City of Las Vegas

CITY COUNCIL AGENDA

COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011
CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov
COUNCIL MEMBERS: OSCAR B. GOODMAN, MAYOR (At-Large) ·
COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)
LARRY BROWN (Ward 4), STEVE WOLFSON (Ward 2),
LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6); RICKI Y. BARLOW (Ward 5)

Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

January 7, 2009

Morning Session begins at 9:00 a.m.
Afternoon Session begins at 1:00 p.m.

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING VIDEO RECORDED AS WELL AS PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO CD'S AND DUPLICATE AUDIO/VIDEO DVD'S MAY BE AVAILABLE AT A COST OF $5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING.

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – PASTOR LINDA KELLY, MOUNTAIN VIEW PRESBYTERIAN CHURCH
4. PLEDGE OF ALLEGIANCE
5. OATH OF OFFICE ADMINISTERED TO DAVID W. STEINMAN, INTERIM COUNCILMAN, WARD 4
6. RECOGNITION OF THE CITIZEN OF THE MONTH
7. PRESENTATION OF THE START! FIT FRIENDLY AWARD BY THE AMERICAN HEART ASSOCIATION
8. RECOGNITION OF THE MEADOWS SCHOOL 2A STATE FOOTBALL CHAMPIONS
9. RECOGNITION OF THE HEISMAN HIGH SCHOOL AWARD WINNER BRETT LEIBOWITZ

BUSINESS ITEMS - MORNING

10. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

11. Approval of the Final Minutes by reference of the regular City Council and Special City Council meetings of December 3, 2008

CONSENT AGENDA

MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL BY THE SUBMITTING DEPARTMENTS. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

ADMINISTRATIVE - CONSENT

12. Approval of Economic Development Initiative (EDI) Grant #B-08-SP-NV-0536 in the amount of $196,000 from the U.S. Department of Housing and Urban Development to the City of Las Vegas for the development of the Historic Downtown Post Office (Las Vegas Museum of Organized Crime and Law Enforcement) at 300 Stewart Avenue - Ward 5 (Barlow)

FIELD OPERATIONS - CONSENT

13. Approval of an Easements and Rights-of-Way from the City of Las Vegas to the Las Vegas Valley Water District for a water line easement to service a portion of APN 139-34-501-007 located at 300 Stewart Avenue known as the Las Vegas Museum of Organized Crime and Law Enforcement - Ward 5 (Barlow)

14. Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company, dba NV Energy for access to certain electrical facilities located in the vicinity of Hualapai Way and Alta Drive, APN 138-31-101-002 - Ward 2 (Wolfson)

15. Approval of two Easements and Rights-of-Way from the City of Las Vegas to the Las Vegas Valley Water District for water line easements to service a portion of APNs 139-25-701-002 and 139-25-802-006 located at Freedom Park - Ward 3 (Reese)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

16. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

17. Approval of a report by the City Treasurer of the December 9, 2008 sale of properties subject to the lien of a delinquent assessment in Special Improvement District 505 and various other districts - Wards 2, 3, 4 and 5 (Wolfson, Reese, Brown and Barlow)

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

18. Approval of Change of Business Name and Corporate Structure of a Tavern License, From: Santa Fe Station, Inc., dba Santa Fe Station, To: Santa Fe Station, LLC, dba Santa Fe Station Hotel & Casino, 4949 North Rancho Drive, Station Casinos, Inc., 100%, Kevin Kelly, Pres, Dir, Scott Neilson, Sr VP, Richard Haskins, Sr VP, Secy, and Thomas Friel, Sr VP, Treas - Ward 6 (Ross)

19. Approval of a new Non-Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Santa Fe Station, LLC, dba Santa Fe Station Hotel & Casino, 4949 North Rancho Drive, Station Casinos, Inc., 100%, Kevin Kelly, Pres, Dir, Scott Neilson, Sr VP, Richard Haskins, Sr VP, Secy, and Thomas Friel, Sr VP, Treas - Ward 6 (Ross)

20. Approval of a new Slot Route Operator, Cantor G&W (Nevada), L.P., dba Cantor Gaming, 6280 South Valley View Boulevard, Suite 318, Cantor G&W (Nevada) Holdings, L.P., Limited Ptnr, 99.75%, Howard W. Lutnick, Chairman, CEO, Lee M. Amaitis, Pres, Douglas R. Barnard, CFO, and Stephen M. Merkel, Exec Managing Dir, General Counsel, Secy and Cantor G&W (Nevada), LLC, General Ptnr, .25% - County

21. Approval of an increase in the number of slot machines for a Restricted Gaming License from 4 to 6, Richard Essex, Sr., dba 7-Eleven Food Store #13690, 2691 West Sahara Avenue, Richard Essex, Sr., Franchisee and Christine Essex, Franchisee - Ward 1 (Tarkanian)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

22. Approval of revision to Purchase Order No. 265766, Jones Boulevard Improvements Elkhorn Road to Horse Drive - Department of Public Works - Award recommended to: MEADOW VALLEY CONTRACTORS, INC. $1,133,390 - Road and Flood Capital Projects Fund) - Ward 6 (Ross)

23. Approval of award of Agreement No. 090103-LD, Professional Services Agreement for City of Las Vegas Paintbrush Gateways located at the southwest corner of Charleston Boulevard and Casino Center Boulevard and at the northwest corner of Charleston Boulevard and Fourth Street - Department of Public Works - Award recommended to: R2H ENGINEERING, INC. ($100,000 - Parks and Leisure Activities Capital Projects Fund and Multipurpose Special Revenue Fund) - Ward 3 (Reese)

24. Approval of award of Bid No. 09.1730.02-LED, Las Vegas Wash Middle Branch Storm Drain Decatur Boulevard from Elkhorn Road to Whispering Sands Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: TAB CONTRACTORS, INC. ($2,734,291 - Road and Flood Capital Projects Fund) - Ward 6 (Ross)

PLANNING & DEVELOPMENT - CONSENT

25. Approval of annexation report for the proposed annexation area located in the vicinity of State Route 157 (Kyle Canyon Road), in the general area Between Moccasin Road and Rocky Avenue, East and West of Shaumber Road (ANX-27030) – Ward 6 (Ross)

PUBLIC WORKS - CONSENT

26. Approval of Interlocal Contract LAS05I08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide funding for construction of the Oakey - Meadows Storm Drain, Phase I - bounded on the west by Hinson Street, on the north by US-95, on the east by Campbell Road and on the south by Charleston Boulevard ($16,700,000 - CCRFCD) - Ward 1 (Tarkanian)

27. Approval of Second Supplemental Interlocal Contract LAS24B06 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date of the Gowan North Channel, El Capitan Way to the Western Beltway - Ward 6 (Ross)

28. Approval of Interlocal Contract LAS05H08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide funding for construction of the Alta Parallel System bounded on the west by Rainbow Boulevard, to the north by US-95, on the east by Decatur Boulevard and on the south by Evergreen Avenue ($20,890,000 - CCRFCD) - Ward 1 (Tarkanian)

29. Approval of First Supplemental Interlocal Contract LLD05A08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to increase funding for construction of Local Drainage Improvements in Jones Boulevard in conjunction with the Alta Parallel System, north of Alta Drive to Borden Circle ($45,838 - CCRFCD) - Ward 1 (Tarkanian)

30. Approval of Third Supplemental Interlocal Contract LAS10V03 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date for the Gowan North Channel - Lone Mountain Road (El Capitan Way to the Western Beltway) - Ward 6 (Ross)

31. Approval of Second Supplemental Interlocal Contract 457b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the date of completion for the Bonneville/Clark One-Way Couplet (Bonneville Avenue and Clark Avenue from Main Street to Charleston Boulevard) - Ward 5 (Barlow)

32. Approval of Fourth Supplemental Interlocal Contract 481d between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase funding and extend the date of completion for the City Parkway - D Street Connector between Grand Central Parkway and I -15 ($187,000 - RTC) - Ward 5 (Barlow)

33. Approval of Third Supplemental Interlocal Contract 594c between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada to extend the date of completion for the Grand Teton Drive Overpass at US-95 - Ward 6 (Ross)

34. Approval of Second Supplemental to Interlocal Contract 529b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to reduce design funding, increase construction funding and extend the project completion date for the Grand Teton Drive project, Decatur Boulevard to Maverick Street - Ward 6 (Ross)

35. Approval of a Sewer Connection Agreement with Joe P. Gwerder on behalf of Boys Town Nevada, Inc., owner and an Interlocal Contract with Clark County Water Reclamation District for sewer services located at the northeast corner of Rainbow Boulevard and Grand Teton Drive, APNs 125-11-401-001 and -002 - County (near Ward 6 - Ross)

RESOLUTIONS - CONSENT

36. R-1-2009 - Approval of a Resolution Making Provisional Order and Directing that the Notice of Public Hearing thereon be given regarding: Special Improvement District No. 1513 - Via Olivero Avenue and Valadez Street (East of Cimarron Road) - Ward 2 (Wolfson)

37. R-2-2009 - Approval of a Resolution to establish the Fiscal Stabilization Special Revenue Fund

38. R-3-2009 - Approval of a Resolution repealing Resolution No. R-65-2008 and seeking approval from the Clark County Debt Management Commission to execute and deliver a lease-purchase agreement for a new City Hall project in an amount not to exceed $267,000,000 - Ward 3 (Reese)

DISCUSSION/ACTION ITEMS

HEARINGS - DISCUSSION

39. Hearing to consider the appeal regarding Nuisance Notice and Order to Comply located at 1006 East Oakey Blvd. PROPERTY OWNER: GREGORY J. LOGAN - Ward 3 (Reese)

ADMINISTRATIVE - DISCUSSION

40. Report on the proposed repository for high-level nuclear waste at Yucca Mountain from Irene Navis, Clark County's Nuclear Waste Planning Manager, and Sheila Conway, with Urban Environmental Research

41. Report and possible action on the update on progress of the Fundamental Service Review following direction given by the City Council at the December 3, 2008 City Council Meeting

42. Discussion and possible action regarding a Memorandum of Understanding between the Las Vegas Employees' Association (LVCEA) and the City of Las Vegas regarding the current labor agreement (Future Five Year Range $37,200,000 to $55,200,000 – General Fund)

43. Discussion and possible action on offering the Voluntary Separation Program to certain full time regular non-probationary employees

BUSINESS DEVELOPMENT - DISCUSSION

44. Discussion and possible action regarding a Second Amendment to Disposition and Development Agreement (2nd Amendment) between Office District Parking I, Inc., (ODP) and CityMark Juhl, LLC, (CityMark) for the development of a mixed-use residential project at 353 Bonneville Avenue (Project) (APN 139-34-312-000) - Ward 3 (Reese)

CITY CLERK - DISCUSSION

45. Discussion and possible action regarding the Proclamation and Order declaring the 2009 City of Las Vegas Municipal Election

46. Report on the selection of permanent and temporary polling locations for Early Voting during the 2009 City of Las Vegas Municipal Election

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

47. Discussion and possible action regarding Temporary Approval of a new Package License subject to Health Dept. regulations, Cheyenne & Lee, Inc., dba Lee's Discount Liquor, 10470 West Cheyenne, Suite 130, Hae Un Lee, Pres, Dir, CEO and Sun Ja Lee, Secy, Treas, 100% jointly with spouse - Ward 4 (Brown)

48. Discussion and possible action regarding Temporary Approval of a Change of Business Name and a Change of Ownership subject to the provisions of the planning and fire codes and Health Dept. regulations, From Vallarta's, Inc., dba Vallarta's Mexican Restaurant, To: J & M United, LLC, dba Lindo Michoacan Centennial, 7870 West Tropical Parkway, Javier G. Barajas, Managing Mmbr, 50%, Mark J. Berry, Managing Mmbr, 25%, and Preston E. Hubbs, Mmbr, 25% - Ward 6 (Ross)

49. Discussion and possible action regarding Temporary Approval of a new Tavern License subject to Health Dept. regulations, Stoney's North Forty, LLC, dba Stoney's North Forty, 4949 North Rancho Drive, Harold K. Gray, Mgr, Mgr, 49%, Christopher W. Lowden, 49%, and Dean Y. Kajioka, Mmbr, 2% - Ward 6 (Ross)

50. Discussion and possible action regarding Temporary Approval of a new Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Wash-N-Fun Laundromat, LLC, dba Wash N Fun Laundromat, 4425 Stewart Avenue, Suite 101, Sanford K. Feld, Mgr, Mmbr and Terri L. Feld, Mgr, Mmbr, 100% jointly with spouse - Ward 3 (Reese)

51. Discussion and possible action regarding Temporary Approval of a new Wedding Chapel License subject to the provisions of the fire codes, All Seasons Wedding Chapel, LLC, dba All Seasons Wedding Chapel, 1040 East Sahara Avenue, Suite 104, Michael S. Grill, Mmbr, 100% - Ward 3 (Reese)

52. Discussion and possible action regarding a Review of a Temporary Beer/Wine/Cooler On-sale License, Intramezzo, Inc., dba Mezzo Bistro Italiano, 4275 North Rancho Drive, Suite 130, Marcus T. Sgrizzi, 100% - Ward 6 (Ross)

53. Discussion and possible action regarding a Review of a Beer/Wine/Cooler On-sale License, Six Tables, Inc., dba Six Tables, 2110 North Rampart Boulevard, Suite 110, Gail A. Levi, Pres, Treas, Secy, 100% - Ward 4 (Brown)

54. Discussion and possible action regarding a Review of Conditions of a Tavern License, Dominic L. Laino, dba Club 2100, 2100 Fremont Street, Dominic L. Laino, Owner, 100% - Ward 3 (Reese)

55. Discussion and possible action regarding a Review of a Temporary Martial Arts Instruction License, Dillow's Training Center, LLC, dba Karate for Kids/ATA, 4840 East Bonanza Road, Suites 2 & 3, Travis N. Dillow, Mgr, 50% and Robin B. Campbell-Dillow, Mgr, 50% - Ward 3 (Reese)

BOARDS & COMMISSIONS - DISCUSSION

56. ABEYANCE ITEM - OVERSIGHT PANEL FOR SCHOOL FACILITIES – Councilwoman Lois Tarkanian, Term Expiration 12-31-2008

57. ABEYANCE ITEM - REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA (RTC) ADVISORY COMMITTEE ON BUS BENCH/SHELTER CONSTRUCTION AND MAINTENANCE – William McCurdy, Term Expires 1-4-2009; Mel Irwin, Term Expires 1-4-2009

58. CITY PARKWAY V, INC. – Resignation of Directors Douglas Selby, resignation effective 1-8-2008 and Steve Houchens (Resigned 12-14-2008)

59. CITY PARKWAY IV A, INC. - Resignation of Directors Douglas Selby, resignation effective 1-8-2008 and Steve Houchens (Resigned 12-14-2008)

60. OFFICE DISTRICT PARKING I, INC. - Resignation of Directors Douglas Selby, resignation effective 1-8-2008 and Steve Houchens (Resigned 12-14-2008)

61. CHILD CARE LICENSING BOARD – Diana Saffold-Cooks, Term Expiration 6-2011 (Resigned)

62. PLANNING COMMISSION – David Steinman, Term Expiration 6-2009 (Resigned 12-19-2008)

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

63. Bill No. 2008-54 – Requires all streets and drives that do not terminate in an intersection to terminate in a circular cul-de-sac. Sponsored by: Councilman Steven D. Ross

64. Bill No. 2008-55 – Amends the Lone Mountain West Master Development Plan and Design Standards to update certain information regarding area acreage, unit counts and density, and to establish a maximum overall residential density of seven dwelling units per gross acre. Sponsored by: Councilman Larry Brown

65. Bill No. 2008-57 – Annexation No. ANX-29903 – Property location: Approximately 1350 feet east of the North Hualapai Way alignment fronting the exit ramp for Clark County Highway 215; Petitioned by: Las Vegas Valley Water District; Acreage: 5.08 acres; Zoned: R-E (County zoning), C-V (City equivalent). Sponsored by: Councilman Steven D. Ross

66. Bill No. 2008-60 – Establishes a framework for transitioning the licensing and regulation of child care facilities within the City to the Nevada Bureau of Services for Child Care, and provides for a prospective repealer of the City's child care regulations. Sponsored by: Councilman Steven D. Ross

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

67. Bill No. 2008-58 – Annexation No. ANX-30397 – Property location: On the southeast corner of Florine Avenue and Tomsik Street; Petitioned by: Daniel Shannon; Acreage: 1.42 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Steven D. Ross

68. Bill No. 2008-59 – Updates remedies and procedures pertaining to enforcement of the City's rights in drainage easements. Sponsored by: Councilman Steven D. Ross

69. Bill No. 2008-61 – Establishes electric utility service, rather than water service, as the basis for requiring a property to subscribe to mandatory solid waste collection service. Sponsored by: Councilman Steven D. Ross

NEW BILLS - DISCUSSION

THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.

70. Bill No. 2009-1 – Revises the composition of the Records Management Committee, and adopts the most recent version of the minimum records retention schedules for local governments in Nevada. Proposed by: Beverly K. Bridges, City Clerk

71. Bill No. 2009-2 – Amends the special use permit standards applicable to secondhand dealers in the Town Center District to allow the sale of personal computers, laptop computers, and other similar computer devices on a non-consignment basis. Sponsored by: Councilman Steven D. Ross

72. Bill No. 2009-3 – Amends the Downtown Centennial Plan to update the list of uses permitted within the district known as "18b The Las Vegas Arts District." Sponsored by: Councilman Gary Reese

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

73. Any items from the afternoon session that the Council, staff and /or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

PLANNING & DEVELOPMENT

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION.

PLANNING & DEVELOPMENT - CONSENT

PM SESSION - ALL ITEMS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED "FOR APPROVAL". ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

74. EOT-32355 - REINSTATEMENT AND EXTENSION OF TIME - REZONING - APPLICANT/OWNER: VERGE LIVING CORP. - Request for a Reinstatement and Extension of Time of an approved Rezoning (Z-0046-02) FROM R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) AND C-M (COMMERCIAL/INDUSTRIAL) TO C-1 (LIMITED COMMERCIAL) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road ((APNs 139-27-810-001, 002, 003, 004 and 139-27-707-008, 046 through 051), Ward 5 (Barlow). Staff recommends APPROVAL

75. EOT-31350 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: VERGE LIVING CORP. - Request for an Extension of Time of an approved Variance (VAR-8651) TO ALLOW NO STEP BACK WHERE A 1:1 STEP BACK RATIO IS REQUIRED ABOVE 35 FEET on 2.87 acres adjacent to the northeast corner of Bonanza Road and Main Street (APNs 139-27-810-001, 002, 003, 004 and 139-27-707-008 and 046 through 051), R-2 (Medium-Low Density Residential) and C-M (Commercial/Industrial) Zone under a Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

76. EOT-31907 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: VERGE LIVING CORP. - Request for an Extension of Time of an approved Special Use Permit (SUP-8814) FOR A PROPOSED MIXED-USE COMMERCIAL AND RESIDENTIAL DEVELOPMENT adjacent to the northeast corner of Main Street and Bonanza Road (APNs 139-27-810-001, 002, 003, 004 and 139-27-707-008, 046 through 051), R-2 (Medium-Low Density Residential) Zone and C-M (Commercial/Industrial) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

77. EOT-31906 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: VERGE LIVING CORP. - Request for an Extension of Time of an approved Site Development Plan Review (SDR-8649) FOR A MIXED-USE DEVELOPMENT WITH 296 RESIDENTIAL UNITS AND 34,700 SQUARE FEET OF COMMERCIAL SPACE AND WAIVERS IN BUILDING PLACEMENT; STREET AND FOUNDATION LANDSCAPE STANDARDS; FRONT, CORNER SIDE, AND REAR YARD SETBACK REQUIREMENTS; AND TO ALLOW A 241-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 249 FEET FROM RESIDENTIAL PROPERTY IS REQUIRED on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road (APNs 139-27-810-001, 002, 003, 004 and 139-27-707-008, 046 through 051), R-2 (Medium-Low Density Residential) Zone and C-M (Commercial/Industrial) Zone with a Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

78. EOT-31990 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: LAKESIDE CENTER - OWNER: WFTNV, LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-17307) FOR A RESTAURANT SERVICE BAR AND A WAIVER OF THE 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING CHURCH at 2620 Regatta Drive, Suite 117 (APN 138-16-717-002), C-1 (Limited Commercial) Zone, Ward 4 (Brown). Staff recommends APPROVAL

79. EOT-31998 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: FUN CITY MOTEL - OWNER: CHETAK DEVELOPMENT, INC - Request for an Extension of Time of an approved Special Use Permit (SUP-25068) FOR A PROPOSED PACKAGED LIQUOR OFF-SALE ESTABLISHMENT at 2301 South Las Vegas Boulevard (APN 162-03-410-007), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - ONE MOTION/ONE VOTE

THE FOLLOWING ARE ITEMS THAT MAY BE CONSIDERED IN ONE MOTION/ONE VOTE. THEY ARE CONSIDERED ROUTINE NON-PUBLIC AND PUBLIC HEARING ITEMS. ALL PUBLIC HEARINGS AND NON-PUBLIC HEARINGS WILL BE OPENED AT ONE TIME. ANY PERSON REPRESENTING AN APPLICATION OR A MEMBER OF THE PUBLIC OR A MEMBER OF THE CITY COUNCIL NOT IN AGREEMENT WITH THE CONDITIONS AND ALL STANDARD CONDITIONS FOR THE APPLICATION RECOMMENDED BY STAFF, SHOULD REQUEST TO HAVE THAT ITEM REMOVED FROM THIS PART OF THE AGENDA.

80. RQR-30447 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: W.H. BAILEY FAMILY TRUST - Required Review of an approved Special Use Permit (SUP-2467) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) at 208 East Sahara Avenue (APN 162-03-413-023), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL

81. RQR-30483 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: VALLEY BANK - Required Review of an approved Special Use Permit (SUP-2537) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF PREMISE SIGN (BILLBOARD) at 3500 West Sahara Avenue (APN 162-05-402-007), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL

82. RQR-30484 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: CRAIG 95 LLC - Required Review of an approved Special Use Permit (SUP-4694) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) at 7075 West Craig Road (APN 138-03-701-003), C-1 (Limited Commercial) Zone Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

83. RQR-30575 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: PUPPY PLAYHOUSE LLC - Required Review of an approved Special Use Permit (SUP-13541) FOR A PET BOARDING ESTABLISHMENT at 3223 North Rainbow Boulevard (APN: 138-10-804-003), C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

84. RQR-30584 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC - Required Review of an approved Variance (V-0058-94) TO ALLOW A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) 600 FEET FROM ANOTHER OFF-PREMISE SIGN WHERE 750 FEET IS THE MINIMUM SEPARATION REQUIRED at 2900 Sirius Avenue (APN 162-08-702-002), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL

85. SUP-29017 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: SHREE GANESHA, INC. - Request for a Special Use Permit FOR A PROPOSED 3,312 SQUARE-FOOT SUPPER CLUB at 4450 North Tenaya Way (APN 138-03-611-011), C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

86. SUP-31303 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLAUDIA BELTRAN - OWNER: NERCES HIMIDIAN - Request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE at 1440 East Charleston Boulevard (APN 162-02-110-007), C-1 (Limited Commercial), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

87. SUP-31305 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARK BERRY - OWNER: CENTENNIAL CENTRE, LLC - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB at 7870 West Tropical Parkway (APN 125-28-610-004), T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

88. SUP-31358 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SPORTS, LLC - OWNER: PCB PENSIVY, LLC - Request for a Special Use Permit FOR A 10,000 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR GYM) USE WITH A WAIVER TO ALLOW THE BUSINESS TO OPEN AT 6:00 AM WHERE 8:00 AM IS ALLOWED at 9070 West Cheyenne Avenue (APN 138-08-417-006), O (Office) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

89. SUP-29529 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SOUTHERN STATES SIGN COMPANY - OWNER: BEHROOZ FARIDIAN - Request for a Special Use Permit FOR A PROPOSED 40-FOOT HIGH 10.5-FOOT BY 36-FOOT OFF-PREMISE SIGN (DIGITAL BILLBOARD) at 591 North Eastern Avenue (APN 139-35-501-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

90. ROC-29835 - ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: ALL STAR AUTOMOTIVE INC. - Request for a Review of Conditions #2 through #8 of an approved Rezoning (ZON-19070) FROM C-2 (GENERAL COMMERCIAL) TO C-M (COMMERCIAL/INDUSTRIAL) on 1.09 acres at 2029-2041 West Bonanza Road (APNs 139-28-401-029 and 031), Ward 5 (Barlow). Staff recommends DENIAL

91. ROC-31349 - ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS - Request a Review of Condition to delete Condition Number 18 of an approved Site Development Plan Review (SDR-5821) which restricted the age of the mobile home to 1995 or newer on 5.40 acres adjacent to the east side of the Interstate 515 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-003), R-1 (Single-Family Residential) Zone [PROPOSED: R-MHP (Residential Mobile/Manufactured Home Park) Zone], Ward 3 (Reese). Staff recommends DENIAL

92. GPA-28283 – TABLED ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: DARRELL E. JACKSON, ET AL - Request to Amend the Southeast Sector of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) AND L (LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 1.45 acres adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard (APNs 162-04-601-001 and 002), Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS AMENDED TO O (OFFICE). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

93. ZON-28281 – TABLED ITEM - REZONING RELATED GPA-28283 - PUBLIC HEARING - APPLICANT/OWNER: DARRELL E. JACKSON, ET AL - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 1.45 acres adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard (APNs 162-04-601-001 and 002), Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS AMENDED TO O (OFFICE). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

94. SUP-28287 – TABLED ITEM - SPECIAL USE PERMIT RELATED TO GPA-28283 AND ZON-28281 - PUBLIC HEARING - APPLICANT/OWNER: DARRELL E. JACKSON, ET AL - Request for a Special Use Permit FOR A PROPOSED BUILDING MAINTENANCE SERVICE AND SALES FACILITY adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard (APNs 162-04-601-001 and 002), Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

95. SDR-28286 – TABLED ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-28283, ZON-28281 AND SUP-28287 - PUBLIC HEARING - APPLICANT/OWNER: DARRELL E. JACKSON, ET AL - Request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 17,004 SQUARE-FOOT BUILDING MAINTENANCE SERVICE AND SALES FACILITY on 1.45 acres adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard (APNs 162-04-601-001 and 002), Ward 1 (Tarkanian) NOTE: THE SQUARE-FOOTAGE OF THE SITE HAS BEEN MODIFIED TO 17,435 SQUARE FEET. Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

96. GPA-29565 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: DIBELLA LIVING TRUST - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: O (OFFICE) TO: SC (SERVICE COMMERCIAL) on 0.76 acres at the southwest corner of Charleston Boulevard and Pahor Drive (APN 162-04-110-001, 002 and 162-04-101-010), Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

97. ZON-29566 - REZONING - RELATED TO GPA-29565 - PUBLIC HEARING - APPLICANT/OWNER: DIBELLA LIVING TRUST - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 0.76 acres at the southwest corner of Charleston Boulevard and Pahor Drive (APN 162-04-110-002 and 162-04-101-010), Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

98. SDR-31595 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-29565 AND ZON-29566 - PUBLIC HEARING - APPLICANT/OWNER: DIBELLA LIVING TRUST - Request for a Site Development Plan Review FOR A 5,105 SQUARE-FOOT RETAIL DEVELOPMENT WITH WAIVERS OF THE BUILDING PLACEMENT AND ORIENTATION STANDARDS, TO ALLOW A FIVE-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE EAST PERIMETER AND TO ALLOW A FOUR-FOOT LANDSCAPE BUFFER ALONG THE WEST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.76 acres at the southwest corner of Charleston Boulevard and Pahor Drive (APN 162-04-110-001, 002 and 162-04-101-010), R-1 (Single Family Residential), P-R (Professional Office and Parking) and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

99. ZON-29204 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: NEVADA POWER - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 12.33 acres at the southwest corner of Sahara Avenue and Spencer Street (APNs 162-02-203-007, 162-02-205-001, 162-02-206-002, 162-02-209-002, 162-02-302-001, 162-02-403-001, and 162-02-403-002), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

100. SDR-29203 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-29204 - PUBLIC HEARING - APPLICANT/OWNER: NEVADA POWER - Request for a Site Development Plan Review FOR A UTILITY SUBSTATION WITH 13 PROPOSED 150-FOOT TALL TRANSMISSION LINE POLES on 3.86 acres at the southwest corner of Sahara Avenue and Spencer Street, (APN 162-02-403-001 and 002), R-1 (Single Family Residential) Zone [PROPOSED: C-V (Civic)], Ward 3 (Reese). NOTE: APPLICATION IS FOR TRANSMISSION LINE POLES RANGING IN HEIGHT FROM 50 FEET TO 155 FEET. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

101. RQR-30432 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: DFA, LLC, ET AL - Required Review of an approved Special Use Permit (SUP-13836) FOR A RENTAL STORE WITH OUTSIDE STORAGE on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APN 139-28-302-034), R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow). The Planning Commission (7-0 vote) and staff recommend APPROVAL

102. RQR-30442 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: YONG H. JUNG - Required Review of a Variance (VAR-16165) TO ALLOW 7 PARKING SPACES WHERE 13 PARKING SPACES ARE THE MINIMUM REQUIRED on 0.19 acres at 505 South Decatur Boulevard (APN 139-31-310-133), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL

103. SUP-31153 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: LAWRENCE MURRAY - Request for a Special Use Permit FOR A GROUP RESIDENTIAL CARE FACILITY (10 PERSONS MAXIMUM) WITH A WAIVER TO ALLOW A 1,130-FOOT DISTANCE SEPARATION FROM ANOTHER GROUP RESIDENTIAL CARE FACILITY WHERE 1,500 FEET IS REQUIRED at 2080 La Salle Street (APN 139-21-612-011), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

104. SUP-31421 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: UPPER CRUST PIZZA - OWNER: DURANGO STRUCTURES, LLC - Request for a Special Use Permit FOR A PROPOSED 1,787 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT at 6440 North Durango Drive (APN 125-20-801-002), T-C (Town Center District) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

SET DATE

105. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

COUNCIL MEMBER RECOGNITION

106. COUNCIL MEMBER RECOGNITION: COMMENTS MADE BY INDIVIDUAL CITY COUNCIL MEMBERS DURING THIS PORTION OF THE AGENDA WILL NOT BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND SCHEDULED FOR ACTION

CITIZENS PARTICIPATION

107. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

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THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:
City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Bulletin Board, City Hall Plaza, (next door to Metro Records)
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

City of Las Vegas Agenda Item No.: **1.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2009

SUBJECT:
CALL TO ORDER

City of Las Vegas

Agenda Item No.: **2.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2009

SUBJECT:
ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

City of Las Vegas Agenda Item No.: **3.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2009

SUBJECT:
INVOCATION – PASTOR LINDA KELLY, MOUNTAIN VIEW PRESBYTERIAN CHURCH

City of Las Vegas Agenda Item No.: **4.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2009

SUBJECT:
PLEDGE OF ALLEGIANCE

City of Las Vegas Agenda Item No.: **5.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

SUBJECT:
OATH OF OFFICE ADMINISTERED TO DAVID W. STEINMAN, INTERIM COUNCILMAN, WARD 4

City of Las Vegas Agenda Item No.: **6.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF THE CITIZEN OF THE MONTH

City of Las Vegas Agenda Item No.: **7.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:

PRESENTATION OF THE START! FIT FRIENDLY AWARD BY THE AMERICAN HEART ASSOCIATION

City of Las Vegas Agenda Item No.: **8.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF THE MEADOWS SCHOOL 2A STATE FOOTBALL CHAMPIONS

City of Las Vegas Agenda Item No.: **9.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: OFFICE OF COMMUNICATIONS
DIRECTOR: DAVID RIGGLEMAN

SUBJECT:
RECOGNITION OF THE HEISMAN HIGH SCHOOL AWARD WINNER BRETT LEIBOWITZ

City of Las Vegas

Agenda Item No.: **10.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES

☐ **Consent** ☒ **Discussion**

SUBJECT:
BUSINESS ITEMS:

Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

City of Las Vegas Agenda Item No.: **11.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES ☐ **Consent** ☒ **Discussion**

SUBJECT:
BUSINESS ITEMS:

Approval of the Final Minutes by reference of the regular City Council meeting and Special City Council meetings of December 3, 2008

City of Las Vegas Agenda Item No.: **12.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY MANAGER'S OFFICE
DIRECTOR: DOUGLAS A. SELBY ☒ **Consent** ☐ **Discussion**

SUBJECT:
ADMINISTRATIVE:

Approval of Economic Development Initiative (EDI) Grant #B-08-SP-NV-0536 in the amount of $196,000 from the U.S. Department of Housing and Urban Development to the City of Las Vegas for the development of the Historic Downtown Post Office (Las Vegas Museum of Organized Crime and Law Enforcement) at 300 Stewart Avenue - Ward 5 (Barlow)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
The City of Las Vegas is currently working to rehabilitate the former U.S. Post Office and Court House in downtown Las Vegas. The Museum of Organized Crime proposed activities include the critical rehabilitation design process, hastening future reuse of the building, and determination and implementation of the most appropriate course of action for careful rehabilitation of both exterior building envelope and interior spaces in conformance with the Secretary of the Interior's Standards of the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, and Restoring & Reconstructing Historic Buildings.

RECOMMENDATION:
Staff recommends approval

BACKUP DOCUMENTATION:
1. EDI Grant Award Agreement Letter
2. EDI Grant Agreement
3. Assistance Award - Form 1044

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, D.C. 20410-1000

OFFICE OF COMMUNITY PLANNING
AND DEVELOPMENT

The Honorable Oscar B. Goodman
Mayor of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Dear Mayor Goodman:

The Department is pleased to announce approval of the following Special Project grant, as funded by the Congress in the Consolidated Appropriations Act, 2008 (PL 110-161) and as described in the Congressional Record of December 17, 2007. Please note that the amount shown below is 98.00% of the amount specified in the Congressional Record of December 17, 2007, because of a 2.00% reduction mandated by the Act.

Project No.:	B-08-SP-NV-0536
Project Funding:	$196,000
Recipient:	City of Las Vegas

This letter transmits the following documents and guidance needed to activate your FY 2008 special project grant.

1. Grant Agreement. Enclosed are four copies. Please read the agreement carefully, noting any attachments which have modifications or special conditions on this grant. Please sign and date three copies with original signatures and return them as noted below. The fourth copy is for your records pending receipt of a countersigned copy.

2. Assistance Award - Form 1044. Four copies are enclosed. Please sign and date three copies with original signatures and return them as noted below. The fourth copy is for your records pending receipt of a countersigned copy.

3. Forms and Instructions for Drawing Down Funds. HUD uses the Line of Credit Control System (LOCCS) for financial management of grant funds. Under this system, you identify the bank account into which you want HUD to deposit funds electronically. Then you request scheduled payments, using a voice response system.

You will be able to draw down funds once, 1) HUD processes the forms, 2) sends you a LOCCS ID Number and a LOCCS Voice Response Number, and 3) after the required certifications and environmental review (if needed) have been accepted by HUD.

Please ensure that all the following forms are complete and return them together as noted below:

a) the three signed originals of the Grant Agreement;

b) the three signed originals of the Assistance Award (HUD Form 1044);

c) the Direct Deposit Form (SF 1199) completed by you and your financial institution;

d) evidence of the ABA number for your depository account, such as a VOIDED blank check, a deposit slip or similar documentation.

The notarized LOCCS Access Authorization Form (HUD form 27054) should be sent directly to the address on the form.

All of these items should be sent to the Government Technical Representative for this grant, Joanne Omega , Room 7146, U.S. Dept. of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410. If you or your staff have any questions about these documents and procedures, please contact Joanne Omega at 202-402-4661, fax (202)-708-7543, or Joanne.Omega@hud.gov.

We look forward to working with you toward a successful completion of this project.

Sincerely,

Otto V. Banks
Deputy Assistant Secretary
for Economic Development

Enclosures

FY 2008 EDI-SPECIAL PROJECT NO. B-08-SP-NV-0536

GRANT AGREEMENT

This Grant Agreement between the Department of Housing and Urban Development (HUD) and City of Las Vegas (the Grantee) is made pursuant to the authority of Public Law 110-161 (Consolidated Appropriations Act, 2008) and a listing of certain specific Economic Development Initiative Special Projects specified in the Congressional Record of December 17, 2007. The amount shown below is 98.00% of the amount specified in the Congressional Record of December 17, 2007, because of a 2.00% reduction mandated by the Act. The Grantee's application, as may be amended by the provisions of this Grant Agreement, is hereby incorporated into this Agreement.

In reliance upon and in consideration of the mutual representations and obligations hereunder, HUD and the Grantee agree as follows:

Subject to the provisions of the Grant Agreement, HUD will make grant funds in the amount of $196,000 available to the Grantee.

The Grantee agrees to abide by the following:

ARTICLE I. HUD Requirements.

The Grantee agrees to comply with the following requirements for which HUD has enforcement responsibility.

A. The grant funds will only be used for activities described in the application, which is incorporated by reference and made part of this Agreement as may be modified by Article VII (A) of this Grant Agreement.

B. EQUAL OPPORTUNITY REQUIREMENTS
The grant funds must be made available in accordance with the following:

1. For projects involving housing, the requirements of the Fair Housing Act (42 U.S.C. 3601-20) and implementing regulations at 24 CFR Part 100; Executive Order 11063 (Equal Opportunity in Housing) and implementing regulations at 24 CFR Part 107.

2. The requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) (Nondiscrimination in Federally Assisted Programs) and implementing regulations issued at 24 CFR Part 1.

3. The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at 24 CFR Part 146, and the prohibitions against discrimination against handicapped individuals under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8.

4. The requirements of 24 CFR 5.105(a) regarding equal opportunity as well as the requirements of Executive Order 11246 (Equal Employment Opportunity) and the implementing regulations issued at 41 CFR Chapter 60.

5. For those grants funding construction covered by 24 CFR 135, the requirements of section 3 of the Housing and Urban Development Act of 1968, (12 U.S.C. 1701u) which requires that economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, be given to low- and very low-income persons and to businesses that provide economic opportunities for these persons.

6. The requirements of Executive Orders 11625 and 12432 (concerning Minority Business Enterprise), and 12138 concerning Women's Business Enterprise). Consistent with HUD's responsibilities under these Orders, the Grantee must make efforts to encourage the use of minority and women's business enterprises in connection with grant funded activities. See 24 CFR Part 85.36(e), which describes actions to be taken by the Grantee to assure that minority business enterprises and women business enterprises are used when possible in the procurement of property and services.

7. Where applicable, Grantee shall maintain records of its efforts to comply with the requirements cited in Paragraphs 5 and 6 above.

C. ENVIRONMENTAL REVIEW REQUIREMENTS.

1. If the Grantee is a unit of general local government, a State, an Indian Tribe, or an Alaskan Native Village, the Grantee agrees to assume all of the responsibilities for environmental review and decision- making and actions, as specified and required in regulations issued by the Secretary pursuant to the Multifamily Housing Property Disposition Reform Act of 1994 and published in 24 CFR Part 58.

2. If the Grantee is a housing authority, redevelopment agency, academic institution, hospital, or other non-profit organization, the Grantee shall request the unit of general local government, Indian Tribe, or Alaskan Native Village, within which the project is located and which exercises land use responsibility, to assume all of the responsibilities for environmental review and decision-making as specified in paragraph C.1 above, and the Grantee shall carry out all of the responsibilities of a recipient under 24 CFR Part 58.

D. Administrative requirements of OMB Circular A-133 "Audits of States, Local governments and Non-Profit Organizations."

E. For State and Local Governments, the Administrative requirements of 24 CFR Part 85, including the procurement requirements of 24 CFR Part 85.36, and the requirements of OMB Circular A-87 regarding Cost Principles for State and Local Governments. For Non-Profits, the Administrative requirements of 24 CFR Part 84, including the procurement requirements of 24 CFR Part 84.40, and OMB Circular A-122 regarding Cost Principles for Non-Profit Institutions. For Institutions of Higher Education the applicable OMB Circular regarding Cost Principles is A-21.

F. The regulations at 24 CFR Part 87, related to lobbying, including the requirement that the Grantee obtain certifications and disclosures from all covered persons.

G. The regulations at 24 CFR Part 21, regarding requirements for Drug- Free Workplace.

H. The Uniform Relocation Act as implemented by regulations at 49 CFR Part 24.

I. The Grantee will comply with all accessibility requirements under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and implementing regulations at 24 CFR Part 8, where applicable.

J. The regulations at 24 CFR Part 35, where applicable, regarding Lead-Based Paint Poisoning Prevention in Certain Residential Structures.

K. The regulations at 24 CFR Part 5.109, where applicable, regarding Equal Participation of Religious Organizations in HUD Programs and Activities.

ARTICLE II. Conditions Precedent to Draw Down.

The Grantee may not draw down grant funds until the following actions have taken place:

A. The Grantee has received and approved any certifications and disclosures required by 24 CFR 87.100 concerning lobbying.

B. Any other conditions listed in Article VII (C) of this Grant Agreement.

ARTICLE III. Draw Downs.

A. A request by the Grantee to draw down grant funds under the Voice Response Access system or any other payment system constitutes a representation by the Grantee that it and all participating parties are complying with the terms of this Grant Agreement.

B. The Grantee will be paid on an advance basis provided that the Grantee minimizes the time elapsing between transfer of the grant funds and disbursement for project

C. Before the Grant Agreement is signed, the Grantee may incur cost for activities which are exempt from environmental review under 24 CFR Part 58 and may charge the costs to the grant.

ARTICLE IV. Progress Reports.

A. The Grantee shall submit to the Grant Officer a progress report every six months after the effective date of the Grant Agreement. Progress reports shall consist of (1) a narrative of work accomplished during the reporting period and (2) a completed Financial Status Report - Form 269 A.

HUD may require additional information or increased frequency of reporting as described in Article VII (C).

B. The performance reports must contain the information required under 24 CFR Part 85.40(b) (2) or 24 CFR Part 84.51(a), as applicable including a comparison of actual accomplishment to the objectives indicated in the approved application, the reasons for slippage if established objectives were not met, and additional pertinent information including explanation of significant cost overruns.

C. No grant drawdowns will be approved for projects with overdue progress reports.

ARTICLE V. Project Close-out.

A. The grantee shall submit to the Grant Officer a written request to close-out the grant 30 days after the grantee has drawn down all funds and completed the activities described in the application, as may be amended. The final report shall consist of (1) a narrative of all work accomplished during the project period and (2) a completed Financial Status Report - Form 269 A covering the entire project period.

HUD will then send the Close-out Agreement and Close-out Certification to the Grantee. At HUD's option, the Grantee may delay initiation of project close-out until the resolution of any HUD monitoring findings. If HUD exercises this option the Grantee must promptly resolve the findings.

B. The Grantee recognizes that the close-out process may entail a review by HUD to determine compliance with the Grant Agreement by the Grantee and all participating parties. The Grantee agrees to cooperate with any review in any way possible, including making available records requested by HUD and the project for on-site HUD inspection.

C. The Grantee shall provide to HUD the following documentation:

1. A Certification of Project Completion.

2. A Grant Close-out Agreement.

3. A final financial report giving the amount and types of project costs charged to the grant (that meet the allowability and allocability requirements of OMB Circular A-122, A-87 or A-21 as applicable, including the "necessary and reasonable" standard); a certification of the costs; and the amounts and sources of other project funds.

4. A final performance report providing a comparison of actual accomplishments with each of the project commitments and objectives in the approved application, the reasons for slippage if established objectives were not met and additional pertinent information including explanation of significant cost overruns.

D. The Grantee agrees that the grant funds are allowable only to the extent that the project costs, meeting the standard of OMB Circular A-122, A-87 or A-21 as applicable, equal the grant amount plus other sources of project funds provided.

E. When HUD has determined that the grant funds are allowable, the activities were completed as described by the Grant Agreement, and all Federal requirements were satisfied, HUD and the Grantee will sign the Close-out Agreement and Close-out Certificate.

F. The Close-out Agreement will include the Grantee's Agreement to abide by any continuing federal requirements.

ARTICLE VI. Default.

A default under this Grant Agreement shall consist of using grant funds for a purpose other than as authorized by this Agreement, any noncompliance with legislative, regulatory, or other requirements applicable to the Agreement, any other material breach of this Agreement, or any material misrepresentation in the application submissions.

ARTICLE VII. Additional Provisions.

A. Project Description. The project is as described in the application with the following changes:

B. Changes or Clarification to the Application Related to Participating Parties:
The Administrative Agent if any:

C. Special Conditions:

The Consolidated Appropriations Act, 2008 provides that no funds made available under the Act may be used to support any Federal, State or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use. For purposes of this provision, public use shall not be construed to include economic development that primarily benefits private entitites.

U.S. Department of Housing
and Urban Development

Authorized Signature

Otto V. Banks
Deputy Assistant Secretary
for Economic Development

Date

City of Las Vegas
The Honorable Oscar B. Goodman

Authorized Signature

Mayor
Title

Date

APPROVED AS TO FORM

12/4/08

Teresita L. Ponticello **Date**
Chief Deputy City Attorney

U.S. Department of Housing and Urban Development
Community Planning and Development
Congressional Grants Division

Economic Development Initiative-Special Project Grants

GRANT AWARD INSTRUCTIONS

Congratulations on the award of your Economic Development Initiative-Special Project (EDI-SP) grant. The Department of Housing and Urban Development (HUD) looks forward to working with you on your project.

This document provides all of the instructions you will need to access your EDI-SP funds. The EDI-SP funds will be transferred directly from the U.S. Treasury to your bank account. HUD suggests that you distribute these instructions to all staff that will access EDI-SP grant funds. HUD's Congressional Grants Division (CGD) in Washington, D.C. administers your EDI-SP grant. All correspondence regarding this grant, except where otherwise instructed, should be sent to the CGD at the following address:

U.S. Department of Housing and Urban Development
Community Planning and Development
Congressional Grants Division
451 Seventh Street S.W., Room 7146
Washington, D.C. 20410

The telephone number for the Congressional Grants Division is (202) 708-3773. This is not a toll-free call. Please ask to speak to the Grant Officer assigned to your state when calling the Division and be prepared to provide your EDI-SP grant number.

You can find additional forms and instructions on the Congressional Grants Division website at: http://www.hud.gov/offices/cpd/economicdevelopment/programs/congressional.

Enclosed with this document are the forms you will need to set up and manage your EDI-SP grant account. These forms include:

1. Line of Credit Control System (LOCCS) Voice Response Access Authorization Form (HUD-27054).
2. Direct Deposit Sign-up Form (SF-1199A).
3. Request Voucher for Grant Payment (HUD-27053).
4. Financial Status Report (Standard Form 269A).
5. Change of Address Request form (HUD-27056)

I. FREQUENTLY ASKED QUESTIONS ABOUT EDI-SP GRANTS

1. WHAT DOCUMENTS AND FORMS ARE REQUIRED TO ACCESS GRANT FUNDS?

ANSWER: Once you have submitted your application and have received approval of the grant from the Department, you will receive an approval package consisting of grant agreements, assistance/award forms, a direct deposit sign up form, a LOCCS Access Authorization form and a set of these instructions. The grant agreements and assistance award forms must be signed and returned to the Congressional Grants Division, along with the direct deposit sign-up form and a cancelled or voided check that indicates your ABA number. The LOCCS Access Authorization form must be completed and returned to the Washington, DC address at the top of the form. Further detailed instructions for accessing the Line of Credit Control System (LOCCS) are provided in Section II below.

2. WHAT ARE THE ENVIRONMENTAL REVIEW REQUIREMENTS FOR THIS GRANT AND WHEN SHOULD AN APPLICANT BEGIN THE ENVIRONMENTAL REVIEW PROCESS?

ANSWER: The environmental review must be completed before grant or other funds are committed or disbursed to the project. The Department cannot make funds available for activities that were undertaken prior to the environmental review and which would have required a review.

An applicant should begin the environmental review process as soon as possible. Ideally, the environmental review should occur while the application is under review by the Department. Your local HUD field office can provide more information about the required environmental review. The HUD environmental officer for your grant is listed on the assistance/award form in the approval package and can be also identified on the Division's web site at:

www.hud.gov/offices/cpd/economicdevelopment/programs/congressional

3. WHAT IS THE PROCEDURE FOR A GRANTEE TO MAKE CHANGES TO THE APPROVED PROJECT, BUDGET AND OR TIME LINE?

ANSWER: Following approval of the initial application, the grantee may propose to amend the approved project. The grantee must submit a letter requesting revisions to the project, budget, and timelines, as appropriate, along with a justification for the proposed changes. Amendments to previously approved projects may also require a revision of the environmental review for the amended project.

4. IF A GRANTEE OR PROJECT IS AWARDED MORE THAN ONE EDI-SPECIAL PROJECT GRANT, CAN THEY BE COMBINED?

ANSWER: No, each EDI-SP grant is a separate project and is processed separately.

5. WHAT IS THE START OR "EFFECTIVE" DATE OF THE GRANT?

ANSWER: The effective date for the EDI-SP grant is the date that HUD signs the Grant Agreement and the HUD 1044 Assistance Award/Amendment Form.

6. WHAT IS THE ENDING DATE?

ANSWER: For most EDI-SP grants, funds must be obligated, or under contract, within the first three fiscal years of the appropriation (e.g., FY 2006 grants must be obligated or under contract by the end of FY 2008). For most EDI-SP grants, funds must be expended within five years of the deadline for obligation (e.g., FY 2006 grant funds remain available for expenditure until the end of FY 2013). On occasion, however, Congress may appropriate funds and establish longer or shorter periods for obligation and expenditure. Any grant funds not obligated or expended by the deadline established by Congress are automatically returned to the Department of Treasury. Both the obligation and expenditure deadlines are established by law and cannot be waived or extended by the Department.

7. ARE THERE REPORTING REQUIREMENTS FOR THIS GRANT?

ANSWER: Progress Reports are due on a semi-annual basis. They should be sent to the attention of the Grant Officer listed in Block 9 of the HUD Form 1044 "Assistance Award" and submitted to the following address:

U.S. Department of Housing and Urban Development
Congressional Grants Division
451 7th Street, S.W., Room 7146
Washington, D.C. 20410

You will be sent a reminder letter 30 days in advance of the Progress Report's due date. The semi-annual report must consist of: 1) a narrative on the project's progress for the reporting time period; 2) a completed Standard Form 269A if funds have been expended during the reporting period and; 3) copies of HUD form 20753, if you have drawn down funds from LOCCS during the reporting time period.

8. IS A REPORT REQUIRED IF NO ACTIVITY HAS TAKEN PLACE ON THE GRANT?

ANSWER: Yes, the grantee should inform HUD in its narrative that no activity has taken place on the proposed activities and/ that no grant funds have been drawn down.

9. HOW DO I CLOSE OUT THE EDI-SP GRANT?

ANSWER: After all EDI-SP grant funds have been drawn down, the grantee should submit HUD form 269A, "Financial Status Report" to their Grant Officer. In Block 12 of the form indicate that you wish "to Initiative Project Close-Out". The Division will then forward the necessary forms to complete the closeout.

10. WHAT DOCUMENTS ARE REQUIRED IN ORDER FOR A PAYMENT OF FUNDS TO BE APPROVED BY THE DEPARTMENT?

ANSWER: In order to approve a request for payment of funds, the Grant Officer must have evidence that the proper environmental review for the project has been completed. Any overdue semi-annual reports must also be submitted. You will also be required to submit a LOCCS VRS Request Voucher for Grant Payment (HUD-27053). Grant Officers will also require you to submit source documentation in support of the payment request (e.g., bills, invoices, receipts, etc.) and a written statement detailing by budget line item what the request will be used to pay, when you make the first and last draw of funds for the grant, and when you request more than 70% of the total grant amount. As the grantee, you are also required to maintain source documentation in your files for the expenditure of all grant funds.

11. WHAT IS THE 3-DIGIT VOUCHER PREFIX?

ANSWER: The 3-digit-voucher prefix is 080.

12. WHAT IS THE BUDGET LINE ITEM (BLI) NUMBER?

ANSWER: The Budget Line Item number is 4246.

13. WHAT IS THE CFDA NUMBER FOR THIS GRANT?

ANSWER: The CFDA Number is 14.251

14. WHOSE NAME AND SOCIAL SECURITY NUMBER SHOULD BE ENTERED ON THE LOCCS VOICE RESPONSE SYSTEM ACCESS AUTHORIZATION FORM (HUD FORM-27054)?

ANSWER: The individual designated by your organization to draw down funds on behalf of the organization and the person who approves that designated user should be included on the form. More detailed LOCCS instructions are provided in Section II below.

15. IF WE ARE ALREADY SETUP IN THE LOCCS SYSTEM FOR OTHER HUD PROGRAMS (CDBG, HOMELESS, ETC.) DO WE STILL HAVE TO

COMPLETE THE LOCCS ACCESS AND OTHER FINANCIAL FORMS AGAIN FOR THIS GRANT?

ANSWER: Yes, the Direct Deposit Sign-Up Form SF 1199 and the HUD form 20754 "LOCCS Voice Response System Access Authorization" must be filled out again in order to gain access to the EDI-SP grant funds.

If, however, you were awarded an EDI-SP grant in a prior year and you are currently set up in LOCCS for that grant, no additional Direct Deposit, or LOCCS Access forms are necessary. More detailed LOCCS instructions are provided in Section II below.

