			
		☒ ☐ North, south, east, and west elevations of all buildings		Reduced Copy (8-1/2x11 BW): 1			
		☒ ☐ All building materials and colors noted		NOTES:			
		☒ ☐ 8" x 10" photo of original color and material board					
		☐ ☒ All wall sign locations shown and sizes noted					
FLOOR PLANS							
		☒ ☐ 11" x 17" min. to 24" x 36" max. page size		Folded Plans: 1			
		☒ ☐ Scale and building dimensions labeled		Rolled Plans: 1			
		☒ ☐ All building entrances/exits shown		Reduced Copy (8-1/2x11 BW): 1			
		☒ ☐ Use of all rooms noted/labeled		NOTES:			
		☒ ☐ Maximum Occupancy (per I.B.C.)					
		☒ ☐ Seating Capacity (where applicable)					
THIS FORM MUST ACCOMPANY THE APPLICATION SUBMITTAL and is valid for no more than 60 days after the Pre-App date.							
Owner / Applicant: Kelly K. & Iwona M. Hulsey/Rainbow Gardens		Application Type: Site Development Plan Review					
Representative: David Strait/D.W. Strait Architecture & Planning		Application Purpose: Banquet Facility and Wedding Chapel					
APN: 162-06-510-023 & 024		Site Location: 4125 West Charleston Boulevard					
Planner's Signature:  8/10/10		Pre-App. Meeting Date: 08/10/10					
Planner: John Grider, Planner I - 229-6711		Submittal Deadline: 09/07/10 - no later than 2:00 pm					
		Earliest PC / CC Meeting Dates: 10/21/10 PC - 11/17/10 CC - Cycle 8					



- ☒ **Meeting**
☐ **Conversation Record**
☐ **Telephone**

Page: 1 of 1
Date: 08/10/10
Time: 9:00 a.m.

Project Name: Rainbow Gardens

Conversation between CLV P&D Representative: John Grider, Planner I (229-6711 Office / 385-7268 Fax / jgrider@lasvegasnevada.gov), and:

Name	Company/Department	Phone	Fax	Email
1. John Grider	Planning & Development	229-6711		
2. Yorgo Kagafas	Planning & Development	229-6196		
3. David Strait	D.W. Strait Architecture & Planning	657-0684		
4. Kevin				
5.				
6.	CLV - Finance (Business License)	229-6321	383-0769	
7. Lucien Poet	CLV - PW - Dev Co	229-6578	474-7599	
8.	CLV - PW - Traffic	229-6901 / 6880		
9.	CLV - PW - Flood	229-6541	382-8551	
10.	CLV - Building and Safety	229-6251	382-1731	
11. Ozzie M.	CLV - Fire and Rescue	229-0366	229-0124	
12.	CLV - Office of Business Development	229-6551	385-3128	

OR: ☐ see Meeting Attendance Sheet

Is this project intended to meet the City of Las Vegas Green Building Rebate Program? ☐ YES ☒ NO
If yes, please address how in the justification letter. Refer to <http://www.lasvegasnevada.gov/sustaininglasvegas> for more information on rebates and incentives offered by the City of Las Vegas.

The following Special Area/Master Plan(s)/Overlay District(s) apply to the project site: Airport Overlay (175 feet)

Meeting Notes:

1. Non-owner applicants must be a lessee, contract purchaser or optionee of the property. This is consistent with the requirements of Title 19.18 Applications and Procedures. Architectural, engineering and legal firms (among others) that do not fall within these categories may act as the representative only, not as the applicant.
2. All drawings shall be to scale.
3. A Variance is required for the 10-foot tall CMU wall, where 8 feet is the maximum allowed.
4. Proof of shared parking and shared trash receptacles in the form of a legal recorded document is required in addition to the lease agreement.
5. The indicated ADA access does not comply present ADA requirements.
6. A Variance is required to allow 32 spaces where 122 spaces are required.
7. C-1 is the current zoning of the subject parcels.
8. The Development standards for the City of Las Vegas are found in Title 19.
9. Provide 8, 24-inch box trees and four 5-gallon shrubs per each required tree in the landscape buffer along Charleston Boulevard.
10. Remapping is required to combine the lots.
11. Revise the Justification letter to request the Variance for wall height and the Variance for parking. Also to request an Exception if no trees are to be added to the landscape buffer along Charleston Boulevard.
12. New Elevation on side, may trigger issues with Fire Code.
13. Width on ADA access.
14. Wheel Stops Reg.