16. **HOW CAN THE GRANTEE OBTAIN THE 10-DIGIT VOICE RESPONSE SYSTEM (VRS) GRANT NUMBER?**

ANSWER: In addition to draw down capability, LOCCS/VRS allows grantees to query the system for other information by specifying a Tax Identification Number. The last VRS number for the selected program area is given by electronic voice. This is useful if the caller has not received the LOCCS/VRS generated letter with the assigned VRS number, but wishes to draw down grant funds. More detailed LOCCS instructions are provided in Section II below.

II. SUMMARY OF THE LINE OF CREDIT CONTROL SYSTEM (LOCCS) and VOICE RESPONSE SYSTEM (VRS) FOR PAYMENT

All EDI-SP grantees must use the LOCCS/VRS to request program funds. LOCCS is the system HUD uses to disburse grants funds. The VRS and is the automated system used by grantees to request funds that are recorded in LOCCS. Grantees use the VRS to request funds via a touchtone telephone. Synthesized text-to-speech dialogue is used to request payment data from the caller.

The VRS requires the caller to enter a User-id, password, and a VRS grant number to ensure that the caller has authority to request grant funds for the particular EDI-SP grant. The requested payment amount is checked against the grant's available balance in the LOCCS to ensure that the request does not exceed the grant's authorized funding limits. LOCCS will not allow more than one draw per grant per day.

After the request for payment is approved, funds are wired from the U.S. Department of Treasury directly into the grantee's bank account, usually within 72 hours from the day HUD approves the request.

III) USING THE VOICE RESPONSE SYSTEM/BUDGET LINE ITEM PAYMENT

A. Preliminary Requirements:

1. Creating your account in the LOCCS

With this document, you should have received four copies of the EDI-SP Grant Agreement to sign and return. You are to retain one copy for your files. When HUD receives the remaining three signed copies, they will be executed (signed by HUD) and one fully executed copy (signed by the grantee and HUD) will be returned to you. The **effective date** of the grant is the date that the grant agreement was signed by HUD.

HUD will enter information on the grant agreement, including the grantee name, the grantee address, and grant term, into the LOCCS. HUD will also enter the amount awarded under one **Budget Line Item (BLI) – 4246/EDI-SP**.

2. User ID and Password

Only users with valid User ID's and passwords may access the LOCCS/VRS. Users are allowed access to only those programs, projects, and functions that have been requested and approved by the LOCCS Security Officer at HUD Headquarters.

To gain authorization to LOCCS/VRS, each staff person of your organization who will perform "drawdown" functions must submit one LOCCS/VRS Access Authorization form (HUD-27054). Both the staff that will have on-line access to LOCCS and those who authorize their staff to access LOCCS must complete the LOCCS Authorization form (HUD-27054). Two copies of this form are enclosed, and a sample form has been completed for your information. It is recommended that two persons in your organization be authorized to draw down EDI-SP funds via the VRS in case of illnesses, vacations, etc. Grantees will then have an alternate staff person authorized to drawdown funds.

These completed forms must be returned, via overnight delivery, to:

Chief Financial Officer, FYM
451 7th Street, S.W., Room 3114
Washington, D.C. 20410

or via regular mail to:

U.S. Department of Housing and Urban Development
Chief Financial Officer,
FYM, P.O. Box 23774,
Washington, D.C. 20026-3774

The telephone number for the LOCCS Security is 1-877-705-7504

The complete award package, which includes three copies of the signed grant agreement, and the Direct Deposit Sign Up form (Standard Form 1199A), should be sent together, via Express, Federal Express or UPS, to your Government Technical Representative at the address on the front page of these instructions.

Please note that failure to submit all documents together will delay processing of your account and drawdown authorization.

The LOCCS Security Officer will notify each individual who has submitted a HUD form 27054 of his or her User ID via a User ID Authorization Letter to be opened by the addressee only. The letter will state that the user must access LOCCS by a specified date. If the system is not accessed by that date, **the authorization will be canceled.** The caller does not have to request a draw down in order to access the system. The caller will, however, need to create a password.

If you do not receive your password and User ID in a timely manner, please contact the HUD Security Officer at **1-877-705-7504** (toll free) or (202) 708-0764 to ensure the document has been received. The Congressional Grants Division cannot assist you with a LOCCS/VRS security problem.

3. Voice Response Number

Each grantee will also receive a letter containing his or her computer-generated Voice Response Number. LOCCS automatically assigns a unique all-numeric, 10-digit number to each grant whose program area participates in VRS.

4. Direct Deposit Form

Each grantee must complete and submit a Direct Deposit Sign-Up form (Standard Form-1199A). This form identifies the bank account into which grant funds will be deposited. All funds will be wire transferred from the U.S. Treasury directly into this designated bank account. A copy of this form is enclosed, as well as a completed sample form to use as a guide. After the grantee has completed Section 1 and the grantee's financial institution has completed Section 3, return the form and a blank check marked **CANCELLED** or **VOID** to the Congressional Grants Division. A deposit slip may be submitted instead of the voided check. The voided check or deposit slips are used for verification purposes. Failure to include these items may delay processing the forms. The completed form should be returned to the attention of the Grant Officer at the address listed on page one of this document.

B. Preparing the Voucher

The LOCCS VRS Request Voucher for Grant Payment (HUD-27053) is used for EDI-SP VRS payments. This form is to be filled out before calling the LOCCS VRS to request payment. A completed sample is provided. You must submit a copy to HUD before a draw down can be approved. Two copies of the voucher are enclosed. Please make copies of the voucher form (HUD-27053) for future use.

Note: Following each disbursement request, the grantee must keep the original voucher, with copies of invoices, receipts, and other relevant documentation of costs, on file.

C. Calling the Voice Response System

1. VRS Equipment

The toll free number for LOCCS/VRS is 1-877-705-7505 or (301) 344-0132. Hours of operation for LOCCS/VRS are 8:00 a.m. to 7:00 p.m. Eastern Time, Monday through Friday. After the initial greeting, a menu selection is given. LOCCS is selection number 1.

2. Program Number, ID and Password

The caller must have a completed voucher in hand as a reference when making the call. LOCCS will first ask for the caller's User ID and password to verify that the caller is authorized to draw down EDI-special project funds.

3. Voucher Number

LOCCS/VRS will ask the caller for the three-digit voucher prefix number. The three-digit prefix, which represents the Special Projects grant program, is **080**. The caller will enter this three-digit prefix. LOCCS/VRS will give the caller the remaining 6 digits of the voucher number. **The caller must write the entire nine digit voucher number in Block 1 of the voucher form and then enter the entire nine-digit voucher number for verification**. This procedure also ensures that each voucher number is unique.

4. Entering the VRS Number

LOCCS/VRS will ask the caller to enter the 10-digit VRS number that the grantee received by mail. LOCCS/VRS will give the caller the grantee's EDI-SP grant number as verification.

5. Entering Budget Line Items

LOCCS/VRS will then prompt the caller to enter the first four-digit line item number. The **budget line number for Special Projects grants is 4246.** LOCCS/VRS verifies that it is a valid number for the grant type and for the program area. The line item's name is spoken back to the caller.

The caller will then enter the amount of funds to be drawn against the Line Item, followed by a pound (#) sign. Since LOCCS/VRS does not know in advance the number of digits being entered, the caller must enter a pound sign (#) as the last input to indicate they have completed entering digits. Drawdown amounts, which are not whole dollars, will use the asterisk (*) on the phone pad to represent the decimal point.

For example, to request $28,569.15, the caller would enter the following numbers:

2 8 5 6 9*1 5#

LOCCS/VRS then provides the caller with the voucher total amount for confirmation. The caller then has a final option to process or cancel the request.

6. Restrictions on Drawdowns

a. A grantee may not make more than one payment request per day.

b. OMB Circular A-110 states that a grantee must make draw downs as close in time as possible to its disbursements. It also emphasizes that LOCCS is designed so that grantees can draw down funds when needed. Funds drawn down should be disbursed in payment of program costs within three days of receipt of funds. That is, grantees should not draw down funds unless they expect to pay out those funds within three days.

c. **Please note:** If you are requesting the initial or final payment of the grant, or requesting 70% or more of the total grant award, source documents or a written statement detailing, by budget line item, what the request will be used to pay must be provided to your Grant Officer to verify immediate disbursement of the requested funds. An authorized official must sign this statement. A LOCCS/VRS Request for Grant Payment (HUD-27053) must also be submitted.

7. Program Edits

The LOCCS/VRS uses payment controls to ensure that payments are appropriate and consistent with EDI-SP guidelines. These controls are called payment edits. Edits on budget line items are applied when the grantee requests funds through LOCCS/VRS. Specific program edits are as follows:

a. Review Authority. HUD staff will review all draw down requests before approval.

b. Total Amount Requested. LOCCS will automatically reject any payment request that exceeds the total amount authorized for the grant in the grant agreement.

c. Reports. Grantees must submit semi-annual reports to the Grant Officer in Washington D.C. during the grant period and a Final Report at the end of the grant period. LOCCS/VRS will send grantees a system-generated letter regarding their semi-annual report. This letter will remind each grantee that their semi-annual report is due to HUD in 30 days.

8. Outcome of a Request for Voucher Payment

a. Approved

Once the draw down request has been reviewed and approved by HUD staff, the requested funds are wired to the grantee's bank account, in most

cases within 48 hours of the approval by HUD. Grantees are advised to contact the Grant Officer at (202) 708-3773 the first time a draw down request is made. The Grant Officer will ascertain that all special conditions are met before approving the draw. After the first draw down request, grantees do not need to alert HUD staff of a drawdown request.

b. Rejected

Drawdown requests will be rejected until special condition(s) are satisfied. Vouchers will be rejected for amounts that exceed the total amount authorized in the grant agreement.

c. Suspension

The grantee is unable to request any funds and is told that all further requests for funds have been suspended. This occurs when the grantee has failed to submit a report or is otherwise in violation of its grant agreement. Once the report is submitted or the violation is corrected, the suspension will be lifted and the grantee may again request funds.

IV. QUERIES

In addition to drawdown capability, LOCCS/VRS allows grantees to query the system for information. The initial menu will give grantees this option at the start of each VRS call. The available query functions are as follows:

A. Grant Query

LOCCS/VRS will give current authorized, disbursed, and available balance totals for the selected grant, along with general grant status.

B. Voucher Query

By entering a voucher number, the status of the voucher is given. This includes when the voucher was called in, by whom, and if the voucher has been paid, canceled, or is out for review.

C. Last assigned VRS Grant Number

By specifying a Tax ID number, your VRS number for the selected program area is given by electronic voice. This is useful if the caller has not received the LOCCS/VRS-generated letter with the assigned VRS number, but wishes to draw down funds.

V. CHANGE OF ADDRESS

In the event that a grantee changes its address, it must complete form HUD-27056 (Change of Address Request) and submit it to CGD. The form is included. Please make a copy of it for use if and when you need to report a change in address.

If you have any questions regarding LOCCS/VRS Financial System, please call your Grant Officer for assistance, at (202) 708-3773.

VI. Quick Tips for Using the LOCCS

1. Activate the LOCCS User-ID immediately or before the termination date that is listed on the initial letter from LOCCS. Failure to activated the User-ID before the designated date will result in the User-ID being terminated for LOCCS and will require re-application.

2. Your password must remain active. If LOCCS is not used for 60 days, your password will be suspended and access will be denied. Therefore, the user must enter the system and change the password, by entering the asterisk (*) preceding the current password. It is not necessary to do a draw down.

3. If your password becomes inactive, the user must complete a new LOCCS Voice Response Access Authorization form (HUD-20754) requesting a **reset password**. It does not need to be notarized, however, the form must be completed, signed and dated. The form may be faxed to the LOCCS Security Office at (202) 708-4350. After the password is reset, you will receive a letter that provides you with a temporary password for access into the Line Of Credit Control System.

4. If your User-ID becomes inactive, the user must complete a new LOCCS Voice Response Access Authorization form (HUD-20754) requesting a **reinstate user**. In this case, HUD form 20754 must be completed, signed and **NOTARIZED**. This action requires that the form be mailed to the LOCCS Security Office at:

   U.S. Department of Housing and Urban Development
   Chief Financial Officer,
   FYM, P.O. Box 23774,
   Washington, D.C 20026-3774

   After the User-ID has been reinstated, you will receive a confirmation by mail.

5. The approving official for your organization must hold a higher position than the authorized user.

6. Social Security numbers must be provided for both the authorized user and the approving official.

7. The LOCCS Security Help Desk telephone number is 1-877-705-7504. This is a toll free number. You should contact the Congressional Grants Division if the authorized user does not received a user-id to access the LOCCS within 10 business days after returning the completed HUD 20754 form. All other questions should be directed to your Grant Officer.

VII. QUICK FACTS FOR LOCCS/VRS

- The LOCCS/VRS number is 1-877-705-7505 (toll free) or (301) 344-0132. You may request a drawdown from 8:00 a.m. until 6:00 p.m. (Eastern Time) Monday through Friday.

- The LOCCS voucher request is selection number 1.

- Enter your User-ID and password when requested. The LOCCS Security Office at HUD will send the User-ID number to the authorized user for your organization.

- The three-digit program number for Special Projects grants is **080**.

- LOCCS will give the caller a six-digit voucher number. Please write this number down on the HUD form 20753. This number, combined with the 080-program number creates the voucher number for this drawdown. When prompted, enter the entire nine-digit number (080 plus the six digit generated by the LOCCS).

- Enter the 10-digit LOCCS/VRS number for your grant. Grantees will receive this number by mail from HUD. If you do not have this number, you can do a query in LOCCS/VRS. By specifying a Tax ID number, the last assigned VRS number of the selected program area is given by electronic voice.

- The Budget Line Item number for Special Project grants is **4246**.

- Enter 9999 after line item request when prompted by the system.

- Any time that input is requested, one of the following can be used:

  #8 Repeat the last thing spoke
  #9 Return to the previous menu
  #0 Quit immediately
  #1 Return to the initial voice response menu selection

- Please contact your Grant Officer after your first drawdown request to have the voucher approved. The GTR must ascertain that all special conditions for the drawdown request (e.g. there are no past due Semi-Annual reports outstanding, an approved Environmental Review is on file at HUD) have been satisfied before the drawdown will be approved. LOCCS is checked periodically during each day for draw down requests.

- If you are requesting an initial or final payment, or 70% or more of the total grant award, source documents and a written statement outlining the draw down request must be provided to your Grant Officer to verify immediate disbursement of the requested funds. An authorized official within your organization must sign the statement.

- No drawdowns will be approved if there are any Semi-Annual reports (Standard Form 269A and narrative) outstanding.

- No draw down will be approved without the environmental release of funds approval from your local HUD office.

- Funds are usually deposited into our account within 48-72 business hours after the approval of the voucher by your GTR.

VIII. LIST OF ATTACHMENTS

Attachment 1	Sample and Blank HUD-27054 (LOCCS Voice Response Access Authorization)
Attachment 2	Sample and Blank SF-1199A (Direct Deposit Sign-up Form)
Attachment 3	Sample and Blank HUD-27053 (Request Voucher for Grant Payment)
Attachment 4	Sample and Blank Standard Form 269A (Financial Status Report)
Attachment 5	Change of Address Request Form (HUD-27056)

LOCCS
Voice Response System
Access Authorization

U.S. Department of Housing and Urban Development

SAMPLE

OMB Approval No. 2535-010
(exp. 03/31/2007)

See Instructions, Public Burden, and Privacy Act statements on back before completing this form

This form is to be approved by the recipient's (or grantee's) chief executive officer. For new users and reinstate users, retain a copy and send a notarized original and one copy to your local HUD Field Office for review.

U.S. Dept. of Housing and Urban Development
Chief Financial Officer, FYM
PO Box 23774
Washington, DC 20026-3774

For Overnight delivery send to:
Chief Financial Officer, FYM
451 7th Street SW
Room 3114
Washington, DC 20410

1. Type of Function (mark one)

1	[X] New User	5	[ ] Add new Program Area or Tax ID
2	[ ] Reinstate User	6	[ ] Change Tax ID
3	[ ] Terminate User	7	[ ] Change Address
4	[ ] Reset Password for active users	8	[ ] Resend User-ID

2a. User ID (Please leave blank) (CFO USE ONLY)

2b. Social Security Number (SSN) (mandatory): 123-45-6789

3. Authorized User's Name (last, first, mi) Print or Type: Smith, Lucy

Title (mandatory): Accountant

Office Telephone No. (include area code):

Complete Mailing Address: 123 Anywhere Street, Anywhere, XX 12345

E-Mail address (if available):

4. Recipient Organization for which Authority is being Requested

Tax ID: 12-3456789 Organization's Name: City of Anywhere

Tax ID: Organization's Name:

Tax ID: Organization's Name:

5a. LOCCS Program Area	5b. Program Name	5c. Q = Query Only, D = Project Drawdown, S = Project Set-Up (HOME, HOP3), A = Admin. Drawdown (HOME, HOP3)
EDSI	EDI-SP B04SPXX0123	D, Q

6. Authorized User's Signature: /s/ Date (mm/dd/yyyy): 00/00/00

I authorize the person identified above to access LOCCS via the Voice Response System.

7. Approved by name (Last, First, M.I.) Print or Type: Joseph Nelson

Office Telephone Number (include area code):

Title (mandatory): President

Social Security Number (mandatory): 987-65-4321

Complete Mailing Address: 123 Anywhere Street, Anywhere, XX 12345

E-Mail address (if available):

Approving Official's Signature: /s/ Date (mm/dd/yyyy): 00/00/00

8. Notary (must be different from user and approving official)
(Seal, Signature, and Date Notarized (mm/dd/yyyy)

Be sure to Notarize!!

seal, sign, + date

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

HUD implemented the Line of Credit Control System/Voice Response System (LOCCS/VRS) to process requests for payments to grantees. Grant recipients fill out a voucher form for the applicable HUD program with all the necessary information prior to making a telephone call using a touch tone telephone to initiate the drawdown process. The grantee will be prompted for entering the information and for confirming information that is spoken back by the VRS simulated voice. This information is required to obtain benefits under the U.S. Housing Act of 1937, as amended. The information requested does not lend itself to confidentiality.

Privacy Act Statement: Public Law 97-255, Financial Integrity Act, 31 U.S.C. 3512, authorizes the Department of Housing and Urban Development (HUD) to collect all the information which will be used by HUD to protect disbursement data from fraudulent actions. The Housing and Community Development Act of 1987, 42 U.S.C.3543 authorizes HUD to collect the SSN. The purpose of the data is to safeguard the Line of Credit Control System (LOCCS) from unauthorized access. The data are used to ensure that individuals who no longer require access to LOCCS have their access capability promptly deleted. Provision of the SSN is mandatory. HUD uses it as a unique identifier for safeguarding the LOCCS from unauthorized access. This information will not be otherwise disclosed or released outside of HUD, except as permitted or required by law. Failure to provide the information requested on the form may delay the processing of your approval for access to LOCCS.

Instructions for the LOCCS Voice Response Access Authorization Security Form

1. **Type of Function:**

   (1) **New User:** User does not currently have a LOCCS user ID. Form must be notarized with original signatures.

   (2) **Reinstate User:** Used to renew the user's access authorization in LOCCS. Form must be notarized with original signatures.

   (3) **Terminate User:** will immediately terminate the user's access authorizations in LOCCS.

   (4) **Reset Password for active users:** A temporary password will be mailed back to the user to inform him/her of the reset password's value. The user will be required to change the password on the next access to LOCCS.

   (5) **Add new Program Area or Tax ID:** User has a current user ID and will be increasing access capability.

   (6) **Change Tax ID** : User has a current ID and will be changing the Tax ID. **This function is not to be used to change approving official, or substitute a user. Contact Field Office contact for procedures.**

   (7) **Change Address:** User is changing the current mailing address.

   (8) **Resend User-ID.** User has no knowledge of existing User-ID

2. a. **User ID:** This block will be filled in by the LOCCS Security Officer for all ID's.

   b. **Social Security Number:** Mandatory. Used to preclude duplicate issuance of authorization for the same person. See the Privacy Act Statement above. **[Do not user Federal Tax ID Number]**

3. **User Information: All fields are mandatory.** Failure to enter any of these fields will cause the security request to be rejected. Enter the user's last name, first name, and middle initial. Enter the user's office phone number. Include the area code. Enter user's mailing address, city, State and zip code.

4. **Recipient Organization** for which Authority is being requested. This will identify the organization the user will be representing. Enter the organization's Tax ID and organization name.

5. **Program Authority.** Identify the HUD program(s) this user will be authorized to access for the recipient organization and then enter the corresponding code(s)/name(s). **[Program Office should provide this information.]**

   a./b. Contact your local HUD Field Office for the appropriate 3 or 4-character LOCCS Program Area/Name

   c. Enter either "Q" for Query only access, "D" for Project Drawdown access. Users who select Project Drawdown access, Project Set-Up access, or Administrative Drawdown access will automatically receive Query access. Persons who have Project Set-Up Authority for a given Tax ID cannot also have Project Drawdown Authority for the same Tax ID. "S" and "A" are reserved for use with the HOME and HOPE Programs.

6. **Signature.** The signature for whom access is being requested and the date (mm/dd/yyyy) this authorization was signed.

7. **Approval.** Enter the name, title, SSN (social security number), office phone, office address, signature and date (mm/dd/yyyy) of the approving official representing the recipient organization. Approving officials **cannot** approve themselves for access to the system, and must be the user's supervisor.

8. **Notary.** Must be different from user and approving official. Seal and signature of the official who notarizes this form and date (mm/dd/yyyy). Notary should notarize both signatures. Notary is only required for new user and reinstate user.

LOCCS
Voice Response System
Access Authorization

U.S. Department of Housing and Urban Development

OMB Approval No. 2535-0102 (exp. 03/31/2007)

See Instructions, Public Burden, and Privacy Act statements on back before completing this form

This form is to be approved by the recipient's (or grantee's) chief executive officer. **For new users and reinstate users**, retain a copy and send a **notarized original** and one copy to your local HUD Field Office for review.

The Field Office will forward the original form f to:
U.S. Dept. of Housing and Urban Development
Chief Financial Officer, FYM
PO Box 23774
Washington, DC 20026-3774

For Overnight delivery send to:
Chief Financial Officer, FYM
451 7th Street SW
Room 3114
Washington, DC 20410

1. Type of Function (mark one)
   - 1 ☐ New User
   - 2 ☐ Reinstate User
   - 3 ☐ Terminate User
   - 4 ☐ Reset Password for active users
   - 5 ☐ Add new Program Area or Tax ID
   - 6 ☐ Change Tax ID
   - 7 ☐ Change Address
   - 8 ☐ Resend User-ID

2a. User ID (Please leave blank) **(CFO USE ONLY)**

2b. Social Security Number (SSN) **(mandatory)**

3. Authorized User's Name (last, first, mi) **Print or Type**

Title (mandatory)

Office Telephone No. (include area code)

Complete Mailing Address

E-Mail address (if available)

4. Recipient Organization for which Authority is being Requested

Tax ID — Organization's Name

Tax ID — Organization's Name

Tax ID — Organization's Name

5a. LOCCS Program Area	5b. Program Name	5c. **Q** = Query Only **D** = Project Drawdown **S** = Project Set-Up (HOME, HOP3) **A** = Admin. Drawdown (HOME, HOP3)

6. Authorized User's Signature

Date (mm/dd/yyyy)

I authorize the person identified above to access LOCCS via the Voice Response System.

7. Approved by name (Last, First, Mi.) **Print or Type**

Office Telephone Number (include area code)

8. Notary (must be different from user and approving official)
(Seal, Signature, and Date Notarized (mm/dd/yyyy)

Title (mandatory)

Social Security Number (mandatory)

Complete Mailing Address

E-Mail address (if available)

Approving Official's Signature

Date (mm/dd/yyyy)

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

SAMPLE

Standard Form 1199A (EG)
(Rev. June 1987)
Prescribed by Treasury Department
Treasury Dept. Cir. 1076

OMB No. 1510-0007

DIRECT DEPOSIT SIGN-UP FORM

DIRECTIONS

- To sign up for Direct Deposit, the payee is to read the back of this form and fill in the information requested in Sections 1 and 2. Then take or mail this form to the financial institution. The financial institution will verify the information in Sections 1 and 2, and will complete Section 3. The completed form will be returned to the Government agency identified below.
- A separate form must be completed for each type of payment to be sent by Direct Deposit.
- The claim number and type of payment are printed on Government checks. (See the sample check on the back of this form.) This information is also stated on beneficiary/annuitant award letters and other documents from the Government agency.
- Payees must keep the Government agency informed of any address changes in order to receive important information about benefits and to remain qualified for payments.

SECTION 1 *(TO BE COMPLETED BY PAYEE)*

A NAME OF PAYEE *(last, first, middle initial)*
City of Anywhere

ADDRESS *(street, route, P.O. Box, APO/FPO)*
123 Anywhere Street

CITY / STATE / ZIP CODE
Anywhere, XX 12345

TELEPHONE NUMBER
AREA CODE (123) 456-7890

B NAME OF PERSON(S) ENTITLED TO PAYMENT
B-04-SP-XX-0123

C CLAIM OR PAYROLL ID NUMBER
TAX ID#
Prefix 12-3456789 Suffix

D TYPE OF DEPOSITOR ACCOUNT ☐ CHECKING ☐ SAVINGS

E DEPOSITOR ACCOUNT NUMBER

F TYPE OF PAYMENT *(Check only one)*

- ☐ Social Security
- ☐ Supplemental Security Income
- ☐ Railroad Retirement
- ☐ Civil Service Retirement (OPM)
- ☐ VA Compensation or Pension
- ☐ Fed. Salary/Mil. Civilian Pay
- ☐ Mil. Active
- ☐ Mil. Retire.
- ☐ Mil. Survivor
- ☒ Other EDI-SP Grant *(specify)*

G THIS BOX FOR ALLOTMENT OF PAYMENT ONLY *(if applicable)*

TYPE	AMOUNT

PAYEE/JOINT PAYEE CERTIFICATION

I certify that I am entitled to the payment identified above, and that I have read and understood the back of this form. In signing this form, I authorize my payment to be sent to the financial institution named below to be deposited to the designated account.

SIGNATURE	DATE
/S/	
SIGNATURE	DATE

JOINT ACCOUNT HOLDERS' CERTIFICATION *(optional)*

I certify that I have read and understood the back of this form, including the SPECIAL NOTICE TO JOINT ACCOUNT HOLDERS.

SIGNATURE	DATE
SIGNATURE	DATE

SECTION 2 *(TO BE COMPLETED BY PAYEE OR FINANCIAL INSTITUTION)*

GOVERNMENT AGENCY NAME	GOVERNMENT AGENCY ADDRESS
HUD/OFFICE OF CPD	451 7th Street, SW, Rm. 7146

Attach a Blank Check Marked "VOID" or Deposit Slip

SECTION 3 *(TO BE COMPLETED BY FINANCIAL INSTITUTION)*

NAME AND ADDRESS OF FINANCIAL INSTITUTION
Note! The Bank MUST fill in this Section

ROUTING NUMBER / CHECK DIGIT

DEPOSITOR ACCOUNT TITLE

FINANCIAL INSTITUTION CERTIFICATION

I confirm the identity of the above-named payee(s) and the account number and title. As representative of the above-named financial institution, I certify that the financial institution agrees to receive and deposit the payment identified above in accordance with 31 CFR Parts 240, 209, and 210.

PRINT OR TYPE REPRESENTATIVE'S NAME	SIGNATURE OF REPRESENTATIVE	TELEPHONE NUMBER	DATE
/S/	/S/		

Financial institutions should refer to the GREEN BOOK for further instructions.

NSN 7540-01-058-0224

GOVERNMENT AGENCY COPY

1199-207

Designed using Perform Pro, WHS/DIOR, Mar 97

BURDEN ESTIMATE STATEMENT

The estimated average burden associated with this collection of information is 10 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Financial Management Service, Facilities Management Division, Property & Supply Section, Room B-101, 3700 East-West Highway, Hyattsville, MD 20782 or the Office of Management and Budget, Paperwork Reduction Project (1510-0007), Washington, D.C. 20503.

PLEASE READ THIS CAREFULLY

All information on this form, including the individual claim number, is required under 31 USC 3322, 31 CFR 209 and/or 210. The information is confidential and is needed to prove entitlement to payments. The information will be used to process payment data from the Federal agency to the financial institution and/or its agent. Failure to provide the requested information may affect the processing of this form and may delay or prevent the receipt of payments through the Direct Deposit/Electronic Funds Transfer Program.

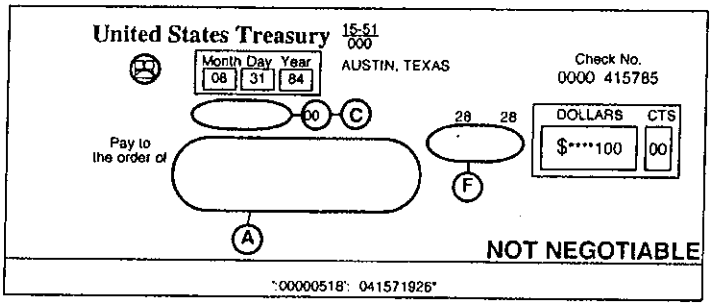
INFORMATION FOUND ON CHECKS

Most of the information needed to complete boxes A, C, and F in Section 1 is printed on your government check:

Ⓐ Be sure that payee's name is written exactly as it appears on the check. Be sure current address is shown.

Ⓒ Claim numbers and suffixes are printed here on checks beneath the date for the type of payment shown here. Check the Green Book for the location of prefixes and suffixes for other types of payments.

Ⓕ Type of payment is printed to the left of the amount.



SPECIAL NOTICE TO JOINT ACCOUNT HOLDERS

Joint account holders should immediately advise both the Government agency and the financial institution of the death of a beneficiary. Funds deposited after the date of death or ineligibility, except for salary payments, are to be returned to the Government agency. The Government agency will then make a determination regarding survivor rights, calculate survivor benefit payments, if any, and begin payments.

CANCELLATION

The agreement represented by this authorization remains in effect until cancelled by the recipient by notice to the Federal agency or by the death or legal incapacity of the recipient. Upon cancellation by the recipient, the recipient should notify the receiving financial institution that he/she is doing so.

The agreement represented by this authorization may be cancelled by the financial institution by providing the recipient a written notice 30 days in advance of the cancellation date. The recipient must immediately advise the Federal agency if the authorization is cancelled by the financial institution. The financial institution cannot cancel the authorization by advice to the Government agency.

CHANGING RECEIVING FINANCIAL INSTITUTIONS

The payee's Direct Deposit will continue to be received by the selected financial institution until the Government agency is notified by the payee that the payee wishes to change the financial institution receiving the Direct Deposit. To effect this change, the payee will complete a new SF 1199A at the newly selected financial institution. It is recommended that the payee maintain accounts at both financial institutions until the transition is complete, i.e. after the new financial institution receives the payee's Direct Deposit payment.

FALSE STATEMENTS OR FRAUDULENT CLAIMS

Federal law provides a fine of not more than $10,000 or imprisonment for not more than five (5) years or both for presenting a false statement or making a fraudulent claim.

Standard Form 1199A (EG)
(Rev. June 1987)
Prescribed by Treasury Department
Treasury Dept. Cir. 1076

OMB No. 1510-0007

DIRECT DEPOSIT SIGN-UP FORM

DIRECTIONS

- To sign up for Direct Deposit, the payee is to read the back of this form and fill in the information requested in Sections 1 and 2. Then take or mail this form to the financial institution. The financial institution will verify the information in Sections 1 and 2, and will complete Section 3. The completed form will be returned to the Government agency identified below.
- A separate form must be completed for each type of payment to be sent by Direct Deposit.
- The claim number and type of payment are printed on Government checks. (See the sample check on the back of this form.) This information is also stated on beneficiary/annuitant award letters and other documents from the Government agency.
- Payees must keep the Government agency informed of any address changes in order to receive important information about benefits and to remain qualified for payments.

SECTION 1 *(TO BE COMPLETED BY PAYEE)*

A NAME OF PAYEE *(last, first, middle initial)*

ADDRESS *(street, route, P.O. Box, APO/FPO)*

CITY STATE ZIP CODE

TELEPHONE NUMBER
AREA CODE

B NAME OF PERSON(S) ENTITLED TO PAYMENT

C CLAIM OR PAYROLL ID NUMBER

Prefix Suffix

D TYPE OF DEPOSITOR ACCOUNT ☐ CHECKING ☐ SAVINGS

E DEPOSITOR ACCOUNT NUMBER

F TYPE OF PAYMENT *(Check only one)*

- ☐ Social Security
- ☐ Supplemental Security Income
- ☐ Railroad Retirement
- ☐ Civil Service Retirement (OPM)
- ☐ VA Compensation or Pension
- ☐ Fed. Salary/Mil. Civilian Pay
- ☐ Mil. Active _____
- ☐ Mil. Retire. _____
- ☐ Mil. Survivor _____
- ☐ Other _____ *(specify)*

G THIS BOX FOR ALLOTMENT OF PAYMENT ONLY *(if applicable)*

TYPE	AMOUNT

PAYEE/JOINT PAYEE CERTIFICATION

I certify that I am entitled to the payment identified above, and that I have read and understood the back of this form. In signing this form, I authorize my payment to be sent to the financial institution named below to be deposited to the designated account.

SIGNATURE	DATE
SIGNATURE	DATE

JOINT ACCOUNT HOLDERS' CERTIFICATION *(optional)*

I certify that I have read and understood the back of this form, including the SPECIAL NOTICE TO JOINT ACCOUNT HOLDERS.

SIGNATURE	DATE
SIGNATURE	DATE

SECTION 2 *(TO BE COMPLETED BY PAYEE OR FINANCIAL INSTITUTION)*

GOVERNMENT AGENCY NAME	GOVERNMENT AGENCY ADDRESS

SECTION 3 *(TO BE COMPLETED BY FINANCIAL INSTITUTION)*

NAME AND ADDRESS OF FINANCIAL INSTITUTION

ROUTING NUMBER CHECK DIGIT

DEPOSITOR ACCOUNT TITLE

FINANCIAL INSTITUTION CERTIFICATION

I confirm the identity of the above-named payee(s) and the account number and title. As representative of the above-named financial institution, I certify that the financial institution agrees to receive and deposit the payment identified above in accordance with 31 CFR Parts 240, 209, and 210.

PRINT OR TYPE REPRESENTATIVE'S NAME	SIGNATURE OF REPRESENTATIVE	TELEPHONE NUMBER	DATE

Financial institutions should refer to the GREEN BOOK for further instructions.

NSN 7540-01-058-0224

1199-207

Designed using Perform Pro, WHS/DIOR, Mar 97

Standard Form 1199A (EG)
(Rev. June 1987)
Prescribed by Treasury Department
Treasury Dept. Cir. 1076

OMB No. 1510-0007

DIRECT DEPOSIT SIGN-UP FORM

DIRECTIONS

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- Payees must keep the Government agency informed of any address changes in order to receive important information about benefits and to remain qualified for payments.

SECTION 1 *(TO BE COMPLETED BY PAYEE)*

A NAME OF PAYEE *(last, first, middle initial)*

ADDRESS *(street, route, P.O. Box, APO/FPO)*

CITY STATE ZIP CODE

TELEPHONE NUMBER
AREA CODE

B NAME OF PERSON(S) ENTITLED TO PAYMENT

C CLAIM OR PAYROLL ID NUMBER

Prefix Suffix

D TYPE OF DEPOSITOR ACCOUNT ☐ CHECKING ☐ SAVINGS

E DEPOSITOR ACCOUNT NUMBER

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- ☐ Railroad Retirement
- ☐ Civil Service Retirement (OPM)
- ☐ VA Compensation or Pension
- ☐ Fed. Salary/Mil. Civilian Pay
- ☐ Mil. Active
- ☐ Mil. Retire.
- ☐ Mil. Survivor
- ☐ Other *(specify)*

G THIS BOX FOR ALLOTMENT OF PAYMENT ONLY *(if applicable)*

TYPE	AMOUNT

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SIGNATURE	DATE
SIGNATURE	DATE

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SIGNATURE	DATE
SIGNATURE	DATE

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GOVERNMENT AGENCY NAME	GOVERNMENT AGENCY ADDRESS

SECTION 3 *(TO BE COMPLETED BY FINANCIAL INSTITUTION)*

NAME AND ADDRESS OF FINANCIAL INSTITUTION

ROUTING NUMBER CHECK DIGIT

DEPOSITOR ACCOUNT TITLE

FINANCIAL INSTITUTION CERTIFICATION

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PRINT OR TYPE REPRESENTATIVE'S NAME	SIGNATURE OF REPRESENTATIVE	TELEPHONE NUMBER	DATE

Financial institutions should refer to the GREEN BOOK for further instructions.

[redacted]

NSN 7540-01-058-0224

1199-207

Designed using Perform Pro, WHS/DIOR, Mar 97

LOCCS VRS

Request Voucher for Grant Payment

U.S. Department of Housing and Urban Development
Office of Administration

OMB Approval No. 2535-0102
(exp. 03/31/2007)

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information collection is to request payment of grant funds or to designate the appropriate officials who can have access to HUD voice activated payment system. The HUD voice activated payment system has been especially designed to help the recipient when calling in for a request of funds and improves the payment process so the recipient will know right away whether their request will be paid or not. This information collection is required under 24 CFR Subpart C, 85.21 - Post Award Requirements, the information collection is needed in order to obtain or retain a benefit.

1. Voucher Number :	2. LOCCS Pgrm. Area:	3. Period Covered by this Request (mm/yy): from: to:	

4. Recipient Organization's Name :	4b. Recipient Organization's Address:
4a.Recipient Organization's Employer Identification Number :	

5. Balance on Hand : $

6.	Voice Response No. (5 digits, hyphen, 5 digits) :	Grant or Project No:	Amount : (dollars) (cents)
(1)	-		$ *
(2)	-		*
(3)	-		*
(4)	-		*
(5)	-		*
(6)	-		*
(7)	-		*
(8)	-		*
(9)	-		*
(10)	-		*
		Voucher Total:	$ *

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

7. Name & Title of Authorized Signatory (type or print clearly)

Signature

X

Date of Request

Privacy Act Statement: Public Law 97-255, Financial Integrity Act, 31 U.S.C. 3512, authorizes the Department of Housing and Urban Development (HUD) to collect all the information (except the Social Security Number (SSN)) which will be used by HUD to protect disbursement data from fraudulent actions. The purpose of the data is to safeguard the Line of Credit Control System (LOCCS) from unauthorized access. The data are used to ensure that individuals who no longer require access to LOCCS have their access capability promptly defeted. Failure to provide the information requested on the form may delay the processing of your approval for access to LOCCS. While the provision of the SSN is voluntary, HUD uses it as a unique identifier for safeguarding the LOCCS from unauthorized access. This information will not be otherwise disclosed or released outside of HUD, except as permitted or required by law.

Retain this form in your records for audit purposes

form **HUD-27053** (3/93)

LOCCS VRS
Request Voucher for Grant Payment

U.S. Department of Housing and Urban Development
Office of Administration

OMB Approval No. 2535-01
(exp. 01/31/20

SAMPLE

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructio searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency m not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information collection is to request payment of grant funds or to designate the appropriate officials who can have access to HUD voice activat payment system. The HUD voice activated payment system has been especially designed to help the recipient when calling in for a request of funds a improves the payment process so the recipient will know right away whether their request will be paid or not. This information collection is requir under 24 CFR Subpart C, 85.21 - Post Award Requirements, the information collection is needed in order to obtain or retain a benefit.

1. Voucher Number:	2. LOCCS Prgm. Area:	3. Period Covered by this Request (mm/yy):	
080	EDSI	from: 03/01/04 to: 08/31/04	

4. Recipient Organization's Name:	4b. Recipient Organization's Address:
4a. Recipient Organization's Employer Identification Number:	

5. Balance on Hand: $

6.	Voice Response No. (5 digits, hyphen, 5 digits):	Grant or Project No:	Amount: (dollars)	(cent
(1)		B04SPXX0123	$ 25,000	*
(2)				*
(3)				*
(4)				*
(5)				*
(6)				*
(7)				*
(8)				*
(9)				*
(10)				*
		Voucher Total:	$ 25,000	*

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true an accurate. Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 101 31 U.S.C. 3729, 3802)

7. Name & Title of Authorized Signatory (type or print clearly)

Judy Jones

Signature

Date of Request

x /s/

Privacy Act Statement: Public Law 97-255, Financial Integrity Act, 31 U.S.C. 3512, authorizes the Department of Housing and Urban Development (HUD to collect all the information (except the Social Security Number (SSN)) which will be used by HUD to protect disbursement data from fraudulent action: The purpose of the data is to safeguard the Line of Credit Control System (LOCCS) from unauthorized access. The data are used to ensure that individual who no longer require access to LOCCS have their access capability promptly deleted. Failure to provide the information requested on the form may dela the processing of your approval for access to LOCCS. While the provision of the SSN is voluntary, HUD uses it as a unique identifier for safeguardin the LOCCS from unauthorized access. This information will not be otherwise disclosed or released outside of HUD, except as permitted or required b law.

Retain this form in your records for audit purposes

form HUD-27053 (3/93

Instructions for the Preparation and Submission of form HUD-27053, Request Voucher for Grant Payment

1. Enter a (9) digit two part number. Part 1 is the (3) digit prefix to your program. (If you do not know your (3) digit program prefix, contact your Program/Grant Officer). Part 2, the remaining (6) digits, will be assigned by LOCCS/VRS during the telephone call. The entire (9) digit number will have to be entered prior to ending the call.

2. This block contains a maximum of 4-digit (xxxx) alpha/numeric program area identifier as stated in block 5a of the HUD-27054, LOCCS Voice Response Access Authorization Form.

3. Enter the period covered by this request.

4. Enter the recipient organization's name as stated on the grant agreement.
   4a. Recipient Organization's Employer Identification Number (EIN) is the nine(9) digit number that is also known as the Tax Identification Number (TIN) in LOCCS-VRS and the Claim or Payroll ID Number on the SF-1199A.
   4b. Enter recipient organization's mailing address.

5. Enter the current balance of cash on hand.

6. Line 1: Enter the 10-digit VRS Number of the first project/grant for which funds are being requested. The first five digits of this number identify the grantee/recipient; the second five identify the specific project/grant. The first five digits should always be the same for a grantee/recipient. The second five digits should run consecutively for succeeding projects/grants within the program.

   Next, enter the HUD project/grant number for the project. This entry is for confirmation purposes only and will not be entered into LOCCS-VRS through the touch-tone pad. Instead, when the VRS number is keyed in, the VRS simulated voice will speak the HUD project/grant number for the caller to ensure the correct VRS number was keyed. Finally, enter the amount requested for that particular project/grant. Dollars should be entered tro the left of the asterisk (*) and cents to its right.

   Lines 2 through 10: List any other project grants in the same HUD Program Area for which funds are to be requested. The total amount requested is entered in the lower right hand corner of Block 6.

7. Enter the authorizing signature and date of signature. The authorizing signatory in Block 7 can not be the same person(s) designated in Block 3 of the HUD-27054, LOCCS Voice Response Access Authorization Form.

LOCCS VRS
Request Voucher for Grant Payment

U.S. Department of Housing and Urban Development
Office of Administration

OMB Approval No. 2535-0102
(exp. 03/31/2007)

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1. Voucher Number :	2. LOCCS Pgrm. Area:	3. Period Covered by this Request (mm/yy): from: to:

4. Recipient Organization's Name :	4b. Recipient Organization's Address:
4a. Recipient Organization's Employer Identification Number :	

5. Balance on Hand : $

6.	Voice Response No. (5 digits, hyphen, 5 digits) :	Grant or Project No:	Amount : (dollars)	(cents)
(1)			$	*
(2)				*
(3)				*
(4)				*
(5)				*
(6)				*
(7)				*
(8)				*
(9)				*
(10)				*
		Voucher Total:	$	*

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

7. Name & Title of Authorized Signatory (type or print clearly)

Signature	Date of Request
X	

Privacy Act Statement: Public Law 97-255, Financial Integrity Act, 31 U.S.C. 3512, authorizes the Department of Housing and Urban Development (HUD) to collect all the information (except the Social Security Number (SSN)) which will be used by HUD to protect disbursement data from fraudulent actions. The purpose of the data is to safeguard the Line of Credit Control System (LOCCS) from unauthorized access. The data are used to ensure that individuals who no longer require access to LOCCS have their access capability promptly deleted. Failure to provide the information requested on the form may delay the processing of your approval for access to LOCCS. While the provision of the SSN is voluntary, HUD uses it as a unique identifier for safeguarding the LOCCS from unauthorized access. This information will not be otherwise disclosed or released outside of HUD, except as permitted or required by law.

Retain this form in your records for audit purposes

form **HUD-27053** (3/93)

LOCCS VRS
Request Voucher for Grant Payment

U.S. Department of Housing and Urban Development
Office of Administration

OMB Approval No. 2535-0102
(exp. 03/31/2007)

Public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number.

This information collection is to request payment of grant funds or to designate the appropriate officials who can have access to HUD voice activated payment system. The HUD voice activated payment system has been especially designed to help the recipient when calling in for a request of funds and improves the payment process so the recipient will know right away whether their request will be paid or not. This information collection is required under 24 CFR Subpart C, 85.21 - Post Award Requirements, the information collection is needed in order to obtain or retain a benefit.

1. Voucher Number :	2. LOCCS Pgrm. Area:	3. Period Covered by this Request (mm/yy): from: to:	
4. Recipient Organization's Name :		4b. Recipient Organization's Address:	
4a. Recipient Organization's Employer Identification Number :			
			5. Balance on Hand : $

6.	Voice Response No. (5 digits, hyphen, 5 digits) :	Grant or Project No:	Amount : (dollars)	(cents)
(1)	-		$	*
(2)	-			*
(3)	-			*
(4)	-			*
(5)	-			*
(6)	-			*
(7)	-			*
(8)	-			*
(9)	-			*
(10)	-			*
		Voucher Total:	$	*

I hereby certify that all the information stated herein, as well as any information provided in the accompaniment herewith, is true and accurate. **Warning:** HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

7. Name & Title of Authorized Signatory (type or print clearly)

Signature | Date of Request

X

Privacy Act Statement: Public Law 97-255, Financial Integrity Act, 31 U.S.C. 3512, authorizes the Department of Housing and Urban Development (HUD) to collect all the information (except the Social Security Number (SSN)) which will be used by HUD to protect disbursement data from fraudulent actions. The purpose of the data is to safeguard the Line of Credit Control System (LOCCS) from unauthorized access. The data are used to ensure that individuals who no longer require access to LOCCS have their access capability promptly deleted. Failure to provide the information requested on the form may delay the processing of your approval for access to LOCCS. While the provision of the SSN is voluntary, HUD uses it as a unique identifier for safeguarding the LOCCS from unauthorized access. This information will not be otherwise disclosed or released outside of HUD, except as permitted or required by law.

Retain this form in your records for audit purposes

form **HUD-27053** (3/93)

SAMPLE

FINANCIAL STATUS REPORT

(Short Form)

(Follow instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted	2. Federal Grant or Other Identifying Number Assigned By Federal Agency	OMB Approval No.	Page	of
	B04SPXX0123	0348-0039		pages

3. Recipient Organization (Name and complete address, including ZIP code)

City of Anywhere
123 Anywhere Street
Anywhere, XX 12345

4. Employer Identification Number	5. Recipient Account Number or Identifying Number	6. Final Report	7. Basis
12-3456789		☐ Yes ☐ No	☐ Cash ☐ Accrual

8. Funding/Grant Period (See Instructions) From: (Month, Day, Year)	To: (Month, Day, Year)	9. Period Covered by this Report From: (Month, Day, Year)	To: (Month, Day, Year)
00/00/04	00/00/08	08/00/04	02/00/05

10. Transactions	I Previously Reported	II This Period	III Cumulative
a. Total outlays			
b. Recipient share of outlays			
c. Federal share of outlays			
d. Total unliquidated obligations			
e. Recipient share of unliquidated obligations			
f. Federal share of unliquidated obligations			
g. Total Federal share (Sum of lines c and f)			
h. Total Federal funds authorized for this funding period			
i. Unobligated balance of Federal funds (Line h minus line g)			

11. Indirect Expense	a. Type of Rate (Place "X" in appropriate box) ☐ Provisional ☐ Predetermined ☐ Final ☐ Fixed			
	b. Rate —	c. Base —	d. Total Amount —	e. Federal Share —

12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation.

13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.

Typed or Printed Name and Title	Telephone (Area code, number and extension)
Judy Jones	
Signature of Authorized Certifying Official	**Date Report Submitted**
/S/	00/00/04

Standard Form 269A (REV 4-88)
Prescribed by OMB Circulars A-102 and A-110

FINANCIAL STATUS REPORT

(Short Form)

Public reporting burden for this collection of information is estimated to average 90 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0038), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Please type or print legibly. The following general instructions explain how to use the form itself. You may need additional information to complete certain items correctly, or to decide whether a specific item is applicable to this award. Usually, such information will be found in the Federal agency's grant regulations or in the terms and conditions of the award. You may also contact the Federal agency directly.

Item	Entry	Item	Entry

1, 2 and 3. Self-explanatory.

4. Enter the Employer Identification Number (EIN) assigned by the U.S. Internal Revenue Service.

5. Space reserved for an account number or other identifying number assigned by the recipient.

6. Check *yes* only if this is the last report for the period shown in item 8.

7. Self-explanatory.

8. Unless you have received other instructions from the awarding agency, enter the beginning and ending dates of the current funding period. If this is a multi-year program, the Federal agency might require cumulative reporting through consecutive funding periods. In that case, enter the beginning and ending dates of the grant period, and in the rest of these instructions, substitute the term "grant period" for "funding period."

9. Self-explanatory.

10. The purpose of columns I, II, and III is to show the effect of this reporting period's transactions on cumulative financial status. The amounts entered in column I will normally be the same as those in column III of the previous report in *the same funding period*. If this is the first or only report of the funding period, leave columns I and II blank. If you need to adjust amounts entered on previous reports, footnote the column I entry on this report and attach an explanation.

10a. Enter total program outlays less any rebates, refunds, or other credits. For reports prepared on a cash basis, outlays are the sum of actual cash disbursements for direct costs for goods and services, the amount of indirect expense charged, the value of in-kind contributions applied, and the amount of cash advances and payments made to subrecipients. For reports prepared on an accrual basis, outlays are the sum of actual cash disbursements for direct charges for goods and services, the amount of indirect expense incurred, the value of in-kind contributions applied, and the net increase or decrease in the amounts owed by the recipient for goods and other property received, for services performed by employees, contractors, subgrantees and other payees, and other amounts becoming owed under programs for which no current services or performances are required, such as annuities, insurance claims, and other benefit payments.

10b. Self-explanatory.

10c. Self-explanatory.

10d. Enter the total amount of unliquidated obligations, including unliquidated obligations to subgrantees and contractors.

Unliquidated obligations on a cash basis are obligations incurred, but not yet paid. On an accrual basis, they are obligations incurred, but for which an outlay has not yet been recorded.

Do not include any amounts on line 10d that have been included on lines 10a, b, or c.

On the final report, line 10d must be zero.

10e. f, g, h, h and i. Self-explanatory.

11a. Self-explanatory.

11b. Enter the indirect cost rate in effect during the reporting period.

11c. Enter the amount of the base against which the rate was applied.

11d. Enter the total amount of indirect costs charged during the report period.

11e. Enter the Federal share of the amount in 11d.

Note: If more than one rate was in effect during the period shown in item 8, attach a schedule showing the bases against which the different rates were applied, the respective rates, the calendar periods they were in effect, amounts of indirect expense charged to the project, and the Federal share of indirect expense charged to the project to date.