Should this project require a neighborhood meeting or if you choose to have one, please be aware of the following:

In order to use the City to mail the postcard notices for your neighborhood meeting, you must have all information to us no later than 15 days prior to the intended meeting date. Submitting the required information for the neighborhood meeting when making your application submittal is often best. Therefore, if you want the City to mail the notices for your neighborhood meeting, please ensure that we get all required information and that the request is made at least 15 days before you are scheduling the meeting, otherwise you must make other arrangements for getting the notices mailed.

-- Please return a copy of this form with the original Pre-Application Submittal Checklist --

Complete Submittal Packets **MUST be received by Planning staff no later than **2:00 PM** of the Submittal Deadline Date, no exceptions**

YKS

Report Date 09/07/2010 08:57 AM

Submitted By

Page 1

A/P # 39338 SITE DEVELOPMENT PLAN REVIEW

Application Information

Stages

	Date / Time	By		Date / Time	By
Processed	06/26/2010 13:20	963052	Temp COO		
Approved			COO Issued		
Final			Expires		

Associated Information

Type of Work	Z-ADMNADMINISTRATIVE APPLICATION	# 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

SDR-39336 - SITE DEVELOPMENT REVIEW PLAN RELATED TO VAR-39335 AND VAR-39337 - PUBLIC HEARING - APPLICANT/DOWNER: KELLY AND IWONA HULSEY - Request for a SITE DEVELOPMENT REVIEW PLAN FOR AN EXISTING 15,776 SQUARE FOOT WEDDING AND BANQUET FACILITY on 1.25 acres at 4125 West Charleston Boulevard (APN 162-06-510-023 & 024), C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

Parent A/P # 39335
Project # 39338 Project/Phase Name RAINBOW GARDENS Phase #
Size/Area 1.25 ACRE Size Description Subdivision Code
Proposed Start Proposed Stop % Completed 0.00
% Complete Formula

Property/Site Information

Parcel 16206510024

Location

Owner/Tenant

Contact ID AC1746305 Name HULSEY KELLY K & IWONA M
Mailing Address 4125 W CHARLESTON BLVD Organization
City LAS VEGAS State/Province NV
ZIP/PC 89102-1624 Country ☐ Foreign
Day Phone (702)678-4646 x Evening Phone
Fax (702)258-1135 Mobile #

A/P Linked Addresses

No Addresses are linked to this Application

Linked Addresses

4125 W CHARLESTON BLVD
LAS VEGAS, 89102-

A/P Addressee

No Other Addresses are associated to this Application

Linked Parcels

No Parcels are linked to this Application

A/P Linked Parcels

16206510023
16206510024

Report Date 09/07/2010 08:57 AM

Submitted By

Page 2

Applicants/Contacts

Primary N Capacity OWNER Contact ID AC1746305 ☐ Foreign
Effective Expire
Name HULSEY KELLY K & IWONA M
Day Phone (702)878-4646 x Eve Phone Organization
Pager PIN # Position
Fax (702)258-1135 Mobile Profession
E-Mail
Address 4125 W CHARLESTON BLVD
LAS VEGAS, NV 89102-1624
Seasonal Addr

Valid From To
Comments kelly hulsey - 878-4646

Primary Y Capacity OTHER Other REP Contact ID AC1812324 ☐ Foreign
Effective Expire
Name DAVID STRAIT
Day Phone (702)657-0684 x Eve Phone Organization
Pager PIN # Position
Fax (702)657-0936 Mobile Profession
E-Mail
Address 101 W BROOKS
NORTH LAS VEGAS, NV 89030
Seasonal Addr