*U. S. Government Printing Office: 1993 - 342-197/81289

FINANCIAL STATUS REPORT

(Short Form)

(Follow instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted	2. Federal Grant or Other Identifying Number Assigned By Federal Agency	OMB Approval No. 0348-0038	Page of pages

3. Recipient Organization (Name and complete address, including ZIP code)

4. Employer Identification Number	5. Recipient Account Number or Identifying Number	6. Final Report ☐ Yes ☐ No	7. Basis ☐ Cash ☐ Accrual

8. Funding/Grant Period *(See instructions)* From: (Month, Day, Year)	To: (Month, Day, Year)	9. Period Covered by this Report From: (Month, Day, Year)	To: (Month, Day, Year)

10. Transactions:	I Previously Reported	II This Period	III Cumulative
a. Total outlays			0.00
b. Recipient share of outlays			0.00
c. Federal share of outlays			0.00
d. Total unliquidated obligations			
e. Recipient share of unliquidated obligations			
f. Federal share of unliquidated obligations			
g. Total Federal share *(Sum of lines c and f)*			0.00
h. Total Federal funds authorized for this funding period			
i. Unobligated balance of Federal funds *(Line h minus line g)*			0.00

11. Indirect Expense	a. Type of Rate *(Place "X" in appropriate box)* ☐ Provisional ☐ Predetermined ☐ Final ☐ Fixed			
	b. Rate	c. Base	d. Total Amount	e. Federal Share

12. *Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation.*

13. Certification: **I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.**	
Typed or Printed Name and Title	Telephone (Area code, number and extension)
Signature of Authorized Certifying Official	Date Report Submitted
	January 22, 2007

NSN 7540-01-218-4387 269-202 Standard Form 269A (Rev. 7-97)

Prescribed by OMB Circulars A-102 and A-11(

FINANCIAL STATUS REPORT

(Short Form)

(Follow instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted	2. Federal Grant or Other Identifying Number Assigned By Federal Agency	OMB Approval No. 0348-0038	Page of pages

3. Recipient Organization (Name and complete address, including ZIP code)

4. Employer Identification Number	5. Recipient Account Number or Identifying Number	6. Final Report ☐ Yes ☐ No	7. Basis ☐ Cash ☐ Accrual

8. Funding/Grant Period *(See instructions)* From: (Month, Day, Year)	To: (Month, Day, Year)	9. Period Covered by this Report From: (Month, Day, Year)	To: (Month, Day, Year)

10. Transactions:	I Previously Reported	II This Period	III Cumulative
a. Total outlays			0.00
b. Recipient share of outlays			0.00
c. Federal share of outlays			0.00
d. Total unliquidated obligations			
e. Recipient share of unliquidated obligations			
f. Federal share of unliquidated obligations			
g. Total Federal share *(Sum of lines c and f)*			0.00
h. Total Federal funds authorized for this funding period			
i. Unobligated balance of Federal funds *(Line h minus line g)*			0.00

11. Indirect Expense	a. Type of Rate *(Place "X" in appropriate box)* ☐ Provisional ☐ Predetermined ☐ Final ☐ Fixed			
	b. Rate	c. Base	d. Total Amount	e. Federal Share

12. *Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation.*

13. Certification: **I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.**

Typed or Printed Name and Title	Telephone (Area code, number and extension)
Signature of Authorized Certifying Official	**Date Report Submitted**
	January 22, 2007

NSN 7540-01-218-4387 269-202 Standard Form 269A (Rev. 7-97)

Prescribed by OMB Circulars A-102 and A-11(

Change of Address Request
for Recipients of HUD Grants or Contracts

U.S. Department of Housing and Urban Development
Office of Administration

Instructions: This form is to be completed by recipients of HUD Grants or Contracts when their address changes. Please note the maximum characters per area. Characters in excess of the maximum will be truncated. The recipient shall submit this request to the appropriate Field/ Program Office for approval. Once approved, the Field/Program Office will forward the request to Accounting for processing. After being processed, the U.S. Department of Housing and Urban Development will send all future correspondence to the new address.

Recipient's Tax Identification Number (9 characters)	Effective Date of Address Change

Current Information

Recipient's Name (33 characters max.)

Address (33 characters per line max.)

City (22 characters max.)	State (2 chars.)	Zip Code (5 or 9 characters)

Contact Name	Phone Number (include area code)

Enter the Requested Changes

Recipient's Name (33 characters max.)

Address (33 characters per line max.)

City (22 characters max.)	State (2 chars.)	Zip Code (5 or 9 characters)

Contact Name	Phone Number (include area code)

Name and Signature of the Recipient Official Authorized to sign the Grant Agreement / Contract

X

Approval (only necessary on requests for a recipient name change)

Name and Signature of the HUD Program Official Authorized to sign the Grant Agreement / Contract

X

Change of Address Request
for Recipients of HUD Grants or Contracts

U.S. Department of Housing and Urban Development
Office of Administration

Instructions: This form is to be completed by recipients of HUD Grants or Contracts when their address changes. Please note the maximum characters per area. Characters in excess of the maximum will be truncated. The recipient shall submit this request to the appropriate Field/ Program Office for approval. Once approved, the Field/Program Office will forward the request to Accounting for processing. After being processed, the U.S. Department of Housing and Urban Development will send all future correspondence to the new address.

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Contact Name	Phone Number (include area code)

Enter the Requested Changes

Recipient's Name (33 characters max.)

Address (33 characters per line max.)

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Contact Name	Phone Number (include area code)

Name and Signature of the Recipient Official Authorized to sign the Grant Agreement / Contract

X

Approval (only necessary on requests for a recipient name change)

Name and Signature of the HUD Program Official Authorized to sign the Grant Agreement / Contract

X

Change of Address Request
for Recipients of HUD Grants or Contracts

U.S. Department of Housing and Urban Development
Office of Administration

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Phone Number (include area code)

Enter the Requested Changes

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Address (33 characters per line max.)

City (22 characters max.)

State (2 chars.)

Zip Code (5 or 9 characters)

Contact Name

Phone Number (include area code)

Name and Signature of the Recipient Official Authorized to sign the Grant Agreement / Contract

Approval (only necessary on requests for a recipient name change)

X

Name and Signature of the HUD Program Official Authorized to sign the Grant Agreement / Contract

X

form **HUD-27056** (11/90)

Assistance Award/Amendment

U.S. Department of Housing and Urban Development
Office of Administration

1. Assistance Instrument
☐ Cooperative Agreement ☒ Grant

2. Type of Action
☒ Award ☐ Amendment

3. Instrument Number
B-08-SP-NV-0536

4. Amendment Number

5. Effective Date of this Action

6. Control Number

7. Name and Address of Recipient
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

EIN: 88-6000198

8. HUD Administering Office
CPD, EDI Special Project Division
451 7th Street, SW, Rm 7146
Washington, DC 20410-7000

8a. Name of Administrator

8b. Telephone Number

10. Recipient Project Manager
Oscar B. Goodman

9. HUD Government Technical Representative
Joanne Omega 202-708-3773, Extensi 4661

11. Assistance Arrangement
☐ Cost Reimbursement
☐ Cost Sharing
☒ Fixed Price

12. Payment Method
☐ Treasury Check Reimburseme
☐ Advance Check
☒ Automated Clearinghouse

13. HUD Payment Office
Chief Financial Officier

14. Assistance Amount

Previous HUD Amount	
HUD Amount this Action	$196,000.00
Total HUD Amount	$196,000.00
Recipient Amount	
Total Instrument Amount	$196,000.00

15. HUD Accounting and Apropriation Data
15a. Appropriation Number

15b. Reservation Number
EID 08

Amount Previously Obligated	
Obligation by this Action	$196,000.00
Total Obligation	$196,000.00

16. Description
City of Las Vegas, NV, Post Office Museum Las Vegas, Nevada, to complete renovation and transformation of the historic Post Office in downtown Las Vegas to a museum on local history

This Award consists of the following items which are appended to and hereby made part of this Award:

(A) Cover Page - HUD 1044
(B) Grant Agreement

Special Condition

Please contact Ernest Molins - HUD Area Environmental Officer at 415-489-6731, Ernest.Molins@hud.gov concerning environmental review. NO FUNDS may be committed to the project or drawn down prior to environmental release of funds approval.

17. ☒ Recipient is required to sign and return three (3) copies of this document to the HUD Administering Office.

18. Recipient is not required to sign this document.

19. Recipient (By Name):
The Honorable Oscar B. Goodman

Signature & Title:
Mayor of Las Vegas

Date:

20. HUD (By Name):
Otto V. Banks

Signature and Title:
DAS for Economic Development

Date:

Previous Editions are Obsolete

form HUD-1044 (8/90)
Ref. Handbook 2210.17

You will be able to draw down funds once, 1) HUD processes the forms, 2) sends you a LOCCS ID Number and a LOCCS Voice Response Number, and 3) after the required certifications and environmental review (if needed) have been accepted by HUD.

Please ensure that all the following forms are complete and return them together as noted below:

a) the three signed originals of the Grant Agreement;

b) the three signed originals of the Assistance Award (HUD Form 1044);

c) the Direct Deposit Form (SF 1199) completed by you and your financial institution;

d) evidence of the ABA number for your depository account, such as a VOIDED blank check, a deposit slip or similar documentation.

The notarized LOCCS Access Authorization Form (HUD form 27054) should be sent directly to the address on the form.

All of these items should be sent to the Government Technical Representative for this grant, Joanne Omega , Room 7146, U.S. Dept. of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410. If you or your staff have any questions about these documents and procedures, please contact Joanne Omega at 202-402-4661, fax (202)-708-7543, or Joanne.Omega@hud.gov.

We look forward to working with you toward a successful completion of this project.

Sincerely,

Otto V. Banks
Deputy Assistant Secretary
for Economic Development

Enclosures

City of Las Vegas Agenda Item No.: **13.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FIELD OPERATIONS
DIRECTOR: LARRY HAUGSNESS ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of an Easements and Rights-of-Way from the City of Las Vegas to the Las Vegas Valley Water District for a water line easement to service a portion of APN 139-34-501-007 located at 300 Stewart Avenue known as the Las Vegas Museum of Organized Crime and Law Enforcement- Ward 5 (Barlow)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Interlocal Agreement 113462 for water service was approved at the August 6, 2008 City Council meeting. A necessary part of this project is approval of an Easement for the purpose of construction, operation, maintenance, repair, renewal, reconstruction and removal of water pipelines and appurtenances with the right of ingress and egress on said parcel.

RECOMMENDATION:
Staff recommends approval

BACKUP DOCUMENTATION:
Easements and Rights-of-Way

A.P.N. 139-34-501-007

EASEMENTS AND RIGHTS-OF-WAY

ABOVE SPACE FOR RECORDER'S USE ONLY

THIS INDENTURE OF EASEMENT AND RIGHTS-OF-WAY, made and entered into by and between:

City of Las Vegas

Party of the First Part, hereinafter known as the **GRANTOR(S)**, and **LAS VEGAS VALLEY WATER DISTRICT**, a Quasi-Municipal Corporation, Party of the Second Part, hereinafter known as the **GRANTEE**.

W I T N E S S E T H:

That the **GRANTOR(S)**, for and in consideration of the sum of one dollar ($1.00), lawful money of the United States, to it in hand paid by the **GRANTEE**, the receipt whereof is hereby acknowledged, does by these presents GRANT and CONVEY to the **GRANTEE**, its successors and assigns, an Easement and Rights-of-Way for the purpose of construction, operation, maintenance, repair, renewal, reconstruction and removal of water pipelines and appurtenances with the right of ingress and egress, over, above, across and under that certain parcel of land described as follows:

SEE EXHIBIT "A" ATTACHED TO AND BY THIS REFERENCE MADE A PART HEREOF.

The **GRANTOR(S)**, its successors and assigns agree that:

1. No buildings, structures, fences or trees shall be placed upon, over or under said parcel of land, now or hereafter, except that said parcel may be improved and used for street, road or driveway purposes and for other utilities, insofar as such use does not interfere with its use by the **GRANTEE** for the purposes for which it is granted;

2. The **GRANTEE** shall not be liable for any damage to any of the **GRANTOR'S** improvements placed upon said parcel due to the **GRANTEE'S** necessary operations using reasonable care; and

3. Should any of the **GRANTEE'S** facilities within said easement be required to be relocated or repaired as a result of changes in grade or other construction within the easement, the **GRANTOR(S)**, or its successors and assigns shall bear the full cost of such relocation or repair, unless the changes in grade or other construction were done by third parties with the written consent of the **GRANTEE**.

A.P.N. 139-34-501-007
GRANTOR: City of Las Vegas

Signator for **GRANTOR(S)** warrant that they have the legal authority to bind the parties hereto and **GRANTOR(S)** warrants that it may legally grant the rights described herein.

IN WITNESS WHEREOF, the **GRANTOR(S)** has hereunto set his/her/their hand/hands this _____ day of _____, 20_____.

ATTEST:

Signature OSCAR B. GOODMAN
MAYOR

Title BEVERLY K. BRIDGES, CMC
CITY CLERK

Approved as to form
John S. Ridilla 12/3/08
John S. Ridilla Date
Deputy City Attorney

STATE of _____)
) ss.
COUNTY of _____)

On _____, 20_____, before me, the undersigned, a **NOTARY PUBLIC**, in and for said County and State, personally appeared _____ known to me to be the person(s) described in and who executed the foregoing instrument, and who acknowledged to me that ___he___ executed the same freely and voluntarily and for the uses and purposes herein mentioned.

WITNESS my hand and official seal.

Notary Public

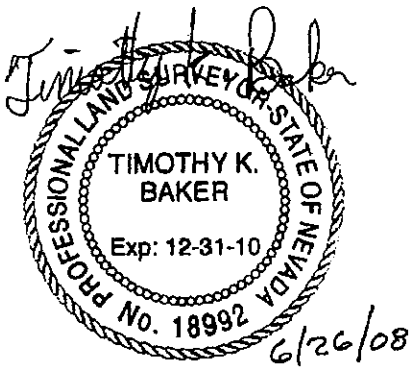
FOR LVVWD USE ONLY

RECORDED FOR
LAS VEGAS VALLEY WATER DISTRICT
1001 S VALLEY VIEW BLVD.
LAS VEGAS, NEVADA 89153
RETURN TO – WILL CALL

Notary Stamp/Seal Above

WRIGHT
one source

7425 Peak Drive
Las Vegas, Nevada 89128
(702) 933-7000
Fax (702) 256-0151



JOB NO: CN061167
DATE: 3/10/08
BY: JRP
PR BY: TJK/TKB
PAGE 2 OF 4
APN: 139-34-501-007
GRANTOR: CITY OF LAS VEGAS

EXHIBIT "A"

EXPLANATION:
THIS LEGAL DESCRIBES A PARCEL OF LAND GENERALLY LOCATED NORTHEASTERLY OF CASINO CENTER BOULEVARD AND STEWART AVENUE FOR LAS VEGAS VALLEY WATER DISTRICT PURPOSES.

LEGAL DESCRIPTION
(LVVWD-01)

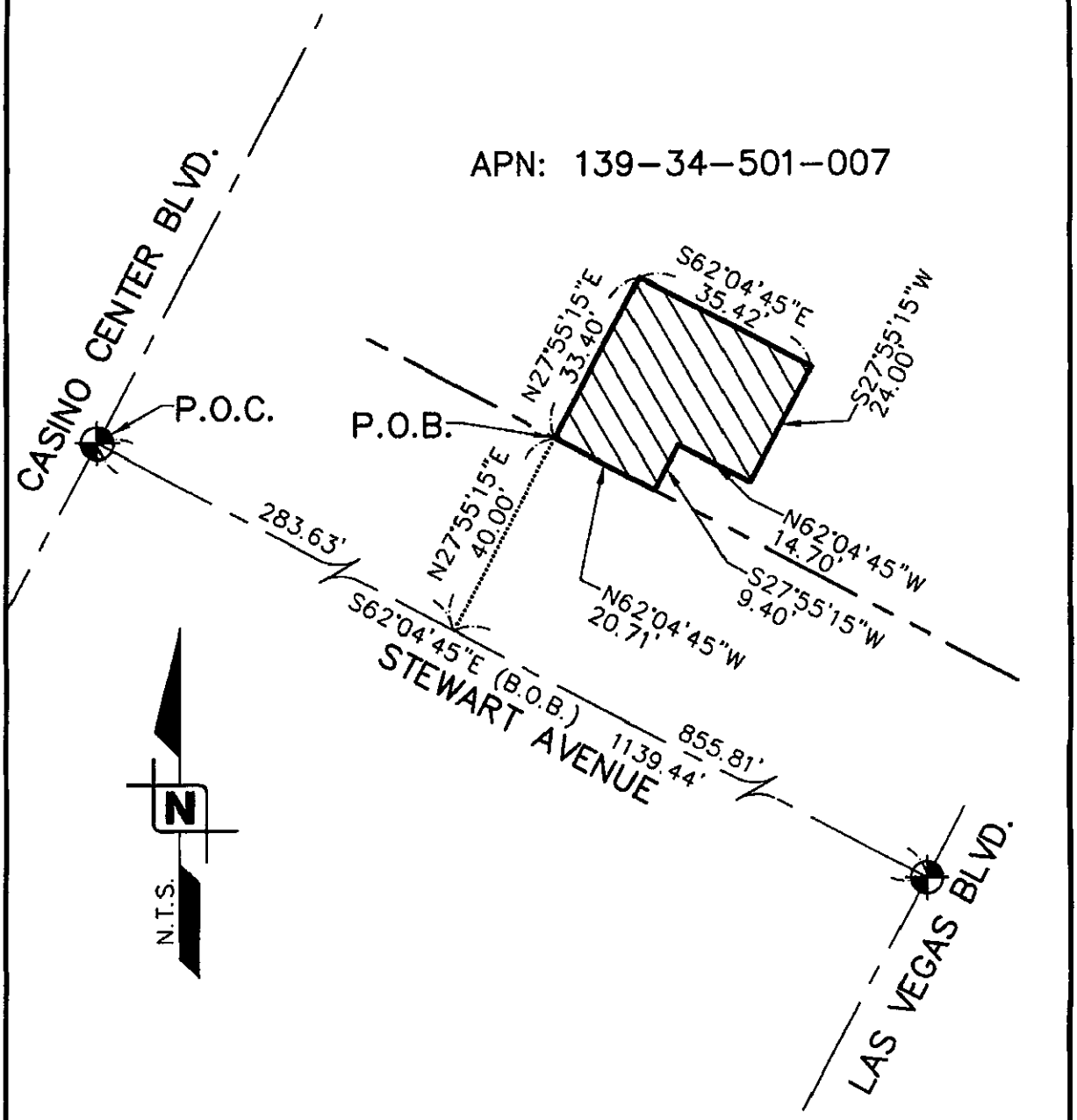
BEING A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 34, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CITY OF LAS VEGAS, CLARK COUNTY, NEVADA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF CASINO CENTER BOULEVARD AND STEWART AVENUE; THENCE SOUTH 62°04'45" EAST ALONG THE CENTERLINE OF SAID STEWART AVENUE, 283.63 FEET; THENCE NORTH 27°55'15" EAST DEPARTING SAID CENTERLINE, 40.00 FEET TO THE NORTHERLY RIGHT-OF-WAY OF SAID STEWART AVENUE, SAME BEING THE **POINT OF BEGINNING**; THENCE CONTINUING NORTH 27°55'15" EAST DEPARTING SAID RIGHT-OF-WAY, 33.40 FEET; THENCE SOUTH 62°04'45" EAST, 35.42 FEET; THENCE SOUTH 27°55'15" WEST, 24.00 FEET; THENCE NORTH 62°04'45" WEST, 14.70 FEET; THENCE SOUTH 27°55'15" WEST, 9.40 FEET TO THE SAID NORTHERLY RIGHT-OF-WAY; THENCE NORTH 62°04'45" WEST ALONG SAID RIGHT-OF-WAY, 20.71 FEET TO THE **POINT OF BEGINNING**, AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

CONTAINING 1,045 SQUARE FEET (0.02 ACRES), MORE OR LESS AS DETERMINED BY COMPUTER METHODS.

BASIS OF BEARINGS
SOUTH 62°04'45" EAST
BEING THE CENTERLINE OF STEWART AVENUE BETWEEN CASINO CENTER BOULEVARD AND LAS VEGAS BOULEVARD AS SHOWN ON THAT CERTAIN RECORD OF SURVEY RECORDED AS FILE 67 OF SURVEYS, PAGE 79, CLARK COUNTY OFFICIAL RECORDS.

APN: 139-34-501-007
OWNER: CITY OF LAS VEGAS
DOCUMENT: 20020514:00962



u:_mapping\2006\CH061167\dwg\061167-lvvwd-01.dwg

EXHIBIT "B"

LAS VEGAS VALLEY WATER DISTRICT
EXHIBIT TO ACCOMPANY
LEGAL DESCRIPTION (LVVWD-01)

JOB NUMBER: CH061167	
DRAWN BY: JRP	DATED: 6/26/08

PAGE 3 OF 4

WRIGHT one source
7475 PEAK DRIVE LAS VEGAS, NEVADA 89128
p 702.933.7000 f 702.256.0151 800.933.7611
WRIGHTENGINEERS.COM

City of Las Vegas Agenda Item No.: **14.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FIELD OPERATIONS
DIRECTOR: LARRY HAUGSNESS ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a Grant of Easement from the City of Las Vegas to Nevada Power Company, dba NV Energy for access to certain electrical facilities located in the vicinity of Hualapai Way and Alta Drive, APN 138-31-101-002 - Ward 2 (Wolfson)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
The City has requested that NV Energy own and maintain certain electrical facilities inside, on, under, and through the existing electrical facility to provide electric service.

RECOMMENDATION:
Staff recommends approval

BACKUP DOCUMENTATION:
1. Grant of Easement
2. Site Map

APN: 138-31-101-002

WHEN RECORDED MAIL TO:
Land Services
NV Energy
P.O. Box 98910 MS 9
Las Vegas, NV 89151-0001

GRANT OF EASEMENT
FOR UNDERGROUND ELECTRICAL SERVICE CABLES

City of Las Vegas, a political subdivision of the State of Nevada, ("**Grantor**") for One Dollar ($1.00) and other and good valuable consideration, receipt of which is hereby acknowledged, grants and conveys to Nevada Power Company, a Nevada corporation, d/b/a NV Energy ("**Grantee**"), its successors and assigns, a perpetual right and easement:

1. to construct, operate, add to, modify, maintain and remove underground electric service cables that connect the electric service entrance to Grantee's electric system ("**Utility Facilities**") upon, over, under and through the property described in Exhibit "A" hereto and by this reference made a part of this Grant of Easement ("**Easement Area**");

2. for the unrestricted passage of vehicles and pedestrians within, on, over and across the Easement Area;

3. for the ingress of vehicles and pedestrians to and the egress of vehicles and pedestrians from, the Easement Area; and

4. for the removal, clearance, cutting and trimming of any obstructions and materials (including trees and other vegetation) from the surface or subsurface of the Easement Area for the underground electric service cables as Grantee may deem necessary or advisable for the safe and proper use and maintenance of the electric line systems and communication facilities in the Easement Area.

Grantor covenants for the benefit of Grantee, its successors and assigns, that no building, structure or other real property improvements will be constructed or placed on or within the Easement Area for the underground electric service cables without the prior written consent of Grantee, such structures and improvements to include, but not be limited to, drainage, trees, fencing, signage, walkways, driveways, patios, porches, and other slabs. Grantor retains, for its benefit, the right to maintain, use and otherwise landscape the Easement Area for its own purposes; provided, however, that all such purposes and uses do not interfere with Grantee's rights herein and are in all respects consistent with the Grantee's rights herein, Grantee's electrical practices, and the National Electrical Safety Code.

APN: 138-31-101-002
CITY OF LAS VEGAS

ATTEST:

BY: OSCAR B. GOODMAN
TITLE: MAYOR

BY: BEVERLY K. BRIDGES, CMC
TITLE: CITY CLERK

Approved as to form

John S. Ridilla 12/10/08

John S. Ridilla Date
Deputy City Attorney

STATE OF _____)
COUNTY OF _____)

This instrument was acknowledged before me on _____, _____ by _____ as _____ of _____.

_____
Signature of Notarial Officer

_____
Notary Statement and/or Seal

APN: 138-31-101-002
RW# 0849-08lz
Proj. # 190558
Project Name: Desert Nature Preserve Trail
Reference Document: 435:350687
GOE_METER

STATE OF _____)
COUNTY OF _____)

This instrument was acknowledged before me on _____, _____ by _____ as _____ of _____.

_____
Signature of Notarial Officer

_____
Notary Statement and/or Seal

APN: 138-31-101-002
RW# 0849-08lz
Proj. # 190558
Project Name: Desert Nature Preserve Trail
Reference Document: 435:350687
GOE_METER

Exhibit A

The Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼) of Section 31, Township 20 South, Range 60 East, M.D.B. & M., Clark County, Nevada.

Notwithstanding the foregoing, with respect to the Utility Facilities, the Easement Area shall be reduced to an area six (6) feet in width, being three (3) feet on each side of the centerline of the Utility Facilities.

APN: 138-31-101-002
RW# 0849-08lz
Proj. # 190558
Project Name: Desert Nature Preserve Trail
Reference Document: 435:350687
GOE_METER

SITE MAP

Grant of Easement

N

Prepared by the City of Las Vegas
Real Estate & Utilities Section
12-16-08

City of Las Vegas Agenda Item No.: **15.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FIELD OPERATIONS
DIRECTOR: LARRY HAUGSNESS ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of two Easements and Rights-of-Way from the City of Las Vegas to the Las Vegas Valley Water District for water line easements to service a portion of APNs 139-25-701-002 and 139-25-802-006 located at Freedom Park - Ward 3 (Reese)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
A necessary part of this project is for the purpose of construction, operation, maintenance, repair, renewal, reconstruction and removal of water pipelines and appurtenances with the right of ingress and egress on said parcels.

RECOMMENDATION:
Staff recommends approval

BACKUP DOCUMENTATION:
1. Easements and Rights of Way
2. Easements and Rights of Way

A.P.N. 139-25-802-006

EASEMENTS AND RIGHTS-OF-WAY

ABOVE SPACE FOR RECORDER'S USE ONLY

THIS INDENTURE OF EASEMENT AND RIGHTS-OF-WAY, made and entered into by and between:

CITY OF LAS VEGAS

Party of the First Part, hereinafter known as the **GRANTOR(S)**, and **LAS VEGAS VALLEY WATER DISTRICT**, a Quasi-Municipal Corporation, Party of the Second Part, hereinafter known as the **GRANTEE**.

W I T N E S S E T H:

That the **GRANTOR(S)**, for and in consideration of the sum of one dollar ($1.00), lawful money of the United States, to it in hand paid by the **GRANTEE**, the receipt whereof is hereby acknowledged, does by these presents GRANT and CONVEY to the **GRANTEE**, its successors and assigns, an Easement and Rights-of-Way for the purpose of construction, operation, maintenance, repair, renewal, reconstruction and removal of water pipelines and appurtenances with the right of ingress and egress, over, above, across and under that certain parcel of land described as follows:

SEE EXHIBIT "A" ATTACHED TO AND BY THIS REFERENCE MADE A PART HEREOF.

The **GRANTOR(S)**, its successors and assigns agree that:

1. No buildings, structures, fences or trees shall be placed upon, over or under said parcel of land, now or hereafter, except that said parcel may be improved and used for street, road or driveway purposes and for other utilities, insofar as such use does not interfere with its use by the **GRANTEE** for the purposes for which it is granted;

2. The **GRANTEE** shall not be liable for any damage to any of the **GRANTOR'S** improvements placed upon said parcel due to the **GRANTEE'S** necessary operations using reasonable care; and

3. Should any of the **GRANTEE'S** facilities within said easement be required to be relocated or repaired as a result of changes in grade or other construction within the easement, the **GRANTOR(S)**, or its successors and assigns shall bear the full cost of such relocation or repair, unless the changes in grade or other construction were done by third parties with the written consent of the **GRANTEE**.

A.P.N. 139-25-802-006
GRANTOR: CITY OF LAS VEGAS

Signator for **GRANTOR(S)** warrant that they have the legal authority to bind the parties hereto and **GRANTOR(S)** warrants that it may legally grant the rights described herein.

IN WITNESS WHEREOF, the **GRANTOR(S)** has hereunto set his/her/their hand/hands this _____ day of _____, 20_____.

ATTEST:

OSCAR B. GOODMAN
MAYOR

BEVERLY K. BRIDGES, CMC
CITY CLERK

Approved as to form
John S. Ridilla 12/10/08
John S. Ridilla Date
Deputy City Attorney

STATE of _____)
) ss.
COUNTY of _____)

On _____, 20_____, before me, the undersigned, a **NOTARY PUBLIC**, in and for said County and State, personally appeared _____ known to me to be the person(s) described in and who executed the foregoing instrument, and who acknowledged to me that ___he___ executed the same freely and voluntarily and for the uses and purposes herein mentioned.

WITNESS my hand and official seal.

Notary Public

FOR LVVWD USE ONLY

RECORDED FOR
LAS VEGAS VALLEY WATER DISTRICT
1001 S VALLEY VIEW BLVD.
LAS VEGAS, NEVADA 89153
RETURN TO – WILL CALL

Notary Stamp/Seal Above

PBS&J
2270 Corporate Circle, Suite 100
Henderson, Nevada 89074-6382
Telephone 702.263.7275
Fax 702.263.7200
www.pbsj.com

A.P.N. 139-25-802-006
GRANTOR: CITY OF LAS VEGAS

EXHIBIT "A"

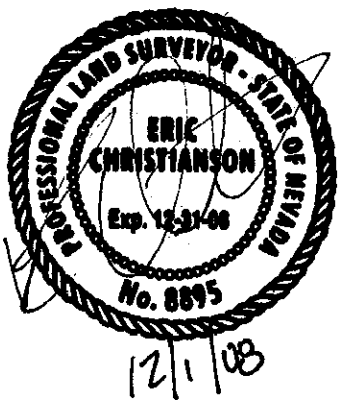
LEGAL DESCRIPTION FOR L.V.V.W.D. EASEMENT

A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 25, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 25; THENCE ALONG THE NORTH LINE THEREOF, NORTH 88°54'18" WEST, 50.02 FEET TO **THE POINT OF BEGINNING**, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF PECOS ROAD; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE, CONTINUING ALONG SAID NORTH LINE, NORTH 88°54'18" WEST, 35.00 FEET; THENCE DEPARTING SAID NORTH LINE, NORTH 00°30'51" WEST, 20.00 FEET; THENCE NORTH 88°54'18" EAST, 35.00 FEET TO A POINT ON THE AFOREMENTIONED WESTERLY RIGHT-OF-WAY LINE OF PECOS ROAD; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 00°30'51" EAST, 20.00 FEET TO **THE POINT OF BEGINNING**.

CONTAINS APPROXIMATELY 700 SQUARE FEET (0.0161 ACRES).

BASIS OF BEARING
THE BASIS OF BEARING FOR THIS PROJECT IS GRID NORTH AS DEFINED BY THE NEVADA COORDINATE SYSTEM OF 1983 (NCS83), EAST ZONE (2701). DETERMINED BY GIS CONTROL POINTS, "CC-GIS-806" AND "CC-GIS-808" AS SHOWN ON THE MAP THEREOF IN FILE 88 OF SURVEYS, PAGE 53, OFFICIAL RECORDS, CLARK COUNTY, NEVADA.



S/LEGALS/3006-LVVWD-802-006.doc
12-1-2008 MHG

EXHIBIT "A"

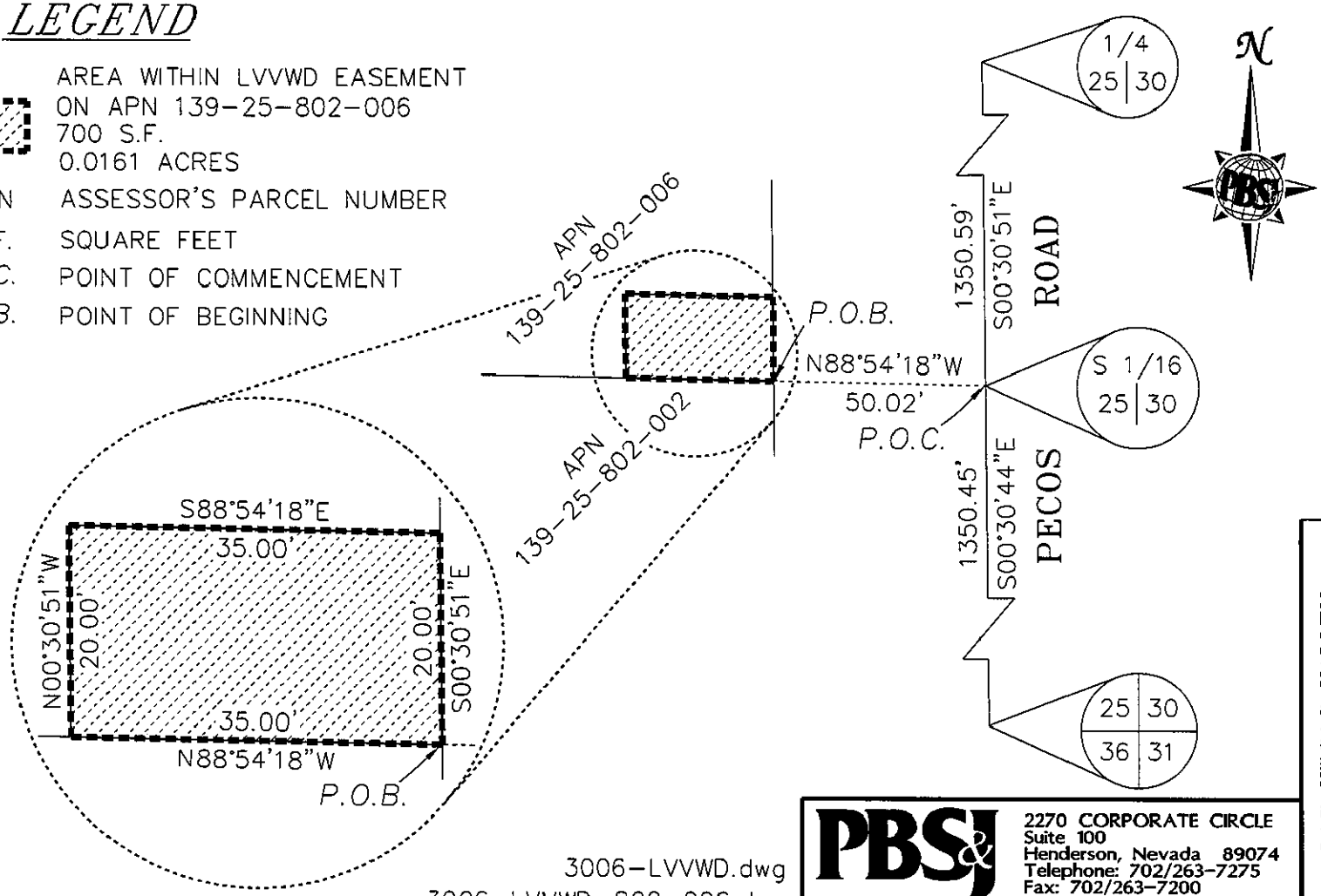
TO ACCOMPANY LEGAL DESCRIPTION

A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 25, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA

LEGEND

AREA WITHIN LVVWD EASEMENT
ON APN 139-25-802-006
700 S.F.
0.0161 ACRES

APN	ASSESSOR'S PARCEL NUMBER
S.F.	SQUARE FEET
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING



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PBS&J
ENGINEERING PLANNING SURVEYING CONSTRUCTION SERVICES
2270 CORPORATE CIRCLE
Suite 100
Henderson, Nevada 89074
Telephone: 702/263-7275
Fax: 702/263-7200

LAS VEGAS VALLEY
WATER DISTRICT EASEMENT
APN 139-25-802-006

JOB NO. 100003006	Drawn: MHG	12-1-2008
SHEET NO. of	Checked: EC	1"=40'

A.P.N. 139-25-701-002

EASEMENTS AND RIGHTS-OF-WAY

ABOVE SPACE FOR RECORDER'S USE ONLY

THIS INDENTURE OF EASEMENT AND RIGHTS-OF-WAY, made and entered into by and between:

CITY OF LAS VEGAS

Party of the First Part, hereinafter known as the **GRANTOR(S)**, and **LAS VEGAS VALLEY WATER DISTRICT**, a Quasi-Municipal Corporation, Party of the Second Part, hereinafter known as the **GRANTEE**.

W I T N E S S E T H:

That the **GRANTOR(S)**, for and in consideration of the sum of one dollar ($1.00), lawful money of the United States, to it in hand paid by the **GRANTEE**, the receipt whereof is hereby acknowledged, does by these presents GRANT and CONVEY to the **GRANTEE**, its successors and assigns, an Easement and Rights-of-Way for the purpose of construction, operation, maintenance, repair, renewal, reconstruction and removal of water pipelines and appurtenances with the right of ingress and egress, over, above, across and under that certain parcel of land described as follows:

SEE EXHIBIT "A" ATTACHED TO AND BY THIS REFERENCE MADE A PART HEREOF.

The **GRANTOR(S)**, its successors and assigns agree that:

1. No buildings, structures, fences or trees shall be placed upon, over or under said parcel of land, now or hereafter, except that said parcel may be improved and used for street, road or driveway purposes and for other utilities, insofar as such use does not interfere with its use by the **GRANTEE** for the purposes for which it is granted;

2. The **GRANTEE** shall not be liable for any damage to any of the **GRANTOR'S** improvements placed upon said parcel due to the **GRANTEE'S** necessary operations using reasonable care; and

3. Should any of the **GRANTEE'S** facilities within said easement be required to be relocated or repaired as a result of changes in grade or other construction within the easement, the **GRANTOR(S)**, or its successors and assigns shall bear the full cost of such relocation or repair, unless the changes in grade or other construction were done by third parties with the written consent of the **GRANTEE**.

A.P.N. 139-25-701-002
GRANTOR: CITY OF LAS VEGAS

Signator for **GRANTOR(S)** warrant that they have the legal authority to bind the parties hereto and **GRANTOR(S)** warrants that it may legally grant the rights described herein.

IN WITNESS WHEREOF, the **GRANTOR(S)** has hereunto set his/her/their hand/hands this _____ day of _____, 20_____.

ATTEST:

OSCAR B. GOODMAN
MAYOR

BEVERLY K. BRIDGES, CMC
CITY CLERK

Approved as to form
John S. Ridilla 12/10/08
John S. Ridilla Date
Deputy City Attorney

STATE of _____)
) ss.
COUNTY of _____)

On _____, 20_____, before me, the undersigned, a **NOTARY PUBLIC**, in and for said County and State, personally appeared _____ known to me to be the person(s) described in and who executed the foregoing instrument, and who acknowledged to me that ___he___ executed the same freely and voluntarily and for the uses and purposes herein mentioned.

WITNESS my hand and official seal.

Notary Public

FOR LVVWD USE ONLY

RECORDED FOR
LAS VEGAS VALLEY WATER DISTRICT
1001 S VALLEY VIEW BLVD.
LAS VEGAS, NEVADA 89153
RETURN TO – WILL CALL

Notary Stamp/Seal Above

PBS&J
2270 Corporate Circle, Suite 100
Henderson, Nevada 89074-6382
Telephone 702.263.7275
Fax 702.263.7200
www.pbsj.com

A.P.N. 139-25-701-002
GRANTOR: CITY OF LAS VEGAS

EXHIBIT "A"

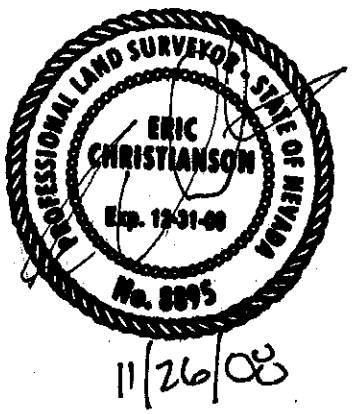
LEGAL DESCRIPTION FOR L.V.V.W.D. EASEMENT

A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 25, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 25; THENCE ALONG THE NORTHLINE THEREOF, ALSO BEING THE CENTERLINE OF WASHINGTON AVENUE, NORTH 89°06'47" WEST, 1051.64 FEET; THENCE DEPARTING SAID NORTH LINE, SOUTH 00°53'13" WEST, 50.00 FEET TO **THE POINT OF BEGINNING**, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WASHINGTON AVENUE; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 89°06'47" EAST, 6.00 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 00°53'13" WEST, 6.00 FEET; THENCE NORTH 89°06'47" WEST, 6.00 FEET; THENCE NORTH 00°53'13" EAST, 6.00 FEET TO **THE POINT OF BEGINNING**.

CONTAINS APPROXIMATELY 36 SQUARE FEET (0.0008 ACRES).

BASIS OF BEARING
THE BASIS OF BEARING FOR THIS PROJECT IS GRID NORTH AS DEFINED BY THE NEVADA COORDINATE SYSTEM OF 1983 (NCS83), EAST ZONE (2701). DETERMINED BY GIS CONTROL POINTS, "CC-GIS-806" AND "CC-GIS-808" AS SHOWN ON THE MAP THEREOF IN FILE 88 OF SURVEYS, PAGE 53, OFFICIAL RECORDS, CLARK COUNTY, NEVADA.

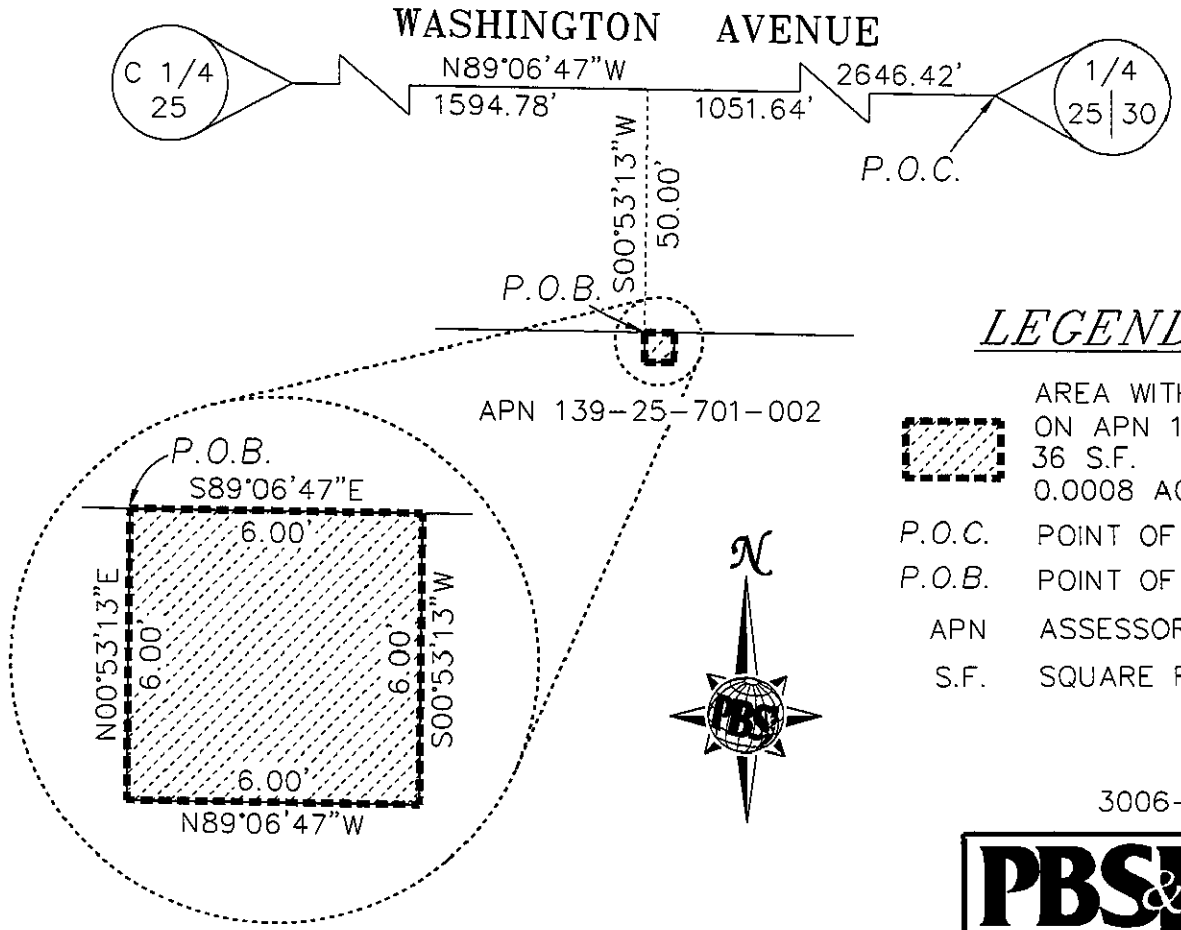


S/LEGALS/3006-LVVWD-701-002.doc
11-25-2008 MHG

EXHIBIT "A"

TO ACCOMPANY LEGAL DESCRIPTION

A PORTION OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 25, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.M., CLARK COUNTY, NEVADA



LEGEND

	AREA WITHIN LVVWD EASEMENT ON APN 139-25-701-002 36 S.F. 0.0008 ACRES
P.O.C.	POINT OF COMMENCEMENT
P.O.B.	POINT OF BEGINNING
APN	ASSESSOR'S PARCEL NUMBER
S.F.	SQUARE FEET

3006-LVVWD.dwg
3006-LVVWD-701-002.doc

PBS&J
2270 CORPORATE CIRCLE
Suite 100
Henderson, Nevada 89074
Telephone: 702/263-7275
Fax: 702/263-7200
ENGINEERING PLANNING SURVEYING CONSTRUCTION SERVICES

LAS VEGAS VALLEY
WATER DISTRICT EASEMENT
APN 139-25-701-002

JOB NO. 100003006	*Drawn: MHG*	*11-25-2008*
SHEET NO. of	*Checked: EC*	*1"=40'*

City of Las Vegas Agenda Item No.: **16.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $191,329,134.58
Funding Source: All Funds
Dept./Division: Finance and Business Services

PURPOSE/BACKGROUND:
In compliance with the City's Municipal Code, Chapter 4.12, this is an informational item that provides the dollar amount of disbursements processed by the Finance and Business Services Department.

RECOMMENDATION:
None

BACKUP DOCUMENTATION:
Summary of Cash Expenditures for the period 12/01-12/15/08

City of Las Vegas

Summary of Cash Expenditures

For period of 12/1-15/08

Total Services & Materials Checks :	**$15,233,657.23**
Total Services & Materials EFT Payments :	**$892,621.54**
Total Wire Transfers:	**$165,941,591.99**
Total Payroll Checks:	**$9,261,263.82**
Grand Total:	**$191,329,134.58**

I hereby certify that I have reviewed the above amounts and approved them for payment as being in compliance with all applicable laws to the best of my knowledge and belief.

Candace Falder
Acting Director of Finance

Beverly K. Bridges, CMC
City Clerk

On January 7, 2009, the City Council approved the above cash expenditures.

Oscar B. Goodman
Mayor

City of Las Vegas Agenda Item No.: **17.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a report by the City Treasurer of the December 9, 2008 sale of properties subject to the lien of a delinquent assessment in Special Improvement District 505 and various other districts - Wards 2, 3, 4 and 5 (Wolfson, Reese, Brown and Barlow)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
NRS 271.565 states that within 15 days after the completion of the sale of all property described in the assessment roll upon which a delinquent assessment or installment is unpaid, the municipal treasurer shall prepare a statement of his actions concerning the sale showing all the property sold by him, to whom sold, and the sums paid for each tract. Such report shall be presented to the governing body at its regular meeting next following the preparation of the statement.

RECOMMENDATION:
Report only, no action required.

BACKUP DOCUMENTATION:
Report of Sale Memorandum from Mark R. Vincent, Director of Finance and Business Services/ City Treasurer, dated December 10, 2008

City of Las Vegas

Memorandum

Finance and Business Services

To: Mayor Oscar B. Goodman
Mayor Pro Tem Gary Reese
Councilman Larry Brown
Councilman Steve Wolfson
Councilwoman Lois Tarkanian
Councilman Steven D. Ross
Councilman Ricki Y. Barlow

From: Mark R. Vincent, Finance Director – Finance and Business Services

Cc: Doug Selby, City Manager
Steve Houchens, Deputy City Manager
Betsy Fretwell, Deputy City Manager
Orlando Sanchez, Deputy City Manager
Brad Jerbic, City Attorney
Beverly K. Bridges, City Clerk

Date: December 10, 2008
Re: Report of Sale on Delinquent Parcels in SID Districts 505, and various districts

Nevada Revised Statute 271.565 requires the Municipal Treasurer to notify the City Council within 15 days after the completion of the sale of property of delinquent assessments. The Treasurer shall prepare a statement of his actions concerning the sale showing all the property sold by him, to whom sold, and the sums paid for each tract. Such report shall be presented to the governing body at its regular meeting next following the preparation of the statement.

On October 1, 2008, the City Council approved the delinquency list and foreclosure notices were mailed to delinquent property owners for Special Improvement Districts 505, and various districts. On November 19, 2008 the first of three weekly publications of the Notice of Sale occurred. Of the 40 parcels publicized, 26 either paid their assessment current or paid it off in full prior to the December 9, 2008 sale; and certificates on 14 parcels were sold.

Pursuant to this statute and the resolution as adopted by the regular City Council, the following Report of Sale has been prepared.

Parcel #	Certificate Buyer	Address	Amount
125-15-312-025	JONATHAN OWENS & LINDA A. OWENS JOINTLY	PO BOX 60081, LAS VEGAS, NV 89160	$1,155.12
125-15-412-029	STEVE THORNOCK OR SIX INVESTORS TRUST	3960 E WYOMING, LAS VEGAS, NV 89104	$1,239.65
125-16-317-023	WALTER DUPUIS	3408 WAYWARD CT, LAS VEGAS, NV 89121	$553.17
125-16-317-039	MYONG CHA FARR	3657 CAROL LARK CT, LAS VEGAS, NV 89129	$653.17
125-16-417-010	JACOB LEFKOWITZ	6130 ELTON AVE, LAS VEGAS, NV 89107	$603.20
125-16-419-004	RUSSELL C. & ALLANA S. MELLO	2320 DELINA DR, LAS VEGAS, NV 89120	$796.71
125-16-513-041	MYONG CHA FARR	3657 CAROL LARK CT, LAS VEGAS, NV 89129	$647.64

125-16-513-049	PAUL THORNOCK OR SIX INVESTORS TRUST	3960 E. WYOMING, LAS VEGAS, NV 89104	$647.64
25-16-611-058	FREDERICK BURGESON & LAN T. BURGESON	2062 MERANO CT, LAS VEGAS, NV 89123	$631.50
125-16-614-013	RUSSELL C. & ALLANA S. MELLO	2320 DELINA DR, LAS VEGAS, NV 89120	$626.52
125-16-712-031	JOHNNIE M. FLEWELLEN	10408 BAYS MOUNTAIN AVE, LAS VEGAS, NV 89166	$857.38
125-16-712-042	ED OR JUDY GRAY	742 ALDO RAE CT, HENDERSON, NV 89052	$857.38
125-16-814-020	PAUL THORNOCK OR SIX INVESTORS TRUST	3960 E. WYOMING, LAS VEGAS, NV 89104	$387.58
125-16-817-048	LAN T. BURGESON OR FREDERIC A. BURGESON	2062 MERANO CT, LAS VEGAS, NV 89123	$653.46

City of Las Vegas Agenda Item No.: **18.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Change of Business Name and Corporate Structure of a Tavern License, From: Santa Fe Station, Inc., dba Santa Fe Station, To: Santa Fe Station, LLC, dba Santa Fe Station Hotel & Casino, 4949 North Rancho Drive, Station Casinos, Inc., 100%, Kevin Kelly, Pres, Dir, Scott Neilson, Sr VP, Richard Haskins, Sr VP, Secy, and Thomas Friel, Sr VP, Treas - Ward 6 (Ross)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Approval of Change of Business Name and Entity Conversion of a Tavern License.

RECOMMENDATION:
Recommend approval.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **19.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a new Non-Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Santa Fe Station, LLC, dba Santa Fe Station Hotel & Casino, 4949 North Rancho Drive, Station Casinos, Inc., 100%, Kevin Kelly, Pres, Dir, Scott Neilson, Sr VP, Richard Haskins, Sr VP, Secy, and Thomas Friel, Sr VP, Treas - Ward 6 (Ross)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Approval of a new Non-Restricted Gaming License.

RECOMMENDATION:
Recommend approval subject to confirmation of approval by the Nevada Gaming Commission.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **20.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a new Slot Route Operator, Cantor G&W (Nevada), L.P., dba Cantor Gaming, 6280 South Valley View Boulevard, Suite 318, Cantor G&W (Nevada) Holdings, L.P., Limited Ptnr, 99.75%, Howard W. Lutnick, Chairman, CEO, Lee M. Amaitis, Pres, Douglas R. Barnard, CFO, and Stephen M. Merkel, Exec Managing Dir, General Counsel, Secy and Cantor G&W (Nevada), LLC, General Ptnr, .25% - County

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Approval of a new Slot Route Operator.

RECOMMENDATION:
Recommend approval.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **21.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of an increase in the number of slot machines for a Restricted Gaming License from 4 to 6, Richard Essex, Sr., dba 7-Eleven Food Store #13690, 2691 West Sahara Avenue, Richard Essex, Sr., Franchisee and Christine Essex, Franchisee - Ward 1 (Tarkanian)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Approval of an increase in the number of slot machines for a Restricted Gaming License from 4 to 6.

RECOMMENDATION:
Recommend approval.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **22.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of revision to Purchase Order No. 265766, Jones Boulevard Improvements Elkhorn Road to Horse Drive - Department of Public Works - Award recommended to: MEADOW VALLEY CONTRACTORS, INC. $1,133,390 - Road and Flood Capital Projects Fund) - Ward 6 (Ross)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $1,133,390
Funding Source: Road and Flood CPF
Dept./Division: Public Works

PURPOSE/BACKGROUND:
On November 5, 2008 City Council approved the award of Bid No. 09.1730.05-DC, Jones Boulevard Improvements Elkhorn Road to Horse Drive including a construction conflicts and contingency reserve of $125,392 which represented 1% of the contract award amount. This revision increases the construction conflicts and contingency reserve by $1,133,390, for a revised amount of $1,259,322, which represents 10% of the original contract award amount. The Regional Transportation Commission is providing 65% of the funding for this project and the Regional Flood Control District is providing 13%.

PCC: D. Collins
POC: Robert Terril - (702) 643-9472

RECOMMENDATION:
That City Council approve revision to Purchase Order No. 265766, Jones Boulevard Improvements Elkhorn Road to Horse Drive to Meadow Valley Contractors, Inc. in the amount of $1,133,390 for a revised construction conflicts and contingency amount of $1,259,322.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **23.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of award of Agreement No. 090103-LD, Professional Services Agreement for City of Las Vegas Paintbrush Gateways located at the southwest corner of Charleston Boulevard and Casino Center Boulevard and at the northwest corner of Charleston Boulevard and Fourth Street - Department of Public Works - Award recommended to: R2H ENGINEERING, INC. ($100,000 - Parks and Leisure Activities Capital Projects Fund and Multipurpose Special Revenue Fund) - Ward 3 (Reese)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $100,000
Funding Source: Parks and Leisure Activities CPF and Multipurpose SRF
Dept./Division: Public Works

PURPOSE/BACKGROUND:
This agreement provides for engineering design services associated with the installation of the Paintbrush Gateways to be installed at Charleston Blvd and Fourth Street and Charleston Blvd and Casino Center Blvd. This item is exempt from the competitive bidding process pursuant to NRS 332.115.1(b), Professional Services. The Nevada Department of Transportation is providing 50% of the funding and the other 50% is funded by the Municipal Arts Fund.

PCC: L. Davis
POC: Dana Ames - (702) 260-7000

RECOMMENDATION:
That City Council approve Agreement No. 090103-LD, Professional Services Agreement for City of Las Vegas Paintbrush Gateways to R2H Engineering, Inc. in the amount of $100,000. Authority to execute the Agreement is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
Certificate - Disclosure of Ownership/Principals

EXHIBIT "G"

1. Definitions

"City" means the City of Las Vegas.

"City Council" means the governing body of the City of Las Vegas.

"Contracting Entity" means the individual, partnership, or corporation seeking to enter into a contract or agreement with the City of Las Vegas.

"Principal" means, for each type of business organization, the following: (a) sole proprietorship – the owner of the business; (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation; (c) partnership – the general partner and limited partners; (d) limited liability company – the managing member as well as all the other members.

2. Policy

In accordance with Resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts or agreements with the City of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract or agreement.

3. Instructions

The disclosure required by the Resolutions referenced above shall be made through the completion and execution of this Certificate. The Contracting Entity shall complete Block 1, Block 2, and Block 3. The Contracting Entity shall complete either Block 4 or its alternate in Block 5. Specific information, which must be provided, is highlighted. An Officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

4. Incorporation

This Certificate shall be incorporated into the resulting contract or agreement, if any, between the City and the Contracting Entity. Upon execution of such contract or agreement, the Contracting Entity is under a continuing obligation to notify the City in writing of any material changes to the information in this Certificate. This notification shall be made within fifteen (15) days of the change. Failure to notify the City of any material change may result, at the option of the City, in a default termination (in whole or in part) of the contract or agreement, and/or a withholding of payments due the Contracting Entity.

Block 1 **Contracting Entity**	
	R_2H Engineering, Inc.
Name	840 Grier Drive, Suite 320, Las Vegas, NV 89119
Address	(702) 260-7000
Telephone	88-0305077
DUNS/DUNS	

Block 2 **Description**	
CLV Paintbrush Gateways	
Agreement #	090103-LD

Block 3 Type of Business

[ ] Individual [ ] Partnership [ ] Limited Liability Company [ ] Corporation

CERTIFICATE – DISCLOSURE OF OWNERSHIP/PRINCIPALS (CONTINUED)

Block 4 Disclosure of Ownership and Principals

In the space below, the Contracting Entity must disclose all principals (including partners) of the Contracting Entity, as well as persons or entities holding more than one-percent (1%) ownership interest in the Contracting Entity.

	FULL NAME/TITLE	BUSINESS ADDRESS	BUSINESS PHONE
1.	Robert C. Hendershot / President	840 Grier Drive, Suite 320, Las Vegas, NV 89119	(702) 260-7000
2.	Hans H. Hendershot / Business Manager	840 Grier Drive, Suite 320, Las Vegas, NV 89119	(702) 260-7000
3.	Robert H. Hendershot / Board Member	840 Grier Drive, Suite 320, Las Vegas, NV 89119	(702) 260-7000
4.			
5.			
6.			
7.			
8.			
9.			
10.			

The Contracting Entity shall continue the above list on a sheet of paper entitled "Disclosure of Principals – Continuation" until full and complete disclosure is made. If continuation sheets are attached, please indicate the number of sheets: _____

Block 5 Disclosure of Ownership and Principals - Alternate

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this Certificate in lieu of providing the information set forth in Block 4 above. A description of such disclosure documents must be included below.

Name of Attached Document: _____

Date of Attached Document: _____ Number of Pages: _____

I certify, under penalty of perjury, that all the information provided in this Certificate is current, complete, and accurate. I further certify that I am an individual authorized to contractually bind the above named Contracting Entity.

_____
Name

11/7/2008
Date

Subscribed and sworn to before me this 7th day of NOVEMBER, 2008.

Patricia A. Boutwell
Notary Public

PATRICIA A. BOUTWELL
Notary Public-State of Nevada
APPT. NO. 06-104716-1
My App. Expires April 01, 2010

City of Las Vegas Agenda Item No.: **24.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of award of Bid No. 09.1730.02-LED, Las Vegas Wash Middle Branch Storm Drain Decatur Boulevard from Elkhorn Road to Whispering Sands Drive and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: TAB CONTRACTORS, INC. ($2,734,291 - Road and Flood Capital Projects Fund) - Ward 6 (Ross)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $2,734,291
Funding Source: Road and Flood CPF
Dept./Division: Public Works

PURPOSE/BACKGROUND:
This project consists of the installation of approximately 4,700 feet of new storm drain facilities consisting of 66 to 98 inch reinforced concrete pipe and 7' x 6' reinforced concrete box, storm drain inlets and manholes of various types and sizes, reconstruction and restriping of existing pavement affected by new storm drain facilities. All funding for this project is being provided by the Regional Flood Control District.

PCC: L.E. Davis
POC: Brady Stevens - (702) 642-3033

RECOMMENDATION:
That City Council approve award of Bid No. 09.1730.02-LED, Las Vegas Wash Middle Branch Storm Drain Decatur Boulevard from Elkhorn Road to Whispering Sands Drive to Tab Contractors, Inc. in the amount of $2,734,291 and approve the construction conflicts and contingency reserve of $273,429. Approval to execute the Contract is given to the Purchasing Manager per R-48-2006.

BACKUP DOCUMENTATION:
Bid Abstract

BID ABSTRACT
09.1730.02-LED
Las Vegas Wash Middle Branch Storm Drain Decatur - Elkhorn to Whispering Sands

ITEM NO.	DESCRIPTION	U O M	QTY	TAB Contractors, Inc.		Contai Construction Company		Capriati Construction Corp.		JNJ Engineering Construction, Inc.	
				UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
200.01	Mobilization and Demobilization	LS	1	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00		
202.01	Remove Storm Drain Pipe	LF	239	$40.00	$9,560.00	$7.00	$1,673.00	$38.41	$9,179.99	Unable to input pricing, due to Bidder not submitting Revised Bid Schedule	
202.02	Remove Storm Drain Manhole	EA	4	$250.00	$1,000.00	$119.00	$476.00	$439.75	$1,759.00		
202.03	Remove Beehive Drop Inlet	EA	2	$250.00	$500.00	$120.00	$240.00	$512.29	$1,024.58		
202.04	Remove Perforated PVC Pipe	LF	90	$15.00	$1,350.00	$26.00	$2,340.00	$30.20	$2,718.00		
202.05	Remove Drop Inlet	EA	2	$600.00	$1,200.00	$120.00	$240.00	$475.57	$951.14		
202.06	Remove Curb and Gutter	LF	400	$2.00	$800.00	$5.00	$2,000.00	$2.76	$1,104.00		
202.07	Remove Sidewalk	SF	2000	$3.00	$6,000.00	$0.25	$500.00	$1.00	$2,000.00		
202.08	Remove Valley Gutter	SF	140	$3.00	$420.00	$1.00	$140.00	$6.47	$905.80		
202.09	Remove Tack On Median Island	SF	99	$2.00	$198.00	$1.00	$99.00	$6.93	$686.07		
202.1	Remove Asphalt Pavement	SY	886	$21.00	$18,606.00	$5.00	$4,430.00	$9.45	$8,372.70		
203.01	Over-Excavation	CY	2500	$15.00	$37,500.00	$17.00	$42,500.00	$20.20	$50,500.00		
302.01	Type II Aggregate Base	CY	443	$27.00	$11,961.00	$13.00	$5,759.00	$42.89	$19,000.27		
402.01	6-Inch Plantmix Bituminous Surface	SY	886	$46.00	$40,756.00	$73.00	$64,678.00	$41.82	**$37,052.52**		
502.01	7' x 6' Precast RCB	LF	122	$700.00	$85,400.00	$880.00	$107,360.00	$672.43	$82,036.46		
502.02	Junction Structure at "DN" 47+03.16	LS	1	$23,000.00	$23,000.00	$36,837.00	$36,837.00	$26,664.22	$26,664.22		
502.03	Junction Structure at "DN" 87+98.60	LS	1	$24,000.00	$24,000.00	$30,045.00	$30,045.00	$28,099.11	$28,099.11		
603.01	18-Inch RCP (Class III)	LF	236	$76.00	$17,936.00	$268.00	$63,248.00	$134.67	$31,782.12		
603.02	24-Inch RCP (Class III)	LF	5	$100.00	$500.00	$288.00	$1,440.00	$623.29	$3,116.45		
603.03	30-Inch RCP (Class III)	LF	113	$110.00	$12,430.00	$209.00	$23,617.00	$196.70	$22,227.10		
603.04	36-Inch RCP (Class III)	LF	168	$130.00	$21,840.00	$264.00	$44,352.00	$231.42	$38,878.56		
603.05	42-Inch RCP (Class III)	LF	24	$160.00	$3,840.00	$350.00	$8,400.00	$429.24	$10,301.76		
603.06	48-Inch RCP (Class III)	LF	128	$175.00	$22,400.00	$375.00	$48,000.00	$285.78	$36,579.84		
603.07	54-Inch RCP (Class III)	LF	49	$210.00	$10,290.00	$346.00	$16,954.00	$393.63	$19,287.87		
603.08	60-Inch RCP (Class III)	LF	130	$250.00	$32,500.00	$368.00	$47,840.00	$213.73	$27,784.90		
603.09	66-Inch RCP (Class III)	LF	1324	$255.00	$337,620.00	$229.00	$303,196.00	$272.87	$361,279.88		
603.1	84-Inch RCP (Class III)	LF	1390	$385.00	$535,150.00	$339.00	$471,210.00	$376.71	$523,626.90		
603.11	96-Inch RCP (Class III)	LF	1288	$525.00	$676,200.00	$425.00	$547,400.00	$509.17	$655,810.96		
609.01	10' Type "CM2" Drop Inlet	EA	2	$12,000.00	$24,000.00	$10,911.00	$21,822.00	$12,322.72	$24,645.44		
609.02	15' Type "CM2" Drop Inlet	EA	7	$15,500.00	$108,500.00	$14,590.00	$102,130.00	$13,703.97	$95,927.79		
609.03	5' Type "DM2B" Drop Inlet	EA	3	$7,700.00	$23,100.00	$5,933.00	$17,799.00	$6,453.42	$19,360.26		
609.04	10' Type "DM2B" Drop Inlet	EA	2	$10,900.00	$21,800.00	$10,402.00	$20,804.00	$10,256.04	$20,512.08		
609.05	15' Type "DM2B" Drop Inlet	EA	3	$15,500.00	$46,500.00	$13,706.00	$41,118.00	$14,582.41	$43,747.23		

BID ABSTRACT
09.1730.02-LED
Las Vegas Wash Middle Branch Storm Drain Decatur - Elkhorn to Whispering Sands

ITEM NO.	DESCRIPTION	U O M	QTY	TAB Contractors, Inc.		Contai Construction Company		Capriati Construction Corp.		JNJ Engineering Construction, Inc.	
				UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
609.06	NDOT Type 4 Storm Drain Manhole	EA	3	$14,000.00	$42,000.00	$23,768.00	$71,304.00	$10,522.11	$31,566.33		
609.07	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 47+68.90	EA	1	$17,000.00	$17,000.00	$19,791.00	$19,791.00	$13,435.45	$13,435.45	Unable to input pricing, due to Bidder not submitting Revised Bid Schedule	
609.08	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 60+56.42	EA	1	$14,500.00	$14,500.00	$19,355.00	$19,355.00	$11,530.86	$11,530.86		
609.09	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 61+64.28	EA	1	$19,000.00	$19,000.00	$23,884.00	$23,884.00	$14,120.26	$14,120.26		
609.1	NDOT Modified Type 4 Storm Drain Manhole @ "FR" 9+18.23	EA	1	$14,500.00	$14,500.00	$16,963.00	$16,963.00	$12,140.76	$12,140.76		
609.11	NDOT Modified Type 4 Storm Drain Manhole @ "FR" 9+41.04	EA	1	$14,500.00	$14,500.00	$15,705.00	$15,705.00	$11,916.06	$11,916.06		
609.12	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 65+80.10	EA	1	$17,000.00	$17,000.00	$19,207.00	$19,207.00	$13,424.76	$13,424.76		
609.13	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 69+89.91	EA	1	$16,700.00	$16,700.00	$20,150.00	$20,150.00	$13,424.76	$13,424.76		
609.14	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 74+06.71	EA	1	$16,000.00	$16,000.00	$20,249.00	$20,249.00	$12,750.66	$12,750.66		
609.15	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 74+82.86	EA	1	$20,500.00	$20,500.00	$24,950.00	$24,950.00	$15,361.46	$15,361.46		
609.16	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 78+89.48	EA	1	$17,500.00	$17,500.00	$21,994.00	$21,994.00	$13,606.66	$13,606.66		
609.17	NDOT Modified Type 4 Storm Drain Manhole @ "SL" 9+08.95	EA	1	$13,500.00	$13,500.00	$14,358.00	$14,358.00	$11,498.76	$11,498.76		
609.18	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 82+91.34	EA	1	$17,500.00	$17,500.00	$21,232.00	$21,232.00	$13,606.66	$13,606.66		
609.19	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 87+05.20	EA	1	$17,600.00	$17,600.00	$21,888.00	$21,888.00	$13,606.66	$13,606.66		
609.2	60-Inch Clark County Type III Storm Drain Manhole	EA	2	$8,200.00	$16,400.00	$10,760.00	$21,520.00	$7,304.36	$14,608.72		
613.01	Tack On Median Island	SF	99	$25.00	$2,475.00	$15.00	$1,485.00	$10.70	$1,059.30		
613.02	Concrete Valley Gutter	SF	140	$20.00	$2,800.00	$9.00	$1,260.00	$9.63	$1,348.20		
613.03	Type "L" Curb and Gutter	LF	130	$30.00	$3,900.00	$33.00	$4,290.00	$18.90	$2,457.00		
613.04	Concrete Sidewalk	SF	2000	$7.50	$15,000.00	$7.00	$14,000.00	$5.35	$10,700.00		
622.01	Construction Surveying	LS	1	$13,200.00	$13,200.00	$9,296.00	$9,296.00	$8,025.00	$8,025.00		
624.01	Traffic Control and Maintenance	LS	1	$22,000.00	$22,000.00	$38,389.00	$38,389.00	$29,205.65	$29,205.65		
625.01	Portable Changeable Message Sign	DAY	45	$30.00	$1,350.00	$44.00	$1,980.00	$48.15	$2,166.75		
625.02	Arrow Display	DAY	120	$45.00	$5,400.00	$29.00	$3,480.00	$31.03	$3,723.60		
627.01	Remove Existing Stop Sign w/ Traffic Drum and Reinstall	EA	1	$250.00	$250.00	$477.00	$477.00	$107.00	$107.00		
627.02	Remove Existing Object Marker Sign and Reinstall	EA	7	$150.00	$1,050.00	$185.00	$1,295.00	$107.00	$749.00		
628.02	6-Inch Paint Line (White)	LF	229	$2.00	$458.00	$7.00	$1,603.00	$1.07	$245.03		
628.03	6-Inch Paint Line (Yellow)	LF	155	$2.00	$310.00	$7.00	$1,085.00	$1.07	$165.85		
629.01	Relocate Fire Hydrant @ Whispering Sands Drive	LS	1	$4,600.00	$4,600.00	$6,617.00	$6,617.00	$4,434.96	$4,434.96		
629.02	Relocate Fire Hydrant @ Farm Road	LS	1	$4,600.00	$4,600.00	$7,931.00	$7,931.00	$4,434.86	$4,434.86		
633.01	Reflective Raised Pavement Markers	EA	17	$5.00	$85.00	$2.00	$34.00	$5.35	$90.95		
633.02	Non-Reflective Raised Pavement Markers	EA	15	$5.00	$75.00	$1.00	$15.00	$4.28	$64.20		
637.01	Dust Control	LS	1	$11,806.00	$11,806.00	$14,328.00	$14,328.00	$66,988.56	$66,988.56		
637.02	NDEPS Permit	LS	1	$2,500.00	$2,500.00	$5,994.00	$5,994.00	$2,675.00	$2,675.00		
637.03	Post Construction Dust Palliative	ACRE	6.5	$1,750.00	$11,375.00	$2,224.00	$14,456.00	$2,247.00	$14,605.50		
	Total Base Bid Amount				$2,734,291.00		$2,759,212.00		**$2,776,768.23**		
									Correct Total		
	Responsive Bidder										
	Responsible Bidder										

BID ABSTRACT
09.1730.02-LED
Las Vegas Wash Middle Branch Storm Drain Decatur - Elkhorn to Whispering Sands

				Western States Contracting Inc.		Williams Brother, Inc.		Bravo Underground, Inc.		Harber Company, Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
200.01	Mobilization and Demobilization	LS	1	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00	Unable to input pricing, due to Bidder not submitting Revised Bid Schedule	
202.01	Remove Storm Drain Pipe	LF	239	$28.00	$6,692.00	$41.00	$9,799.00	$35.00	$8,365.00		
202.02	Remove Storm Drain Manhole	EA	4	$2,000.00	$8,000.00	$1,225.00	$4,900.00	$1,270.00	$5,080.00		
202.03	Remove Beehive Drop Inlet	EA	2	$1,333.00	$2,666.00	$780.00	$1,560.00	$350.00	$700.00		
202.04	Remove Perforated PVC Pipe	LF	90	$24.00	$2,160.00	$35.00	$3,150.00	$26.00	$2,340.00		
202.05	Remove Drop Inlet	EA	2	$2,667.00	$5,334.00	$1,840.00	$3,680.00	$900.00	$1,800.00		
202.06	Remove Curb and Gutter	LF	400	$6.00	$2,400.00	$7.80	$3,120.00	$8.50	$3,400.00		
202.07	Remove Sidewalk	SF	2000	$4.45	$8,900.00	$3.12	$6,240.00	$1.50	$3,000.00		
202.08	Remove Valley Gutter	SF	140	$6.25	$875.00	$22.00	$3,080.00	$8.00	$1,120.00		
202.09	Remove Tack On Median Island	SF	99	$7.00	$693.00	$16.00	$1,584.00	$3.00	$297.00		
202.1	Remove Asphalt Pavement	SY	886	$33.00	$29,238.00	$9.00	$7,974.00	$6.00	$5,316.00		
203.01	Over-Excavation	CY	2500	$9.50	$23,750.00	$3.00	$7,500.00	$23.00	$57,500.00		
302.01	Type II Aggregate Base	CY	443	$19.00	$8,417.00	$24.00	$10,632.00	$30.00	$13,290.00		
402.01	6-Inch Plantmix Bituminous Surface	SY	886	$77.00	$68,222.00	$57.00	$50,502.00	$75.00	$66,450.00		
502.01	7' x 6' Precast RCB	LF	122	$786.50	$95,953.00	$494.00	$60,268.00	$1,050.00	$128,100.00		
502.02	Junction Structure at "DN" 47+03.16	LS	1	$34,500.00	$34,500.00	$26,000.00	$26,000.00	$12,100.00	$12,100.00		
502.03	Junction Structure at "DN" 87+98.60	LS	1	$27,600.00	$27,600.00	$31,000.00	$31,000.00	$14,300.00	$14,300.00		
603.01	18-Inch RCP (Class III)	LF	236	$68.00	$16,048.00	$72.00	$16,992.00	$179.00	$42,244.00		
603.02	24-Inch RCP (Class III)	LF	5	$100.00	$500.00	$370.00	$1,850.00	$199.00	$995.00		
603.03	30-Inch RCP (Class III)	LF	113	$125.00	$14,125.00	$124.00	$14,012.00	$206.00	$23,278.00		
603.04	36-Inch RCP (Class III)	LF	168	$157.00	$26,376.00	$150.00	$25,200.00	$255.00	$42,840.00		
603.05	42-Inch RCP (Class III)	LF	24	$182.00	$4,368.00	$320.00	$7,680.00	$270.00	$6,480.00		
603.06	48-Inch RCP (Class III)	LF	128	$218.00	$27,904.00	$208.00	$26,624.00	$300.00	$38,400.00		
603.07	54-Inch RCP (Class III)	LF	49	$241.00	$11,809.00	$300.00	$14,700.00	$380.00	$18,620.00		
603.08	60-Inch RCP (Class III)	LF	130	$294.00	$38,220.00	$255.00	$33,150.00	$379.00	$49,270.00		
603.09	66-Inch RCP (Class III)	LF	1324	$279.00	$369,396.00	$340.00	$450,160.00	$280.00	$370,720.00		
603.1	84-Inch RCP (Class III)	LF	1390	$381.00	$529,590.00	$452.00	$628,280.00	$400.00	$556,000.00		
603.11	96-Inch RCP (Class III)	LF	1288	$472.00	$607,936.00	$525.00	$676,200.00	$508.00	$654,304.00		
609.01	10' Type "CM2" Drop Inlet	EA	2	$10,986.00	$21,972.00	$8,880.00	$17,760.00	$9,850.00	$19,700.00		
609.02	15' Type "CM2" Drop Inlet	EA	7	$15,079.00	$105,553.00	$12,900.00	$90,300.00	$11,550.00	$80,850.00		
609.03	5' Type "DM2B" Drop Inlet	EA	3	$6,692.00	$20,076.00	$6,405.00	$19,215.00	$7,000.00	$21,000.00		
609.04	10' Type "DM2B" Drop Inlet	EA	2	$11,159.00	$22,318.00	$11,000.00	$22,000.00	$9,200.00	$18,400.00		
609.05	15' Type "DM2B" Drop Inlet	EA	3	$15,257.00	$45,771.00	$13,000.00	$39,000.00	$10,000.00	$30,000.00		
609.06	NDOT Type 4 Storm Drain Manhole	EA	3	$11,600.00	$34,800.00	$8,500.00	$25,500.00	$14,500.00	$43,500.00		
609.07	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 47+68.90	EA	1	$16,800.00	$16,800.00	$14,800.00	$14,800.00	$15,500.00	$15,500.00		
609.08	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 60+56.42	EA	1	$15,335.00	$15,335.00	$12,900.00	$12,900.00	$14,500.00	$14,500.00		
609.09	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 61+64.28	EA	1	$19,254.00	$19,254.00	$19,000.00	$19,000.00	$15,500.00	$15,500.00		
609.1	NDOT Modified Type 4 Storm Drain Manhole @ "FR" 9+18.23	EA	1	$15,305.00	$15,305.00	$12,850.00	$12,850.00	$14,500.00	$14,500.00		

BID ABSTRACT
09.1730.02-LED
Las Vegas Wash Middle Branch Storm Drain Decatur - Elkhorn to Whispering Sands

ITEM NO.	DESCRIPTION	U O M	QTY	Western States Contracting Inc.		Williams Brother, Inc.		Bravo Underground, Inc.		Harber Company, Inc.	
				UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
609.11	NDOT Modified Type 4 Storm Drain Manhole @ "FR" 9+41.04	EA	1	$14,296.00	$14,296.00	$14,500.00	$14,500.00	$14,500.00	$14,500.00		
609.12	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 65+80.10	EA	1	$16,109.00	$16,109.00	$14,500.00	$14,500.00	$15,000.00	$15,000.00	Unable to input pricing, due to Bidder not submitting Revised Bid Schedule	
609.13	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 69+89.91	EA	1	$16,109.00	$16,109.00	$14,000.00	$14,000.00	$15,000.00	$15,000.00		
609.14	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 74+06.71	EA	1	$16,109.00	$16,109.00	$19,000.00	$19,000.00	$15,000.00	$15,000.00		
609.15	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 74+82.86	EA	1	$19,686.00	$19,686.00	$19,000.00	$19,000.00	$15,000.00	$15,000.00		
609.16	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 78+89.48	EA	1	$16,281.00	$16,281.00	$18,000.00	$18,000.00	$15,500.00	$15,500.00		
609.17	NDOT Modified Type 4 Storm Drain Manhole @ "SL" 9+08.95	EA	1	$12,738.00	$12,738.00	$12,500.00	$12,500.00	$13,000.00	$13,000.00		
609.18	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 82+91.34	EA	1	$16,281.00	$16,281.00	$18,000.00	$18,000.00	$15,500.00	$15,500.00		
609.19	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 87+05.20	EA	1	$16,281.00	$16,281.00	$18,000.00	$18,000.00	$14,500.00	$14,500.00		
609.2	60-Inch Clark County Type III Storm Drain Manhole	EA	2	$9,363.00	$18,726.00	$6,420.00	$12,840.00	$8,500.00	$17,000.00		
613.01	Tack On Median Island	SF	99	$22.00	$2,178.00	$7.00	$693.00	$25.00	$2,475.00		
613.02	Concrete Valley Gutter	SF	140	$24.50	$3,430.00	$17.00	$2,380.00	$14.00	$1,960.00		
613.03	Type "L" Curb and Gutter	LF	130	$30.50	$3,965.00	$26.00	$3,380.00	$10.00	$1,300.00		
613.04	Concrete Sidewalk	SF	2000	$5.40	$10,800.00	$5.35	$10,700.00	$4.70	$9,400.00		
622.01	Construction Surveying	LS	1	$7,752.00	$7,752.00	$9,200.00	$9,200.00	$18,700.00	$18,700.00		
624.01	Traffic Control and Maintenance	LS	1	$32,280.00	$32,280.00	$42,000.00	$42,000.00	$71,225.00	$71,225.00		
625.01	Portable Changeable Message Sign	DAY	45	$43.00	$1,935.00	$39.00	$1,755.00	$210.00	$9,450.00		
625.02	Arrow Display	DAY	120	$12.00	$1,440.00	$10.50	$1,260.00	$43.00	$5,160.00		
627.01	Remove Existing Stop Sign w/ Traffic Drum and Reinstall	EA	1	$234.00	$234.00	$300.00	$300.00	$175.00	$175.00		
627.02	Remove Existing Object Marker Sign and Reinstall	EA	7	$234.00	$1,638.00	$185.00	$1,295.00	$175.00	$1,225.00		
628.02	6-Inch Paint Line (White)	LF	229	$2.00	$458.00	$8.00	$1,832.00	$1.05	$240.45		
628.03	6-Inch Paint Line (Yellow)	LF	155	$2.00	$310.00	$8.00	$1,240.00	$1.05	$162.75		
629.01	Relocate Fire Hydrant @ Whispering Sands Drive	LS	1	$7,000.00	$7,000.00	$15,000.00	$15,000.00	$9,750.00	$9,750.00		
629.02	Relocate Fire Hydrant @ Farm Road	LS	1	$11,322.00	$11,322.00	$17,000.00	$17,000.00	$15,250.00	$15,250.00		
633.01	Reflective Raised Pavement Markers	EA	17	$6.00	$102.00	$2.00	$34.00	$9.75	$165.75		
633.02	Non-Reflective Raised Pavement Markers	EA	15	$4.80	$72.00	$2.00	$30.00	$5.00	$75.00		
637.01	Dust Control	LS	1	$20,000.00	$20,000.00	$27,000.00	$27,000.00	$36,000.00	$36,000.00		
637.02	NDEPS Permit	LS	1	$6,232.00	$6,232.00	$1,655.00	$1,655.00	$1,000.00	$1,000.00		
637.03	Post Construction Dust Palliative	ACRE	6.5	$2,520.00	$16,380.00	$2,270.00	$14,755.00	$3,400.00	$22,100.00		
	Total Base Bid Amount				$2,779,000.00		$2,911,011.00		$2,955,572.95		

BID ABSTRACT
09.1730.02-LED
Las Vegas Wash Middle Branch Storm Drain Decatur - Elkhorn to Whispering Sands

ITEM NO.	DESCRIPTION	U O M	QTY	Las Vegas Paving Corp.		Spirit Undergound, LLC		Wiser Construction, LLC		Wells Cargo Inc.	
				UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
200.01	Mobilization and Demobilization	LS	1	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00
202.01	Remove Storm Drain Pipe	LF	239	$25.00	$5,975.00	$19.30	$4,612.70	$38.70	$9,249.30	$69.00	$16,491.00
202.02	Remove Storm Drain Manhole	EA	4	$775.00	$3,100.00	$594.00	$2,376.00	$950.10	$3,800.40	$1,650.00	$6,600.00
202.03	Remove Beehive Drop Inlet	EA	2	$550.00	$1,100.00	$554.00	$1,108.00	$1,235.60	$2,471.20	$1,750.00	$3,500.00
202.04	Remove Perforated PVC Pipe	LF	90	$20.00	$1,800.00	$24.70	$2,223.00	$20.00	$1,800.00	$51.00	$4,590.00
202.05	Remove Drop Inlet	EA	2	$880.00	$1,760.00	$1,502.00	$3,004.00	$2,090.20	$4,180.40	$2,050.00	$4,100.00
202.06	Remove Curb and Gutter	LF	400	$6.00	$2,400.00	$10.80	$4,320.00	$8.80	$3,520.00	$6.00	$2,400.00
202.07	Remove Sidewalk	SF	2000	$2.00	$4,000.00	$2.80	$5,600.00	$2.40	$4,800.00	$5.50	$11,000.00
202.08	Remove Valley Gutter	SF	140	$8.00	$1,120.00	$7.40	$1,036.00	$10.50	$1,470.00	$14.00	$1,960.00
202.09	Remove Tack On Median Island	SF	99	$11.00	$1,089.00	$10.90	$1,079.10	$9.80	$970.20	$12.00	$1,188.00
202.1	Remove Asphalt Pavement	SY	886	$8.00	$7,088.00	$11.20	$9,923.20	$16.80	$14,884.80	$9.50	$8,417.00
203.01	Over-Excavation	CY	2500	$11.00	$27,500.00	$36.00	$90,000.00	$9.60	$24,000.00	$38.50	$96,250.00
302.01	Type II Aggregate Base	CY	443	$22.00	$9,746.00	$40.00	$17,720.00	$45.40	$20,112.20	$27.50	$12,182.50
402.01	6-Inch Plantmix Bituminous Surface	SY	886	$70.00	$62,020.00	$59.00	$52,274.00	$67.50	$59,805.00	$36.00	$31,896.00
502.01	7' x 6' Precast RCB	LF	122	$592.00	$72,224.00	$788.00	$96,136.00	$641.90	$78,311.80	$708.00	$86,376.00
502.02	Junction Structure at "DN" 47+03.16	LS	1	$23,600.00	$23,600.00	$28,000.00	$28,000.00	$22,140.00	$22,140.00	$26,100.00	$26,100.00
502.03	Junction Structure at "DN" 87+98.60	LS	1	$25,800.00	$25,800.00	$31,100.00	$31,100.00	$30,240.00	$30,240.00	$31,300.00	$31,300.00
603.01	18-Inch RCP (Class III)	LF	236	$190.00	$44,840.00	$185.00	$43,660.00	$154.70	$36,509.20	$182.00	$42,952.00
603.02	24-Inch RCP (Class III)	LF	5	$225.00	$1,125.00	$205.00	$1,025.00	$406.90	$2,034.50	$310.00	$1,550.00
603.03	30-Inch RCP (Class III)	LF	113	$252.00	$28,476.00	$164.00	$18,532.00	$218.50	$24,690.50	$334.00	$37,742.00
603.04	36-Inch RCP (Class III)	LF	168	$254.00	$42,672.00	$173.00	$29,064.00	$272.90	$45,847.20	$299.00	$50,232.00
603.05	42-Inch RCP (Class III)	LF	24	$315.00	$7,560.00	$225.00	$5,400.00	$328.70	$7,888.80	$521.00	$12,504.00
603.06	48-Inch RCP (Class III)	LF	128	$352.00	$45,056.00	$299.00	$38,272.00	$311.60	$39,884.80	$359.00	$45,952.00
603.07	54-Inch RCP (Class III)	LF	49	$355.00	$17,395.00	$417.00	$20,433.00	$335.00	$16,415.00	$406.00	$19,894.00
603.08	60-Inch RCP (Class III)	LF	130	$337.00	$43,810.00	$425.00	$55,250.00	$406.40	$52,832.00	$390.00	$50,700.00
603.09	66-Inch RCP (Class III)	LF	1324	$280.00	$370,720.00	$286.00	$378,664.00	$306.40	$405,673.60	$318.00	$421,032.00
603.1	84-Inch RCP (Class III)	LF	1390	$420.00	$583,800.00	$410.00	$569,900.00	$428.80	$596,032.00	$444.00	$617,160.00
603.11	96-Inch RCP (Class III)	LF	1288	$541.00	$696,808.00	$561.00	$722,568.00	$528.90	$681,223.20	$543.00	$699,384.00
609.01	10' Type "CM2" Drop Inlet	EA	2	$12,200.00	$24,400.00	$13,370.00	$26,740.00	$10,965.30	$21,930.60	$10,900.00	$21,800.00
609.02	15' Type "CM2" Drop Inlet	EA	7	$16,200.00	$113,400.00	$16,480.00	$115,360.00	$14,364.00	$100,548.00	$15,000.00	$105,000.00
609.03	5' Type "DM2B" Drop Inlet	EA	3	$8,500.00	$25,500.00	$9,110.00	$27,330.00	$6,361.20	$19,083.60	$5,650.00	$16,950.00
609.04	10' Type "DM2B" Drop Inlet	EA	2	$13,000.00	$26,000.00	$13,500.00	$27,000.00	$8,100.00	$16,200.00	$10,500.00	$21,000.00
609.05	15' Type "DM2B" Drop Inlet	EA	3	$16,200.00	$48,600.00	$16,290.00	$48,870.00	$11,124.00	$33,372.00	$14,200.00	$42,600.00
609.06	NDOT Type 4 Storm Drain Manhole	EA	3	$12,600.00	$37,800.00	$11,740.00	$35,220.00	$14,040.00	$42,120.00	$25,400.00	$76,200.00
609.07	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 47+68.90	EA	1	$14,700.00	$14,700.00	$12,560.00	$12,560.00	$16,848.00	$16,848.00	$20,800.00	$20,800.00
609.08	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 60+56.42	EA	1	$14,700.00	$14,700.00	$13,210.00	$13,210.00	$15,120.00	$15,120.00	$19,800.00	$19,800.00
609.09	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 61+64.28	EA	1	$14,700.00	$14,700.00	$14,070.00	$14,070.00	$19,116.00	$19,116.00	$25,400.00	$25,400.00
609.1	NDOT Modified Type 4 Storm Drain Manhole @ "FR" 9+18.23	EA	1	$14,700.00	$14,700.00	$11,980.00	$11,980.00	$17,280.00	$17,280.00	$18,200.00	$18,200.00

BID ABSTRACT
09.1730.02-LED
Las Vegas Wash Middle Branch Storm Drain Decatur - Elkhorn to Whispering Sands

				Las Vegas Paving Corp.		Spirit Undergound, LLC		Wiser Construction, LLC		Wells Cargo Inc.	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
609.11	NDOT Modified Type 4 Storm Drain Manhole @ "FR" 9+41.04	EA	1	$14,700.00	$14,700.00	$12,780.00	$12,780.00	$15,120.00	$15,120.00	$16,900.00	$16,900.00
609.12	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 65+80.10	EA	1	$14,700.00	$14,700.00	$14,070.00	$14,070.00	$17,928.00	$17,928.00	$20,700.00	$20,700.00
609.13	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 69+89.91	EA	1	$14,700.00	$14,700.00	$14,070.00	$14,070.00	$17,928.00	$17,928.00	$20,700.00	$20,700.00
609.14	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 74+06.71	EA	1	$14,700.00	$14,700.00	$14,070.00	$14,070.00	$17,280.00	$17,280.00	$20,800.00	$20,800.00
609.15	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 74+82.86	EA	1	$14,700.00	$14,700.00	$15,440.00	$15,440.00	$20,520.00	$20,520.00	$25,700.00	$25,700.00
609.16	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 78+89.48	EA	1	$14,700.00	$14,700.00	$15,440.00	$15,440.00	$19,440.00	$19,440.00	$22,900.00	$22,900.00
609.17	NDOT Modified Type 4 Storm Drain Manhole @ "SL" 9+08.95	EA	1	$14,700.00	$14,700.00	$11,170.00	$11,170.00	$12,971.70	$12,971.70	$15,500.00	$15,500.00
609.18	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 82+91.34	EA	1	$14,700.00	$14,700.00	$15,440.00	$15,440.00	$19,440.00	$19,440.00	$22,900.00	$22,900.00
609.19	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 87+05.20	EA	1	$14,700.00	$14,700.00	$15,440.00	$15,440.00	$19,440.00	$19,440.00	$23,000.00	$23,000.00
609.2	60-Inch Clark County Type III Storm Drain Manhole	EA	2	$13,200.00	$26,400.00	$8,170.00	$16,340.00	$8,640.00	$17,280.00	$10,500.00	$21,000.00
613.01	Tack On Median Island	SF	99	$15.00	$1,485.00	$15.30	$1,514.70	$16.20	$1,603.80	$12.00	$1,188.00
613.02	Concrete Valley Gutter	SF	140	$30.00	$4,200.00	$19.80	$2,772.00	$16.20	$2,268.00	$28.00	$3,920.00
613.03	Type "L" Curb and Gutter	LF	130	$32.00	$4,160.00	$20.60	$2,678.00	$37.80	$4,914.00	$54.00	$7,020.00
613.04	Concrete Sidewalk	SF	2000	$9.00	$18,000.00	$8.40	$16,800.00	$5.40	$10,800.00	$25.00	$50,000.00
622.01	Construction Surveying	LS	1	$10,000.00	$10,000.00	$17,160.00	$17,160.00	$17,867.60	$17,867.60	$14,750.00	$14,750.00
624.01	Traffic Control and Maintenance	LS	1	$29,500.00	$29,500.00	$81,440.00	$81,440.00	$29,478.60	$29,478.60	$23,000.00	$23,000.00
625.01	Portable Changeable Message Sign	DAY	45	$100.00	$4,500.00	$36.00	$1,620.00	$48.60	$2,187.00	$137.00	$6,165.00
625.02	Arrow Display	DAY	120	$50.00	$6,000.00	$14.00	$1,680.00	$31.40	$3,768.00	$48.00	$5,760.00
627.01	Remove Existing Stop Sign w/ Traffic Drum and Reinstall	EA	1	$200.00	$200.00	$112.00	$112.00	$297.00	$297.00	$275.00	$275.00
627.02	Remove Existing Object Marker Sign and Reinstall	EA	7	$200.00	$1,400.00	$112.00	$784.00	$189.00	$1,323.00	$115.00	$805.00
628.02	6-Inch Paint Line (White)	LF	229	$2.00	$458.00	$1.15	$263.35	$7.60	$1,740.40	$1.50	$343.50
628.03	6-Inch Paint Line (Yellow)	LF	155	$2.00	$310.00	$1.15	$178.25	$7.60	$1,178.00	$1.50	$232.50
629.01	Relocate Fire Hydrant @ Whispering Sands Drive	LS	1	$20,000.00	$20,000.00	$7,550.00	$7,550.00	$7,749.90	$7,749.90	$7,800.00	$7,800.00
629.02	Relocate Fire Hydrant @ Farm Road	LS	1	$28,000.00	$28,000.00	$12,640.00	$12,640.00	$8,063.30	$8,063.30	$8,100.00	$8,100.00
633.01	Reflective Raised Pavement Markers	EA	17	$5.00	$85.00	$5.60	$95.20	$1.90	$32.30	$5.00	$85.00
633.02	Non-Reflective Raised Pavement Markers	EA	15	$5.00	$75.00	$4.50	$67.50	$1.10	$16.50	$5.00	$75.00
637.01	Dust Control	LS	1	$18,000.00	$18,000.00	$15,370.00	$15,370.00	$221,948.70	$221,948.70	$7,225.00	$7,225.00
637.02	NDEPS Permit	LS	1	$550.00	$550.00	$1,500.00	$1,500.00	$6,858.00	$6,858.00	$19,028.50	$19,028.50
637.03	Post Construction Dust Palliative	ACRE	6.5	$2,310.00	$15,015.00	$2,070.00	$13,455.00	$2,268.00	$14,742.00	$2,450.00	$15,925.00
	Total Base Bid Amount				$2,987,722.00		$3,087,560.00		**$3,206,588.10**		$3,293,000.00

BID ABSTRACT
09.1730.02-LED
Las Vegas Wash Middle Branch Storm Drain Decatur - Elkhorn to Whispering Sands

				Rafael Construction, Inc		W. A. Rasic Construction Co. Inc		Tand, Inc.		Eagle View Contractors	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
200.01	Mobilization and Demobilization	LS	1	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00	$200,000.00
202.01	Remove Storm Drain Pipe	LF	239	$76.00	$18,164.00	$50.00	$11,950.00	$35.00	$8,365.00	$46.39	$11,087.21
202.02	Remove Storm Drain Manhole	EA	4	$1,227.00	$4,908.00	$2,000.00	$8,000.00	$1,200.00	$4,800.00	$3,739.28	$14,957.12
202.03	Remove Beehive Drop Inlet	EA	2	$1,580.00	$3,160.00	$2,000.00	$4,000.00	$500.00	$1,000.00	$3,424.05	$6,848.10
202.04	Remove Perforated PVC Pipe	LF	90	$98.00	$8,820.00	$25.00	$2,250.00	$20.00	$1,800.00	$64.01	$5,760.90
202.05	Remove Drop Inlet	EA	2	$2,145.00	$4,290.00	$2,000.00	$4,000.00	$1,800.00	$3,600.00	$6,195.90	$12,391.80
202.06	Remove Curb and Gutter	LF	400	$5.25	$2,100.00	$20.00	$8,000.00	$4.00	$1,600.00	$13.88	$5,552.00
202.07	Remove Sidewalk	SF	2000	$2.05	$4,100.00	$3.00	$6,000.00	$1.50	$3,000.00	$4.13	$8,260.00
202.08	Remove Valley Gutter	SF	140	$3.70	$518.00	$10.00	$1,400.00	$5.00	$700.00	$27.18	$3,805.20
202.09	Remove Tack On Median Island	SF	99	$6.00	$594.00	$20.00	$1,980.00	$3.00	$297.00	$46.12	$4,565.88
202.1	Remove Asphalt Pavement	SY	886	$37.00	$32,782.00	$8.00	$7,088.00	$4.00	$3,544.00	$18.94	$16,780.84
203.01	Over-Excavation	CY	2500	$18.95	$47,375.00	$20.00	$50,000.00	$8.00	$20,000.00	$13.48	$33,700.00
302.01	Type II Aggregate Base	CY	443	$35.00	$15,505.00	$122.00	$54,046.00	$20.00	$8,860.00	$55.90	$24,763.70
402.01	6-Inch Plantmix Bituminous Surface	SY	886	$81.00	$71,766.00	$72.00	$63,792.00	$46.00	$40,756.00	$76.10	$67,424.60
502.01	7' x 6' Precast RCB	LF	122	$990.00	$120,780.00	$950.00	$115,900.00	$860.00	$104,920.00	$1,168.00	$142,496.00
502.02	Junction Structure at "DN" 47+03.16	LS	1	$32,755.00	$32,755.00	$30,500.00	$30,500.00	$32,000.00	$32,000.00	$58,915.00	$58,915.00
502.03	Junction Structure at "DN" 87+98.60	LS	1	$34,390.00	$34,390.00	$32,000.00	$32,000.00	$32,000.00	$32,000.00	$57,611.00	$57,611.00
603.01	18-Inch RCP (Class III)	LF	236	$176.00	$41,536.00	$200.00	$47,200.00	$125.00	$29,500.00	$215.00	$50,740.00
603.02	24-Inch RCP (Class III)	LF	5	$259.00	$1,295.00	$50.00	$250.00	$300.00	$1,500.00	$1,000.00	$5,000.00
603.03	30-Inch RCP (Class III)	LF	113	$239.00	$27,007.00	$300.00	$33,900.00	$220.00	$24,860.00	$309.00	$34,917.00
603.04	36-Inch RCP (Class III)	LF	168	$252.00	$42,336.00	$375.00	**$63,000.00**	$300.00	$50,400.00	$330.00	$55,440.00
603.05	42-Inch RCP (Class III)	LF	24	$322.00	$7,728.00	$400.00	$9,600.00	$500.00	$12,000.00	$725.00	$17,400.00
603.06	48-Inch RCP (Class III)	LF	128	$319.00	$40,832.00	$360.00	$46,080.00	$425.00	$54,400.00	$399.00	$51,072.00
603.07	54-Inch RCP (Class III)	LF	49	$402.00	$19,698.00	$400.00	$19,600.00	$600.00	$29,400.00	$643.00	$31,507.00
603.08	60-Inch RCP (Class III)	LF	130	$382.00	$49,660.00	$400.00	$52,000.00	$485.00	$63,050.00	$510.00	$66,300.00
603.09	66-Inch RCP (Class III)	LF	1324	$324.00	$428,976.00	$385.00	$509,740.00	$445.00	$589,180.00	$468.80	$620,691.20
603.1	84-Inch RCP (Class III)	LF	1390	$471.00	$654,690.00	$560.00	$778,400.00	$700.00	$973,000.00	$621.70	$864,163.00
603.11	96-Inch RCP (Class III)	LF	1288	$564.00	$726,432.00	$674.00	$868,112.00	$835.00	$1,075,480.00	$870.60	$1,121,332.80
609.01	10' Type "CM2" Drop Inlet	EA	2	$13,540.00	$27,080.00	$11,600.00	$23,200.00	$11,000.00	$22,000.00	$28,806.00	$57,612.00
609.02	15' Type "CM2" Drop Inlet	EA	7	$17,945.00	$125,615.00	$14,300.00	$100,100.00	$13,500.00	$94,500.00	$23,138.00	$161,966.00
609.03	5' Type "DM2B" Drop Inlet	EA	3	$9,900.00	$29,700.00	$9,000.00	$27,000.00	$7,200.00	$21,600.00	$10,870.00	$32,610.00
609.04	10' Type "DM2B" Drop Inlet	EA	2	$12,575.00	$25,150.00	$12,300.00	$24,600.00	$12,900.00	$25,800.00	$15,218.00	$30,436.00
609.05	15' Type "DM2B" Drop Inlet	EA	3	$17,888.00	$53,664.00	$14,700.00	$44,100.00	$14,000.00	$42,000.00	$17,030.00	$51,090.00
609.06	NDOT Type 4 Storm Drain Manhole	EA	3	$12,960.00	$38,880.00	$10,500.00	$31,500.00	$11,000.00	$33,000.00	$17,030.00	$51,090.00
609.07	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 47+68.90	EA	1	$16,542.00	$16,542.00	$11,000.00	$11,000.00	$22,500.00	$22,500.00	$30,436.00	$30,436.00
609.08	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 60+56.42	EA	1	$14,231.00	$14,231.00	$11,000.00	$11,000.00	$22,500.00	$22,500.00	$23,914.00	$23,914.00
609.09	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 61+64.28	EA	1	$17,373.00	$17,373.00	$11,000.00	$11,000.00	$22,500.00	$22,500.00	$33,697.00	$33,697.00

BID ABSTRACT
09.1730.02-LED
Las Vegas Wash Middle Branch Storm Drain Decatur - Elkhorn to Whispering Sands

				Rafael Construction, Inc		W. A. Rasic Construction Co. Inc		Tand, Inc.		Eagle View Contractors	
ITEM NO.	DESCRIPTION	U O M	QTY	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
609.1	NDOT Modified Type 4 Storm Drain Manhole @ "FR" 9+18.23	EA	1	$14,972.00	$14,972.00	$10,800.00	$10,800.00	$22,500.00	$22,500.00	$25,001.00	$25,001.00
609.11	NDOT Modified Type 4 Storm Drain Manhole @ "FR" 9+41.04	EA	1	$14,700.00	$14,700.00	$10,800.00	$10,800.00	$22,500.00	$22,500.00	$25,001.00	$25,001.00
609.12	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 65+80.10	EA	1	$16,550.00	$16,550.00	$11,000.00	$11,000.00	$24,000.00	$24,000.00	$20,653.00	$20,653.00
609.13	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 69+89.91	EA	1	$16,550.00	$16,550.00	$11,000.00	$11,000.00	$24,000.00	$24,000.00	$28,262.00	$28,262.00
609.14	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 74+06.71	EA	1	$15,700.00	$15,700.00	$11,000.00	$11,000.00	$24,000.00	$24,000.00	$9,783.00	$9,783.00
609.15	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 74+82.86	EA	1	$18,900.00	$18,900.00	$11,000.00	$11,000.00	$18,000.00	$18,000.00	$33,697.00	$33,697.00
609.16	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 78+89.48	EA	1	$16,750.00	$16,750.00	$11,000.00	$11,000.00	$24,000.00	$24,000.00	$34,784.00	$34,784.00
609.17	NDOT Modified Type 4 Storm Drain Manhole @ "SL" 9+08.95	EA	1	$14,190.00	$14,190.00	$10,800.00	$10,800.00	$24,000.00	$24,000.00	$25,001.00	$25,001.00
609.18	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 82+91.34	EA	1	$16,750.00	$16,750.00	$11,000.00	$11,000.00	$16,000.00	$16,000.00	$34,784.00	$34,784.00
609.19	NDOT Modified Type 4 Storm Drain Manhole @ "DN" 87+05.20	EA	1	$16,750.00	$16,750.00	$11,000.00	$11,000.00	$16,000.00	$16,000.00	$33,697.00	$33,697.00
609.2	60-Inch Clark County Type III Storm Drain Manhole	EA	2	$9,100.00	$18,200.00	$10,750.00	$21,500.00	$7,450.00	$14,900.00	$16,849.00	$33,698.00
613.01	Tack On Median Island	SF	99	$13.60	$1,346.40	$12.00	$1,188.00	$8.00	$792.00	$110.00	$10,890.00
613.02	Concrete Valley Gutter	SF	140	$15.90	$2,226.00	$15.00	$2,100.00	$10.00	$1,400.00	$23.00	$3,220.00
613.03	Type "L" Curb and Gutter	LF	130	$45.70	$5,941.00	$18.00	$2,340.00	$16.00	$2,080.00	$43.00	$5,590.00
613.04	Concrete Sidewalk	SF	2000	$8.40	$16,800.00	$5.00	$10,000.00	$8.00	$16,000.00	$4.90	$9,800.00
622.01	Construction Surveying	LS	1	$13,945.00	$13,945.00	$15,000.00	$15,000.00	$45,000.00	$45,000.00	$4,457.00	$4,457.00
624.01	Traffic Control and Maintenance	LS	1	$25,767.00	$25,767.00	$18,000.00	$18,000.00	$48,000.00	$48,000.00	$10,327.00	$10,327.00
625.01	Portable Changeable Message Sign	DAY	45	$153.00	$6,885.00	$75.00	$3,375.00	$100.00	$4,500.00	$39.00	$1,755.00
625.02	Arrow Display	DAY	120	$53.00	$6,360.00	$25.00	$3,000.00	$60.00	$7,200.00	$12.00	$1,440.00
627.01	Remove Existing Stop Sign w/ Traffic Drum and Reinstall	EA	1	$357.00	$357.00	$750.00	$750.00	$500.00	$500.00	$326.00	$326.00
627.02	Remove Existing Object Marker Sign and Reinstall	EA	7	$227.00	$1,589.00	$300.00	$2,100.00	$250.00	$1,750.00	$217.00	$1,519.00
628.02	6-Inch Paint Line (White)	LF	229	$9.00	$2,061.00	$7.00	$1,603.00	$2.00	$458.00	$7.60	$1,740.40
628.03	6-Inch Paint Line (Yellow)	LF	155	$9.00	$1,395.00	$7.00	$1,085.00	$2.00	$310.00	$7.60	$1,178.00
629.01	Relocate Fire Hydrant @ Whispering Sands Drive	LS	1	$5,845.00	$5,845.00	$11,800.00	$11,800.00	$13,800.00	$13,800.00	$17,392.00	$17,392.00
629.02	Relocate Fire Hydrant @ Farm Road	LS	1	$9,358.00	$9,358.00	$16,200.00	$16,200.00	$14,000.00	$14,000.00	$23,914.00	$23,914.00
633.01	Reflective Raised Pavement Markers	EA	17	$3.00	$51.00	$50.00	$850.00	$4.00	$68.00	$2.00	$34.00
633.02	Non-Reflective Raised Pavement Markers	EA	15	$2.00	$30.00	$32.00	$480.00	$3.00	$45.00	$5.00	$75.00
637.01	Dust Control	LS	1	$25,500.00	$25,500.00	$12,000.00	$12,000.00	$60,000.00	$60,000.00	$61,959.00	$61,959.00
637.02	NDEPS Permit	LS	1	$19,500.00	$19,500.00	$1,500.00	$1,500.00	$6,500.00	$6,500.00	$6,522.00	$6,522.00
637.03	Post Construction Dust Palliative	ACRE	6.5	$2,800.00	$18,200.00	$2,200.00	$14,300.00	$1,600.00	$10,400.00	$2,283.00	$14,839.50
	Total Base Bid Amount				$3,333,600.40		$3,560,859.00		$4,139,115.00		**$4,547,672.25**
											Correct Total
	Engineer's Estimate $4,276,960.00										

TO: ~~Jorge Cervantes~~ Chris Edmonson Please review and approve recommended award to TAB Constractors, Inc.

in the amount of $ 2,734,291.00.