Valid From To
Comments david strait - 657.0684

Contractors

No Contractors

Fees	Status	Paid Date	Amount
NOTIFICATION & ADVERTISING FEE	P	08/26/2010 13:23	500.00
RECORDING OF NOTICE OF ZONING ACTION	P	08/26/2010 13:23	30.00
PROCESSING FEE	P	08/26/2010 13:23	500.00
Total Unpaid	0.00	Total Paid	1030.00

Inspections

There are no Inspections for this Report

Review/Activities Review # Comments	Review Type	#	Status	Waived	Issued	Started	Completed	Comp By
---	-------------	---	--------	--------	--------	---------	-----------	---------

Activity/Review Details

Detail SUBMITTAL CHECKLIST (SDR) Modified By FSOLIS Modified Date/Time 08/26/2010 13:20
Comments
No Comments

Report Date 09/07/2010 08:57 AM

Submitted By

Page 3

SUBMITTAL CHECKLIST

Indicate if item is being submitted

Y Pre-Application Conference Checklist	Y Site Plans (6 Folded Blue Lines, 1 Rolled Color)
Y Application/Petition Form	Y Landscape Plan (1 Folded, 1 Rolled Color)
Y Deed and Legal Description	Y Building Elevations (1 Folded, 1 Rolled Color)
Y Justification Letter	Y Floor Plan (1 Folded, 1 Rolled)
Y Color and Material Board	Y Laser Print Site Plan
N DINA (Not Always Required)	Y Laser Print Floor Plan
Y Statement of Financial Interest	Y Laser Print Elevation
Y Business Licensing Requirements Met	
N Business License Exempt	

Check Conditions
Condition
Supervisor Required

Approval

Approved By
Comments

Approved Date

Applied By

Applied Date

Assigned

Z-LEGAL
N

983052

08/26/2010 13:20

Project# A/P Type Status Stage Relation

No children exist for this project

Planning Condition Description Effective Expire Comments

There is no planning condition for this project.

SITE PLAN REVIEW

N DINA Required? N Project of Regional Significance?

Y Parent Project link required?

N Will this go to the City Council?

Is there a condition of approval for a Required Review?

Hearing Type

Public, Non-Public, AdminPUBLC

If yes, when does it need to be reviewed?

Staff Recommendation

Meeting Information

Meeting Info
Meeting Date
Comments
Added By

Meeting Type

Add Date

Meeting Status

Modified By

Modified Date

YES Votes

NO Votes

ABSTENTIONS

10/21/2010

PC

SCHEDULED

0

0

0

FSOLIS

08/26/2010

Report Date 09/07/2010 08:57 AM

Submitted By

Page 4

Meeting Info Meeting Date Comments Added By	Meeting Type Add Date	Meeting Status Modified By	Modified Date	YES Votes	NO Votes	ABSTENTIONS
--	--------------------------	-------------------------------	---------------	-----------	----------	-------------

Template Type	AP #	AP 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	CO NAME WHO PICKED UP CONTACT#	970040	08/26/2010 13:25		0.00
	KELLY HULSEY, RAINBOW GARDENS CK 12932, 702.878.4646 (39335, 337-338)				

No Model Home Details



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-39338** APN: 162-06-510-023 and 024

Name of Property Owner: Kelly Hulsey and Iwona M Hulsey

Name of Applicant: Kelly Hulsey

Name of Representative: David Strait (Architect 2841)