Purchasing & Contracts Representative — Date: 12/18/08

Using Department Authorized Rep Signature — Date: 12/22/08

City of Las Vegas Agenda Item No.: **25.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of annexation report for the proposed annexation area located in the vicinity of State Route 157 (Kyle Canyon Road), in the general area Between Moccasin Road and Rocky Avenue, East and West of Shaumber Road (ANX-27030) – Ward 6 (Ross)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Sections 268.578 and 268.588 of the Nevada Revised Statutes require the approval of a report concerning the provision of services to an area proposed for annexation when the long form annexation process is utilized. The report must be approved no less than 20 days prior to the public hearing on the annexation. The Resolution of Intent to annex this territory was approved at the December 19, 2008, City Council Meeting. Discussion of the report is proposed to take place during the February 4, 2009, City Council Meeting.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Annexation Report

ANX-27030
Annexation Report
Northwest Substation
Nevada Power Company

This annexation area is located in the vicinity of State Route 157 (Kyle Canyon Road), in the general area between Moccasin Road and Rocky Avenue, east and west of Shaumber Road. See the location map for the boundary and its relationship to the existing Las Vegas city limits.

CONTENTS – ANX-27030

Summary of Municipal Services to be provided

Statement of Eligibility for Annexation

Boundary Map/ General Land Use Map

Location Map

Legal Description with Accurate Map

Annexation Plat Map

Water Facilities [For information purposes only]

Flood Control Facilities [CCRFCD facilities for information purposes only]

Sewer Facilities

Power Lines and Substations [For information purposes only]

Rights-of-Way Access

SUMMARY OF MUNICIPAL SERVICES TO BE PROVIDED BY THE CITY OF LAS VEGAS

The City of Las Vegas will provide fire protection, street maintenance, street sweeping and street lighting maintenance in the territory proposed to be annexed on the effective date of such annexation, on substantially the same basis and in the same manner as such services are provided by the City to the property owners and residents within the remainder of the City. Police protection and garbage collection provided by other agencies will also be provided on substantially the same basis and in the same manner as such services are provided by the City to the property owner and residents within the remainder of the City immediately prior to the effective date of the annexation.

Water

The proposed annexing parcels are located within the 3090 pressure zone. Currently Las Vegas Valley Water District does not provide water near the Nevada Power Company (NPC) site. The nearest 3090 pressure zone 36 inch waterline is at the intersection of Egan Crest Drive and Grand Teton Drive, which is approximately two miles south of the NPC parcel. The closest LVVWD waterline is at the cross streets of Hualapai Way and Moccasin Road which is approximately one mile from the annexation area and on the east side of the Interstate 95. This 36 inch waterline is in the 2975 pressure zone. Majority of the existing developed parcels near NPC parcels use domestic wells to obtain water. Once annexed, NPC would like to be able to defer the installation of the water line for any landscaping until the nearest facility is 500 feet away. See Figure 1.

Drainage

The proposed annexing parcel is near a planned future drainage facility along the Moccasin Road alignment. The planned concrete drainage channel is to be constructed within the next 10 years as shown in the attached Figure 2 and 3 from the Clark County Regional Flood Control District and the Centennial Hills Map.

Sanitary Sewer

The nearest City of Las Vegas sewer system is located at the intersection of Horse and Oso Blanca Road. This is approximately 3 miles away from the NPC parcel. Existing developed parcels near NPC Site use individual septic sewer disposal systems. See Figure 4.

Power

The annexing parcels are a current Nevada Power Substation. See the attached exhibit, provided by CLV Centennial Hills sector plan, for this substation location and all power facilities in Centennial Hills. See Figure 5.

Gas

The proposed annexing parcels, nearest gas facility are located at the intersection of Horse Avenue and Grand Canyon Drive. The annexing parcels will not be utilizing any gas facilities.

Land Use

The general land use around the parcels to be annexed is a Planned Community Development as shown on the Centennial Hills Sector Map. See Land Use Map.

Northwest Substation Right-of-Way and Access Route

Moccasin Road will be a 60 feet half street Right-of-Way. Shaumber Road will be a 30 feet half street right-of-way. Rocky Avenue to the south will be 30 feet half street right of way; as will also the street to the west of the annexing parcels at some time in the future.

Access route to the Northwest Substation located at the south west intersection of Moccasin Road and Shaumber Road will require access via proposed 32 foot wide proposed access road. The access road will be located approximately 116 feet south (to the roads centerline) and parallel to Moccasin alignment section line. The access road will head east a distance of approximately 2,400 feet to the Frontage Road, located west of the US 95, off of Kyle Canyon Road. See Access Route/ROW Exhibit, Figure 6 & 7.

ELIGIBILITY FOR ANNEXATION

In order for territory to be annexed to a city within Clark County, all the territory must meet the general standards for of NRS 268.580 (2) and must meet the requirements of NRS 268.580 (3), 268.580 (4), 268.580 (5) or 268.580 (6). The territory proposed for annexation in connection with this report is eligible for annexation under subsections two (2) through six (6) of NRS 268.580 as follows:

Subsection 2
(a) The area to be annexed is contiguous to the City's boundaries at the time the annexation proceedings were instituted.
(b) More than one-eighth (1/8) of the aggregate external boundaries of the area are contiguous to the boundaries of the City of Las Vegas.
(c) The territory proposed to be annexed is not included within the boundaries of another incorporated city or within the boundaries of any unincorporated town as those boundaries existed as of July 1, 1983.

Subsection 3
Not applicable

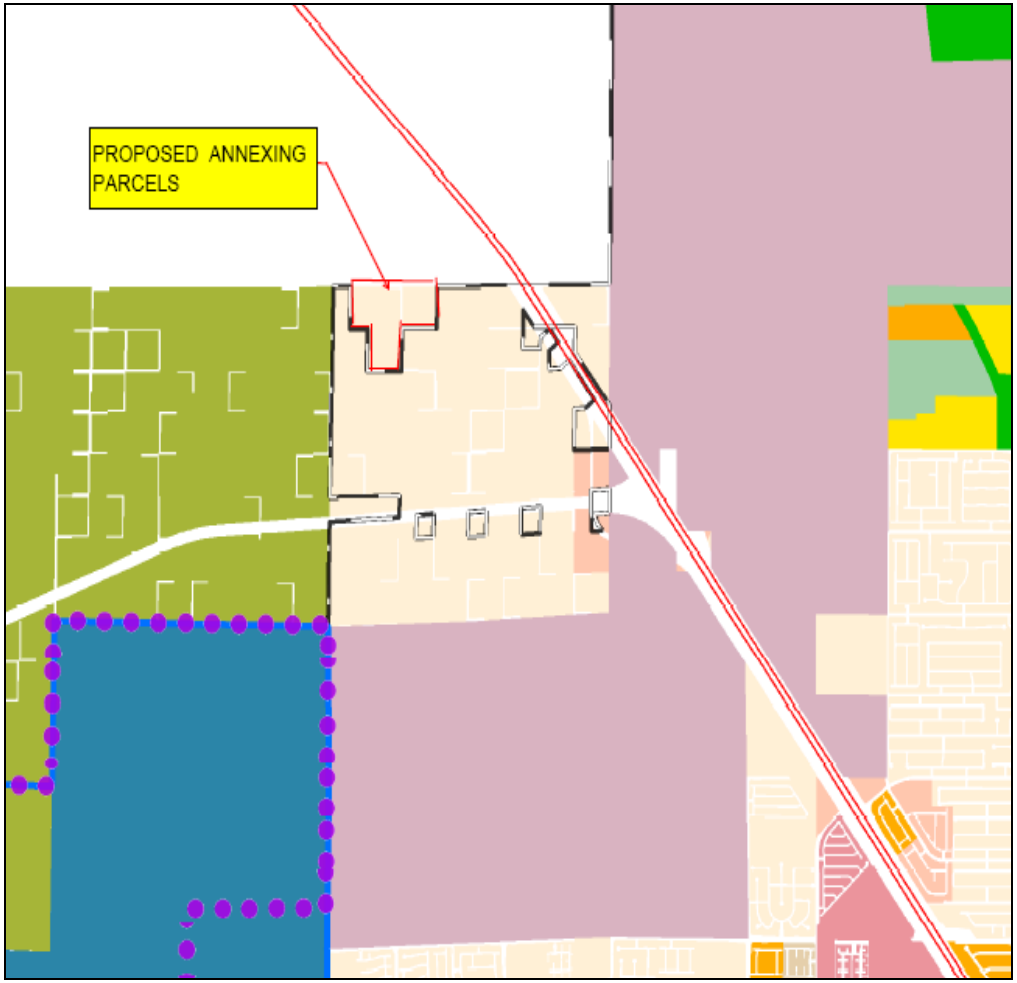
Subsection 4
Not applicable

Subsection 5
Not applicable

Subsection 6
With respect to territory not owned by a government entity, as referred to in Paragraph (a), the owners of record of not less than 75 percent of the individual lots or parcels of land within the territory have petitioned the city to annex the territory.

With respect to territory owned by a governmental entity, as referred to in Paragraph (b), the city has received a written statement from the governmental entity indicating that it owns the territory and does not object to the City's annexation of the territory.

City of Las Vegas Centennial Hills Sector- Land Use Map



City of Las Vegas

CENTENNIAL HILLS
Interlocal Land Use Plan

City Land Use Categories

- Rural Neighborhood Preservation - up to 2 du/ac
- Desert Rural - up to 2.49 du/ac
- Rural - up to 3.99 du/ac
- Low - up to 5.49 du/ac
- Medium - Low - up to 8.49 du/ac
- Medium - Low Attached - up to 12.49 du/ac
- Medium - up to 25.49 du/ac
- High - 25+ du/ac
- Office
- Service Commercial
- General Commercial
- Park / Recreation / Open Space
- Public Facility
- Resource Conservation
- Light Industrial / Research
- Planned Community Development
- Traditional Neighborhood Development
- Town Center

- Corporate Limits
- BLM Disposal Boundary
- Red Rock Canyon National Conservation Park

County Land Use Categories

- Rural Neighborhood Preservation - up to 2du/ac
- Rural Estates - up to 2.5du/ac
- Rural Density Residential - up to 3.5 du/ac
- Public Facilities
- Public Lands Management Area
- Planned Community Development

E	Elementary School
M	Middle School
H	High School
P	Park
F	Fire Station
SS	Electric Power Sub Station

SOURCE: City of Las Vegas , Planning and Development Department

Adopted August 18, 1999 GPA-14-99

PLANNING & DEVELOPMENT

GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.

Geographic Information System

Planning & Development Dept.
702-229-6301

Printed: June 10, 2008

Location Map

Legend

Parcel border

City of Las Vegas Existing Jurisdictional Boundary

Parcels to be Annexed into the City of Las Vegas

MEMORANDUM

City of Las Vegas
Department of Public Works

Right-of-Way Design

To: Ed Byrge, Superintendent
Right-of-Way and Real Property Services
Department of Public Works

From: Brian Yu
Right-of-Way Design
Department of Public Works

Date: March 25, 2008,

Re: Annexation ANX-27030

1. A legal description for inclusion in the annexation ordinance and an accurate map exhibit for attachment thereto, has been prepared in partial compliance with the requirements of annexation under NRS 268.570 to NRS 268.608, inclusive, and as requested by the Department of Planning and Development for the Annexation ANX-27030.

2. Said map exhibit was prepared under the supervision of a competent surveyor or engineer as required by the provision in NRS 268.600, from the record information in the Office of the County Recorder in Clark County, Nevada and/or the filed information in the Office of the Bureau of Land Management, Department of the Interior of the United States of America, on file in Reno, Nevada and other quasi-public records, as necessary and sufficient to accurately portray the parcels of land to be annexed; said map exhibit does not constitute a Record of Survey as defined by the provisions of NRS 625.340 to NRS 625.380.

CITY OF LAS VEGAS
DEPARTMENT OF PUBLIC WORKS
RIGHT OF WAY DESIGN
LEGAL DESCRIPTION

A.P.N. 126-01-101-002, -003, -004, -007, -015, -016, -199-001
(470-250-003, -004, -051, -006, -001)

Reference: 19990504:00043, 19901114:00328, 19910502:00229,
20020207:00086, Record of Survey in File 146, Page 59

Vesting: ANX-27030

Section: N 1/2, NW 1/4, SEC 1, T19S, R59E, M.D.M.,

Street/Subdivision: SOUTHEAST CORNER MOCCASIN ROAD AND PULI ROAD

W.A. No. P21400
Cogo:- TM: anx-27030.pro
Requested eb Written byu Checked nw Proofread nw/byu
03-24-08 03-25-08 03-25-08

That portion of the North Half (N 1/2), of the Northwest Quarter (NW 1/4), of Section 1, Township 19 South, Range 59 East, M.D.M., in the County of Clark, State of Nevada, being Government Lot 23, Government Lot 24, Government Lot 29, Government Lot 30, Government Lot 31, Government Lot 35, and Government Lot 36, together with the right of way as dedicated by Document Number 920303:00535 of Clark County, Nevada Records, described as follows:

COMMENCING at the northwest quarter corner of said Section 1; thence along the north line thereof, North 89°51’09” East 328.84 feet to the POINT OF BEGINNING; thence continuing along said north line, North 89°51’09” East 1,012.01 feet to the west sixteenth corner common to said Section 1, and Section 36, Township 18 South, Range 59 East M.D.M.; thence continuing along the north line of said Section 1, North 89°51’39” East 657.69 feet; thence departing said north line, South 00°31’51” West 673.90 feet; thence South 89°50’08” West 664.32 feet; thence South 01°05”39” West 691.91 feet to the northwest sixteenth corner of said Section 1; thence South 89°33’22” West 671.06 feet; thence North 00°35’01” East 695.08 feet; thence South 89°50’08” West 332.12 feet; thence North 00°51’43” East 674.56 feet to the POINT OF BEGINNING.

The above described parcel of land contains an area of 1,594,405 square feet, or 36.602 acres, more or less.

BASIS OF BEARINGS: North 89°21’44” East being the bearing of the north line of the Northeast Quarter (NE 1/4) of Section 1, Township 19 South, Range 59 East, M.D.M., as shown on that Record of Survey in File 123, Page 32 of Clark County, Nevada Records.

The EXHIBIT MAP accompanying this legal description attached hereto and made a part thereof.

Prepared by:
Brian Yu, PLS
Public Works, City of Las Vegas,
731 S. Fourth Street,
Las Vegas, NV 89101
byu@lasvegasnevada.gov

That portion of the North Half (N 1/2), of the Northwest Quarter (NW 1/4), of Section 1, Township 19 South, Range 59 East, M.D.M., in the County of Clark, State of Nevada, being Government Lot 23, Government Lot 24, Government Lot 29, Government Lot 30, Government Lot 31, Government Lot 35, and Government Lot 36, together with the right of way as dedicated by Document Number 920303:00535 of Clark County, Nevada Records, described as follows:

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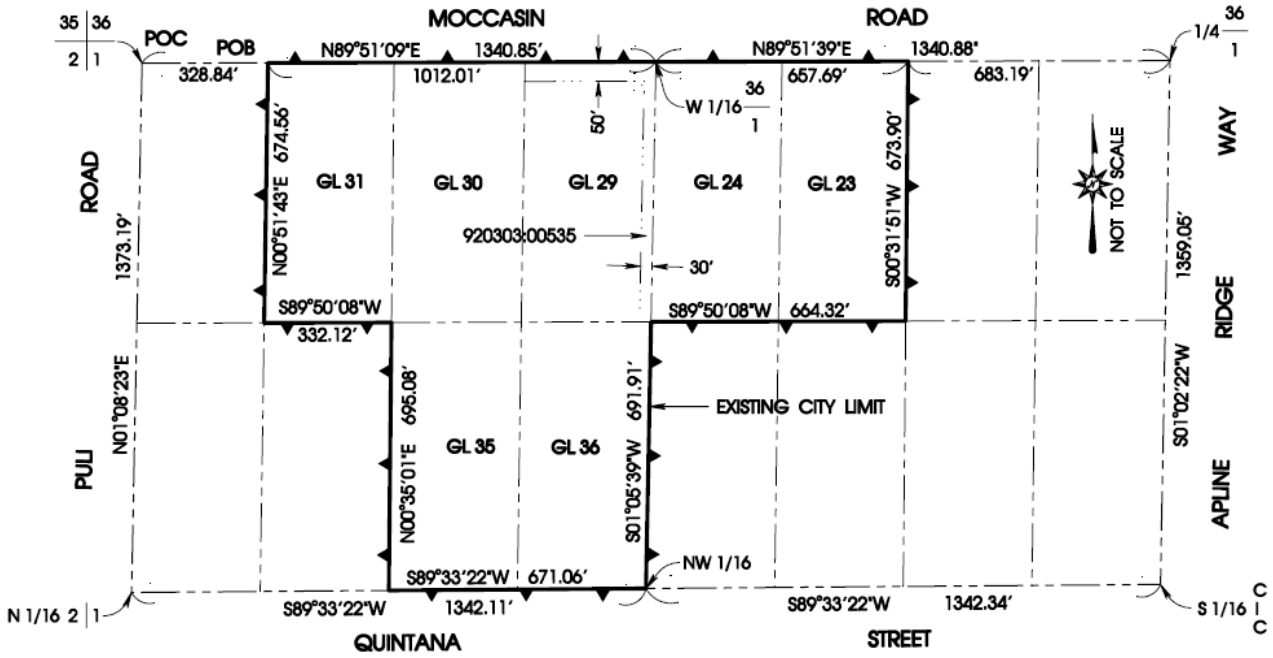
A.P.N. 126-01-101-002, -003, -004, -007, -015, -016, -199-001
(470-250-003, -004, -051, -006, -001)

ANX-27030

THE N 1/2, NW 1/4, SEC 1, T19S, R59E, M.D.M.,

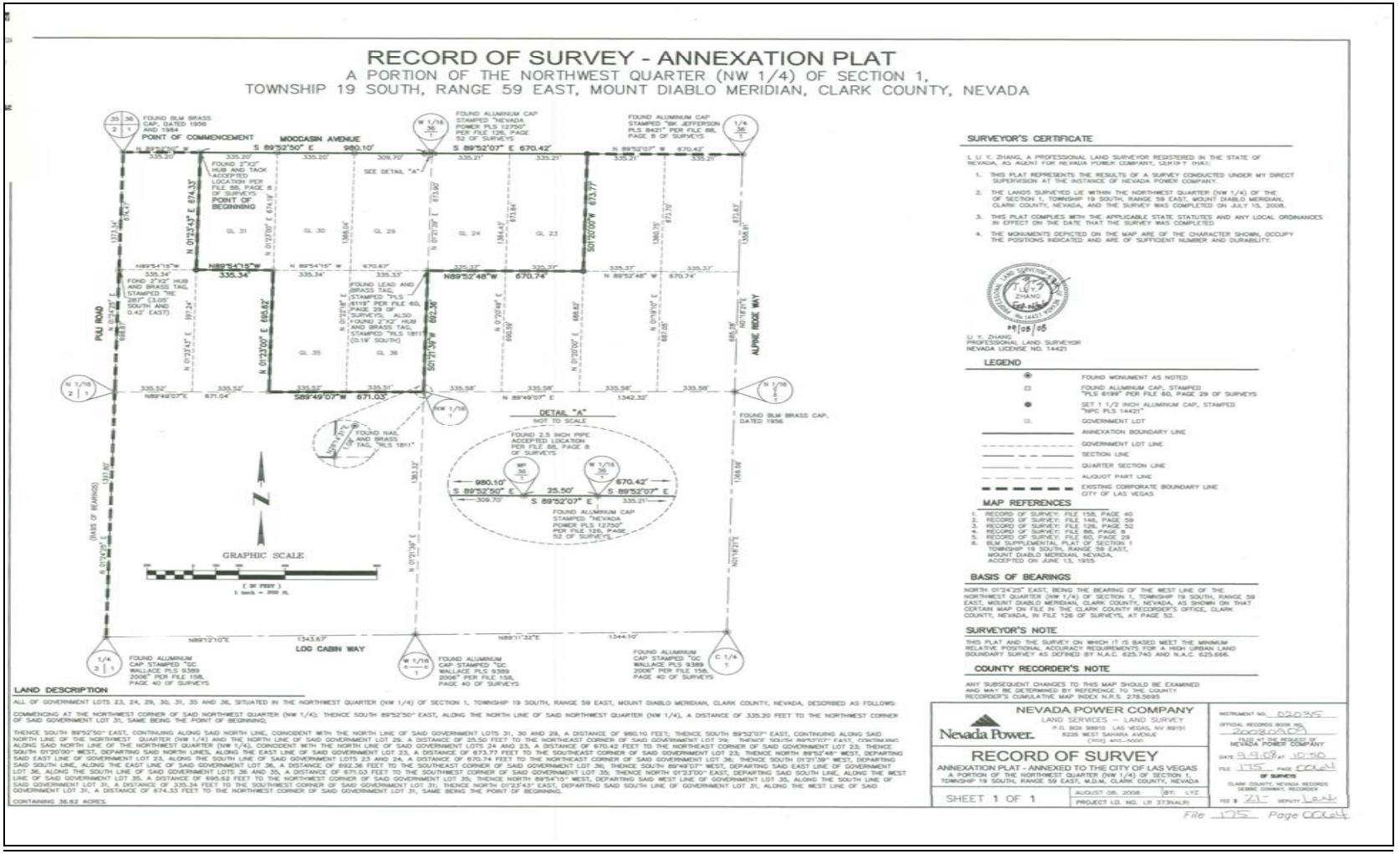


ANX-27030 (AREA = 1,594,405 S.F. OR 36.602 AC)

ANNEXED TO THE CITY OF LAS VEGAS UNDER ORDINANCE No._____

THE MAP EXHIBIT WAS PREPARED PER NRS 268.600 FROM THE DATA ON RECORD OF SURVEY IN FILE 146, PAGE 59 OF CLARK COUNTY, NEVADA RECORDS; SAID EXHIBIT IS NOT A RECORD OF SURVEY AS DEFINED BY NRS 625.340 TO 625.380.

Record of Survey – Annexation Plat



RECORD OF SURVEY - ANNEXATION PLAT
A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 1,
TOWNSHIP 19 SOUTH, RANGE 59 EAST, MOUNT DIABLO MERIDIAN, CLARK COUNTY, NEVADA

POINT OF COMMENCEMENT
POINT OF BEGINNING
MOCCASIN AVENUE
POU ROAD
ALPINE RIDGE WAY
LOG CABIN WAY
GRAPHIC SCALE
DETAIL "A"
NOT TO SCALE

LAND DESCRIPTION

ALL OF GOVERNMENT LOTS 23, 24, 29, 30, 31, 35 AND 36, SITUATED IN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59 EAST, MOUNT DIABLO MERIDIAN, CLARK COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER (NW 1/4); THENCE SOUTH 89°52'50" EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER (NW 1/4), A DISTANCE OF 335.20 FEET TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 31, SAME BEING THE POINT OF BEGINNING;

THENCE SOUTH 89°52'50" EAST, CONTINUING ALONG SAID NORTH LINE, COINCIDENT WITH THE NORTH LINE OF SAID GOVERNMENT LOTS 31, 30 AND 29, A DISTANCE OF 980.10 FEET; THENCE SOUTH 89°52'07" EAST, CONTINUING ALONG SAID NORTH LINE OF THE NORTHWEST QUARTER (NW 1/4) AND THE NORTH LINE OF SAID GOVERNMENT LOT 29, A DISTANCE OF 25.50 FEET TO THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 29; THENCE SOUTH 89°52'07" EAST, CONTINUING ALONG SAID NORTH LINE OF THE NORTHWEST QUARTER (NW 1/4), COINCIDENT WITH THE NORTH LINE OF SAID GOVERNMENT LOTS 24 AND 23, A DISTANCE OF 670.42 FEET TO THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 23; THENCE SOUTH 01°20'00" WEST, DEPARTING SAID NORTH LINES, ALONG THE EAST LINE OF SAID GOVERNMENT LOT 23, A DISTANCE OF 673.77 FEET TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 23; THENCE NORTH 89°52'48" WEST, DEPARTING SAID EAST LINE OF GOVERNMENT LOT 23, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOTS 23 AND 24, A DISTANCE OF 670.74 FEET TO THE NORTHEAST CORNER OF SAID GOVERNMENT LOT 36; THENCE SOUTH 01°21'39" WEST, DEPARTING SAID SOUTH LINE, ALONG THE EAST LINE OF SAID GOVERNMENT LOT 36, A DISTANCE OF 692.36 FEET TO THE SOUTHEAST CORNER OF SAID GOVERNMENT LOT 36; THENCE SOUTH 89°49'07" WEST, DEPARTING SAID EAST LINE OF GOVERNMENT LOT 36, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOTS 36 AND 35, A DISTANCE OF 671.03 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 35; THENCE NORTH 01°23'00" EAST, DEPARTING SAID SOUTH LINE, ALONG THE WEST LINE OF SAID GOVERNMENT LOT 35, A DISTANCE OF 695.62 FEET TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 35; THENCE NORTH 89°54'15" WEST, DEPARTING SAID WEST LINE OF GOVERNMENT LOT 35, ALONG THE SOUTH LINE OF SAID GOVERNMENT LOT 31, A DISTANCE OF 335.34 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNMENT LOT 31; THENCE NORTH 01°23'43" EAST, DEPARTING SAID SOUTH LINE OF GOVERNMENT LOT 31, ALONG THE WEST LINE OF SAID GOVERNMENT LOT 31, A DISTANCE OF 674.33 FEET TO THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 31, SAME BEING THE POINT OF BEGINNING.

CONTAINING 36.62 ACRES.

SURVEYOR'S CERTIFICATE

I, LI Y. ZHANG, A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF NEVADA, AS AGENT FOR NEVADA POWER COMPANY, DO HEREBY CERTIFY THAT:

1. THIS PLAT REPRESENTS THE RESULTS OF A SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF NEVADA POWER COMPANY.
2. THE LANDS SURVEYED LIE WITHIN THE NORTHWEST QUARTER (NW 1/4) OF THE OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59 EAST, MOUNT DIABLO MERIDIAN, CLARK COUNTY, NEVADA, AND THE SURVEY WAS COMPLETED ON JULY 15, 2008.
3. THIS PLAT COMPLIES WITH THE APPLICABLE STATE STATUTES AND ANY LOCAL ORDINANCES IN EFFECT ON THE DATE THAT THE SURVEY WAS COMPLETED.
4. THE MONUMENTS DEPICTED ON THE MAP ARE OF THE CHARACTER SHOWN, OCCUPY THE POSITIONS INDICATED AND ARE OF SUFFICIENT NUMBER AND DURABILITY.

LI Y. ZHANG
PROFESSIONAL LAND SURVEYOR
NEVADA LICENSE NO. 14421

LEGEND

- FOUND MONUMENT AS NOTED
- FOUND ALUMINUM CAP, STAMPED "PLS 6199" PER FILE 60, PAGE 29 OF SURVEYS
- SET 1 1/2 INCH ALUMINUM CAP, STAMPED "NPC PLS 14421"
- GL GOVERNMENT LOT
- ANNEXATION BOUNDARY LINE
- GOVERNMENT LOT LINE
- SECTION LINE
- QUARTER SECTION LINE
- ALIQUOT PART LINE
- EXISTING CORPORATE BOUNDARY LINE CITY OF LAS VEGAS

MAP REFERENCES

1. RECORD OF SURVEY: FILE 158, PAGE 40
2. RECORD OF SURVEY: FILE 146, PAGE 59
3. RECORD OF SURVEY: FILE 126, PAGE 52
4. RECORD OF SURVEY: FILE 88, PAGE 8
5. RECORD OF SURVEY: FILE 60, PAGE 29
6. BLM SUPPLEMENTAL PLAT OF SECTION 1 TOWNSHIP 19 SOUTH, RANGE 59 EAST, MOUNT DIABLO MERIDIAN, NEVADA, ACCEPTED ON JUNE 13, 1955

BASIS OF BEARINGS

NORTH 01°24'25" EAST, BEING THE BEARING OF THE WEST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59 EAST, MOUNT DIABLO MERIDIAN, CLARK COUNTY, NEVADA, AS SHOWN ON THAT CERTAIN MAP ON FILE IN THE CLARK COUNTY RECORDER'S OFFICE, CLARK COUNTY, NEVADA, IN FILE 126 OF SURVEYS, AT PAGE 52.

SURVEYOR'S NOTE

THIS PLAT AND THE SURVEY ON WHICH IT IS BASED MEET THE MINIMUM RELATIVE POSITIONAL ACCURACY REQUIREMENTS FOR A HIGH URBAN LAND BOUNDARY SURVEY AS DEFINED BY N.A.C. 625.740 AND N.A.C. 625.666.

COUNTY RECORDER'S NOTE

ANY SUBSEQUENT CHANGES TO THIS MAP SHOULD BE EXAMINED AND MAY BE DETERMINED BY REFERENCE TO THE COUNTY RECORDER'S CUMULATIVE MAP INDEX N.R.S. 278.5695

NEVADA POWER COMPANY
LAND SERVICES – LAND SURVEY
P.O. BOX 98910 LAS VEGAS, NV 89151
6226 WEST SAHARA AVENUE
(702) 402-5000

RECORD OF SURVEY
ANNEXATION PLAT - ANNEXED TO THE CITY OF LAS VEGAS
A PORTION OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 1, TOWNSHIP 19 SOUTH, RANGE 59 EAST, M.D.M., CLARK COUNTY, NEVADA

SHEET 1 OF 1

AUGUST 08, 2008 BY: LYZ
PROJECT I.D. NO.: LR 373(NALR)

INSTRUMENT NO. 020375
OFFICIAL RECORDS BOOK NO. 20080805
FILED AT THE REQUEST OF NEVADA POWER COMPANY
DATE 8-8-08 AT 10:50
FILE 175 PAGE 0044
OF SURVEYS
CLARK COUNTY, NEVADA RECORDS
DEBBIE CONWAY, RECORDER
FEE $ 21.- DEPUTY LAZ

File 175 Page 0044

Figure 1
Water Facilities

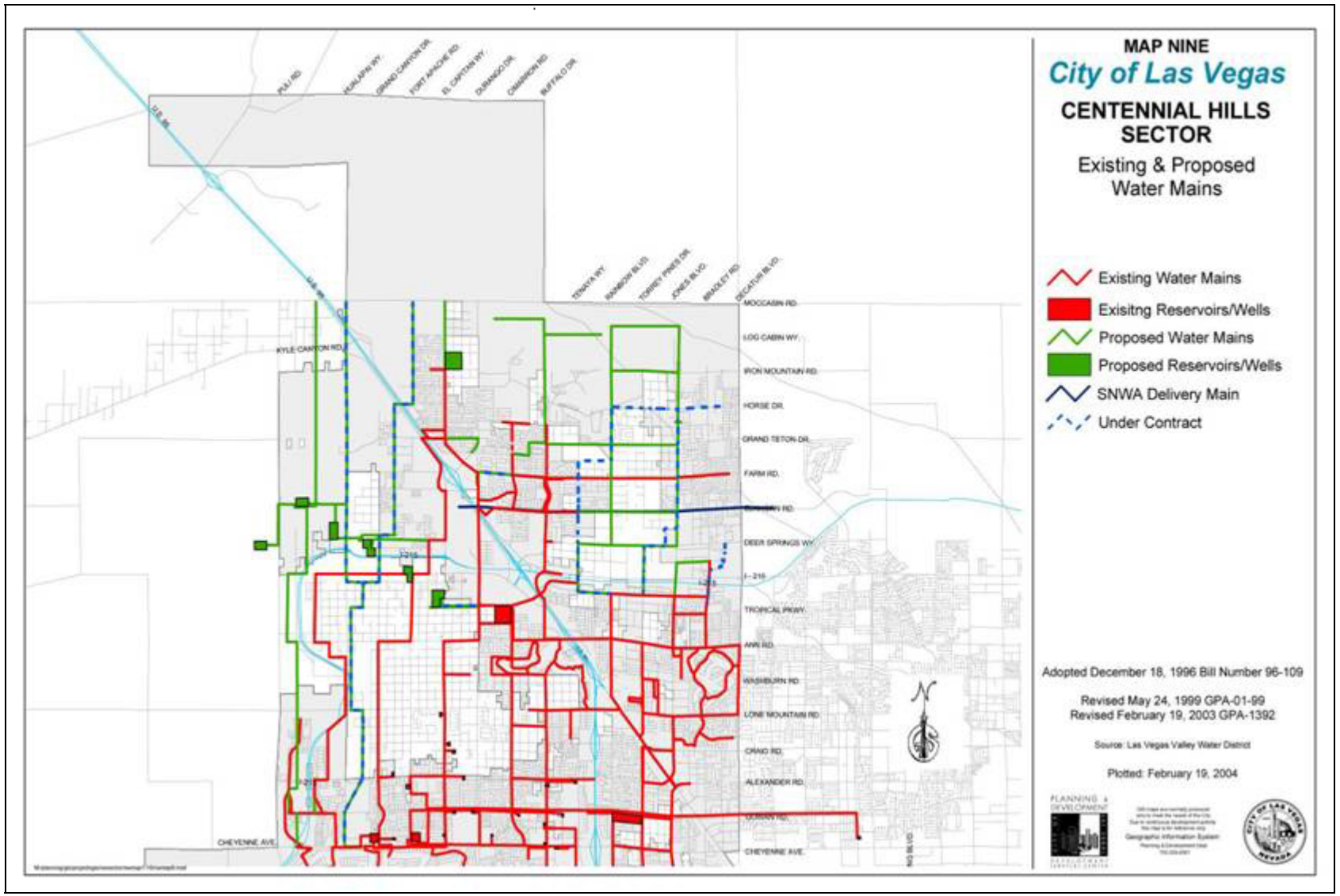


Figure 2
Clark County Regional Flood Control District Facilities

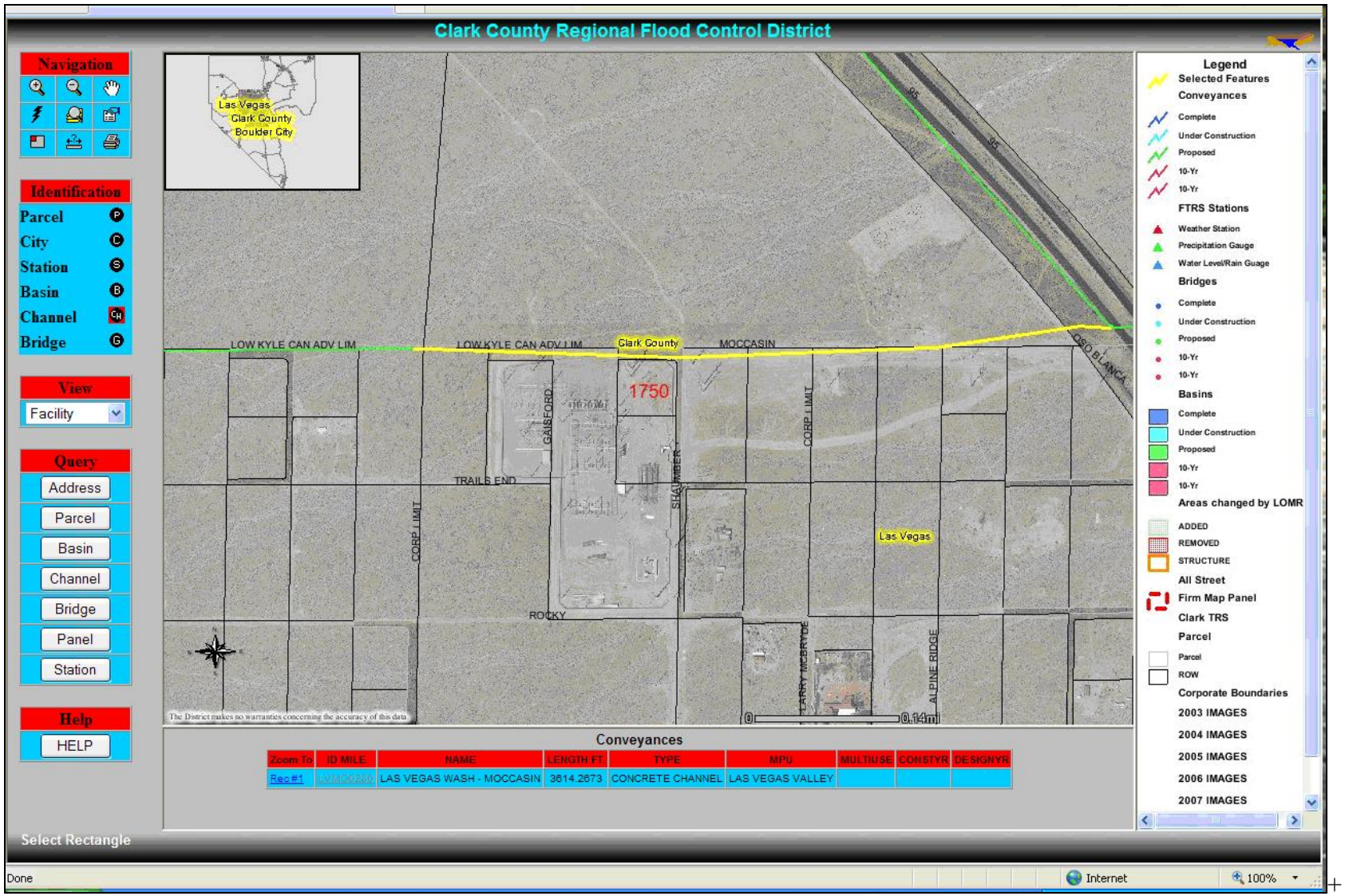


Figure 3
Flood Control Facilities

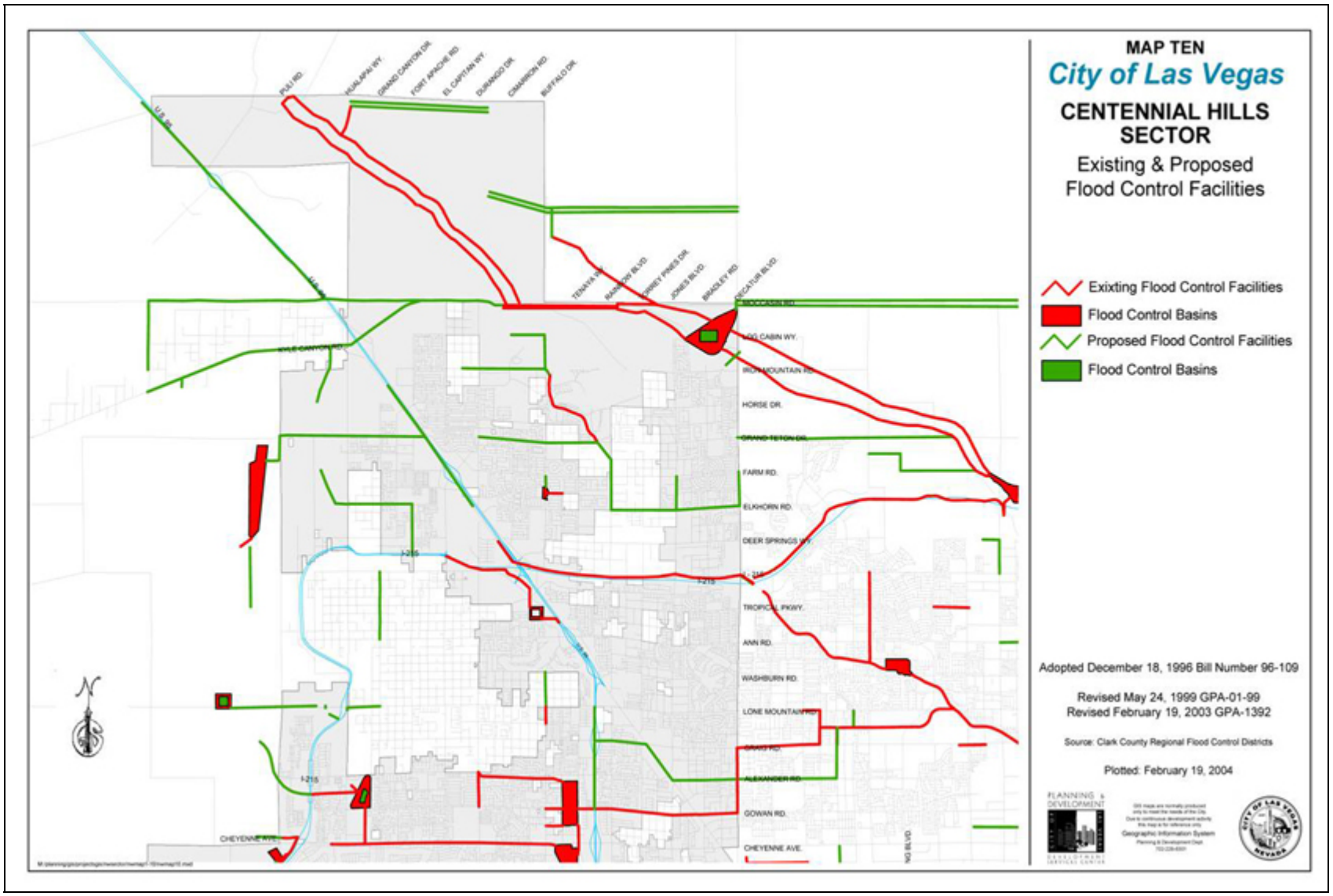


Figure 4
City of Las Vegas Centennial Hills Sector - Sewer Facilities

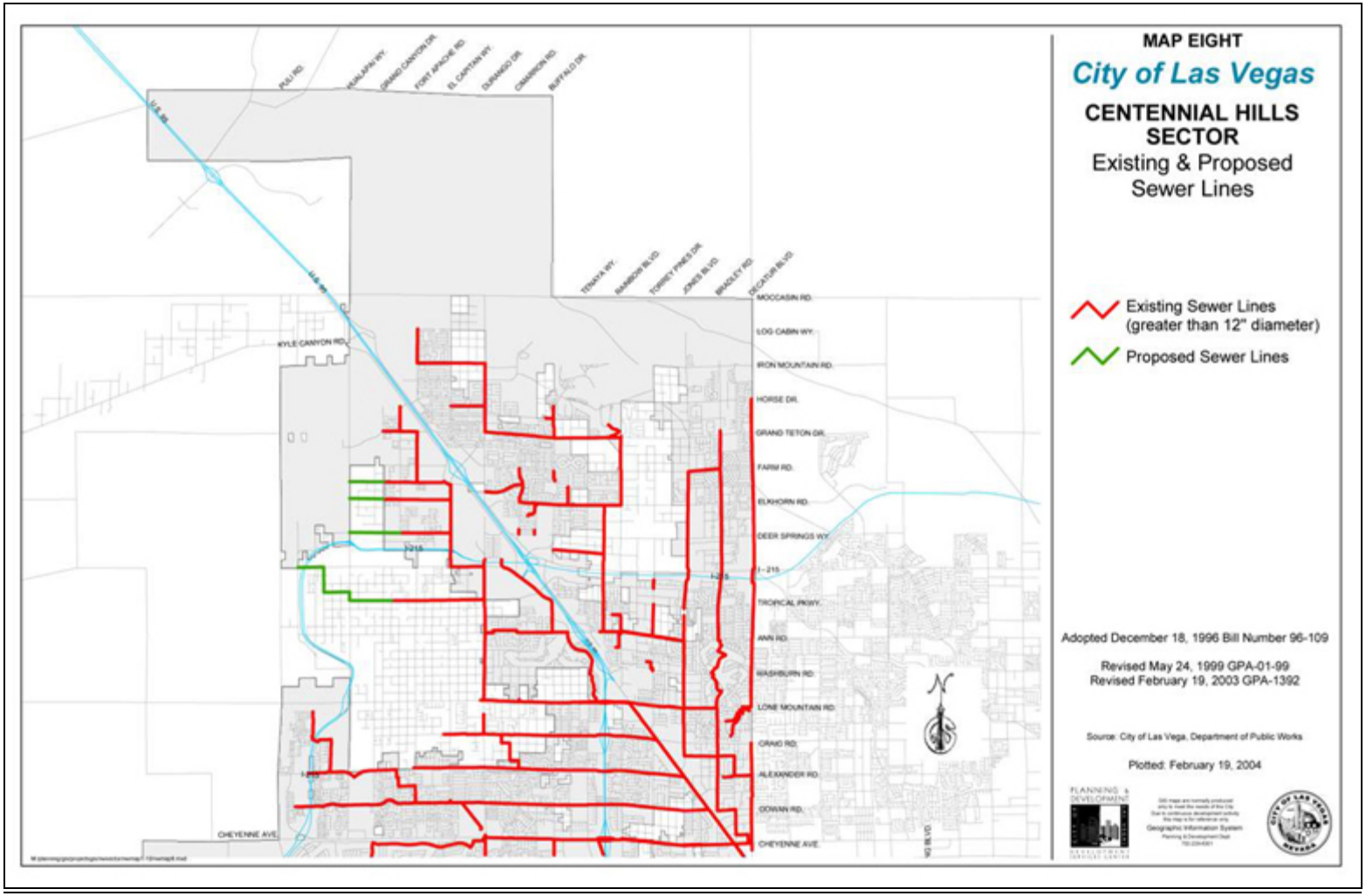


Figure 5
City of Las Vegas Centennial Hills Sector - Power lines & Substations

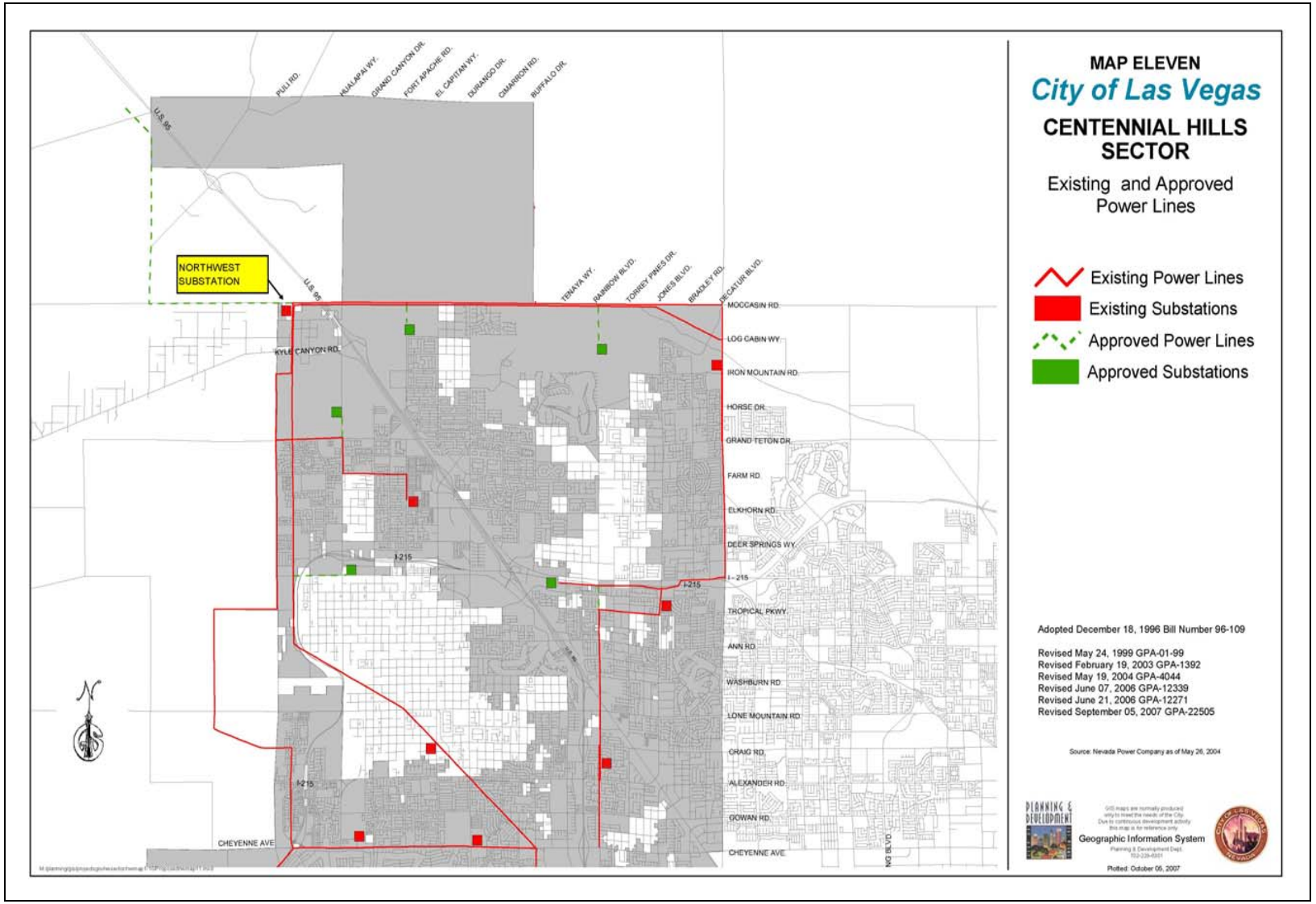


Figure 6
Northwest Substation Existing and Proposed ROW Access Exhibit (Sheet 1 of 2)

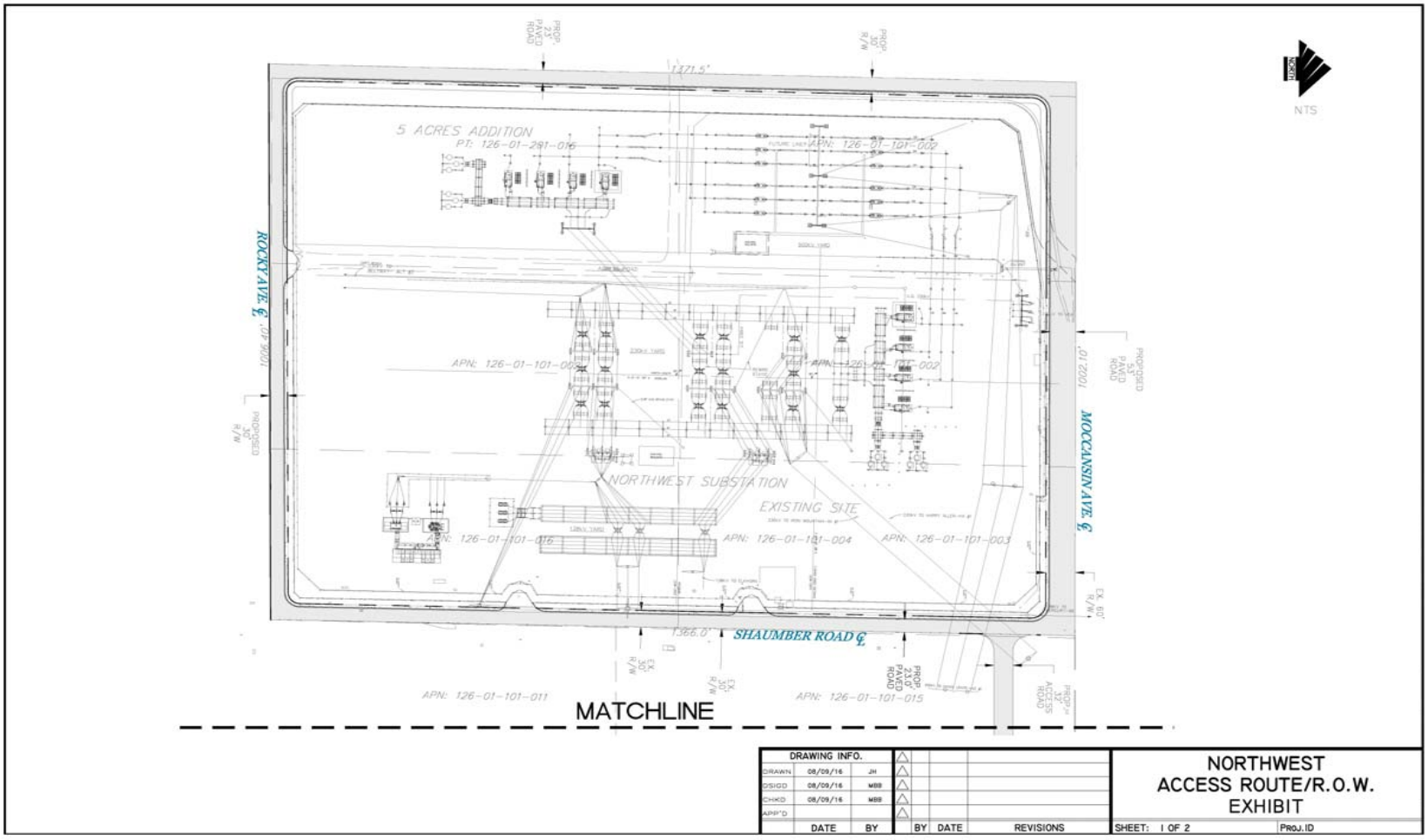
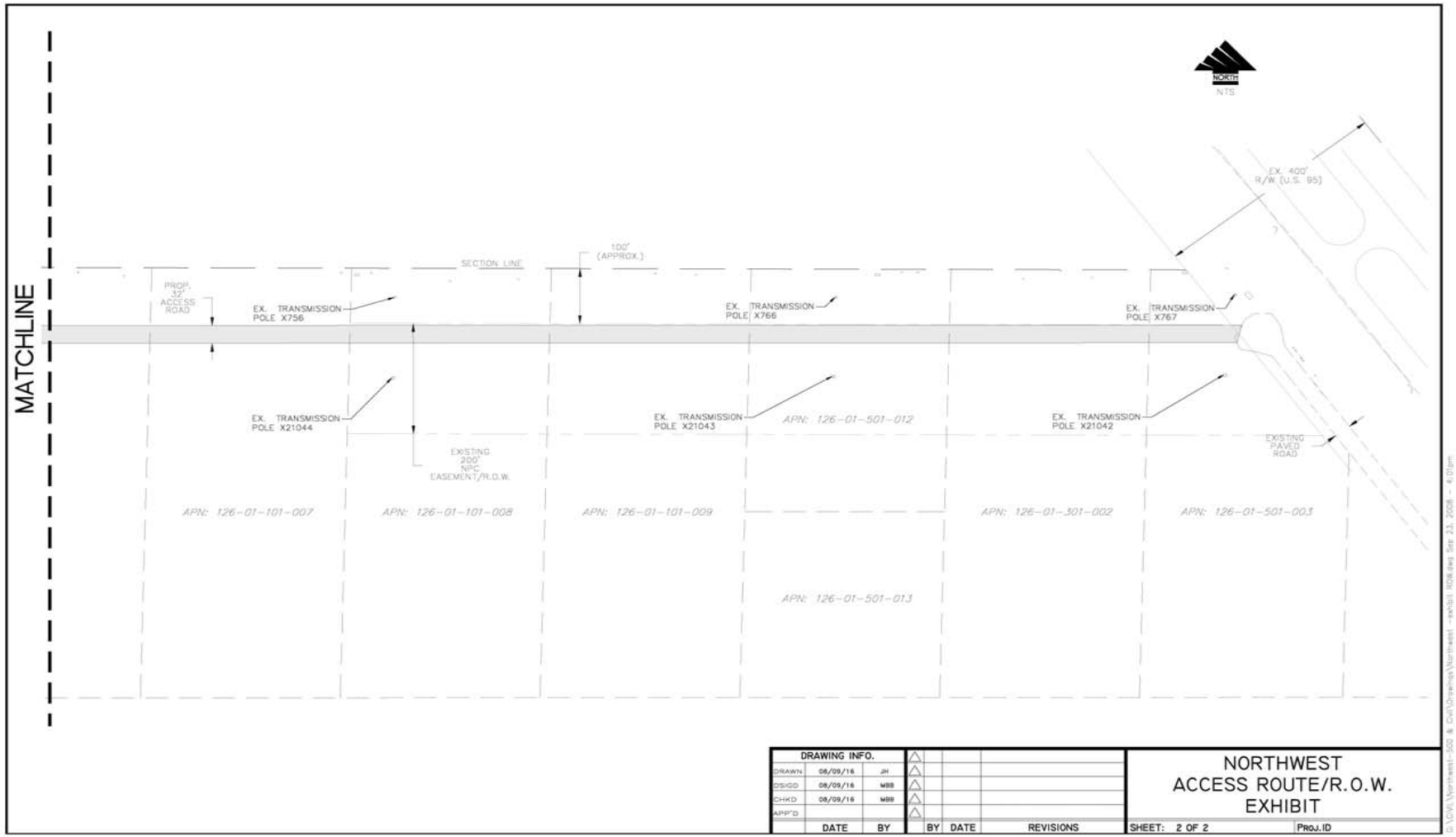


Figure 7
Northwest Substation Existing and Proposed ROW Access Exhibit (Sheet 2 of 2)



City of Las Vegas Agenda Item No.: **26.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Interlocal Contract LAS05I08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide funding for construction of the Oakey - Meadows Storm Drain, Phase I - bounded on the west by Hinson Street, on the north by US-95, on the east by Campbell Road and on the south by Charleston Boulevard ($16,700,000 - CCRFCD) - Ward 1 (Tarkanian)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $16,700,000
Funding Source: CCRFCD
Dept./Division: PW/City Engineer

PURPOSE/BACKGROUND:
Oakey - Meadows Storm Drain, Phase I is described in the 2008 Master Plan Update as facilities LCME 0026 through 0070, MEOK 0000 through 0048 and MEPA 0022 and is further identified in the Regional Flood Control District's Ten-Year Construction Program. The proposed improvements include approximately 1,500-feet of 40-feet by 10-feet Concrete Channel, 2,500-feet of 19-feet by 8-feet Reinforced Concrete Box and associated drainage conveyance facilities. The improvements will be funded through Clark County Regional Flood Control District funds as herein described.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Interlocal Contract LAS05I08

INTERLOCAL CONTRACT

OAKEY – MEADOWS STORM DRAIN, PHASE I

THIS INTERLOCAL CONTRACT made and entered into as of the 18th day of November, 2008 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT" and the CITY OF LAS VEGAS, hereinafter referred to as "CITY".

W I T N E S S E T H

WHEREAS, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve a project to design and construct flood control improvements; and

WHEREAS, the flood control improvements proposed herein are the same as those generally identified in the 2008 Master Plan Update, as facilities LCME 0026 through 0070, MEOK 0000 through 0048, and MEPA 0022 and hereinafter referred to as PROJECT; and

WHEREAS, the PROJECT is identified and shown on the attached Exhibit "A"; and

WHEREAS, the PROJECT has been approved by the DISTRICT on its annual Ten Year Construction Program; and

WHEREAS, the PROJECT has regional flood control significance and is located in the same hydrographic area as the Las Vegas Valley.

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

SECTION I - SCOPE OF THE PROJECT

THIS INTERLOCAL CONTRACT applies to construction management and construction associated with the Oakey – Meadows Storm Drain, Phase I. The proposed improvements include approximately 1,500-feet of 40'x10' Concrete Channel, 2,500-feet of 19'x8' Reinforced Concrete Box (RCB), and associated drainage conveyance facilities. The improvements shall be funded through DISTRICT funds as herein described. This project is further identified and shown on the attached Exhibit "A".

1. Construction management at a cost not to exceed $1,100,000.

2. Construction at a cost not to exceed $15,600,000.

3. The total cost of the contract shall not exceed $16,700,000 which includes all of the items described in the paragraphs above.

4. A written request must be made to the DISTRICT and approved by the Board to reallocate funds between phases of the project. No other approval by the Lead Entity is required.

5. A written request must be made to the DISTRICT and a Supplemental Interlocal Contract approved by the Board to increase the total cost of the contract noted above prior to payment of any additional funds.

SECTION III - GENERAL

1. The Clark County Regional Flood Control District shall be shown on the title sheet of both the plans and specifications as the funding agency.

2. The CITY will use its best efforts to award the bid for this PROJECT by January 21, 2009. Prior to submission of the first payment request, the Entity will submit to the District a construction schedule and cash flow projection. The CITY will take all reasonable steps possible to avoid delays in the construction of District funded projects. Project delays more than four months, as measured from the award date, may be subject to a formal review by both the Technical Advisory Committee and the District Board of Directors. At the review, the CITY will have an opportunity to present information relative to the delays, measures taken to avoid the delays and the likelihood of those delays continuing. The Board will make a determination, in view of the delays and limited available funding, whether project funding should continue. In the case that the Board chooses to discontinue funding, the Board may cancel any Interlocal Contract(s) associated with the project and discontinue funding for the remainder of the project. Funding already spent or appropriated by the CITY will not be required to be refunded to the District. Project funding can be reconsidered at any time when the CITY can demonstrate that the project can proceed on an acceptable schedule.

3. The CITY will comply with the Local Purchasing Act, Chapter 332 and Public Works Projects, Chapter 338, of the Nevada Revised Statutes.

4. The CITY, its employees and representatives shall at all times comply with all applicable laws, ordinances, statutes, rules and regulations in effect at the time work is performed on the PROJECT.

5. The CITY will require appropriate financial security for the construction of the PROJECT.

6. The CITY shall provide all impacted entities and the DISTRICT with the opportunity to provide the CITY with input relative to the following processes: scope of services development; consultant selection; design, construction and maintenance review; and monitoring of the effectiveness and impacts of facilities on flood flows.

7. Applicable portions of the current editions of the Policies and Procedures, the Hydrologic Criteria and Drainage Design Manual and the Uniform Regulations for the Control of Drainage adopted by the DISTRICT will apply in developing this PROJECT unless specifically superseded by this CONTRACT.

8. Purchases of right-of-way in excess of that actually needed for construction will not be allowed unless a comparison between the cost of excess acquisition and needed acquisition, including damages, indicates that benefits from such a transaction would result. Title to residual property will be vested in the name of the CITY. Revenues derived from the sale of these properties, less the cost of the sale of these properties, will be forwarded to the DISTRICT.

9. Administrative settlements and acceptance of counter offers involving right-of-way may only be made following a review and approval by the DISTRICT.

10. The DISTRICT will pay the CITY, or make payment directly to its contractor or its consultant, each month for project costs as outlined in SECTION II – PROJECT COSTS. Invoices must identify and allocate all costs to the categories noted below:

    a. Right-of-Way acquisition including appraisals, title and escrow, negotiations, legal fees, recording fees, etc.
    b. Pre-design Engineering (all work prior to design, excluding right-of-way)
    c. Design Engineering
    d. Construction Engineering
    e. Construction (all work after award of construction contract)
    f. Environmental: Costs incurred by the Lead Entity for the preparation of environmental documentation applicable to the project and costs incurred for the implementation of mitigation measures provided in an environmental document (e.g., EIS or EA)
    g. Other including landscaping, flood insurance rate map amendments or revisions, etc.

11. Accurate documentation of all work performed and payments made will be maintained by the CITY for a period of three (3) years in hard copy form after final project approval and payment. Following the three-year period, the CITY

shall keep records for permanent storage in original form, in microfilm/fiche media or an electronic format.

12. The DISTRICT reserves the right to review and/or audit all records pertaining to all projects both during and after project completion.

13. Up to the limits set forth in NRS Chapter 41, the CITY will indemnify and defend the DISTRICT against and from any and all claims and demands of whatsoever nature which arises out of allegations of negligence or misconduct of CITY officers, employees or agents, related to or under this Contract which results from injury to or death of any persons whomsoever, or against and from damage to or loss or destruction of property.

14. Any costs found to be improperly allocated to this PROJECT will be refunded by the CITY to the DISTRICT.

15. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to August 2, 2010. The DISTRICT may, at any time thereafter, grant extensions or terminate this Contract after thirty (30) days notice.

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IN WITNESS WHEREOF, the Parties have caused this Interlocal Contract to be executed by their duly authorized representatives the day and year first above written.

Date of Council Action

_____

Date of District Action

November 13, 2008

City of Las Vegas

By: _____
Oscar B. Goodman, Mayor

Regional Flood Control District

By: Lawrence L Brown III
LAWRENCE L. BROWN, III,
Chairman

Attest

By: _____
Beverly K. Bridges, CMC
City Clerk

Attest

By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

Approved as to form

By: Joshua S. Kidwell 11/24/08
Deputy City Attorney Date

Approved as to Form

By: C. Figgins
Christopher Figgins Date
Chief Deputy District Attorney

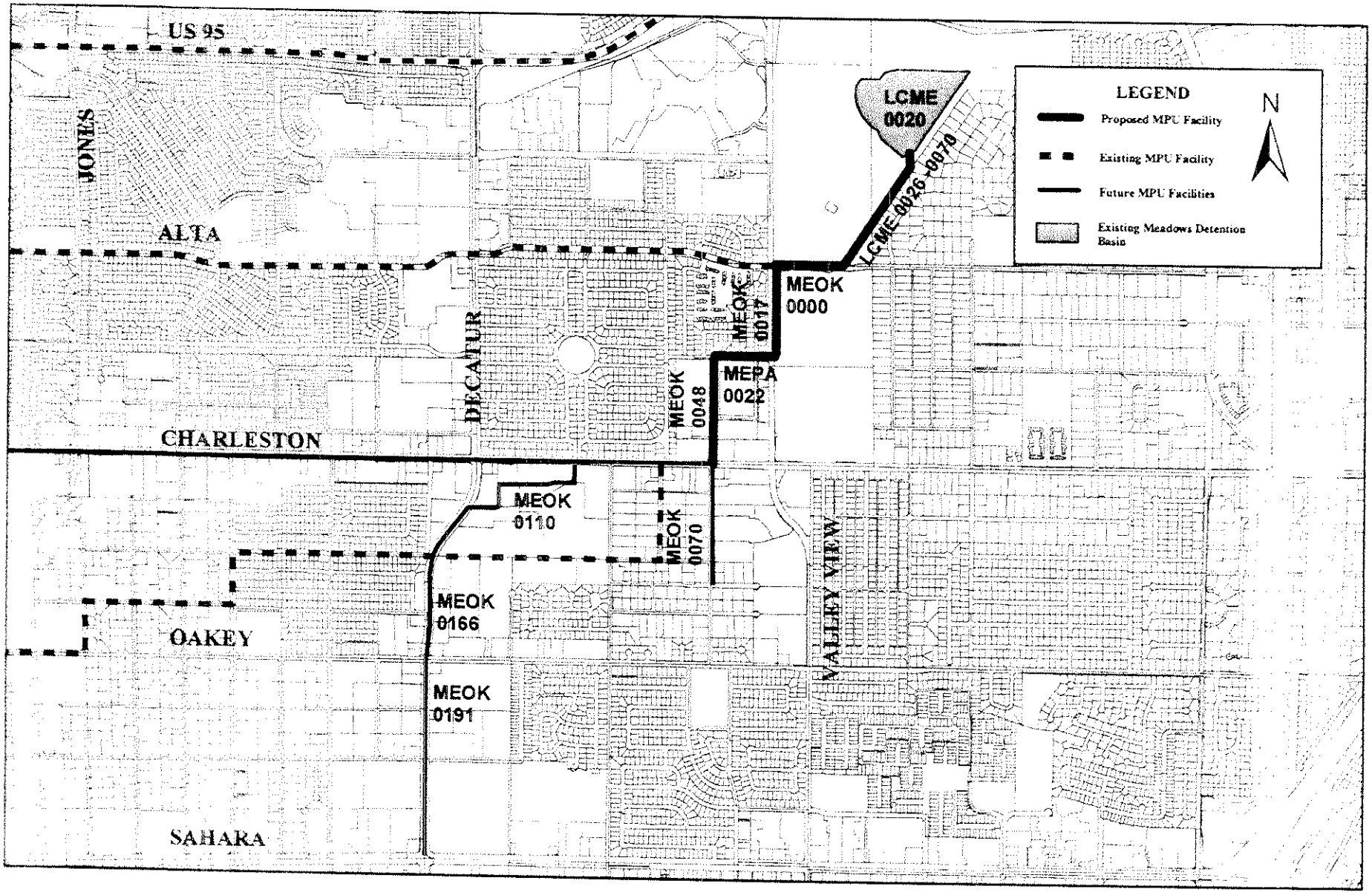

Exhibit A: Oakey - Meadows Storm Drain, Phase I
LAS 05I08

City of Las Vegas Agenda Item No.: **27.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Second Supplemental Interlocal Contract LAS24B06 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date of the Gowan North Channel, El Capitan Way to the Western Beltway - Ward 6 (Ross)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
On January 12, 2006 the Clark County Regional Flood Control District approved an Interlocal Contract for construction management and construction associated with the Gowan North Channel, El Capitan Way to the Western Beltway. On December 14, 2006 the First Supplemental Interlocal Contract was approved to extend the award of bid date and extend the project completion date. This Second Supplemental Interlocal Contract is to extend the project completion date to allow for project close out.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Second Supplemental Interlocal Contract LAS24B06

SECOND SUPPLEMENTAL INTERLOCAL CONTRACT

GOWAN NORTH CHANNEL, EL CAPITAN WAY TO THE WESTERN BELTWAY

THIS INTERLOCAL CONTRACT made and entered into as of the 18th day of November, 2008 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT", and the City of Las Vegas hereinafter referred to as "CITY".

W I T N E S S E T H

WHEREAS, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve a project to design and construct flood control improvements, and;

WHEREAS, the flood control improvements proposed herein are the same as those generally identified in the 2002 Master Plan Update as GONO 0234 and GOBW 0000 hereinafter referred to as "PROJECT"; and

WHEREAS, the PROJECT is identified and shown on the attached Exhibit "A"; and

WHEREAS, the PROJECT has been approved by the DISTRICT on its Ten Year Construction Program; and

WHEREAS, the PROJECT has regional flood control significance and is located in the same hydrographic area as the Las Vegas Valley.

WHEREAS, the Interlocal Contract dated January 14, 2006, and the First Supplemental Interlocal Contract dated December 14, 2006 were entered into between the DISTRICT and the CITY; and

WHEREAS, the CITY wishes to extend the project completion date.

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

SECTION III – GENERAL, paragraph 15 shall be revised as follows:

15. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to June 30, 2009. The DISTRICT may, at any time thereafter, grant extensions or terminate this CONTRACT after thirty (30) days notice.

The remainder of the original Interlocal Contract dated January 12, 2006, and First Supplemental Interlocal Contract dated December 14, 2006, shall remain unchanged.

IN WITNESS WHEREOF, the Parties have caused this Second Supplemental Interlocal Contract to be executed by their duly authorized representatives the day and year first above written.

Date of Council Action

_____

City of Las Vegas

By: _____
Oscar B. Goodman, Mayor

Attest

By: _____
Beverly K. Bridges, CMC

City Clerk

Approved as to form

By: John S. Rice 11/24/08
Deputy City Attorney Date

Date of District Action

November 13, 2008

Regional Flood Control District

By: Lawrence K. Brown III
Lawrence L. Brown, III
Chairman

Attest

By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

Approved as to Form

By: C. Figgins
Christopher Figgins Date
Chief Deputy District Attorney

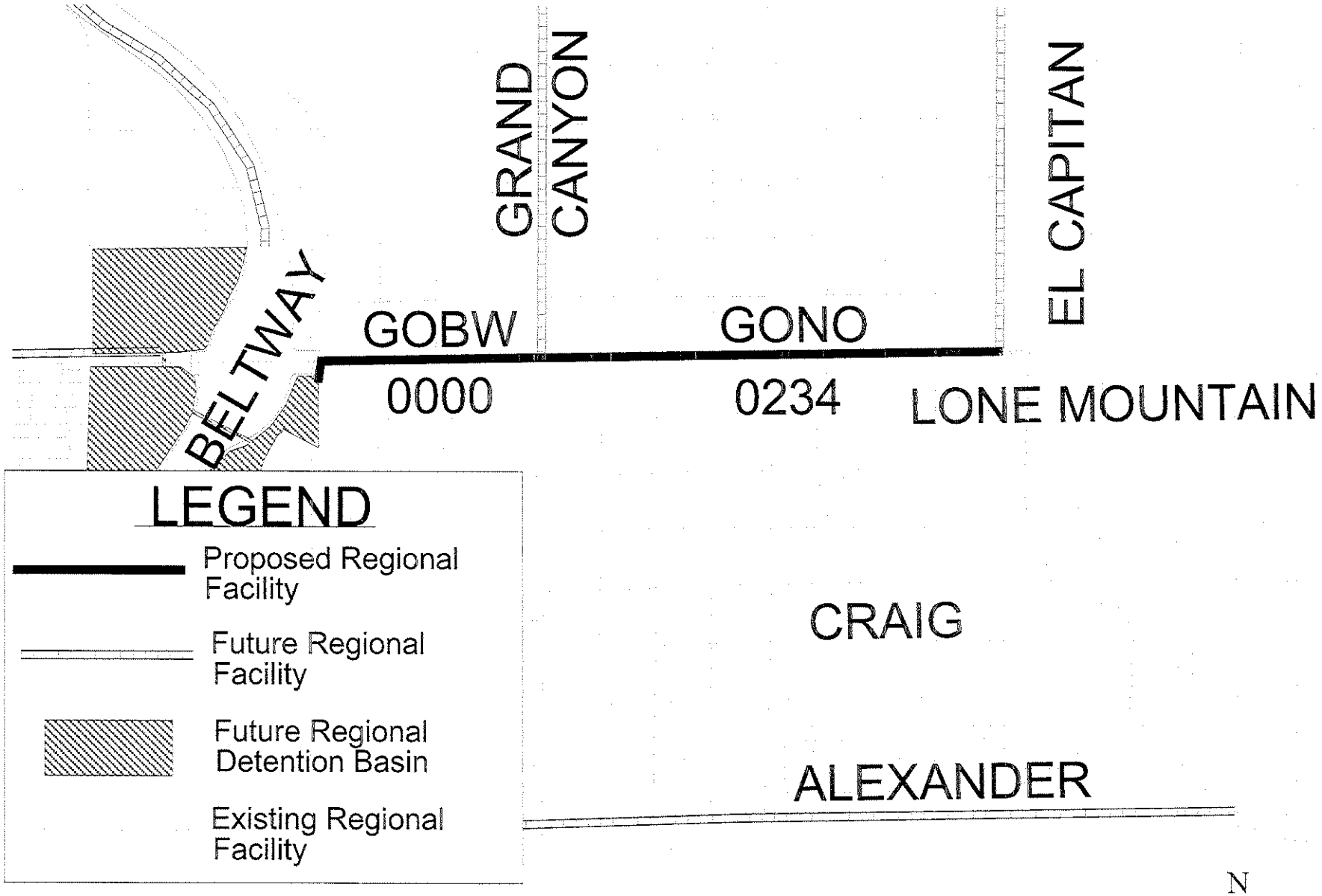

EXHIBIT A

Gowan North Channel -

El Capitan Way to the Western Beltway LAS24B06

F:\#DepotEngineering_Planning\Flood\Arcview\CCRFCD\Gown Beltway West\exhibita

LAS24B06

City of Las Vegas Agenda Item No.: **28.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Interlocal Contract LAS05H08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to provide funding for construction of the Alta Parallel System bounded on the west by Rainbow Boulevard, to the north by US-95, on the east by Decatur Boulevard and on the south by Evergreen Avenue ($20,890,000 - CCRFCD) - Ward 1 (Tarkanian)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $20,890,000
Funding Source: CCRFCD
Dept./Division: PW/City Engineer

PURPOSE/BACKGROUND:
The Alta Parallel System is identified in the 2008 Master Plan Update and the Regional Flood Control District's Ten-Year Construction Program. The improvements shall consist of approximately 3,600 feet of 10 feet by 5 feet Reinforced Concrete Box (RCB) with associated drainage collection facilities to collect the storm water flows along Alta Drive and convey them north in Lorenzi Street to the Rainbow Detention Basin. There is approximately 1,400-feet of Reinforced Concrete Pipe (RCP) varying in size from 36 inches to 66 inches with associated drainage collection facilities to collect the storm water flows along Evergreen Avenue and convey them north in Jones Boulevard to Alta Drive. There is a pipe capacity replacement of approximately 900-feet of RCB along Alta Drive between Easy Street and Brush Street. Also, the existing Rainbow Detention Basin will be expanded by 31 acre-feet. The improvements will be funded through CCRFCD funds as herein described.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Interlocal Contract LAS05H08

INTERLOCAL CONTRACT

ALTA PARALLEL SYSTEM

THIS INTERLOCAL CONTRACT made and entered into as of the 18th day of November, 2008 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT" and the CITY OF LAS VEGAS, hereinafter referred to as "CITY".

W I T N E S S E T H

WHEREAS, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve a project to design and construct flood control improvements; and

WHEREAS, the flood control improvements proposed herein are the same as those generally identified in the 2008 Master Plan Update, as facilities LCLO 0000, LCLO 0008, LCLO 0054, MEAL 0100, MEAL 0130, MEAL 0209, MEAL 0256, MEAL 0258 and LCCH 0513 hereinafter referred to as "PROJECT"; and

WHEREAS, the PROJECT is identified and shown on the attached Exhibit "A"; and

WHEREAS, the PROJECT has been approved by the DISTRICT on its annual Ten Year Construction Program; and

WHEREAS, the PROJECT has regional flood control significance and is located in the same hydrographic area as the Las Vegas Valley.

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

SECTION I - SCOPE OF THE PROJECT

THIS INTERLOCAL CONTRACT applies to construction and construction management associated with the Alta Parallel System. The basic improvements shall consist of flood water facilities including pipes, channels, dikes, energy dissipators, channel structures, channel access and other appurtenances as may be necessary to control floodwaters. The improvements shall be funded through DISTRICT funds as herein described. This project is further identified and shown on the attached Exhibit "A".

SECTION II - PROJECT COSTS

The DISTRICT agrees to fund project costs within the limits specified below:

1. Construction Management at a cost not to exceed $1,370,000.

2. Construction at a cost not to exceed $19,520,000.

3. The total cost of the contract shall not exceed $20,890,000 which includes all of the items described in the paragraphs above.

4. A written request must be made to the DISTRICT and approved by the Board to reallocate funds between phases of the project. No other approval by the Lead Entity is required.

5. A written request must be made to the DISTRICT and a Supplemental Interlocal Contract approved by the Board to increase the total cost of the contract noted above prior to payment of any additional funds.

SECTION III - GENERAL

1. The Clark County Regional Flood Control District shall be shown on the title sheet of both the plans and specifications as the funding agency.

2. The CITY will use its best efforts to award the bid for this project by February 18, 2009. Prior to submission of the first payment request, the Entity will submit to the DISTRICT a construction schedule and cash flow projection. The CITY will take all reasonable steps possible to avoid delays in the construction of DISTRICT funded projects. Project delays more than four months, as measured from the award date, may be subject to a formal review by both the Technical Advisory Committee and the District Board of Directors. At the review, the CITY will have an opportunity to present information relative to the delays, measures taken to avoid the delays and the likelihood of those delays continuing. The Board will make a determination, in view of the delays and limited available funding, whether project funding should continue. In the case that the Board chooses to discontinue funding, the Board may cancel any Interlocal Contract(s) associated with the project and discontinue funding for the remainder of the project. Funding already spent or appropriated by the CITY will not be required to be refunded to the DISTRICT. Project funding can be reconsidered at any time when the CITY can demonstrate that the project can proceed on an acceptable schedule.

3. The CITY will comply with the Local Purchasing Act, Chapter 332 and Public Works Projects, Chapter 338, of the Nevada Revised Statutes.

4. The CITY, its employees and representatives shall at all times comply with all applicable laws, ordinances, statutes, rules and regulations in effect at the time work is performed on the PROJECT.

5. The CITY will require appropriate financial security for the construction of the PROJECT.

6. The CITY shall provide all impacted entities and the DISTRICT with the opportunity to provide the CITY with input relative to the following processes: scope of services development; consultant selection; design, construction and maintenance review; and monitoring of the effectiveness and impacts of facilities on flood flows.

7. Applicable portions of the current editions of the Policies and Procedures, the Hydrologic Criteria and Drainage Design Manual and the Uniform Regulations for the Control of Drainage adopted by the DISTRICT will apply in developing this PROJECT unless specifically superseded by this CONTRACT.

8. Purchases of right-of-way in excess of that actually needed for construction will not be allowed unless a comparison between the cost of excess acquisition and needed acquisition, including damages, indicates that benefits from such a transaction would result. Title to residual property will be vested in the name of the CITY. Revenues derived from the sale of these properties, less the cost of the sale of these properties, will be forwarded to the DISTRICT.

9. Administrative settlements and acceptance of counter offers involving right-of-way may only be made following a review and approval by the DISTRICT.

10. The DISTRICT will pay the CITY, or make payment directly to its contractor or its consultant, each month for project costs as outlined in SECTION II – PROJECT COSTS. Invoices must identify and allocate all costs to the categories noted below:

    a. Right-of-Way acquisition including appraisals, title and escrow, negotiations, legal fees, recording fees, etc.
    b. Pre-design Engineering (all work prior to design, excluding right-of-way)
    c. Design Engineering
    d. Construction Engineering
    e. Construction (all work after award of construction contract)
    f. Environmental: Costs incurred by the Lead Entity for the preparation of environmental documentation applicable to the PROJECT and costs incurred for the implementation of mitigation measures provided in an environmental document (e.g., EIS or EA)
    g. Other including landscaping, flood insurance rate map amendments or revisions, etc.

11. Accurate documentation of all work performed and payments made will be maintained by the CITY for a period of three (3) years in hard copy form after final PROJECT approval and payment. Following the three-year period, the CITY shall keep records for permanent storage in original form, in microfilm/fiche media or an electronic format.

12. The DISTRICT reserves the right to review and/or audit all records pertaining to all projects both during and after PROJECT completion.

13. Up to the limits set forth in NRS Chapter 41, the CITY will indemnify and defend the DISTRICT against and from any and all claims and demands of whatsoever nature which arises out of allegations of negligence or misconduct of CITY officers, employees or agents, related to or under this Contract which results from injury to or death of any persons whomsoever, or against and from damage to or loss or destruction of property.

14. Any costs found to be improperly allocated to this PROJECT will be refunded by the CITY to the DISTRICT.

15. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to June 2, 2010. The DISTRICT may, at any time thereafter, grant extensions or terminate this Contract after thirty (30) days notice.

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IN WITNESS WHEREOF, the Parties have caused this Interlocal Contract to be executed by their duly authorized representatives the day and year first above written.

Date of Council Action

_____

Date of District Action

November 13, 2008

City of Las Vegas

By: _____
Oscar B. Goodman, Mayor

Regional Flood Control District

By: Lawrence L Brown III
LAWRENCE L. BROWN, III,
Chairman

Attest

By: _____
Beverly K. Bridges, CMC
City Clerk

Attest

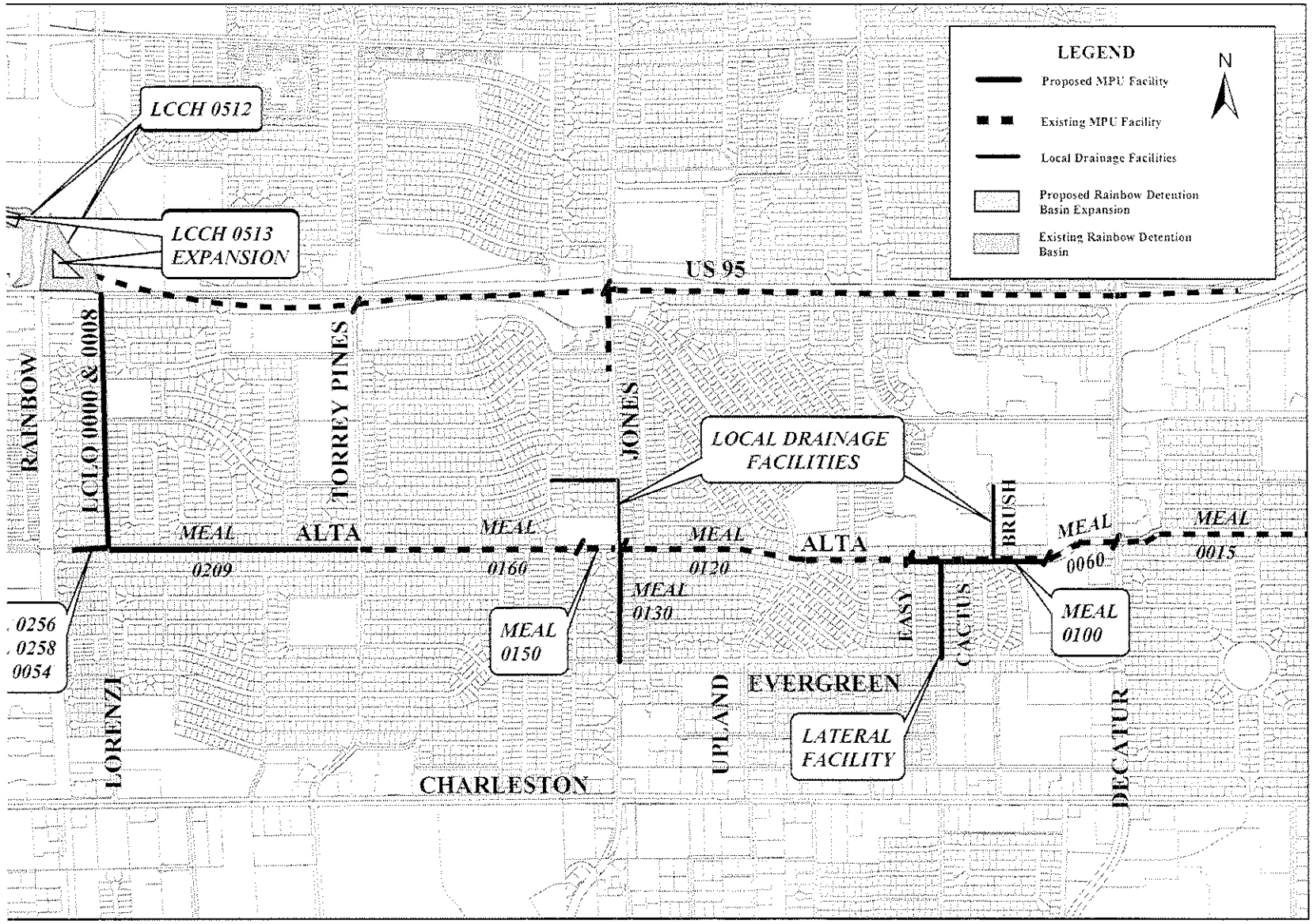
By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

Approved as to form

By: John S. Kistler 11/24/08
Deputy City Attorney Date

Approved as to Form

By: _____
Christopher Figgins Date
Chief Deputy District Attorney



ı: Alta Parallel System
)8

lanning\Division\Integrated Plan\Rainbow Det Basin\Exhibit A Meadows Alta Parallel Construction rev 10-7-08(CONSTRUCTION)

City of Las Vegas Agenda Item No.: **29.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of First Supplemental Interlocal Contract LLD05A08 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to increase funding for construction of Local Drainage Improvements in Jones Boulevard in conjunction with the Alta Parallel System, north of Alta Drive to Borden Circle ($45,838 - CCRFCD) - Ward 1 (Tarkanian)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $45,838
Funding Source: CCRFCD
Dept./Division: PW/City Engineer

PURPOSE/BACKGROUND:
On July 10, 2008 the Clark County Regional Flood Control District approved an Interlocal Contract for construction associated with Jones Boulevard – Alta to Borden Storm Drain Local Drainage Improvements. This First Supplemental Interlocal Contract is to increase construction funding in the amount of $45,838 to account for sewer line relocations within Jones Boulevard, an updated engineer's cost estimate and extend the completion date to April 4, 2010. Total cost of the project is not to exceed $1,095,000. The improvements shall be funded through Clark County Regional Flood Control District funds as herein described.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
First Supplemental Interlocal Contract LLD05A08

FIRST SUPPLEMENTAL INTERLOCAL CONTRACT

FOR LOCAL DRAINAGE IMPROVEMENTS IN JONES BOULEVARD – ALTA TO BORDEN STORM DRAIN

THIS FIRST SUPPLEMENTAL INTERLOCAL CONTRACT made and entered into as of the 18th day of November, 2008 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT" and the CITY OF LAS VEGAS, hereinafter referred to as "CITY".

WITNESSETH

WHEREAS, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve a project to design and construct flood control improvements, and;

WHEREAS, the PROJECT is identified and shown on the attached Exhibit "A"; and

WHEREAS, the City wishes to increase construction funding and extend the project completion date.

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

SECTION II - PROJECT COSTS shall be revised to read as follows:

The DISTRICT agrees to fund PROJECT costs within the limits specified below:

1. Construction costs shall not exceed $1,095,000 or 100 percent of construction of the first quarter mile and 50 percent for the remainder of the project, whichever is less.
2. The total cost of this CONTRACT shall not exceed $1,095,000 which includes all items described in paragraph one above and funds will be made available after July 10, 2008.

SECTION III – GENERAL, paragraph 13 shall be revised to read as follows:

13. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to April 4, 2010. The DISTRICT may, at any time thereafter, grant extensions or terminate this Contract after thirty (30) days notice.

The remainder of the original Interlocal Contract shall remain unchanged.

IN WITNESS WHEREOF, the Parties have caused this First Supplemental Interlocal Contract to be executed by their duly authorized representatives the day and year first above written.

Date of Council Action

_____

Date of District Action

November 13, 2008

City of Las Vegas

By: _____
Oscar B. Goodman, Mayor

Regional Flood Control District

By: Lawrence L Brown III
LAWRENCE L. BROWN, III,
Chairman

Attest

By: _____
Beverly K. Bridges, CMC
City Clerk

Attest

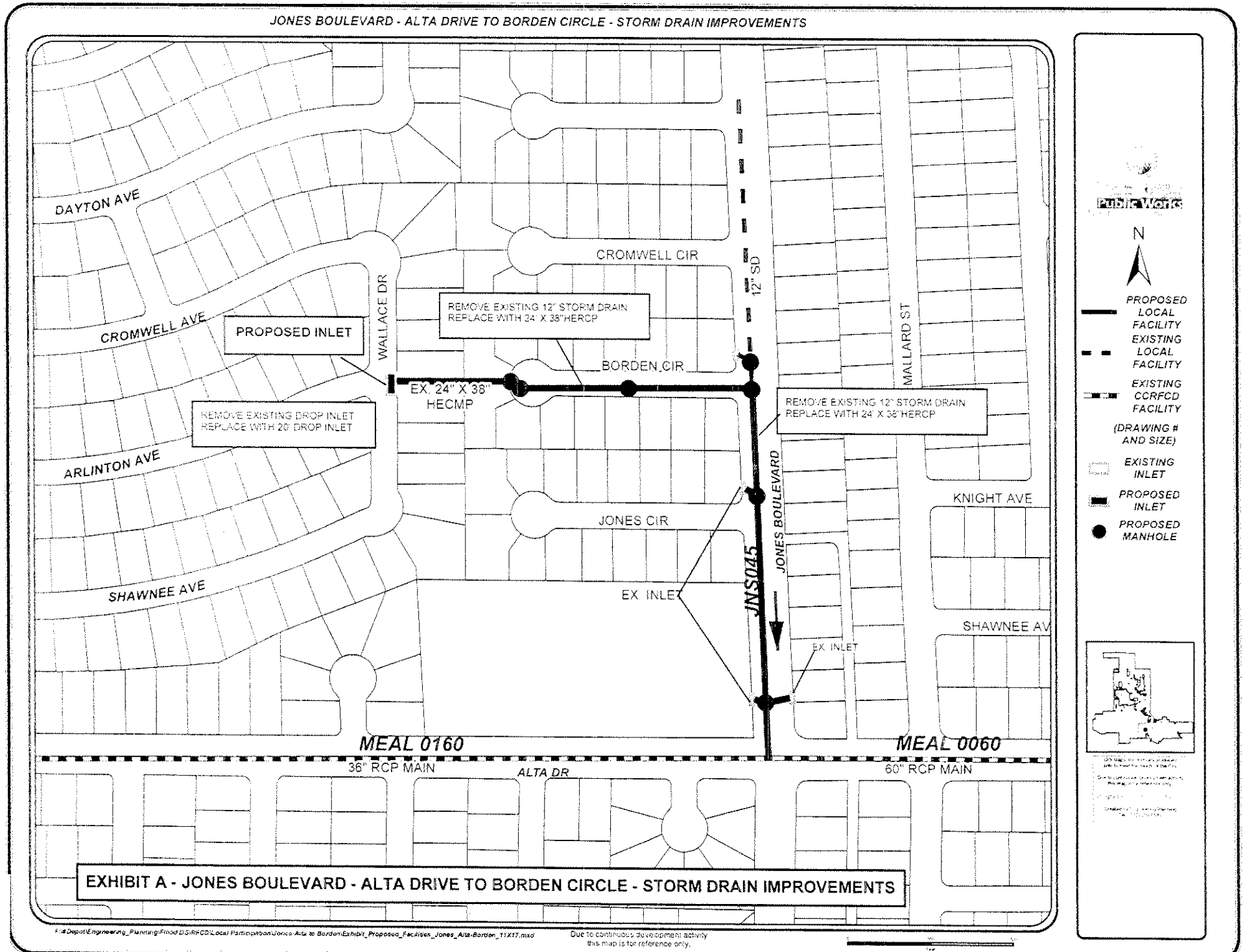
By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

Approved as to form

By: John S. Rubiera 11/24/08
Deputy City Attorney Date

Approved as to Form

By: C L Figgins
Christopher Figgins Date
Chief Deputy District Attorney


JONES BOULEVARD - ALTA DRIVE TO BORDEN CIRCLE - STORM DRAIN IMPROVEMENTS
DAYTON AVE
CROMWELL AVE
ARLINTON AVE
SHAWNEE AVE
CROMWELL CIR
WALLACE DR
PROPOSED INLET
REMOVE EXISTING 12" STORM DRAIN
REPLACE WITH 24" X 38"HERCP
BORDEN CIR
EX. 24" X 38"
HECMP
REMOVE EXISTING DROP INLET
REPLACE WITH 20' DROP INLET
12" SD
MALLARD ST
REMOVE EXISTING 12" STORM DRAIN
REPLACE WITH 24" X 38"HERCP
JONES BOULEVARD
JONES CIR
JNS045
EX. INLET
KNIGHT AVE
SHAWNEE AV
EX. INLET
MEAL 0160
MEAL 0060
36" RCP MAIN
ALTA DR
60" RCP MAIN
EXHIBIT A - JONES BOULEVARD - ALTA DRIVE TO BORDEN CIRCLE - STORM DRAIN IMPROVEMENTS
PUBLIC WORKS
N
PROPOSED LOCAL FACILITY
EXISTING LOCAL FACILITY
EXISTING CCRFCD FACILITY
(DRAWING # AND SIZE)
EXISTING INLET
PROPOSED INLET
PROPOSED MANHOLE
Due to continuous development activity this map is for reference only.

LLD05A08

Bid No. 09.1730.04

MEADOWS ALTA PARALLEL PROJECT - JONES NORTH LATERAL

STORM DRAIN IMPROVEMENTS

						First 1/4 mile 100 % CCRFCD		50% CCRFCD		50% CLV	
ITEM NO.	PAY ITEM	QUANTITY	PAY UNIT	UNIT PRICE	EXTENDED PRICE	Quantity	Cost	Quantity	Cost	Quantity	Cost
200.01	MOBILIZATION AND DEMOBILIZATION	1	LS	$ 45,000.00	$ 45,000.00	0.94	$ 42,300.00	0.03	$ 1,350.00	0.03	$ 1,350.00
202.01	REMOVAL OF STORM DRAIN MANHOLE	6	EA	$ 1,500.00	$ 9,000.00	6	$ 9,000.00				
202.02	REMOVAL OF DROP INLET	2	EA	$ 1,500.00	$ 3,000.00	1	$ 1,500.00	0.5	$ 750.00	0.5	$ 750.00
202.03	REMOVAL OF 12" STORM DRAIN PIPE	1190	LF	$ 90.00	$ 107,100.00	1,190	$ 107,100.00				
202.04	REMOVAL OF 24" STORM DRAIN PIPE	52	LF	$ 220.00	$ 11,440.00	52	$ 11,440.00				
202.05	REMOVAL OF ASPHALT PAVEMENT	2885	SY	$ 4.00	$ 11,540.00	2,885	$ 11,540.00				
302.01	TYPE II AGGREGATE BASE	626	CY	$ 37.00	$ 23,162.00	626	$ 23,162.00				
402.01	2-INCH PLANTMIX BITUMINOUS SURFACE	1264	SY	$ 20.00	$ 25,280.00	1,264	$ 25,280.00				
402.02	4-INCH PLANTMIX BITUMINOUS SURFACE	1620	SY	$ 33.00	$ 53,460.00	1,620	$ 53,460.00				
402.03	PLANTMIX BITUMINOUS OPEN-GRADED SURFACE (3/4-INCH)	1620	SY	$ 9.00	$ 14,580.00	1620	$ 14,580.00				
603.01	24-INCH X 38-INCH HERCP (CLASS III)	708	LF	$ 260.00	$ 184,080.00	708	$ 184,080.00				
603.02	24-INCH X 38-INCH HERCP (CLASS V)	470	LF	$ 300.00	$ 141,000.00	470	$ 141,000.00				
609.01	60-INCH TYPE 1A STORM DRAIN MANHOLE	2	EA	$ 5,000.00	$ 10,000.00	2	$ 10,000.00				
609.02	NDOT TYPE 1 MODIFIED STORM DRAIN MANHOLE	1	EA	$ 10,000.00	$ 10,000.00	1	$ 10,000.00				
609.03	NDOT TYPE 2 MODIFIED STORM DRAIN MANHOLE	2	EA	$ 12,650.00	$ 25,300.00	2	$ 25,300.00				
609.04	NDOT TYPE 4 STORM DRAIN MANHOLE	1	EA	$ 14,950.00	$ 14,950.00	1	$ 14,950.00				
609.05	20-FOOT TYPE CM2 DROP INLET	1	EA	$ 32,000.00	$ 32,000.00	0	$ -	0.50	$ 16,000.00	0.50	$ 16,000.00
613.01	TYPE L CURB AND GUTTER	35	LF	$ 20.00	$ 700.00	35	$ 700.00				
613.02	CONCRETE VALLEY GUTTER	73	SF	$ 14.00	$ 1,022.00	73	$ 1,022.00				
613.03	CONCRETE RESIDENTIAL DRIVEWAY	150	SF	$ 13.00	$ 1,950.00	150	$ 1,950.00				
613.04	CONCRETE SIDEWALK	97	SF	$ 6.50	$ 630.50	97	$ 630.50				
622.01	CONSTRUCTION SURVEYING	1	LS	$ 12,000.00	$ 12,000.00	0.94	$ 11,280.00	0.03	$ 360.00	0.03	$ 360.00
623.01	INSTALL LOOP DETECTORS	8	EA	$ 900.00	$ 7,200.00	8	$ 7,200.00				
624.01	TRAFFIC CONTROL AND MAINTENANCE	1	LS	$ 11,000.00	$ 11,000.00	0.94	$ 10,340.00	0.03	$ 330.00	0.03	$ 330.00
625.01	PORTABLE CHANGEABLE MESSAGE SIGNS	10	DAY	$ 200.00	$ 2,000.00	9.40	$ 1,880.00	0.30	$ 600.00	0.30	$ 600.00
625.02	ARROW DISPLAY	10	DAY	$ 45.00	$ 450.00	9.40	$ 423.00	0.30	$ 135.00	0.30	$ 135.00
628.01	TYPE II PAVEMENT MARKING FILM "ONLY"	1	EA	$ 220.00	$ 220.00	1	$ 220.00				
628.02	TYPE II PAVEMENT MARKING FILM FOR ARROWS	2	EA	$ 220.00	$ 440.00	2	$ 440.00				
628.03	TYPE II PAVEMENT MARKING FILM FOR CROSSWALKS AND STOPBA	308	SF	$ 7.00	$ 2,156.00	308	$ 2,156.00				
629.01	RELOCATE 6-INCH WATERLINE AT "JB" 26+45.00	1	LS	$ 30,000.00	$ 30,000.00	1	$ 30,000.00				
629.02	REPLACE 12-INCH WATERLINE AT "JB" 22+00.00	1	LS	$ 30,000.00	$ 30,000.00	1	$ 30,000.00				
629.03	REPLACE 14-INCH WATERLINE AT "JB" 26+00.00	1	LS	$ 20,000.00	$ 20,000.00	1	$ 20,000.00				
630.01	48-INCH DIAMETER SANITARY SEWER MANHOLE	4	EA	$ 7,500.00	$ 30,000.00	4	$ 30,000.00				
630.02	8-INCH C900 PVC SANITARY SEWER PIPE	439	LF	$ 140.00	$ 61,460.00	439	$ 61,460.00				
633.01	REFLECTIVE RAISED PAVEMENT MARKERS	69	EA	$ 3.00	$ 207.00	69	$ 207.00				
633.02	NON-REFLECTIVE RAISED PAVEMENT MARKERS	195	EA	$ 2.00	$ 390.00	195	$ 390.00				
637.01	DUST CONTROL	1	LS	$ 5,000.00	$ 5,000.00	0.94	$ 4,700.00	0.03	$ 150.00	0.03	$ 150.00
637.02	NPDES DISCHARGE PERMIT	1	LS	$ 900.00	$ 900.00	0.94	$ 846.00	0.03	$ 27.00	0.03	$ 27.00
690.01	24-INCH X 38-INCH HERCP CURED-IN-PLACE LINER	227	LF	$ 400.00	$ 90,800.00	146	$ 58,400.00	40.5	$ 16,200.00	40.5	$ 16,200.00
				SUBTOTAL	$ 1,029,417.50		$ 958,936.50		$ 35,902.00		$ 35,902.00
				10% CONTINGENCY	$ 102,941.75		$ 95,893.65		$ 3,590.20		$ 3,590.20
				TOTAL AMOUNT	$ 1,132,359.25		$ 1,054,830.15		$ 39,492.20		$ 39,492.20

SUB TOTAL	$ 1,132,359.25
CCRFCD COSTS	$ 1,094,322.35
CITY OF LAS VEGAS COSTS	$ 39,492.20
TOTAL AMOUNT	$ 1,133,814.55

LLD05A08

City of Las Vegas Agenda Item No.: **30.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Third Supplemental Interlocal Contract LAS10V03 between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to extend the project completion date for the Gowan North Channel - Lone Mountain Road (El Capitan Way to the Western Beltway) - Ward 6 (Ross)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
On August 14, 2003 the Clark County Regional Flood Control District approved an Interlocal Contract for design, right-of-way and environmental mitigation associated with the Gowan North Channel project. On June 8, 2006 the First Supplemental Interlocal Contract was approved to extend the project completion date. On August 14, 2008 the Second Supplemental Interlocal Contract was approved to increase funding for engineering design of the project. This Third Supplemental Interlocal Contract is to extend the project completion date to allow for project close out. The improvements shall be funded through Clark County Regional Flood Control District funds as herein described.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Third Supplemental Interlocal Contract LAS10V03

THIRD SUPPLEMENTAL INTERLOCAL CONTRACT

GOWAN NORTH CHANNEL – LONE MOUNTAIN ROAD (EL CAPITAN WAY TO THE WESTERN BELTWAY)

THIS INTERLOCAL CONTRACT made and entered into as of the 13th day of November, 2008 by and between the Clark County Regional Flood Control District, hereinafter referred to as "DISTRICT", and the City of Las Vegas hereinafter referred to as "CITY".

W I T N E S S E T H

WHEREAS, pursuant to Chapter 543 of the Nevada Revised Statutes, the DISTRICT may approve a project to design and construct flood control improvements, and;

WHEREAS, the flood control improvements proposed herein are the same as those generally identified in the 2002 Master Plan, as Structure Numbers GOBW 0000, and GONO 0234 hereinafter referred to as "PROJECT"; and

WHEREAS, the PROJECT is identified and shown on the attached Exhibit "A"; and

WHEREAS, the PROJECT has been approved by the DISTRICT on its Ten Year Construction Program; and

WHEREAS, the PROJECT has regional flood control significance and is located in the same hydrographic area as the Las Vegas Valley.

WHEREAS, the Interlocal Contract dated August 14, 2003, First Supplemental Interlocal Contract dated June 8, 2006, and Second Supplemental Interlocal Contract dated August 14, 2008 for the engineering design for Gowan North Channel – Lone Mountain Road (El Capitan Way to the Western Beltway) were entered into between the DISTRICT and the CITY; and

WHEREAS, the CITY wishes to extend the project completion date.

NOW, THEREFORE, in consideration of the covenants, conditions, contracts, and promises of the parties hereto, the DISTRICT and the CITY agree to the following:

SECTION III – GENERAL paragraph 15 shall be revised as follows:

15. The items covered in SECTION II - PROJECT COSTS must be completed to the satisfaction of the DISTRICT prior to June 30, 2009. The DISTRICT may, at any

time thereafter, grant extensions or terminate this CONTRACT after thirty (30) days notice.

The remainder of the original Interlocal Contract dated August 14, 2003, First Supplemental Interlocal Contract dated June 8, 2006, and Second Supplemental Interlocal Contract dated August 14, 2008 shall remain unchanged.

IN WITNESS WHEREOF, the Parties have caused this Third Supplemental Interlocal Contract to be executed by their duly authorized representatives the day and year first above written.