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: *Kelly Hulsey*

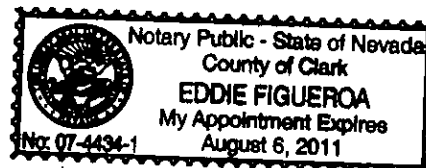
STATE OF NEVADA
COUNTY OF CLARK

Print Name: Kelly Hulsey

Subscribed and sworn before me

This 16th day of August, 2010

Eddie Figueroa
Notary Public in and for said County and State



RECEIVED
AUG 26 2010
City of Las Vegas

PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION / PETITION FORM

Application/Petition For: Variance ~~Parking~~ ^{SITE DESIGN REVIEW} 38 spaces where 88 are required
 Project Address (Location) 4125 W. Charleston, Las Vegas
 Project Name Rainbow Gardens Site Renovation & Sunshade Proposed Use Banquet
 Assessor's Parcel #(s) 162-06-510-023 and 162-06-510-024 Ward #
 General Plan: existing proposed Zoning: existing C2 proposed C2
 Commercial Square Footage 15776 s.f. Floor Area Ratio 27%
 Gross Acres 1.25 Lots/Units Density
 Additional Information

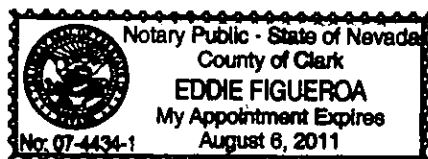
PROPERTY OWNER Kelly and Iwona Hulsey Contact Kelly Hulsey
 Address 4125 W. Charleston Phone: (702) 878-4646 Fax: (702) 258-1135
 City Las Vegas State NV Zip 89102
 E-mail Address

APPLICANT Kelly and Iwona Hulsey Contact Kelly Hulsey
 Address 4125 W. Charleston Phone: (702) 878-4646 Fax: (702) 258-1135
 City Las Vegas State NV Zip 89102
 E-mail Address

REPRESENTATIVE David Strait (Architect) Contact David Strait
 Address 101 W Brooks Ave #C Phone: (702) 657-0684 Fax: (702) 657-0936
 City North Las Vegas State NV Zip 89030
 E-mail Address dave@dwstrait.mpowermail.com

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 Kelly Hulsey
 Subscribed and sworn before me
 This 26th day of AUGUST, 2010
[Signature]
 Notary Public in and for said County and State

Revised 10/27/08



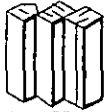
FOR DEPARTMENT USE ONLY

Case #	<u>SDR-3933D</u>
Meeting Date:	<u>10-21-10</u>
Total Fee:	<u>1030</u>
Date Received:*	<u>8-26-10</u>
Received By:	<u>FS</u>

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

RECEIVED
 f:\depot\Application Packet\Application Form.pdf
 AUG 26 2010

City of Las Vegas



D. W. STRAIT Architecture & Planning

101. W. Brooks Ave. Suite C • N. Las Vegas • Nevada 89030
Tel (702) 657-0684 • Fax (702) 657-0936 • Email: dave@dwstrait.mpowermail.com

Date: September 29, 2010
To: City of Las Vegas Planning Commission and Staff

Subject: **SDR-39338, Jusification Letter (Revised)**
Request for Site Development Design Review and
Withdrawal of Request for Variances
Rainbow Gardens Parcel 162-06-510-023 & 024

Request

We request a design review of our proposal to convert a portion of existing parking to landscaped garden to support wedding ceremonies and associated banquet operations. We propose to build a new façade at our southwest entrance door as and aesthetic improvement. We also propose to build a sunshade canopy in our new north garden to serve as shelter for various functions that may occur in this garden in connection with our banquet functions.

Variances

1. The proposed 10' wall has been reconfigured so that it does not encroach into the front yard area. We therefore withdraw our request for variance (VAR-39337) on advice that it is not required. We request that the application fee be refunded back to the applicant.

2. After site plan revisions, we request design review approval for our proposal to allow 37 parking spaces where 93 are required, on condition of providing a shared parking agreement that provides an additional 56 (or more) spaces for use by the applicant and occupants of the banquet facility. We withdraw our request for Variance (VAR-39335) and request that the fees be refunded to the applicant. A parking agreement between the owners of our property and the property to the south will be recorded. The revised plans show that 92 spaces are available on the south lot. We request due consideration of this and accept the recording of a shared parking agreement as a condition of approval of the Site Design Review.