Date of Council Action

_____

City of Las Vegas

By: _____
Oscar B. Goodman, Mayor

Attest

By: _____
Beverly K. Bridges, CMC
City Clerk

Approved as to form

By: John S. Kistler 11/21/08
Deputy City Attorney Date

Date of District Action

November 13, 2008

Regional Flood Control District

By: Lawrence L Brown III
Lawrence L. Brown, III
Chairman

Attest

By: Carolyn Frazier
Carolyn Frazier
Secretary to the Board

Approved as to Form

By: C. Higgins 11/13/08
Christopher Higgins Date
Chief Deputy District Attorney

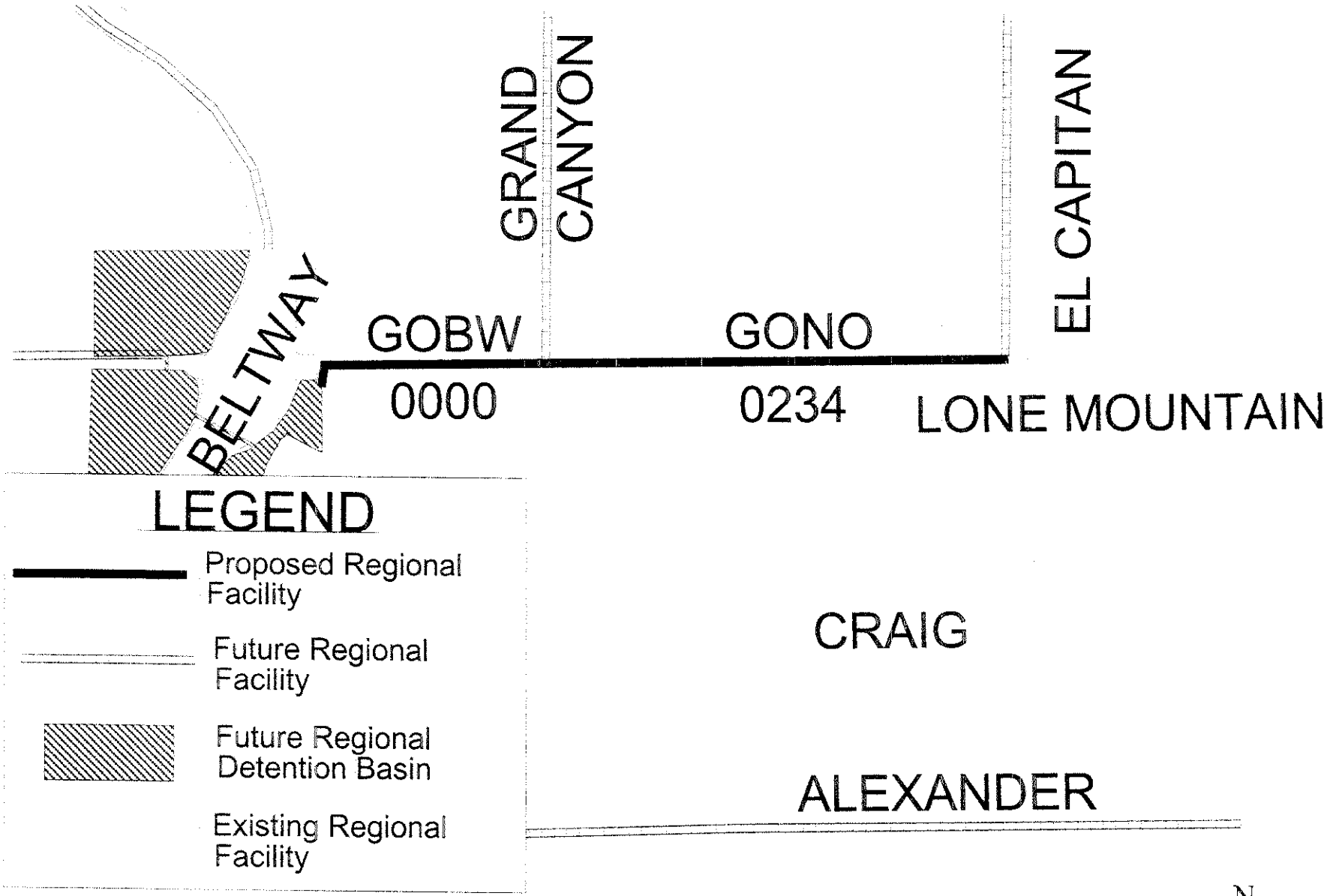


Exhibit A
Gowan North Channel - Lone Mountain Road
(El Capitan Way to the Western Beltway)

LAS10V03

LAS10V03

F:\#DepotEngineering_Planning\Flood\Arcview\CCRFCD\Gown Beltway West\exhibita

City of Las Vegas Agenda Item No.: **31.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Second Supplemental Interlocal Contract 457b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to extend the date of completion for the Bonneville/Clark One-Way Couplet (Bonneville Avenue and Clark Avenue from Main Street to Charleston Boulevard) - Ward 5 (Barlow)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
The Regional Transportation Commission (RTC) approved an Interlocal Contract on November 13, 2003 and a Supplemental Interlocal Contract on December 14, 2006 for a project to design, purchase right-of-way, perform construction inspection and construct roadway improvements for the Bonneville/Clark One-Way Couplet. The City is coordinating the project with a private development and working on a stewardship agreement for the landscape funding which has resulted in unforeseen delays. This Second Supplemental Interlocal Contract will extend the project completion date.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Second Supplemental Interlocal Contract 457b

SECOND SUPPLEMENTAL INTERLOCAL CONTRACT FOR

BONNEVILLE/CLARK ONE-WAY COUPLET

THIS SECOND SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into this _____ day of _____, 2008 by and between the CITY OF LAS VEGAS, a municipal corporation, hereinafter referred to as the "CITY" and the Regional Transportation Commission of Southern Nevada hereinafter referred to as "RTC".

WITNESSETH

WHEREAS, RTC approved an Interlocal Contract on November 13, 2003 and a Supplemental Interlocal Contract on December 14, 2006 for a project to design, purchase right-of-way, perform construction inspection and construct roadway improvements for Bonneville/Clark One-Way Couplet located wholly within the CITY, has been approved by the Regional Transportation Commission.

WHEREAS, the City desires to extend the date of completion for the Project.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, the RTC authorizes the CITY to proceed with the PROJECT as it is mutually understood and agrees as follows.

SECTION III – GENERAL paragraph 7 shall be revised to read as follows:

7. The project must be completed to the satisfaction of the RTC prior to January 31, 2011.

RTC may at any time thereafter grant time extensions or terminate this Contract and require all sums advanced to the CITY be reimbursed.

The remainder of the Interlocal Contract dated November 13, 2003, and Supplemental Interlocal Contract dated December 14, 2006 shall remain unchanged.

IN WITNESS WHEREOF, this Second Supplemental Interlocal Contract is effective as of the date first set forth above.

Date of Council Action

_____

City of Las Vegas

By: _____
Oscar B. Goodman, Mayor

Attest

By: _____
Beverly K. Bridges, CMC
City Clerk

Approved as to Form

By: _____ 12/5/08
Deputy City Attorney Date

Date of Commission Action

11/13/08

Regional Transportation Commission
of Southern Nevada

By: Lawrence L Brown III
Lawrence L. Brown III, Chairman

Attest

By: _____
Toni Michener
Executive Assistant

Approved as to Form

By: _____
Zev Kaplan
General Counsel

City of Las Vegas Agenda Item No.: **32.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Fourth Supplemental Interlocal Contract 481d between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to increase funding and extend the date of completion for the City Parkway - D Street Connector between Grand Central Parkway and I -15 ($187,000 - RTC) - Ward 5 (Barlow)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**

Amount: $187,000
Funding Source: RTC
Dept./Division: PW/City Engineer

PURPOSE/BACKGROUND:
This Fourth Supplemental Interlocal Contract will increase funding for construction and extend the project completion date for the City Parkway - D Street Connector between Grand Central Parkway and I -15. The project is being administered by the Nevada Department of Transportation. The City of Las Vegas will reimburse the Nevada Department of Transportation for the right-of-way and partial construction costs. Total cost of the project is not to exceed $507,000.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Fourth Supplemental Interlocal Contract 481d

FOURTH SUPPLEMENTAL INTERLOCAL CONTRACT
CITY PARKWAY – D STREET CONNECTOR

THIS FOURTH SUPPLEMENTAL INTERLOCAL CONTRACT, made and entered into this _____ day of _____, 2008 by and between the CITY OF LAS VEGAS, a municipal corporation, hereinafter referred to as the "CITY" and the Regional Transportation Commission of Southern Nevada hereinafter referred to as "RTC".

WITNESSETH

WHEREAS, the Regional Transportation Commission approved an Interlocal Contract on August 14, 2004 and Supplemental Interlocal Contracts dated February 8, 2007, April 12, 2007, and May 17, 2007 for an alignment study for City Parkway, D Street Connector between Grand Central Parkway and I-15;

WHEREAS, the CITY wishes to increase funding for construction and extend the completion date of the project; and

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, the RTC authorizes the CITY to proceed with the PROJECT as it is mutually understood and agrees as follows.

SECTION II – PROJECT COSTS shall be changed as follows:

The RTC agrees to provide funding for project costs according to Section 6.1 REIMBURSEMENT COSTS of the Policies and Procedures Manual of the RTC within the limits specified below:

1. The total cost for the construction, engineering, and right-of-way acquisition shall not exceed $507,000 which includes all of the above items.

2. The cost of the study will not be included in engineering percentage limitations.

3. The City will be granted a revised "Authorization to Proceed" for construction at a cost not to exceed $187,000, engineering at a cost not to exceed $120,000 and right-of-way acquisition at a cost not to exceed $193,000, and right-of-way other at a cost not to exceed $7,000 at the time written Authorization to Proceed is received from the RTC. The "Revised Authorization to Proceed" shall state a specific amount within the total estimated cost of the Project and, upon approval by the RTC, only that amount shall be encumbered and allocated.

4. A written request must be made to the RTC and an additional supplemental interlocal contract approved to allow exceptions to the adopted policies and procedures of the RTC or the amount noted above prior to payment of any additional funds.

SECTION III – GENERAL paragraph 7 shall be revised to read as follows:

7. The project must be completed to the satisfaction of the RTC prior to June 30, 2011. The RTC may at any time thereafter grant time extensions or terminate this Contract and require all sums advanced to the CITY be reimbursed.

All other terms of the Interlocal Contract dated August 14, 2004 and the Supplemental Interlocal Contract dated February 7, 2007, and Second Supplemental Interlocal Contract dated April 12, 2007, and Third Supplemental Interlocal Contract dated May 17, 2007 shall remain unchanged.

IN WITNESS WHEREOF, this Fourth Supplemental Interlocal Contract is effective as of the date first set forth above.

Date of Council Action

_____

Date of Commission Action

11/13/08

City of Las Vegas

By: _____
Oscar B. Goodman, Mayor

Regional Transportation Commission of Southern Nevada

By: Lawrence L Brown III
Lawrence L. Brown III, Chairman

Attest

By: _____
Beverly K. Bridges, CMC
City Clerk

Attest

By: Toni Michener
Toni Michener
Executive Assistant

Approved as to Form

By: John S. Kilian 12/15/08
Deputy City Attorney Date

Approved as to Form

By: Zev Kaplan
Zev Kaplan
General Counsel

City of Las Vegas Agenda Item No.: **33.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Third Supplemental Interlocal Contract 594c between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada to extend the date of completion for the Grand Teton Drive Overpass at US-95 - Ward 6 (Ross)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
The Regional Transportation Commission (RTC) entered into an Interlocal Contract with the City of Las Vegas on June 12, 2003 and Supplemental Interlocal Contracts on November 9, 2006 and August 14, 2008 to design, purchase right-of-way, perform construction inspection and construct roadway improvements for the Grand Teton Drive Overpass at US-95. This Third Supplemental Interlocal Contract will extend the date of completion to allow for necessary coordination with the Nevada Department of Transportation on the US-95 widening environmental assessment.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Third Supplemental Interlocal Contract 594c

CONTRACT # 594c

THIRD SUPPLEMENTAL INTERLOCAL CONTRACT FOR GRAND TETON DRIVE OVERPASS AT US-95

THIS THIRD SUPPLEMENTAL TO THE INTERLOCAL CONTRACT made and entered into this _____ day of _____, 2008, by and between the City of Las Vegas, a municipal corporation, hereinafter referred to as the CITY and the Regional Transportation Commission of Southern Nevada, hereinafter referred to as RTC.

W I T N E S S E T H

WHEREAS, RTC approved an Interlocal Contract on June 12, 2003 and a Supplemental Interlocal Contracts on November 9, 2006 and August 14, 2008 for a project to design, purchase right-of-way, perform construction inspection and construct roadway improvements for Grand Teton Drive Overpass at US-95, being located totally within the CITY; and

WHEREAS, the RTC previously granted "Authorization to Proceed" for engineering, right-of-way other and right-of-way acquisition; and,

WHEREAS, the CITY desires to extend the completion date for the Project.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, it is mutually agreed to supplement the Interlocal Contract for the Project as follows:

SECTION III - GENERAL, paragraph 7 shall be changed to read as follows:

7. The Project must be completed to the satisfaction of the RTC prior to December 31, 2014. The RTC may, at any time thereafter, grant time extensions or terminate this Contract and require all sums advanced to the CITY be repaid.

The remainder of the Interlocal Contract dated June 12, 2003 and Supplemental Interlocal Contracts dated November 9, 2006 and August 14, 2008 shall remain unchanged.

...

...

...

...

...

IN WITNESS WHEREOF, this Third Supplemental Interlocal Contract is effective as of the date first set forth above.

Date of Council Action

_____

City of Las Vegas

By: _____
Oscar B. Goodman, Mayor

Attest

By: _____
Beverly K. Bridges, CMC
City Clerk

Approved as to Form

By: John S. Kistler 12/5/03
Deputy City Attorney Date

Date of Commission Action

_____

Regional Transportation Commission
of Southern Nevada

By: Lawrence L. Brown III
Lawrence L. Brown III, Chairman

Attest

By: _____
Toni Michener
Executive Assistant

Approved as to Form

By: _____
Zev Kaplan
General Counsel

City of Las Vegas Agenda Item No.: **34.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of Second Supplemental to Interlocal Contract 529b between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada (RTC) to reduce design funding, increase construction funding and extend the project completion date for the Grand Teton Drive project, Decatur Boulevard to Maverick Street - Ward 6 (Ross)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
The Regional Transportation Commission (RTC) entered into an Interlocal Contract with the City of Las Vegas on April 13, 2006 and a Supplemental Interlocal Contract on March 8, 2007 for the construction, design and acquisition of roadway improvements for the Grand Teton Drive project, Decatur Boulevard to Maverick Street. This Second Supplemental Interlocal Contract will re-align design and construction projected expenditures and extend the project completion date.

RECOMMENDATION:
Approval

BACKUP DOCUMENTATION:
Second Supplemental to Interlocal Contract 529b

SECOND SUPPLEMENTAL TO INTERLOCAL CONTRACT
GRAND TETON DRIVE, DECATUR BOULEVARD TO MAVERICK STREET

THIS SECOND SUPPLEMENTAL TO INTERLOCAL CONTRACT, made and entered into this _____ day of _____, 2008 by and between the CITY OF LAS VEGAS, a municipal corporation, hereinafter referred to as the "CITY" and the Regional Transportation Commission of Southern Nevada hereinafter referred to as "RTC".

WITNESSETH

WHEREAS, RTC approved an Interlocal Contract on April 13, 2006 for a project to design, purchase right-of-way, perform construction inspection and construct roadway improvements, and an "Authorization to Proceed" and a First Supplemental to Interlocal Contract on March 8, 2007 for an increase in funding and a "Revised Authorization to Proceed" for Grand Teton Drive, Decatur Boulevard to Maverick Street, being located totally within the CITY; and

WHEREAS, the RTC previously granted a "Revised Authorization to Proceed" for construction, engineering, right-of-way acquisition and right-of-way other; and,

WHEREAS, the CITY desires to extend the project completion date and receive a "Revised Authorization to Proceed" for the Project.

NOW, THEREFORE, in consideration of the covenants, conditions, agreements, and promises of the parties hereto, it is mutually agreed to supplement the Interlocal Contract for the Project as follows:

SECTION II – PROJECT COSTS shall be revised to read as follows:

The RTC agrees to provide funding for project costs according to Section 6.1 REIMBURSEMENT COSTS of the Policies and Procedures Manual of the RTC within the limits specified below:

1. The total cost for construction, engineering design, contract administration, surveying, inspection, testing, right-of-way engineering, right-of-way negotiations and acquisition, utility relocation and construction shall not exceed $3,821,000 which includes all of the above items.

2. The City will be granted a "Revised Authorization to Proceed" with construction at a cost not to exceed $2,950,000, engineering at a cost not to exceed $816,000, acquisition at a cost not to exceed $30,000, and preparation of right-of-way drawings, descriptions, title reports of the right-of-way required, and appraisals at a cost not to exceed $25,000 and at the time written Authorization to Proceed is received from the RTC. The "Revised Authorization to Proceed" shall state a specific amount within the total estimated cost of the Project and, upon approval by the RTC, only that amount shall be encumbered and allocated.

3. A written request must be made to the RTC and an additional supplemental interlocal contract approved to allow exceptions to the adopted policies and procedures of the RTC or the amount noted above prior to payment of any additional funds.

SECTION III – GENERAL paragraph 7 shall be revised to read as follows:

7. The project must be completed to the satisfaction of the RTC prior to December 31, 2010. The RTC may at any time thereafter grant time extensions or terminate this contract and require all sums advanced to the CITY be reimbursed.

The remainder of the Interlocal Contract dated April 13, 2006, and First Supplemental Interlocal Contract dated March 8, 2007 shall remain unchanged.

IN WITNESS WHEREOF, this Second Supplemental Interlocal Contract is effective as of the date first set forth above.

Date of Council Action

_____

City of Las Vegas

By: _____
Oscar B. Goodman, Mayor

Attest

By: _____
Beverly K. Bridges, CMC
City Clerk

Approved as to Form

By: John S. Riddle 12/5/08
Deputy City Attorney Date

Date of Commission Action

11/13/08

Regional Transportation Commission
of Southern Nevada

By: Lawrence L Brown III
Lawrence L. Brown III, Chairman

Attest

By: Toni Michener
Toni Michener
Executive Assistant

Approved as to Form

By: Zev Kaplan
Zev Kaplan
General Counsel

City of Las Vegas Agenda Item No.: **35.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PUBLIC WORKS
DIRECTOR: JORGE CERVANTES ☒ **Consent** ☐ **Discussion**

SUBJECT:
Approval of a Sewer Connection Agreement with Joe P. Gwerder on behalf of Boys Town Nevada, Inc., owner and an Interlocal Contract with Clark County Water Reclamation District for sewer services located at the northeast corner of Rainbow Boulevard and Grand Teton Drive, APNs 125-11-401-001 and -002 - County (near Ward 6 - Ross)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
This request is to connect two parcels with an existing usage of 5 group homes and a proposed usage of 5 more group homes located at the northeast corner of Rainbow Boulevard and Grand Teton Drive. The owner proposes to connect to the sewer line in Gilbert Lane. The Planning Department has determined the project does conform to the City's general plan for the area. The applicant has signed a "Sewer Connection Agreement."

RECOMMENDATION:
Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

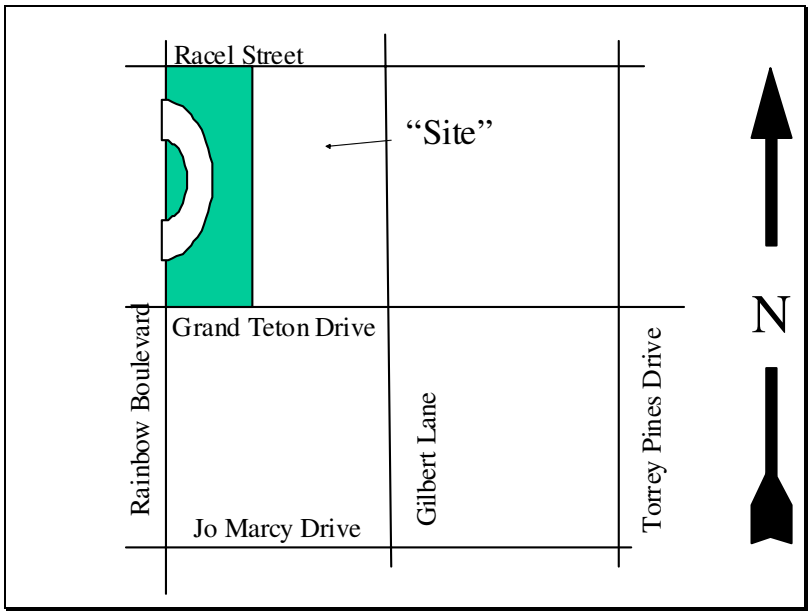
BACKUP DOCUMENTATION:
Agenda Memo

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PUBLIC WORKS
ITEM DESCRIPTION: APPROVAL OF SEWER CONNECTION AGREEMENT WITH JOE P. GWERDER ON BEHALF OF BOYS TOWN NEVADA, INC., OWNER AND AN INTERLOCAL CONTRACT WITH CLARK COUNTY WATER RECLAMATION DISTRICT (NORTHEAST CORNER OF RAINBOW BOULEVARD AND GRAND TETON DRIVE, APNS 125-11-401-001 AND -002)

VICINITY MAP



City of Las Vegas

Agenda Item No.:

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC [X] **CONSENT** [ ] **DISCUSSION**

SUBJECT:
RESOLUTIONS:

R-1-2009 - Approval of a Resolution Making Provisional Order and Directing that the Notice of Public Hearing thereon be given regarding: Special Improvement District No. 1513 - Via Olivero Avenue and Valadez Street (East of Cimarron Road) - Ward 2 (Wolfson)

Fiscal Impact

[X]	**No Impact**	**Amount:**
[ ]	**Budget Funds Available**	**Dept./Division:**
[ ]	**Augmentation Required**	**Funding Source:**

PURPOSE/BACKGROUND:
The construction and installation of pavement, driveway approaches, "L" type curb and gutter, and sidewalks.

RECOMMENDATION:
It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:
Resolution No. R-1-2009

RESOLUTION NO. R-1-2009

A RESOLUTION MAKING A PROVISIONAL ORDER TO THE EFFECT THAT CERTAIN IMPROVEMENTS IN THE CITY SHALL BE ACQUIRED PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENTS LAW TO BE KNOWN AS CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1513 – VIA OLIVERO AVENUE AND VALADEZ STREET (EAST OF CIMARRON ROAD); AND CALLING A HEARING ON THE PROJECT.

Summary: Provisional Order

WHEREAS, the City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) of the County of Clark in the State of Nevada, is of the opinion that the interest of the City requires the creation of a special improvement district pursuant to the Consolidated Local Improvements Law and the acquisition and improvement of a Street Project as defined in NRS 271.225, and a Water Project as defined in NRS 271.250 (collectively, hereinafter the "Project"); and

WHEREAS, the City Engineer, together with the City Engineer Division of the City and certain consulting engineers (collectively, hereinafter the "Engineer") has filed at the office of the City Clerk, in connection with the Project and with the proposed City of Las Vegas, Nevada, Special Improvement District No. 1513 – Via Olivero Avenue and Valadez Street (east of Cimarron Road) the following:

(A) Preliminary plans and specifications showing a typical section of the contemplated improvements, the type or types of material, approximate thickness and wideness for the Project;

(B) A preliminary estimate of the total cost of the Project and of each type of construction, the estimate being made in a lump sum or by unit prices, and further, including in the total estimate, without limiting the generality of the foregoing, the advertising, appraising, engineering, legal, interest on interim warrants, if any, discount on any bonds, printing, and such other expenses as in the judgment of the Engineer are necessary or essential to the completion of such work or improvement, and the payment of the cost thereof;

(C) An assessment plat or map, including an addendum thereto (designated as a "Tabulation of Parcels") showing the descriptions of the property to be assessed,

showing the area to be assessed, the market values, a description of each lot, tract or parcel of land, the name and address of each owner, the amounts of estimated preliminary assessments, the amount of maximum benefits (and corresponding market value increases) estimated to be assessed against each lot, tract or parcel of land in the assessment area, such estimate being based on the method of assessment set forth herein (an equitable adjustment having been made for assessments to be levied against wedge or "V" or other irregularly-shaped lots or lands, or for any lot, tract or parcel of land not specially benefited for other reasons in direct proportion to its front footage, so that assessments according to benefits will be equal and uniform); and

(D) The Engineer's Report to the City Council on Benefits, as to the method of determining benefits and corresponding market value increases and as to whether the creation of the District is economically sound and feasible; and

WHEREAS, the City Council has examined the improvement plans, assessment plat, including the addendum thereto, typical section of contemplated improvements, preliminary estimate of the cost, estimate of maximum benefits, and Engineer's Report, so filed with the City Clerk, and has found, and does hereby declare the same to be satisfactory in all respects; and

WHEREAS, the City Council has also determined, and does hereby determine, that all of the assessable property in the City which is specially benefited by the improvements to be acquired in the Special Improvement District No. 1513 – Via Olivero Avenue and Valadez Street (east of Cimarron Road) and only the property which is so specially benefited, is included in the District; and

WHEREAS, the City Council has determined and does hereby determine that the exception provided by NRS 271.306(2)(b) does exist in that not more than 2,640 feet remain unimproved in any street between improvements already made to the same street or between intersecting streets.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS OF THE COUNTY OF CLARK, IN THE STATE OF NEVADA THAT:

Section 1. The special improvement district shall be designated "City of Las Vegas, Nevada, Special Improvement District No. 1513 – Via Olivero Avenue and Valadez Street (east of Cimarron Road)" (hereinafter the "District").

Section 2. This Resolution shall be known as, and may be cited by, the short title "Special Improvement District 1513 Provisional Order Resolution" (hereinafter the "Resolution").

Section 3. The City Council hereby ratifies the preparation, by the Engineer, of and does accept the plans and specifications, assessment plat (including the addendum and exhibits thereto), typical section of the contemplated improvements, preliminary estimate of cost, the Engineer's Report on Benefits, and the estimate of maximum benefits (and corresponding market value increases) to be assessed against each lot, tract, or parcel of land in the assessment area.

Section 4. The Project shall be acquired at an estimated preliminary total cost of $319,107.49, including engineering, legal, and incidental expenses, as more particularly hereinafter set forth and as described in the plans and specifications herein accepted, reference to which is hereby made and which are available for public inspection at the office of the City Clerk at 400 Stewart Avenue, Las Vegas, Nevada 89101.

Section 5. The City Council has also determined and does hereby declare as follows:

1. The public convenience and necessity requires the creation of the District and construction of the Project;

2. The creation of the District is economically sound and feasible; and

3. The market value of each of the benefited lots, tracts and parcels of land in the District will be increased by an amount directly attributable to the Project for which the assessment is made.

Section 6. The boundaries of the District, within which is located the Project and the lots, tracts and parcels of land to be assessed, shall be as designated in the form of notice set forth in Section 7 of this Resolution. It is estimated that the total cost shall be apportioned as follows:

Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
$ 319,107.49	$ 0.00	$ 319,107.49

The amounts to be assessed shall be made upon all tracts benefited in proportion to the special benefits received, as more fully described in the form of notice set forth in Section 7 of this Resolution.

Section 7. On Wednesday, February 4, 2009, at 9:00 a.m. in the City Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada (i.e., a time at least 20 days after the adoption of this Resolution) the City Council will consider the ordering of the Project and will hear all complaints, protests, and objections that may be made in writing, and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owners of land to be assessed or any interested person. The owners of the property to be assessed or any other persons interested therein, may file a written protest or objection, and may appear before the City Council and be heard as to the propriety and advisability of making such improvements, as to the estimated cost thereof, as to the manner of payment therefor, as to the amount thereof to be assessed against the property to be improved, and as to the amount of special benefits and corresponding market value increases. Twenty (20) days' prior notice, in writing, of such time and place shall be given to such property owners, postage prepaid, as first-class mail, to each property owner at his last known address, the names and addresses of such property owners are to be obtained from the records of the County Assessor or from such other sources as the City Clerk deems reliable. Such notice shall also be given to the owner and each tenant of mobile home parks, if any, located on any tracts to be assessed. Any such list of names and addresses may be revised from time to time, but such list need not be revised more frequently than at twelve month intervals. Notice shall also be given by posting on the web site of the City, or in three (3) public places located on public property at or near the site of the Project at least twenty (20) days prior to the hearing. Proof of such mailing and posting shall be made by the affidavit of the City Clerk or Deputy City Clerk, proof of same to be filed with the City Clerk, provided that failure to mail such notice or notices shall not invalidate any assessment nor any other of the proceedings hereunder. Notice of the time and place of such hearing shall also be given by publication in the Las Vegas Review-Journal, a daily newspaper published in Las Vegas and of general circulation in the City of Las Vegas, Nevada, once each week for three (3) consecutive weekly publications, by three (3) weekly insertions, the first publication in such newspaper to be at least fifteen (15) days prior to the date of the protest hearings. Not less than fourteen (14) days shall intervene between the first publication and the last publication in such newspaper. Such service by publication shall be verified by the affidavit of the publishers and filed with the City Clerk. The proof of publication, the proof of mailing and the proof of posting shall be maintained in the records of the office of the City Clerk until all the assessments

pertaining to the District shall have been paid in full principal, interest and any penalties or collection costs. Said notice shall be in substantially the following form:

(Form of Notice)

NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS WITHIN THE PROPOSED CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1513 – VIA OLIVERO AVENUE AND VALADEZ STREET (EAST OF CIMARRON ROAD)

NOTICE IS HEREBY GIVEN to the property owners within the proposed City of Las Vegas, Nevada, Special Improvement District No. 1513 – Via Olivero Avenue and Valadez Street (east of Cimarron Road) (hereinafter the "District") and to all interested persons that:

The City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively) of the County of Clark in the State of Nevada, has provisionally ordered the acquisition of Street Project and a Water Project (collectively, the "Project") as more particularly described as follows:

Via Olivero Avenue (NORTH SIDE) - from the centerline of Cimarron Road east along Via Olivero Avenue to the centerline of Valadez Street (60-foot right-of-way).

Valadez Street (WEST SIDE) – from the centerline of Via Olivero Avenue north approximately 346 feet. (60-foot right-of-way).

Except as shown on the preliminary plans and specifications now on file in the office of the City Clerk and in the office of the Special Improvement District in Las Vegas, Nevada, the character of such Project shall be described more particularly as follows: The improvements on Via Olivero Avenue will consist of the grading, regrading, graveling, and asphalt paving as necessary for approximately 23 feet of roadway width, "L" type curb and gutter, sidewalks, and residential driveway approaches. The improvements on Valadez Street will consist of the grading, regrading, graveling, and asphalt paving as necessary for approximately 23 feet of roadway width, "L" type curb and gutter, sidewalks, and residential driveway approaches. At the request of the owners of property in the District water and sewer laterals will be installed from the existing or proposed main lines in Via Olivero Avenue and Valadez Street to such property. Sewer lines within the District are owned and maintained by the City. The City will require that properties connecting to the sewer line pay a connection fee. THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.

The preliminary estimated total cost of the Project and the amount to be assessed is as follows:

Estimated Amount of Special Assessments	Amount Available from Other Sources	Total Cost
$ 319,107.49	$ 0.00	$ 319,107.49

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases). However, an equitable adjustment will be made for assessments to be levied against wedge or "V" or other irregularly shaped lots or lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform. The portion of the costs to be assessed against and the maximum amount of benefits estimated (and corresponding market value increases) to be conferred upon each piece or parcel of property in the District is stated in the assessment plat and addendum thereto designated "Tabulation of Parcels" or preliminary assessment roll. In cases of wedge or "V" or any other irregularly shaped tracts, the amount apportioned thereto shall be in proportion to the special benefits thereby derived.

The assessments will be levied on a front foot basis, provided that those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a "unit lot" basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the street or streets being improved which also abut the cul-de-sac. Each property owner will be assessed for the cost of a street pavement section, curb and gutter, sidewalks, and driveway approaches, where not already existing. The owners of property who elect to have water or sewer laterals installed will be assessed per foot of lateral installed on a per service or unit lot basis.

The boundaries of the District shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements.

All persons interested are hereby advised that the preliminary plans and specifications (showing a typical section of the contemplated improvements) and the assessment plat, including a tabulation of parcels or preliminary assessment roll, a preliminary estimate of the total cost, a description of the lots,

tracts and parcels of land to be assessed, the portion of the cost to be assessed thereagainst, and the amount of maximum benefits (including the corresponding market value increases) estimated to be conferred on each piece or parcel of property, the Engineer's report as to the method of determining benefits, and all proceedings in the premises are on file in the office of the Special Improvement District, Department of Public Works, and at the office of the City Clerk, 400 Stewart Avenue, Las Vegas, Nevada. All of the foregoing can be seen and examined by any property owner or other interested persons during regular business hours, from 8:00 a.m. to 5:00 p.m., Monday through Friday.

It is anticipated that there will be grade or elevation changes in connection with the acquisition of the Project. Such grade or elevation changes are substantial and are as shown on the preliminary plans and specifications. All interested persons are hereby referred to the preliminary plans and specifications, which relate to the details of the Project.

On Wednesday, February 4, 2009, at 9:00 a.m., in the City Council Chambers at 400 Stewart Avenue, in Las Vegas, Nevada, the City Council will consider the ordering of the proposed Project, and will hear all complaints, protests and objections that may be made in writing and filed as hereafter provided, or made verbally at the hearing, concerning the same, by the owner of any tract to be assessed or any interested person. The owners of the property to be assessed, or any other person interested therein, may appear before the City Council and be heard as to the propriety and advisability of acquiring and improving such Project, as to the estimated cost thereof, as to the manner of payment therefor, as to the amount thereof to be assessed, the benefits estimated to be conferred against each tract, and the corresponding market value increases expected for each tract in the District.

The City Council requests that any property owner or interested person wishing to protest or object, do so in writing at the office of the City Clerk at least three (3) days before the time set for such hearing, i.e., on or before Friday, January 30, 2009. On the date and at the time and place fixed for such hearing, any and all property owners interested in the Project may, by written complaint, protest or objection, present their views to the City Council, or present them orally, and the City Council may adjourn the hearing from time to time to discuss and consider said issues before it. Any person filing a written protest or objection as hereinabove provided, shall have the right within thirty (30) days after the City Council has finally passed on such protest or objection to commence an action or suit in any court of

competent jurisdiction to correct or set aside such determination, but thereafter, all actions or suits attacking the validity of the proceedings and the amount of benefits shall be perpetually barred. A PROPERTY OWNER'S ONLY CHANCE TO PRESENT EVIDENCE TO DEMONSTRATE THAT HIS OR HER ESTIMATED ASSESSMENTS ARE EXCESSIVE WILL BE AT THE PUBLIC HEARING AND A PROPERTY OWNER WILL NOT BE ABLE TO PRESENT ANY ADDITIONAL EVIDENCE UPON SUBSEQUENT APPEAL TO DISTRICT COURT.

A person should object to the formation of the District, using the procedure outlined in this notice, if his support for the District is based upon a statement or representation concerning the Project that is not contained in the language of this notice.

If a person objects to the amount of maximum benefits estimated to be assessed or to the legality of the proposed assessments in any respect:

(1) He is entitled to be represented by counsel at the hearing;

(2) Any evidence he desires to present on these issues must be presented at the hearing; and

(3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.315.

The City Council has determined and does hereby determine that the exception provided by NRS 271.306(2)(b) does exist in that not more than 2,640 feet remain unimproved in any street between improvements already made to the same street or between intersecting streets, (which exception is that the City, at its option, may proceed with the improvements in the District regardless of the percentage of protests).

After such hearing, the City Council shall determine the advisability of undertaking each part of the Project, and, if it determines to proceed, shall determine the kind and character of such improvements to be made, and shall authorize the advertising for bids for performing such work and furnishing all necessary materials with the lowest and best bidder or bidders. The City Council may determine not to proceed with all or any part of the Project regardless of the protests or objections.

After the determination of the actual cost of the Project, assessments shall be levied in accordance with the laws of the State of Nevada. In no event shall the assessments exceed the

estimated maximum special benefits to the property assessed or the reasonable market value of the property being assessed (as determined by the City Council). The City Council shall provide that the assessments may be payable without interest and without demand during a specified cash payment period and the City Council shall provide that the assessments may be paid at the election of the owner in forty (40) substantially equal semi-annual installments of principal and interest. The City Council shall also provide the time and terms of payment of such assessments and shall fix penalties to be collected upon delinquent payments. The City Director of Finance and Business Services shall provide the rate of interest on unpaid installments of assessments, which will not exceed the maximum rate of interest permitted under the statutes of the State. If assessment bonds are issued, such rate will not exceed by more than 1% of the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than 3% the "Index of Twenty Bonds", which shall have been most recently published before the time bids for the bonds are received, or at the time a negotiated offer for the sale of such bonds is accepted. If assessment bonds are not issued, such rate shall not exceed 9%.

Pursuant to NRS 271.357 and NRS 271.360, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a Hardship Determination. Any assessment against property for which an application for Hardship Determination has been approved by the City Council shall be postponed, but the owner shall make payments of interest on the unpaid balance of previous and current assessments at the same rate and terms as are established for other assessments in the manner provided. The assessment shall remain postponed until the earlier of the following occurrences: (a) the property is sold or transferred to a person other than one to whom a Hardship Determination has been granted; (b) the term of the bonds expires; (c) the property owner's application for renewal of the Hardship Determination is disapproved; (d) the property owner fails to pay interest on the unpaid balance of assessments in a timely manner; or (e) the property owner pays all previous and current assessments. The owner shall also be subject to the lien as provided in Section 6 hereof. A person desiring to apply for a Hardship Determination shall file an application no later than January 30, 2009, with the Clark County Department of Social Services, 1600 Pinto Lane, Las Vegas, Nevada 89106, (702) 455-8687.

By order of the City Council of the City, Nevada, and dated this 7th day of January, 2009.

BEVERLY K. BRIDGES, CMC,
City Clerk

(End of Form of Notice)

Section 8. That all action, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Resolution) concerning the City of Las Vegas, Nevada, Special Improvement District No. 1513 – Via Olivero Avenue and Valadez Street (east of Cimarron Road) be, and the same hereby are, ratified, approved and confirmed.

Section 9. That the officers of the City are directed to effectuate the provisions of this Resolution.

Section 10. That all resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 11. That the invalidity of any provision of this Resolution shall not affect any remaining provisions hereof.

Section 12. That the City Council has determined, and does hereby declare, that this Resolution shall be in effect after its passage in accordance with the law.

PASSED, ADOPTED AND APPROVED this 7th day of January, 2009.

OSCAR B. GOODMAN, Mayor

Attest:

BEVERLY K. BRIDGES, CMC,
City Clerk

Approved as to Form:

12/18/08
Date Assistant City Attorney

STATE OF NEVADA	)
	)
COUNTY OF CLARK	) ss
	)
CITY OF LAS VEGAS	)

I, Beverly K. Bridges, CMC, the duly chosen and qualified City Clerk of the City of Las Vegas (hereinafter the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (hereinafter the "City Council") at a meeting held on January 7, 2009.

2. The adoption of the resolution was duly moved and seconded and the resolution was adopted by an affirmative vote of a majority of the members of City Council as follows:

Those Voting Aye:	Oscar B. Goodman Gary Reese Larry Brown Steve Wolfson Lois Tarkanian Steven D. Ross Ricki Y. Barlow
Those Voting Nay:	_____
	_____
Those Absent:	_____
	_____

3. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk and has been recorded in the regular official record of the City Council kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

4. All members of the City Council were given due and proper notice of the meeting. Pursuant to § 241.020, Nevada Revised Statues, written notice of the meeting was given not later than 9:00 a.m. on the third working day before the meeting, including in the notice the time, place, location, and agenda of the meeting:

(A) BY POSTING A COPY OF THE NOTICE AT LEAST THREE WORKING DAYS BEFORE THE MEETING AT THE PRINCIPAL OFFICE OF THE CITY COUNCIL, OR

IF THERE IS NO PRINCIPAL OFFICE, AT THE BUILDING IN WHICH THE MEETING IS TO BE HELD, AND AT LEAST THREE (3) OTHER SEPARATE, PROMINENT PLACES WITHIN THE JURISDICTION OF THE CITY COUNCIL, TO WIT:

(i) City Clerk's Bulletin Board
City Hall Plaza
2nd Floor Skybridge
Las Vegas, Nevada

(ii) Bulletin Board
City Hall Plaza (next door to Metro Records)
Las Vegas, Nevada

(iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada

(iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada

(v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada

(vi) The City of Las Vegas Website

(B) BY MAILING A COPY OF THE NOTICE TO EACH PERSON, IF ANY, WHO HAS REQUESTED NOTICE OF THE MEETINGS OF THE CITY COUNCIL IN THE SAME MANNER IN WHICH NOTICE IS REQUIRED TO BE MAILED TO A MEMBER OF THE CITY COUNCIL. SUCH NOTICE WAS DELIVERED TO THE POSTAL SERVICE NO LATER THAN 9:00 A.M. ON THE THIRD WORKING DAY PRIOR TO THE MEETING.

5. Upon request, the City Council provides at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the City Council for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

6. A copy of such notice so given of the meeting of the City Council on January 7, 2009, is attached to this certificate as Exhibit "A". A copy of the affidavit of publication of the Notice of Public Hearing is attached hereto as Exhibit "B", and a copy of the minutes of the public hearing held on February 4, 2009, is attached hereto as Exhibit "C".

IN WITNESS WHEREOF, I have hereunto set my hand on this 7th day of January, 2009.

(SEAL)

_____
BEVERLY K. BRIDGES, CMC,
City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)

Exhibit "B"

(Attach Affidavit of Publication of Notice of Hearing)

Exhibit "C"

(Attach minutes of public hearing on February 4, 2009)

STATE OF NEVADA)
) ss. **AFFIDAVIT OF MAILING NOTICE OF HEARING**
CITY OF LAS VEGAS)

Beverly K. Bridges, CMC, does hereby swear, upon oath according to law:

1. I am and at all times hereinafter mentioned was the duly qualified and sworn City Clerk of the City of Las Vegas, Nevada.

2. I MAILED OR CAUSED TO BE MAILED A NOTICE ENTITLED "NOTICE OF HEARING ON PROPOSED PROJECT AND ASSESSMENTS WITHIN THE PROPOSED CITY OF LAS VEGAS, NEVADA SPECIAL IMPROVEMENT DISTRICT NO. 1513 – VIA OLIVERO AVENUE AND VALADEZ STREET (EAST OF CIMARRON ROAD)" by deposit in the United States mail, postage prepaid, as first-class mail, at the post office in the City of Las Vegas, Nevada, on _____, 2009, being at least twenty (20) days prior to the hearing, on February 4, 2009, to the last known address of each last known owner of land within the District whose property will be assessed for the cost of the improvements, such addresses and owners being those appearing on the records of the County Assessor of Clark County, Nevada, and from such other sources as I, the City of Las Vegas and Public Works Department deemed to be reliable.

3. A list of said owners and their addresses is hereto attached, marked Exhibit A and made a part hereof, all addresses therein being situate within the City of Las Vegas, Nevada, unless otherwise indicated, such names and addresses being the same as those shown on the "Tabulation of Parcels" or "Preliminary Assessment Roll".

4. There is attached hereto, marked Exhibit B and made a part hereof, a full, true and correct copy of the notice as mailed as herein described.

5. Copies of the affidavit of publication of said notice, verified by the affidavit of the publisher, and a copy of this affidavit are on file in the office of the City Clerk.

Further Affiant sayeth naught.

_____
BEVERLY K. BRIDGES, CMC
City Clerk

SUBSCRIBED and SWORN to before me in the City of Las Vegas, Nevada, this _____ _____, 20__.

My commission expires _____.

_____
Notary Public

(NOTARIAL STAMP)

EXHIBIT "A"

(Attach List of Property Owners with Their Addresses)

EXHIBIT "B"

(Attach Notice of Hearing as Mailed)

City of Las Vegas Agenda Item No.: **37.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☒ **Consent** ☐ **Discussion**

SUBJECT:
RESOLUTIONS:

R-2-2009 - Approval of a Resolution to establish the Fiscal Stabilization Special Revenue Fund

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Establishment of a Special Revenue Fund to provide for the stabilization of operations during periods of economic downturn or for the mitigation of the effects of disasters. Seed funding for the Fund has been identified as outlined in Exhibit A. A total of $47 million will be transferred into the Fiscal Stabilization SRF, $25 million of which will then be used to establish a trust for unfunded post-employment benefits liabilities. Establishment of the trust will be brought to the Council for approval at a later date.

RECOMMENDATION:
Staff recommends approval.

BACKUP DOCUMENTATION:
1. Resolution No. R-2-2009
2. Exhibit A

R-2-2009

RESOLUTION ESTABLISHING THE FISCAL STABILIZATION SPECIAL REVENUE FUND

WHEREAS, the City Council desires to establish a special revenue fund whose purpose is to provide for the stabilization of operations during periods of economic downturn or for the mitigation of the effects of disasters in accordance with NRS 354.6115, and

NOW, THEREFORE, in light of the foregoing and in accordance with NRS Chapter 354 and NAC 354.241, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, AS FOLLOWS:

1. A special revenue fund to be known as the "Fiscal Stabilization Special Revenue Fund" (the "Fund") is hereby created.
2. Effective February 1, 2009, a transfer of available balances from the General Fund, Special Revenue Funds, Internal Service Funds, and Capital Project Funds will be used to establish the Fund.
3. The Fund will maintain a fund balance not to exceed ten percent (10%) of the prior year's General Fund expenditures.
4. The City will transfer 20% of any General Fund excess actual audited ending fund balance over the budgeted ending fund balance to the Fund until such time as the maximum fund balance is reached.
5. The Fund will be not be used to finance routine operations. Revenues will be realized only through transfers in from other funds and interest earnings. Expenditures will be limited to transfers out to other funds to provide for the stabilization of operations under the following conditions:
    a. If the total actual revenue of the local government falls short of the total anticipated revenue in the general fund for the fiscal year in which the local government uses that money, and
        i. The revenue shortfall is the result of an economic event that could not be anticipated, and

ii. The resulting general fund balance will fall below 10 percent of the anticipated expenditures; or

b. To pay expenses incurred by the local government to mitigate the effects of a natural disaster or act of terrorism.

6. The Fund shall be subject to the provisions of NRS Chapter 354.6115.

PASSED, ADOPTED, AND APPROVED this _____ day of _____, 2009.

CITY OF LAS VEGAS

By:_____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

Val Steed 12-23-08

EXHIBIT A

Assemblage of a Revenue Stabilization Fund (Reserves)

	In Millions			
CPF Reductions / Eliminations	**Funded**	**Cut**	**Remaining**	
Baskin Tennis Court Replacement	0.71	0.40	0.31	
Building Reserve	0.36	0.36	-	
CPF Reserves	1.15	1.15	-	
Central FS Fuel Tanks	0.25	0.23	0.02	
Fire Radio Dispatch Comp Replace	0.04	0.04	-	
Garside Pool & Bathhouse	1.00	1.00	-	
Majestic Park	24.80	1.30	23.50	
Parks CPF Bid Reserve	3.36	3.36	-	
Pavilion Pool	8.00	2.00	6.00	
Project Clear Skies	0.50	0.50	-	
Non-signal Intersection Improvements	0.25	0.25	-	
Sidewalk Replacement Program	0.25	0.15	0.10	
Stewart City Hall improvements	0.99	0.75	0.24	
Floyd Lamb/Tule Springs-PM10 Fence	-	-0.20	0.20	
	41.66	11.29	30.37	
ISF Capital Replacement Delay				
IT Computers, Radios, Phones		3.00		
FOD Fleet & Equipment		6.00		
Employee Benefits		6.00		
Liability Insurance		6.00		
Fire Equipment Acquisition		1.00		
Other				
LVCVA (park O&M)		4.00	(Note 1)	
Green Building Fund		1.30		
Parking EF (garage debt service)		5.00		
FSI for operating		3.50	(Note 1)	
		47.09		

Note 1:
These funding sources are dedicated for parks O&M (LVCVA) and Las Vegas Fire & Rescue operations. ISF funding will be transferred to the General Fund, thereby freeing General Fund balance to be transferred to the Fiscal Stabilization SRF in an equal amount.

City of Las Vegas Agenda Item No.: **38.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☒ **Consent** ☐ **Discussion**

SUBJECT:
RESOLUTIONS:

R-3-2009 - Approval of a Resolution repealing Resolution No. R-65-2008 and seeking approval from the Clark County Debt Management Commission to execute and deliver a lease-purchase agreement for a new City Hall project in an amount not to exceed $267,000,000 - Ward 3 (Reese)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount: $267,000,000
Funding Source: General Fund
Dept./Division: Finance and Business Services

PURPOSE/BACKGROUND:
Pursuant to NRS 350.014, 350.087 through 350.095 and 350.800 and Section 2.145 of the City Charter, the City is authorized to enter into a lease-purchase agreement to finance a new City Hall project.

RECOMMENDATION:
Staff recommends approval.

BACKUP DOCUMENTATION:
Resolution No. R-3-2009

RESOLUTION NO. -R-3-2009

A RESOLUTION CONCERNING THE FINANCING OF A NEW CITY HALL; DIRECTING THE CITY CLERK TO NOTIFY THE CLARK COUNTY DEBT MANAGEMENT COMMISSION OF A PROPOSAL TO INCUR FINANCING EVIDENCED BY A LEASE-PURCHASE AGREEMENT; PROVIDING CERTAIN DETAILS IN CONNECTION THEREWITH; REPEALING RESOLUTION R-65-2008; AND PROVIDING THE EFFECTIVE DATE HEREOF.

WHEREAS, the City Council (the "Council") of the City of Las Vegas, Nevada (the "City") adopted Resolution R-65-2008 on November 19, 2008 (the "Prior Resolution"); and

WHEREAS, the Council desires to repeal the Prior Resolution in its entirety; and

WHEREAS, the City proposes to incur financing in an amount not to exceed $267,000,000 to finance the acquisition, improvement, and equipment of a new City Hall in the City (the "Project"), to be evidenced by a Lease-Purchase Agreement (the "Agreement") entered into pursuant to Section 2.145 of the Charter of the City, being Chapter 517, Statutes of Nevada, 1983, as amended, and Nevada Revised Statutes ("NRS") Sections 350.014, 350.087 through 350.095 and 350.800, pursuant to which the City will lease and may purchase the City Hall; and

WHEREAS, the City proposes (subject to the approval by the Clark County Debt Management Commission and the Nevada Department of Taxation), to enter into the Agreement as described in the following proposal:

CITY HALL LEASE-PURCHASE PROPOSAL:

Shall the City of Las Vegas, Nevada, be authorized to enter into a lease-purchase agreement in a principal amount not to exceed $267,000,000 to defray wholly or in part the cost of acquiring, improving, and equipping a new City Hall in the City, the City's repayment obligation under such lease-purchase agreement to end not later than thirty (30) years therefrom, to be payable from legally available revenues of the City, such lease-purchase agreement to have an effective interest rate not exceeding the statutory maximum rate, if any, as shall be determined at the time of the execution thereof, and otherwise to be executed in such manner, upon such terms and conditions, with such covenants and agreements, and with such detail as the City may determine, including at its option, but not necessarily limited to, provisions for the prepayment of the lease-purchase agreement prior to maturity without or with the payment of a premium?

(the "Proposal"); and

WHEREAS, subsection 1 of NRS 350.014 provides, in relevant part, as follows:

> "1. ....before entering into an installment-purchase agreement with a term of more than 10 years, the proposed incurrence or levy must receive the favorable vote of two-thirds of the members of the commission of each county in which the municipality is situated. . ." and

WHEREAS, subsection 1 of NRS 350.0145 provides, in relevant part, as follows:

> "1. The governing body of the municipality proposing to enter an installment-purchase agreement with a term of more than 10 years, . . . shall notify the secretary of each appropriate commission, and shall submit a statement of its proposal in sufficient number of copies for each member of the commission. . . ."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS, NEVADA:

Section 1. This resolution shall be designated by the short title "2009 Las Vegas City Hall DMC Notice Resolution."

Section 2. The Prior Resolution is hereby repealed in its entirety.

Section 3. Based on the revenue study attached hereto as Appendix I, the Council hereby finds that no increase in the rate of an ad valorem tax is anticipated to be necessary for the payment of rent under the Agreement (the "Finding") and hereby determines that legally available revenues will at least equal the amount required in each year for the payment of rent under the Agreement. The Agreement will not be a general obligation of the City and the City cannot be legally required to raise ad valorem tax rates to meet any obligations under the Agreement. The Council hereby requests the Clark County Debt Management Commission (the "Commission") to approve the Proposal.

Section 4. All actions, proceedings, matters and things heretofore taken, had and done by the City, and the officers thereof (not inconsistent with the provisions of this resolution) directed toward the execution and delivery of the Agreement, be and the same hereby are, ratified, approved and confirmed.

Section 5. The Clerk be, and she hereby is, authorized and directed to notify immediately the Secretary of the Clark County Debt Management Commission (the "Commission Secretary" and the "Commission," respectively) of the Proposal and to submit to said Commission Secretary a statement of the Proposal in sufficient number of copies for each member of the Commission.

Section 6. The City Finance Director is hereby authorized and directed, if necessary, to file or amend the City's statement of current and contemplated general obligation debt, debt management policy and capital improvement plan in accordance with the provisions of this resolution, file such amended documents with the Commission and the State Department of Taxation, and file any information required by NRS 350.013 and in accordance with the provisions of this resolution.

Section 7. All resolutions, or parts thereof, in conflict with the provisions of this Resolution, are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution, or part thereof, heretofore repealed.

Section 8. If any section, paragraph, clause or other provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or other provision shall not affect any of the remaining provisions of this resolution.

Section 9. This Resolution shall become effective and be in force immediately upon its adoption.