We ask for approval of our proposed parking and traffic scheme, and acceptance previously established site elements.

Background

This existing facility has been in business for more than twenty years as a banquet facility. Mature landscaping is in need of renovation, and the expansion of our front garden will enhance our banquet capability as well as improve the general appearance of Charleston Boulevard.

Justification

Parking - Adequate parking is provided with all required accessible spaces on site and by ample shared parking that is established by lease with neighbors to the south within 300 feet of our building. 129 spaces are available within the 300 foot limit under long established shared parking agreements. This project will reduce existing onsite parking by 31 spaces and in effect shift a portion of our parking load to the leased parking lot immediately south (which has been used this way for

Justification Letter - SDR-39338 - 9/29/2010
Rainbow Gardens Parcel 162-06-510-023 & 024

many years under our existing agreements). All required accessible parking is provided onsite near our main entrance. The occupancy located on neighboring site to the south is a professional engineering office belonging to the engineering practice that occupies it. The parking load there is small and never overlaps the weekend-night parking load of our banquets.

There are 68 spaces presently on the site, but after constructing the new garden there will be 37 spaces on this site.

When parking loads for the two properties are calculated, the total demand for spaces would be 230 spaces, while 129 spaces will be available under our proposal. Banquets usually occur on Saturdays and Sundays in the afternoon and evening hours. There are few banquets held on week nights. The engineering office operates Monday through Friday during daytime business hours ending at 5:00 pm. The calculated load of 24 spaces for the engineering office would almost never be needed when banquets are scheduled.

We are not proposing to increase our banquet dining room space. The expansion of the garden will function as an accessory that will provide an outdoor wedding ceremony location that serves in conjunction with the indoor dining room. The same banquet party will use the outdoor and indoor facility. The size of the party will remain limited by the existing indoor dining facilities. Similarly, the overall practical parking load as it exists now (and has for many years) will not be increased by this project.

Most of our facility areas are not occupied by anyone other than the assembled dinner guests. We have a practical limit of no more than 300 seats for banquet attendees. The usual vehicle count, including staff vehicles, for this number is between 75 and 105 vehicles, or 2.0 to 2.8 people per vehicle on average for wedding banquets or similar gatherings. Because of operational and marketing constraints, the two dining areas that we have must be scheduled at separate times so that setup, occupancy, and clean up of one dining area does not impact the other one. While there may be two functions on the same day, they will occur at different times. Because of this, the practical peak parking load is driven by about half of our total seating capacity, or 150 guests arriving in about 50 (or fewer) cars.

Our new garden will not increase banquet seating, and it won't enable us to host more events per day or use more than one banquet room at a time. In other words, by adding garden area, we will not be enabled to exceed our established indoor seating capacity, which has constrained and governed our operation for the past decade.

Regular periodic observation of the overall parking facilities reveals that hours of operation do not over-commit the available parking spaces on the available joint use parking spaces. Also, fully occupied banquet operations have not imposed a load on any other neighboring parking facilities to the east, west, or north (of Charleston) properties.

Justification Letter - SDR-39338 - 9/29/2010
Rainbow Gardens Parcel 162-06-510-023 & 024

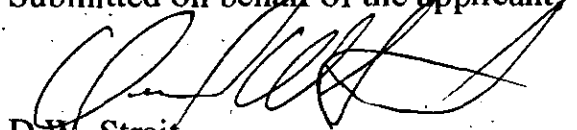
Wall - The 10 foot high decorative wall will not detract from the aesthetics of our intensely landscaped front as viewed from the north. It will help buffer our facility from the street noise coming from Charleston Blvd. We propose to make an attractive intensely landscaped strip in front of this fence to enhance our facilities appearance from neighboring areas to the north and from passing travelers on Charleston. The slightly taller wall will afford better privacy to the whole banquet facility. It will add to the overall appeal as viewed from the street and it will shield both sides against sound generated on the opposite side of the wall.

Summary

The parking facilities in joint use in this commercial zone are adequate for our established and proven operation, and will easily bear the load of the fully occupied businesses of the two properties without burdening other neighbors. We believe the high wall will benefit the public view as well as enhance the privacy of our garden. Landscaping planting will exceed the city minimum standards in density, size, and quantity.

We request a refund of fees for the two variances, and we agree to follow through with paper work and revised fees for the appropriate SDR.

Submitted on behalf of the applicant



D.W. Strait
Architect 2841

BUSINESS LICENSE

City of Las Vegas • Las Vegas, Nevada

IN ACCORDANCE WITH THE PROVISIONS OF THE LAS VEGAS MUNICIPAL CODE, AS AMENDED, LICENSE IS HEREBY GRANTED TO OPERATE THE BUSINESS REFERENCED BELOW.

LICENSE #: W01-00122-E-041271

DATE ISSUED: 05/10/10

TYPE OF LICENSE: WEDDING CHAPEL

BUSINESS LOCATION: 4125 W CHARLESTON BL

ISSUED TO: RAINBOW GARDEN INC

DBA:
RAINBOW GARDENS
4125 W CHARLESTON BL
LAS VEGAS NV 89102-1624

PRINCIPAL(S)

HULSEY, KELLY, PRES 100%
HULSEY, IWONA, DIR/SECY


Chief Financial Officer,
Finance and Business Services

RECEIVED

AUG 26 2010

City of Las Vegas

Failure to maintain any required state license renders this Business License invalid.

Post in a conspicuous place.



Inst #: 201002040003119

Fees: \$16.00 N/C Fee: \$25.00

RPTT: \$1785.00 Ex: #

02/04/2010 02:21:16 PM

Receipt #: 220954

Requestor:

TICOR TITLE LAS VEGAS

Recorded By: ANI Pgs: 4

DEBBIE CONWAY

CLARK COUNTY RECORDER

APN No.: 162-06-510-023 162-06-510-024

WHEN RECORDED MAIL TO:
Kelly K. Hulsey and Iwona M. Hulsey
4125 West Charleston Blvd.
Las Vegas, NV 89102

MAIL TAX STATEMENTS TO:
Same As Above

Escrow No. 10020015-JF

SPACE ABOVE FOR RECORDER'S USE ONLY

R.P.T.T. \$1,785.00

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That Joe K. Hulsey Trustee, of the Hulsey Family Trust Dated April 25, 2007 and Leona B. Hulsey Trustee, of the Hulsey Family Trust Dated April 25, 2007

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, do/does hereby Grant, Bargain, Sell and Convey to Kelly K. Hulsey and Iwona M. Hulsey, husband and wife as Joint Tenants

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

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A PART HEREOF

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

SEE PAGE TWO (2) FOR SIGNATURES AND NOTARY ACKNOWLEDGEMENT

RECEIVED
AUG 26 2010
City of Las Vegas

SIGNATURES AND NOTARY ACKNOWLEDGEMENT FOR GRANT, BARGAIN, SALE DEED

Joe K. Hulsey Trustee
Joe K. Hulsey Trustee

Leona B. Hulsey Trustee
Leona B. Hulsey Trustee

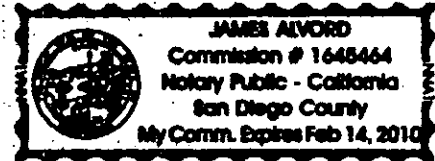
STATE OF CALIFORNIA
COUNTY OF SAN DIEGO

} ss:

This instrument was acknowledged before me on,
by Joe K. Hulsey and Leona B. Hulsey

JAMES ALVORD

James Alvord
NOTARY PUBLIC



LEGAL DESCRIPTION

EXHIBIT "A"

Assessor's Parcel No: 162-06-510-023 AND 024

Being the Westerly Fifty (50) feet of Lot Two (2), Block One (1) and Easterly Fifty (50) feet of Lot Fifteen (15), Block One (1), of Hinson Heights Subdivision, as shown by map thereof on file in Book 2 of Plats, Page 62, in the Office of the County Recorder of Clark County, Nevada.

And

The Easterly 74 feet of the Westerly 124 feet of Lot Two (2) in Block One (1) of HINSON HEIGHTS, as shown by map thereof on file in Book 2 of Plats, Page 82, in the Office of the County Recorder of Clark County, Nevada

EXCEPTING THEREFROM the Southerly 25 feet as granted to Clark County for alley purposes.

TOGETHER WITH a right of way and easement with rights on ingress and egress, over and across the Westerly eight (8) feet of the Easterly 30 feet of the Northerly 192 feet of the Southerly 217 feet of Lot Two (2) in Block One (1) of HINSON HEIGHTS on file in Book 2 of Plats, Page 82, in the Office of the County Recorder of Clark County, Nevada.

STATE OF NEVADA
DECLARATION OF VALUE FORM

1. Assessor Parcel Number(s)

- a) 162-06-510-023
b) 162-06-510-024
c) _____
d) _____

2. Type of Property:

- a) ☐ Vacant Land b) ☐ Single Fam. Res
c) ☐ Condo/Twnhse d) ☐ 2-4 Plex
e) ☐ Apt. Bldg f) ☒ Comm'l/Ind'l
g) ☐ Agricultural h) ☐ Mobile Home
☐ Other _____

FOR RECORDER'S OPTIONAL USE ONLY

Book: _____ Page: _____

Date of Recording: _____

Notes: _____

3. a. Total Value/Sales Price of Property:

\$350,000.00

b. Deed in Lieu of Foreclosure Only (value of property)

(_____)

c. Transfer Tax Value:

\$350,000.00

d. Real Property Tax Due:

\$1,785.00

4. If Exemption Claimed:

a. Transfer Tax Exemption per NRS 375.090, Section _____

b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature Joe K. Hulsey

Capacity Trustee

Signature Leona B. Hulsey

Capacity Trustee

SELLER (GRANTOR) INFORMATION
(REQUIRED)

Print Name: Joe K. Hulsey Trustee OF THE

HULSEY FAMILY TRUST UTD 4-25-07

Address: 2304 CAMINO VERDE

City: FALLBROOK, CA 92028

State: _____ Zip: _____

BUYER (GRANTEE) INFORMATION
(REQUIRED)

Print Name: Kelly K. Hulsey and Tracy M. Hulsey

Address: 4125 West Charleston Blvd.

City: Las Vegas

State: NV Zip: 89102

COMPANY/PERSON REQUESTING RECORDING (required if not seller or buy)

Print Name Ticor Title of Nevada, Inc.

Escrow # 10020015JF

Address 3100 W. Sahara Avenue #115

City: Las Vegas

State: NV

Zip: 89102

AS A PUBLIC RECORD THIS FORM MAY BE RECORDED/MICROFILMED

Legal Description

Assessor's Parcel No: 162-06-510-023 and 024

Being The Westerly Fifty (50) feet of Lot Two (2), Block One (1) and Easterly Fifty (50) feet of Lot Fifteen (15), Block One (1), of Hinson Heights Subdivision, as shown by map thereof on file in Book 2 of Plats, Page 82, in the Office of the County Recorder of Clark County Nevada.

And

The Easterly 74 feet of the Westerly 124 feet of Lot Two (2) in Block One (1) of HINSON HEIGHTS, as shown by map thereof on file in Book 2 of Plats, Page 82, in the Office of the County Recorder of Clark County, Nevada.

EXCEPTING THEREFROM the Southerly 25 feet as granted to Clark County for alley purposes.

TOGETHER WITH a right of way and easement with rights on ingress and egress, over and across the Westerly eight (8) feet of the Easterly 30 feet of the Northerly 192 feet of the Southerly 217 feet of Lot Two (2) in Block One (1) of HINSON HEIGHTS on file in Book 2 of Plats, Page 82, in the office of the County Recorder of Clark County, Nevada.

RECEIVED

AUG 26 2010

City of Las Vegas