PASSED AND ADOPTED this January 7, 2009.

(SEAL)

_____
Mayor

Attest:

_____
City Clerk

Approved as to form:

by Val Steed 12-23-08
City Attorney

APPENDIX I

(Revenue Study)

City of Las Vegas, Nevada
General Fund Projections
Revenue Study 2009 City Hall Certificates of Participation

	2007-08 Actual	2008-09 Budgeted	% Change	2009-10 Projected	% Change	2010-11 Projected	% Change	2011-12 Projected	% Change	2012-13 Projected
Revenues:										
C-Tax	$ 250,913,904	$ 249,100,000	-0.7%	$ 251,600,000	1.0%	$ 259,200,000	3.0%	$ 272,100,000	5.0%	$ 288,500,000
Property Tax	126,054,436	$ 133,400,000	5.8%	$ 140,000,000	4.9%	$ 148,400,000	6.0%	$ 158,800,000	7.0%	$ 171,500,000
Licenses and Permits	83,402,354	$ 83,200,000	-0.2%	$ 85,700,000	3.0%	$ 89,100,000	4.0%	$ 93,600,000	5.1%	$ 98,300,000
Other	62,631,332	$ 63,400,000	1.2%	$ 66,300,000	4.6%	$ 69,300,000	4.5%	$ 72,400,000	4.5%	$ 75,500,000
Transfers in from Other Funds	3,755,824	$ 3,000,000	-20.1%	$ 1,500,000	-50.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000
Total	**$ 526,757,850**	**$ 532,100,000**	**1.0%**	**$ 545,100,000**	**2.4%**	**$ 567,500,000**	**4.1%**	**$ 598,400,000**	**5.4%**	**$ 635,300,000**
Budgeted Adjustments										
Total Revenues	**526,757,850**	**$ 532,100,000**	**1.0%**	**$ 545,100,000**	**2.4%**	**$ 567,500,000**	**4.1%**	**$ 598,400,000**	**5.4%**	**$ 635,300,000**
Expenditures:										
Salaries and wages	$ 197,084,898	$ 199,000,000	1.0%	$ 206,400,000	3.7%	$ 212,000,000	2.7%	$ 221,100,000	4.3%	$ 231,600,000
Employee benefits	87,079,395	$ 91,300,000	4.8%	$ 95,500,000	4.6%	$ 99,100,000	3.8%	$ 104,300,000	5.2%	$ 110,200,000
Sub Total Wages & Benefits	284,164,293	$ 290,300,000	2.2%	$ 301,900,000	4.0%	$ 311,100,000	3.0%	$ 325,400,000	4.6%	$ 341,800,000
Non Labor	84,326,514	$ 87,300,000	3.5%	$ 91,300,000	4.6%	$ 93,400,000	2.3%	$ 97,600,000	4.5%	$ 102,000,000
LVMPD - Operations	129,672,719	$ 135,700,000	4.6%	$ 144,600,000	6.6%	$ 153,900,000	6.4%	$ 164,000,000	6.6%	$ 174,600,000
LVMPD - Facilities Capital	7,168,692	$ 7,600,000	6.0%	$ 7,000,000	-7.9%	$ 2,000,000	-71.4%	$ 2,000,000	0.0%	$ 4,900,000
Transfer-out - Debt Service	8,300,684	$ 12,100,000	45.8%	$ 12,100,000	0.0%	$ 13,900,000	14.9%	$ 8,500,000	-38.8%	$ 8,500,000
Transfer-out - Cap Project Fund	4,300,000	$ 1,700,000	-60.5%	$ 1,700,000	0.0%	--		--		--
Transfer-out - Other	1,483,200	$ 1,500,000	1.1%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000
Labor Reductions [1/]		--	--	$ (4,100,000)	--	--	--	--	--	--
Non-Labor Reductions [1/]		--	--	$ (1,900,000)	--	--	--	--	--	--
City Hall COP- Debt Service		--	--	--	--	--	--	--	--	$ 2,000,000
Cap Project Fnd - Initial year O&M [2/]		--	--	$ 1,300,000		$ 1,800,000	38.5%	$ 3,300,000	83.3%	$ 1,400,000
Total Expenditures	**$ 519,416,102**	**$ 536,200,000**	**3.2%**	**$ 555,400,000**	**3.6%**	**$ 577,600,000**	**4.0%**	**$ 602,300,000**	**4.3%**	**$ 636,700,000**
Excess of Revenues Over Exp.	$ 7,341,748	$ (4,100,000)		$ (10,300,000)		$ (10,100,000)		$ (3,900,000)		$ (1,400,000)
Beginning Fund Balance	$ 89,419,481	$ 96,761,229	8.2%	$ 92,661,229	-4.2%	$ 82,361,229	-11.1%	$ 72,261,229	-12.3%	$ 68,361,229
Ending Fund Balance	**$ 96,761,229**	**$ 92,661,229**	**-4.2%**	**$ 82,361,229**	**-11.1%**	**$ 72,261,229**	**-12.3%**	**$ 68,361,229**	**-5.4%**	**$ 66,961,229**
EFB as a % of Total Expenditures	18.6%	17.3%		14.8%		12.5%		11.4%		10.5%

1/ The amounts reflected as Labor and Non-Labor Reductions are incremental decreases based the City's Fundamental Service Review. The forecast model rolls the incremental cost into the upper categories (wages, benefits, materials and services, etc) for future growth forecasting.

2/ The amounts reflected as Capital Project Fund Operating and Maintenance expenses are incremental increases based on the Five-Year Capital Improvement Program. The forecast model rolls the incremental cost into the upper categories (wages, benefits, materials and services, etc) for future growth forecasting.

City of Las Vegas, Nevada
General Fund Projections
Revenue Study 2009 City Hall Certificates of Participation

	% Change	2013-14 Projected	% Change	2014-15 Projected	% Change	2015-16 Projected	% Change	2016-17 Projected	% Change	2017-18 Projected	% Change	2018-19 Projected
Revenues:												
C-Tax	6.0%	$ 305,800,000	6.0%	$ 324,137,400	6.0%	$ 343,574,409	6.0%	$ 364,176,965	6.0%	$ 364,176,965	0.0%	$ 364,176,965
Property Tax	8.0%	$ 185,200,000	8.0%	$ 199,994,402	8.0%	$ 215,970,632	8.0%	$ 233,223,096	8.0%	$ 233,223,096	0.0%	$ 233,223,096
Licenses and Permits	5.0%	$ 103,200,000	5.0%	$ 108,344,252	5.0%	$ 113,744,932	5.0%	$ 119,414,822	5.0%	$ 119,414,822	0.0%	$ 119,414,822
Other	4.3%	$ 78,800,000	4.4%	$ 82,244,238	4.4%	$ 85,839,020	4.4%	$ 89,590,924	4.4%	$ 89,590,924	0.0%	$ 89,590,924
Transfers in from Other Funds	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000
Total	**6.2%**	**$ 674,500,000**	**6.2%**	**$ 716,220,293**	**6.2%**	**$ 760,628,993**	**6.2%**	**$ 807,905,807**	**6.2%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**
Budgeted												
Adjustments												
Total Revenues	**6.2%**	**$ 674,500,000**	**6.2%**	**$ 716,220,293**	**6.2%**	**$ 760,628,993**	**6.2%**	**$ 807,905,807**	**6.2%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**
Expenditures:												
Salaries and wages	4.7%	$ 241,200,000	4.1%	$ 251,197,927	4.1%	$ 261,610,277	4.1%	$ 272,454,226	4.1%	$ 272,454,226	0.0%	$ 272,454,226
Employee benefits	5.7%	$ 115,800,000	5.1%	$ 121,684,574	5.1%	$ 127,868,182	5.1%	$ 134,366,020	5.1%	$ 134,366,020	0.0%	$ 134,366,020
Sub Total Wages & Benefits	5.0%	$ 357,000,000	4.4%	$ 372,882,501	4.4%	$ 389,478,458	4.5%	$ 406,820,246	4.5%	$ 406,820,246	0.0%	$ 406,820,246
Non Labor	4.5%	$ 106,600,000	4.5%	$ 111,407,451	4.5%	$ 116,431,709	4.5%	$ 121,682,550	4.5%	$ 121,682,550	0.0%	$ 121,682,550
LVMPD - Operations	6.5%	$ 186,000,000	6.5%	$ 198,144,330	6.5%	$ 211,081,589	6.5%	$ 224,863,548	6.5%	$ 224,863,548	0.0%	$ 224,863,548
LVMPD - Facilities Capital	145.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000
Transfer-out - Debt Service	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000
Transfer-out - Cap Project Fund		--		--		--		--		--	--	--
Transfer-out - Other	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000
Labor Reductions [1/]	--	--	--	--	--	--	--	--	--	--	--	--
Non-Labor Reductions [1/]	--	--	--	--	--	--	--	--	--	--	--	--
City Hall COP- Debt Service		$ 2,000,000	0.0%	$ 2,000,000	0.0%	$ 2,000,000	0.0%	$ 23,338,431	1066.9%	$ 23,336,931	0.0%	$ 23,340,361
Cap Project Fnd - Initial year O&M [2/]	-57.6%	$ 3,000,000	114.3%									
Total Expenditures	**5.7%**	**$ 669,500,000**	**5.2%**	**$ 699,334,282**	**4.5%**	**$ 733,891,756**	**4.9%**	**$ 791,604,776**	**7.9%**	**$ 791,603,276**	**0.0%**	**$ 791,606,706**
Excess of Revenues Over Exp.		$ 5,000,000		$ 16,886,012		$ 26,737,237		$ 16,301,031		$ 16,301,031		$ 16,299,101
Beginning Fund Balance	-5.4%	$ 66,961,229	-2.0%	$ 71,961,229	7.5%	$ 88,847,241	23.5%	$ 115,584,478	30.1%	$ 131,885,508	14.1%	$ 148,186,539
Ending Fund Balance	**-2.0%**	**$ 71,961,229**	**7.5%**	**$ 88,847,241**	**23.5%**	**$ 115,584,478**	**30.1%**	**$ 131,885,508**	**14.1%**	**$ 148,186,539**	**12.4%**	**$ 164,485,640**
EFB as a % of Total Expenditures		10.7%		12.7%		15.7%		16.7%		18.7%		20.8%

1/ The amounts reflected as Labor and Non-Labor Reductions are incremental decreases based the City's Fundamental Service Review. The forecast model rolls the incremental cost into the upper categories (wages, benefits, materials and services, etc) for future growth forecasting.

2/ The amounts reflected as Capital Project Fund Operating and Maintenance expenses are incremental increases based on the Five-Year Capital Improvement Program. The forecast model rolls the incremental cost into the upper categories (wages, benefits, materials and services, etc) for future growth forecasting.

City of Las Vegas, Nevada
General Fund Projections
Revenue Study 2009 City Hall Certificates of Participation

	% Change	2019-20 Projected	% Change	2020-21 Projected	% Change	2021-22 Projected	% Change	2022-23 Projected	% Change	2023-24 Projected	% Change	2024-25 Projected
Revenues:												
C-Tax	0.0%	$ 364,176,965	0.0%	$ 364,176,965	0.0%	$ 364,176,965	0.0%	$ 364,176,965	0.0%	$ 364,176,965	0.0%	$ 364,176,965
Property Tax	0.0%	$ 233,223,096	0.0%	$ 233,223,096	0.0%	$ 233,223,096	0.0%	$ 233,223,096	0.0%	$ 233,223,096	0.0%	$ 233,223,096
Licenses and Permits	0.0%	$ 119,414,822	0.0%	$ 119,414,822	0.0%	$ 119,414,822	0.0%	$ 119,414,822	0.0%	$ 119,414,822	0.0%	$ 119,414,822
Other	0.0%	$ 89,590,924	0.0%	$ 89,590,924	0.0%	$ 89,590,924	0.0%	$ 89,590,924	0.0%	$ 89,590,924	0.0%	$ 89,590,924
Transfers in from Other Funds	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000
Total	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**
Budgeted Adjustments												
Total Revenues	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**
Expenditures:												
Salaries and wages	0.0%	$ 272,454,226	0.0%	$ 272,454,226	0.0%	$ 272,454,226	0.0%	$ 272,454,226	0.0%	$ 272,454,226	0.0%	$ 272,454,226
Employee benefits	0.0%	$ 134,366,020	0.0%	$ 134,366,020	0.0%	$ 134,366,020	0.0%	$ 134,366,020	0.0%	$ 134,366,020	0.0%	$ 134,366,020
Sub Total Wages & Benefits	0.0%	$ 406,820,246	0.0%	$ 406,820,246	0.0%	$ 406,820,246	0.0%	$ 406,820,246	0.0%	$ 406,820,246	0.0%	$ 406,820,246
Non Labor	0.0%	$ 121,682,550	0.0%	$ 121,682,550	0.0%	$ 121,682,550	0.0%	$ 121,682,550	0.0%	$ 121,682,550	0.0%	$ 121,682,550
LVMPD - Operations	0.0%	$ 224,863,548	0.0%	$ 224,863,548	0.0%	$ 224,863,548	0.0%	$ 224,863,548	0.0%	$ 224,863,548	0.0%	$ 224,863,548
LVMPD - Facilities Capital	0.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000
Transfer-out - Debt Service	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000
Transfer-out - Cap Project Fund	--	--	--	--	--	--	--	--	--	--	--	--
Transfer-out - Other	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000
Labor Reductions [1/]	--	--	--	--	--	--	--	--	--	--	--	--
Non-Labor Reductions [1/]	--	--	--	--	--	--	--	--	--	--	--	--
City Hall COP- Debt Service	0.0%	$ 23,340,081	0.0%	$ 23,334,906	0.0%	$ 23,337,106	0.0%	$ 23,337,744	0.0%	$ 23,338,204	0.0%	$ 23,339,419
Cap Project Fnd - Initial year O&M [2/]												
Total Expenditures	**0.0%**	**$ 791,606,426**	**0.0%**	**$ 791,601,251**	**0.0%**	**$ 791,603,451**	**0.0%**	**$ 791,604,088**	**0.0%**	**$ 791,604,548**	**0.0%**	**$ 791,605,763**
Excess of Revenues Over Exp.		$ 16,299,381		$ 16,304,556		$ 16,302,356		$ 16,301,718		$ 16,301,258		$ 16,300,043
Beginning Fund Balance	12.4%	$ 164,485,640	11.0%	$ 180,785,020	9.9%	$ 197,089,576	9.0%	$ 213,391,932	8.3%	$ 229,693,650	7.6%	$ 245,994,908
Ending Fund Balance	**11.0%**	**$ 180,785,020**	**9.9%**	**$ 197,089,576**	**9.0%**	**$ 213,391,932**	**8.3%**	**$ 229,693,650**	**7.6%**	**$ 245,994,908**	**7.1%**	**$ 262,294,951**
EFB as a % of Total Expenditures		22.8%		24.9%		27.0%		29.0%		31.1%		33.1%

1/ The amounts reflected as Labor and Non-Labor Reductions are incremental decreases based the City's Fundamental Service Review. The forecast model rolls the incremental cost into the upper categories (wages, benefits, materials and services, etc) for future growth forecasting.

2/ The amounts reflected as Capital Project Fund Operating and Maintenance expenses are incremental increases based on the Five-Year Capital Improvement Program. The forecast model rolls the incremental cost into the upper categories (wages, benefits, materials and services, etc) for future growth forecasting.

City of Las Vegas, Nevada
General Fund Projections
Revenue Study 2009 City Hall Certificates of Participation

	% Change	2025-26 Projected	% Change	2026-27 Projected	% Change	2027-28 Projected	% Change	2028-29 Projected	% Change	2029-30 Projected	% Change	2030-31 Projected
Revenues:												
C-Tax	0.0%	$ 364,176,965	0.0%	$ 364,176,965	0.0%	$ 364,176,965	0.0%	$ 364,176,965	0.0%	$ 364,176,965	0.0%	$ 364,176,965
Property Tax	0.0%	$ 233,223,096	0.0%	$ 233,223,096	0.0%	$ 233,223,096	0.0%	$ 233,223,096	0.0%	$ 233,223,096	0.0%	$ 233,223,096
Licenses and Permits	0.0%	$ 119,414,822	0.0%	$ 119,414,822	0.0%	$ 119,414,822	0.0%	$ 119,414,822	0.0%	$ 119,414,822	0.0%	$ 119,414,822
Other	0.0%	$ 89,590,924	0.0%	$ 89,590,924	0.0%	$ 89,590,924	0.0%	$ 89,590,924	0.0%	$ 89,590,924	0.0%	$ 89,590,924
Transfers in from Other Funds	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000
Total	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**
Budgeted Adjustments												
Total Revenues	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**
Expenditures:												
Salaries and wages	0.0%	$ 272,454,226	0.0%	$ 272,454,226	0.0%	$ 272,454,226	0.0%	$ 272,454,226	0.0%	$ 272,454,226	0.0%	$ 272,454,226
Employee benefits	0.0%	$ 134,366,020	0.0%	$ 134,366,020	0.0%	$ 134,366,020	0.0%	$ 134,366,020	0.0%	$ 134,366,020	0.0%	$ 134,366,020
Sub Total Wages & Benefits	0.0%	$ 406,820,246	0.0%	$ 406,820,246	0.0%	$ 406,820,246	0.0%	$ 406,820,246	0.0%	$ 406,820,246	0.0%	$ 406,820,246
Non Labor	0.0%	$ 121,682,550	0.0%	$ 121,682,550	0.0%	$ 121,682,550	0.0%	$ 121,682,550	0.0%	$ 121,682,550	0.0%	$ 121,682,550
LVMPD - Operations	0.0%	$ 224,863,548	0.0%	$ 224,863,548	0.0%	$ 224,863,548	0.0%	$ 224,863,548	0.0%	$ 224,863,548	0.0%	$ 224,863,548
LVMPD - Facilities Capital	0.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000
Transfer-out - Debt Service	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000
Transfer-out - Cap Project Fund	--	--	--	--	--	--	--	--	--	--	--	--
Transfer-out - Other	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000
Labor Reductions [1/]	--	--	--	--	--	--	--	--	--	--	--	--
Non-Labor Reductions [1/]	--	--	--	--	--	--	--	--	--	--	--	--
City Hall COP- Debt Service	0.0%	$ 23,336,859	0.0%	$ 23,335,919	0.0%	$ 23,339,475	0.0%	$ 23,339,875	0.0%	$ 23,339,450	0.0%	$ 23,340,275
Cap Project Fnd - Initial year O&M [2/]												
Total Expenditures	**0.0%**	**$ 791,603,203**	**0.0%**	**$ 791,602,263**	**0.0%**	**$ 791,605,820**	**0.0%**	**$ 791,606,220**	**0.0%**	**$ 791,605,795**	**0.0%**	**$ 791,606,620**
Excess of Revenues Over Exp.		$ 16,302,603		$ 16,303,543		$ 16,299,987		$ 16,299,587		$ 16,300,012		$ 16,299,187
Beginning Fund Balance	7.1%	$ 262,294,951	6.6%	$ 278,597,555	6.2%	$ 294,901,098	5.9%	$ 311,201,085	5.5%	$ 327,500,672	5.2%	$ 343,800,684
Ending Fund Balance	**6.6%**	**$ 278,597,555**	**6.2%**	**$ 294,901,098**	**5.9%**	**$ 311,201,085**	**5.5%**	**$ 327,500,672**	**5.2%**	**$ 343,800,684**	**5.0%**	**$ 360,099,871**
EFB as a % of Total Expenditures		35.2%		37.3%		39.3%		41.4%		43.4%		45.5%

1/ The amounts reflected as Labor and Non-Labor Reductions are incremental decreases based the City's Fundamental Service Review. The forecast model rolls the incremental cost into the upper categories (wages, benefits, materials and services, etc) for future growth forecasting.

2/ The amounts reflected as Capital Project Fund Operating and Maintenance expenses are incremental increases based on the Five-Year Capital Improvement Program. The forecast model rolls the incremental cost into the upper categories (wages, benefits, materials and services, etc) for future growth forecasting.

City of Las Vegas, Nevada
General Fund Projections
Revenue Study 2009 City Hall Certificates of Participation

	% Change	2031-32 Projected	% Change	2032-33 Projected	% Change	2033-34 Projected	% Change	2034-35 Projected	% Change	2035-36 Projected	% Change	2036-37 Projected
Revenues:												
C-Tax	0.0%	$ 364,176,965	0.0%	$ 364,176,965	0.0%	$ 364,176,965	0.0%	$ 364,176,965	0.0%	$ 364,176,965	0.0%	$ 364,176,965
Property Tax	0.0%	$ 233,223,096	0.0%	$ 233,223,096	0.0%	$ 233,223,096	0.0%	$ 233,223,096	0.0%	$ 233,223,096	0.0%	$ 233,223,096
Licenses and Permits	0.0%	$ 119,414,822	0.0%	$ 119,414,822	0.0%	$ 119,414,822	0.0%	$ 119,414,822	0.0%	$ 119,414,822	0.0%	$ 119,414,822
Other	0.0%	$ 89,590,924	0.0%	$ 89,590,924	0.0%	$ 89,590,924	0.0%	$ 89,590,924	0.0%	$ 89,590,924	0.0%	$ 89,590,924
Transfers in from Other Funds	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000
Total	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**
Budgeted												
Adjustments												
Total Revenues	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**
Expenditures:												
Salaries and wages	0.0%	$ 272,454,226	0.0%	$ 272,454,226	0.0%	$ 272,454,226	0.0%	$ 272,454,226	0.0%	$ 272,454,226	0.0%	$ 272,454,226
Employee benefits	0.0%	$ 134,366,020	0.0%	$ 134,366,020	0.0%	$ 134,366,020	0.0%	$ 134,366,020	0.0%	$ 134,366,020	0.0%	$ 134,366,020
Sub Total Wages & Benefits	0.0%	$ 406,820,246	0.0%	$ 406,820,246	0.0%	$ 406,820,246	0.0%	$ 406,820,246	0.0%	$ 406,820,246	0.0%	$ 406,820,246
Non Labor	0.0%	$ 121,682,550	0.0%	$ 121,682,550	0.0%	$ 121,682,550	0.0%	$ 121,682,550	0.0%	$ 121,682,550	0.0%	$ 121,682,550
LVMPD - Operations	0.0%	$ 224,863,548	0.0%	$ 224,863,548	0.0%	$ 224,863,548	0.0%	$ 224,863,548	0.0%	$ 224,863,548	0.0%	$ 224,863,548
LVMPD - Facilities Capital	0.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000	0.0%	$ 4,900,000
Transfer-out - Debt Service	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000	0.0%	$ 8,500,000
Transfer-out - Cap Project Fund	--	--	--	--	--	--	--	--	--	--	--	--
Transfer-out - Other	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000	0.0%	$ 1,500,000
Labor Reductions [1/]	--	--	--	--	--	--	--	--	--	--	--	--
Non-Labor Reductions [1/]	--	--	--	--	--	--	--	--	--	--	--	--
City Hall COP- Debt Service	0.0%	$ 23,339,100	0.0%	$ 23,337,675	0.0%	$ 23,337,425	0.0%	$ 23,337,820	0.0%	$ 23,337,195	0.0%	$ 23,335,860
Cap Project Fnd - Initial year O&M [2/]												
Total Expenditures	**0.0%**	**$ 791,605,445**	**0.0%**	**$ 791,604,020**	**0.0%**	**$ 791,603,770**	**0.0%**	**$ 791,604,165**	**0.0%**	**$ 791,603,540**	**0.0%**	**$ 791,602,205**
Excess of Revenues Over Exp.		$ 16,300,362		$ 16,301,787		$ 16,302,037		$ 16,301,642		$ 16,302,267		$ 16,303,602
Beginning Fund Balance	5.0%	$ 360,099,871	4.7%	$ 376,400,233	4.5%	$ 392,702,020	4.3%	$ 409,004,056	4.2%	$ 425,305,698	4.0%	$ 441,607,965
Ending Fund Balance	**4.7%**	**$ 376,400,233**	**4.5%**	**$ 392,702,020**	**4.3%**	**$ 409,004,056**	**4.2%**	**$ 425,305,698**	**4.0%**	**$ 441,607,965**	**3.8%**	**$ 457,911,567**
EFB as a % of Total Expenditures		47.5%		49.6%		51.7%		53.7%		55.8%		57.8%

1/ The amounts reflected as Labor and Non-Labor Reductions are incremental decreases based the City's Fundamental Service Review. The forecast model rolls the incremental cost into the upper categories (wages, benefits, materials and services, etc) for future growth forecasting.

2/ The amounts reflected as Capital Project Fund Operating and Maintenance expenses are incremental increases based on the Five-Year Capital Improvement Program. The forecast model rolls the incremental cost into the upper categories (wages, benefits, materials and services, etc) for future growth forecasting.

City of Las Vegas, Nevada
General Fund Projections
Revenue Study 2009 City Hall Certificates of Participation

	% Change	2037-38 Projected	% Change	2038-39 Projected
Revenues:				
C-Tax	0.0%	$ 364,176,965	0.0%	364,176,965
Property Tax	0.0%	$ 233,223,096	0.0%	233,223,096
Licenses and Permits	0.0%	$ 119,414,822	0.0%	119,414,822
Other	0.0%	$ 89,590,924	0.0%	89,590,924
Transfers in from Other Funds	0.0%	$ 1,500,000	0.0%	1,500,000
Total	**0.0%**	**$ 807,905,807**	**0.0%**	**$ 807,905,807**
Budgeted				
Adjustments				
Total Revenues	**0.0%**	**$ 807,905,807**	**0.0%**	**807,905,807**
Expenditures:				
Salaries and wages	0.0%	$ 272,454,226	0.0%	$ 272,454,226
Employee benefits	0.0%	$ 134,366,020	0.0%	134,366,020
Sub Total Wages & Benefits	0.0%	$ 406,820,246	0.0%	406,820,246
Non Labor	0.0%	$ 121,682,550	0.0%	121,682,550
LVMPD - Operations	0.0%	$ 224,863,548	0.0%	224,863,548
LVMPD - Facilities Capital	0.0%	$ 4,900,000	0.0%	4,900,000
Transfer-out - Debt Service	0.0%	$ 8,500,000	0.0%	8,500,000
Transfer-out - Cap Project Fund	--	--	--	--
Transfer-out - Other	0.0%	$ 1,500,000	0.0%	1,500,000
Labor Reductions [1/]	--	--	--	--
Non-Labor Reductions [1/]	--	--	--	--
City Hall COP- Debt Service	0.0%	$ 23,338,790	0.0%	23,335,290
Cap Project Fnd - Initial year O&M [2/]				
Total Expenditures	**0.0%**	**$ 791,605,135**	**0.0%**	**$ 791,601,635**
Excess of Revenues Over Exp.		$ 16,300,672		$ 16,304,172
Beginning Fund Balance	3.8%	$ 457,911,567	3.7%	$ 474,212,239
Ending Fund Balance	**3.7%**	**$ 474,212,239**	**3.6%**	**$ 490,516,411**
EFB as a % of Total Expenditures		59.9%		62.0%

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2/ The amounts reflected as Capital Project Fund Operating and Maintenance expenses are incremental increases based on the Five-Year Capital Improvement Program. The forecast model rolls the incremental cost into the upper categories (wages, benefits, materials and services, etc) for future growth forecasting.

Source: City of Las Vegas Finance Department

STATE OF NEVADA)
)
CITY OF LAS VEGAS)

I am the duly chosen and qualified City Clerk of Las Vegas (the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (the "Council") at a meeting held on January 7, 2009.

2. The adoption of the resolution was duly moved and seconded and the resolution was adopted by an affirmative vote of a majority of the members of Council as follows:

Those Voting Aye:

Mayor:	Oscar Goodman
Council members:	Gary Reese
	Steve Wolfson
	Lois Tarkanian
	Steven D. Ross
	Ricki Y. Barlow
Those Voting Nay:	_____
	_____
Those Absent:	_____
	_____

3. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk and has been recorded in the regular official record of the Council kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

4. All members of the Council were given due and proper notice of the meeting. Pursuant to Nevada Revised Statues ("NRS") 241.020, written notice of the meeting was given not later than 9:00 a.m. on the third working days before the meeting including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice at least three working days before the meeting on the City's website, at the principal office of the Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the Council, to wit:

(i) Court Clerk's Office Bulletin Board
City Hall Plaza
Las Vegas, Nevada;

(ii) City Hall Plaza
Special Outside Posting Bulletin Board
Las Vegas, Nevada;

(iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada;

(iv) Clark County Government Center
500 S. Grand Central Parkway
Las Vegas, Nevada; and

(v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada.

and

(b) Prior to 9:00 a.m. at least 3 working days before such meeting, such notice was mailed to each person, if any, who has requested notices of meetings of the Council in compliance with NRS 241.020(3)(b) by United States Mail, or if feasible and agreed to by the requestor, by electronic mail.

5. Upon request, the Council provides at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the Council for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

6. A copy of such notice so given of the meeting of the Council on January 7, 2009 is attached to this certificate as Exhibit A.

IN WITNESS WHEREOF, I have hereunto set my hand on this January 7, 2009.

(SEAL)

_____
City Clerk

EXHIBIT A

(Attach copy of Posted Agenda)

City of Las Vegas Agenda Item No.: **39.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: NEIGHBORHOOD SERVICES
DIRECTOR: STEPHEN K. HARSIN ☐ **Consent** ☒ **Discussion**

SUBJECT:
Hearing to consider the appeal regarding Nuisance Notice and Order to Comply located at 1006 East Oakey Blvd. PROPERTY OWNER: GREGORY J. LOGAN - Ward 3 (Reese)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
The subject property was determined to be a public nuisance as defined in Las Vegas Municipal Title 9, dealing with nuisances. A Nuisance Notice and Order to Comply was mailed to the property owner to correct the public nuisance as defined in Las Vegas Municipal Code, Title 9.04 and 9.12, dealing with nuisances; Per 16.44.250 – Contractor site office – watchman's quarters; 19.04.020 – Accessory uses and structures; and 19.08.040 – Residential District Development Standards. A copy of the notice was also posted on the property. Today's hearing is to consider the Appeal to the Nuisance Notice and Order to Comply filed by Gregory Logan, owner and responsible party.

RECOMMENDATION:
That the City Council approve the Nuisance Notice and Order to Comply.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Location Maps
3. Nuisance Notice and Order to Comply
4. Appeal Letter from Appellant
5. Notice of Appeal

City of Las Vegas

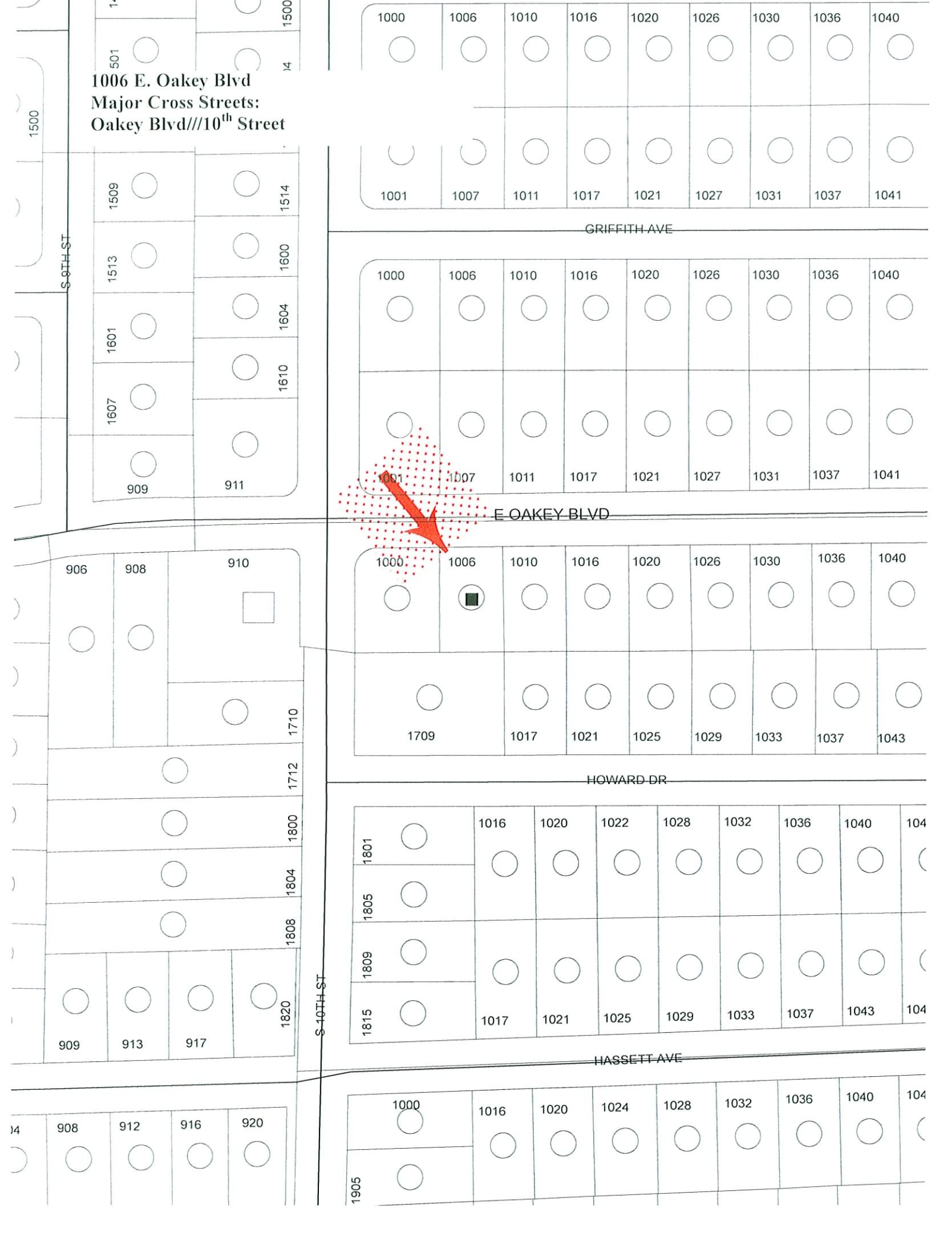
AGENDA MEMO

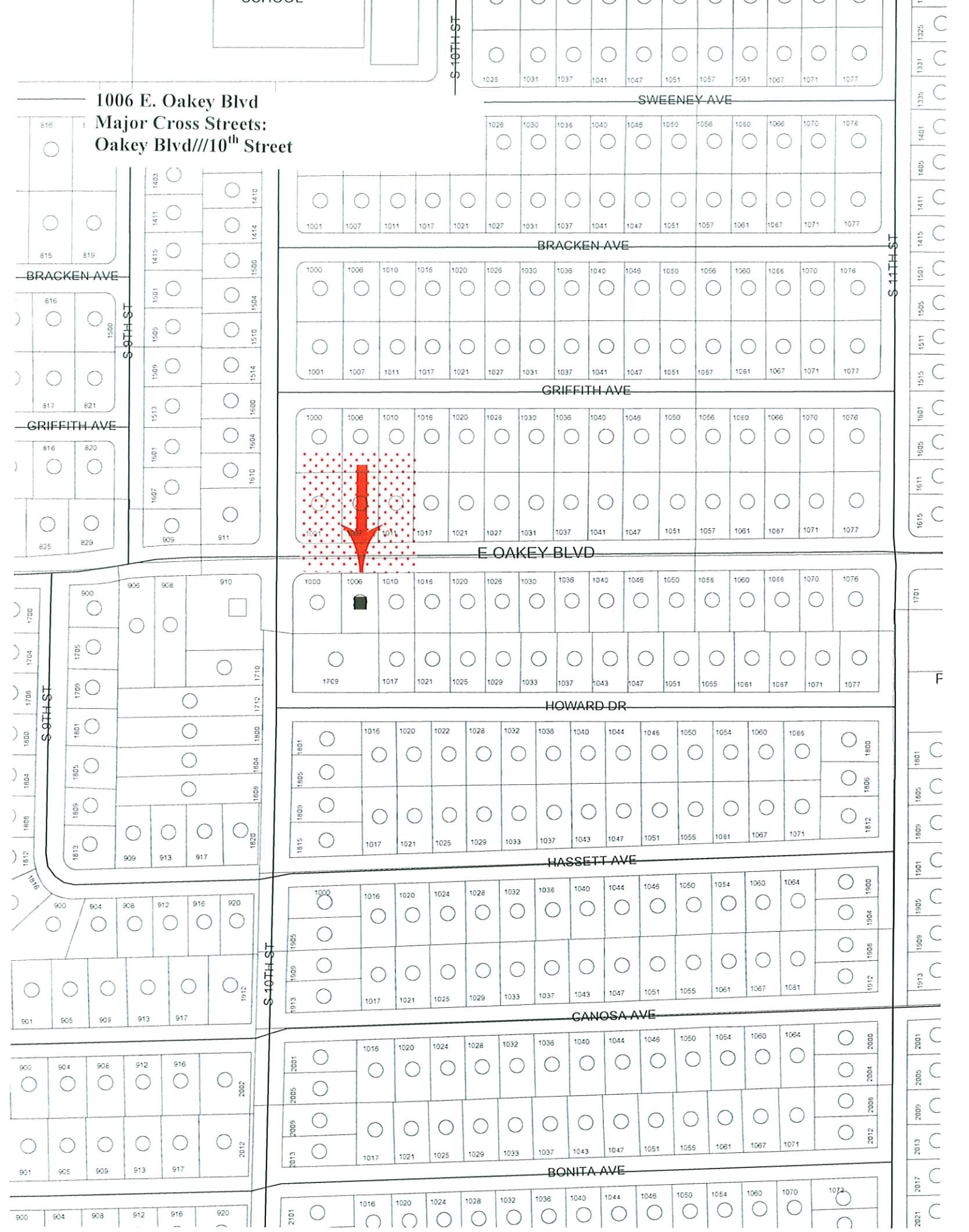
CITY COUNCIL MEETING DATE: January 7, 2009
DEPARTMENT: Neighborhood Services
ITEM DESCRIPTION: Hearing to consider the appeal regarding the Nuisance Notice and Order to Comply located at 1006 East Oakey Blvd. PROPERTY OWNER: GREGORY J. LOGAN – Ward 3 (Reese)

The subject property was deemed to be a public nuisance as defined in Las Vegas Municipal Code, Title 9, dealing with public nuisance.

A Nuisance Notice and Order to Comply was sent to the property owner by regular and certified mail requesting they correct the public nuisance as defined in Las Vegas Municipal Code, Title 9.04 and 9.12, dealing with nuisances; Per 16.44.250 – Contractor site office – watchman's quarters; 19.04.020 – Accessory uses and structures; and 19.08.040 – Residential District Development Standards. A copy of the notice was also posted on the property.

Today's hearing is to consider the appeal of the Nuisance Notice and Order to Comply filed by Gregory J. Logan, owner and responsible party.


1006 E. Oakey Blvd
Major Cross Streets:
Oakey Blvd///10th Street
GRIFFITH AVE
E OAKEY BLVD
HOWARD DR
HASSETT AVE
S 9TH ST
S 10TH ST


1006 E. Oakey Blvd
Major Cross Streets:
Oakey Blvd///10th Street
S 10TH ST
SWEENEY AVE
BRACKEN AVE
S 9TH ST
S 11TH ST
GRIFFITH AVE
E OAKEY BLVD
HOWARD DR
HASSETT AVE
CANOSA AVE
BONITA AVE

Receipt/Conformed Copy
Requestor:
LAS VEGAS CITY
12/08/2008 09:34:52 T20080302214
Book/Instr: 20081208-0001377
Notice Page Count: 5
Fees: $18.00 N/C Fee: $0.00

Debbie Conway
Clark County Recorder

NEIGHBORHOOD SERVICES DEPARTMENT
DIRECTOR
STEPHEN HARSIN, AICP

NOTICE AND ORDER

APN: 162-03-716-003

November 25, 2008

Case #70307

Certified/Regular Mail
Return Receipt Requested

Gregory J Logan
1124 S Maryland Pkwy.
Las Vegas, NV 89104-1726

NUISANCE NOTICE AND ORDER TO COMPLY

You are hereby notified as owner(s) of the property located at **1006 E. Oakey Blvd., Las Vegas, NV, Parcel 162-03-716-003**, that you are in violation of **Las Vegas Municipal Code, Title 9, dealing with nuisances.**

Per 16.44.250 - Contractor site office ---watchman's quarters: – Remove construction trailer. The temporary use of mobile home or travel trailer may be permitted for the use of a contractor engaged in construction work on the same parcel of land. Moreover, a mobile home or travel trailer may be placed upon any lot or parcel of land to be used by a watchman when approved by the Director of the Department of Building and Safety. Any such mobile home or travel trailer shall be properly installed and maintained in accordance with this Chapter.

Per 19.04.020 – Accessory uses and structures: Remove shed.
(A) General. An accessory use or structure which is customarily incidental to the principal use or structure, and is located on the same lot or tract of land shall be permitted as an accessory use without being separately listed as a permitted use.
(B) Partial Accessory Uses. In any residential zoning district, each of the following uses shall be considered an accessory use to the extent described, without being separately listed in the Land Use Tables, provided in each case that the use is incidental to the property's use as a dwelling and does not alter the character of its use as a dwelling of the character permitted in the respective district:

(1) The renting of rooms, providing of board, or both, for not more than three No property may be offered for sale which has unrelated persons, where no care is provided;
(2) Garage or yard sales, provided that:
    (a) Not been owned and used by the occupant of the premises;
    (b) No more than two garage or yard sales shall be conducted on the premises in any calendar year;
    (c) No garage or yard sale shall be conducted for longer than three days duration;
    (d) Garage or yard sales may be conducted during the daylight hours only; and
    (e) All signage shall conform to the provisions of LVMC 19.14.040(E).
(3) On a single-family residential lot, the parking of a motor vehicle that bears a sign advertising the vehicle for sale, provided that:
    (a) the vehicle is:
    (i) Owned by or registered to an owner or occupant of the property;
    (ii) Parked on an improved parking surface; and
    (iii) Not being sold in connection with an automobile sales business;

(b) The vehicle identification number is clearly visible from outside the vehicle, if the vehicle was manufactured to include a visible vehicle identification number;
(c) No more than one vehicle is parked on the lot for purposes of display and sale at any one time; and
(d) No more than two vehicles are parked on the lot for purposes of display and sale within a twelve month period.
(C) Unless otherwise permitted by this Title, any type of use listed in Subsection (B) that exceeds the limitations set forth for that use in Subsection (B) does not qualify as an accessory use and shall be deemed to be in violation of this Title. (Ord. 5801 § 1, 2005: Ord. 5786 § 1, 2005: ord. 5345 § 1- -4, 2001)

Per 19.08.040 – Residential District Development Standards:
General Standards for Residential Districts – The following standards apply to all residential zoning districts:
{Ord 5825 – 04/19/06}

1. *Accessory Structures.* Accessory structures on any lot in any residential district shall conform to the following:

a. Accessory Only to Main Use. No accessory structure shall be erected or moved onto any lot prior to construction of the main building unless a building permit has been issued for the construction of the main building.
b. *Height.* A detached accessory structure shall not exceed two stories in height (with a maximum of 35 feet), or the height of the main building, whichever is less.

{Ord 5405 – 01/02/02}

Upon correction of this violation(s), the responsible party; being resident, tenant, owner, or manager, licensee or other person having control over a structure or parcel of land, must maintain the property in compliance or face possible fees, fines, and any such enforcement as permitted by this code.

Responsible party must provide contact information to this department. Contact area Code Enforcement Officer #21 - Tony Guarino at (702) 229-5031 to supply your current phone number, e-mail address, fax number, or additional mailing address.

LVMC 9.04.020 authorizes the City of Las Vegas to assess and collect a re-inspection fee of $120.00 if the violation(s) are not brought into compliance by the re-inspection date on this notice. An additional fee of $180.00 per hour, one-hour minimum (not to be pro-rated), will be charged for each additional inspection after the initial re-inspection. In addition, LVMC 9.04.020 and 9.040.040 authorizes the city to assess a civil penalty concurrently with the re-inspection fees assessed. On the 2nd re-inspection a $180 re- inspection fee + a $150.00 civil penalty will be assessed; on the 3rd re-inspection a $180 re-inspection fee + a $300.00 civil penalty will be assessed; on the 4th re-inspection and any future re-inspections will be assessed a $180 re-inspection fee + a $500.00 civil penalty. Additionally, every person who causes or maintains a public nuisance, or who willfully omits or refuses to perform any legal duty relating to the abatement of such nuisance (1) shall be guilty of a misdemeanor; (2) shall be liable civilly to the City and, upon such findings shall be responsible to pay civil penalties of not more than five hundred ($500.00) dollars per day, or for commercial properties; civil penalties of not more than one thousand ($1000.00) per day, for each day that any nuisance remained unabated after the date specified for abatement in the notice of violation. The $500.00 or $1000 daily civil penalty will be determined at the discretion of the city council. Any and all unpaid fees are subject to collection and/or liens.

As the property owner(s), you will be responsible for all costs incurred to correct this condition. A 15% percent administrative fee shall be added to the costs of the contract price.

You will be notified of a public hearing to be conducted by the City Council to review the costs, and their decision shall be final and conclusive. Upon approval of the costs by the City Council, a Lien of Assessment shall then be collected at the same time and in the same manner as ordinary taxes. All laws applicable to the levy, collection, and enforcement of property taxes shall be applicable to such assessment.
If you disagree with the assessment of Neighborhood Response, then within ten (10) days after service of the notice of violation, the owner or responsible party may appeal to the City Council. Such appeal shall be in writing and shall be filed with the City Clerk. Within fifteen days after the appeal has been filed, the appellant shall be given written notice of the procedure and time frame for the hearing of the appeal.

The appeal shall be heard by the City council or by the Council's designee, with a right of final appeal to the Council. The decision of the City Council or the Council's designee, in cases where a designee hears an appeal and no further appeal is taken, shall be final and conclusive. An owner or responsible party failing to appeal as provided in this Section shall be deemed to have waived any and all objections to the existence of a public nuisance and the abatement of such nuisance. Failure to appeal will constitute a waiver of all rights to an administrative hearing and determination of the matter.

It is recommended that you contact the Department of Neighborhood Services, Neighborhood Response Division, by telephoning (702) 229-6615 concerning your intentions with regard to the referenced property at your earliest convenience.

Sincerely,

Devin Smith, Manager
Neighborhood Response Division
Department of Neighborhood Services

RECEIVED
CITY CLERK

Gregory Logan Realty
1124 S Maryland Parkway
Las Vegas, Nevada 89104

2008 DEC -2 P 3:52

Tel (702) 474-4666 FAX (702) 474-1125

December 2, 2008

TO: City Of Las Vegas - City Clerk

RE: City Of Las Vegas
Neighborhood Services Dept
Neighborhood Response-Code Enforcement
416 S 7th Street
Las Vegas, Nevada 89101
Case # 70307

NOTICE OF APPEAL

Dear City Clerk:

Please consider this an Appeal of the Notice & Order dated November 25, 2008 relative to the above Case # 70307; Assessor Parcel Number 162-03-716-003.

You may contact me anytime by telephone or mail as shown above.

Sincerely:

Gregory Logan

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

December 22, 2008

CERTIFIED & REGULAR MAIL

Gregory Logan
1124 S Maryland Pkwy.
Las Vegas, NV 89104-1726

Re: Appeal of the Notice and Order to Comply for property located at 1006 East Oakey Boulevard, Case No. 70307

Dear Mr. Logan:

You are hereby notified that a hearing has been scheduled before the Las Vegas City Council at 400 Stewart Avenue, Las Vegas, Nevada on the 7th day of January, 2009, at the hour of 9:00 a.m. This hearing is in response to the Notice of Appeal received by the Las Vegas City Clerk on December 2, 2008, requesting the same, concerning the Notice and Order to Comply for property located at 1006 East Oakey Boulevard.

You may be present at the hearing. You may be, but need not be, represented by counsel. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you.

If you have any questions or need further information please do not hesitate to contact Devin Smith, Manager, Neighborhood Response at 229-6615.

Sincerely,

Beverly K. Bridges, CMC
City Clerk

cc: Stephen Harsin, Director, Neighborhood Services
Devin Smith, Manager, Neighborhood Response
Dan Still, Deputy City Attorney
Gia Rodriguez, Ward 3 Senior Executive Assistant

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

City of Las Vegas Agenda Item No.: **40.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: GOVERNMENT & COMMUNITY AFFAIRS
DIRECTOR: TED J. OLIVAS ☐ **Consent** ☒ **Discussion**

SUBJECT:
ADMINISTRATIVE:

Report on the proposed repository for high-level nuclear waste at Yucca Mountain from Irene Navis, Clark County's Nuclear Waste Planning Manager, and Sheila Conway, with Urban Environmental Research

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
On June 3, 2008, the Department of Energy (DOE) filed a license with the Nuclear Regulatory Commission (NRC) to construct a repository for high-level radioactive waste and spent nuclear fuel at Yucca Mountain in Nye County, Nevada. Irene Navis, Clark County's Nuclear Waste Planning Manager, will be giving an update regarding that application process. Additionally, she will be discussing the contentions that Clark County filed with the NRC challenging the DOE's capacity to construct and operate a safe repository.

RECOMMENDATION:
Report only. No action required.

BACKUP DOCUMENTATION:
Agenda Memo

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: January 7, 2009
DEPARTMENT: GOVERNMENT & COMMUNITY AFFAIRS
ITEM DESCRIPTION: Report on the proposed repository for high-level nuclear waste at Yucca Mountain

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Per our interlocal agreement with Clark County, the City is required to maintain a Community Indicators Monitoring Program (Program) through Urban Environmental Research (UER) that relates to the Yucca Mountain Program. The Program is a subset of the Monitoring Program that has been established by the Clark County Nuclear Waste Division to track potential impacts at the municipal level through the regular collection of indicator data that is associated with the proposed Yucca Mountain repository. Sheila Conway, with UER, will be giving an update regarding the most recent data collected on behalf of the city of Las Vegas.

City of Las Vegas Agenda Item No.: **41.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY MANAGER
DIRECTOR: DOUGLAS A. SELBY ☐ **Consent** ☒ **Discussion**

SUBJECT:
ADMINISTRATIVE:

Report and possible action on the update on progress of the Fundamental Service Review following direction given by the City Council at the December 3, 2008 City Council Meeting

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
In response to declining general fund revenues, on March 31, 2008, City management was directed by Council members to complete a fundamental review of City operations, programs, and services that are neither tied to the City key priorities nor fundamental operations. City management provided a report on the findings of the Fundamental Service Review and the City Council provided direction at the December 3, 2008 City Council Meeting. Staff will report on progress made on the Council's direction.

RECOMMENDATION:
Receive reports and direct staff accordingly

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **42.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY MANAGER'S OFFICE
DIRECTOR: DOUGLAS SELBY ☐ **Consent** ☒ **Discussion**

SUBJECT:
ADMINISTRATIVE:

Discussion and possible action regarding a Memorandum of Understanding between the Las Vegas Employees' Association (LVCEA) and the City of Las Vegas regarding the current labor agreement (Future Five Year Range $37,200,000 to $55,200,000 – General Fund)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**

Amount: Future Five Year Range $37,200,000 to $55,200,000 – General Fund
Funding Source: Various
Dept./Division: Various

PURPOSE/BACKGROUND:
The LVCEA leadership and senior City management have come to an agreement that will be a major factor in helping to avoid the $150 million shortfall the City is facing over the next five years and helps provide additional job security for many of our employees. Approximately 75% of the City's costs go to wages and benefits, therefore the City Council asked that the City's four bargaining units work with management. In the spirit of trying to retain services for our citizens and to preserve as many jobs as possible, the leadership of the LVCEA came forward with a proposal and after talks with City management the Memorandum of Understanding is being brought forward for Council approval.

RECOMMENDATION:
To approve the Memorandum of Understand between Las Vegas City Employees' Association and the City of Las Vegas

BACKUP DOCUMENTATION:
Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING

The City of Las Vegas ("CLV") and the Las Vegas City Employees' Association ("Association") hereby agree to the following Memorandum of Understanding to the current Collective Bargaining Agreement ("Agreement").

Section 1: Extension of the Collective Bargaining Agreement
The Agreement shall be extended for an additional three years as follows:

1.1 That Article 35 be amended to read:

> Article 35 - Duration
> (A) This Agreement originally entered into on June 24, 2002, at 0001 hours and extended effective June 18, 2008 shall remain in full force until ~~June 25, 2011~~ June 22, 2014, at 2400 hours and shall continue from year to year thereafter unless the City and the Association agree to change, amend, modify or terminate this Agreement pursuant to the provisions of Chapter 288 of the Nevada Revised Statutes.

1.2 That subsections (6) through (8) be added to Article 14(D) as follows:

> (6) Effective June 26, 2011, eligible employees will receive a COLA equal to three (3%) percent, which shall be attached to this agreement.
>
> (7) Effective June 24, 2012, eligible employees will receive a COLA equal to three (3%) percent, which shall be attached to this agreement.
>
> (8) Effective June 23, 2013, eligible employees will receive a COLA equal to three (3%) percent, which shall be attached to this agreement.

Section 2: Reduction of COLA Option
There will be a one percent (1.0%) reduction in the scheduled 3.5% COLA increase effective June 14, 2009. Thereafter, each year as a part of the budget approval process, the City Council may approve a resolution declaring that without a reduction in the scheduled raises, that it would not be possible for the City to balance the budget with revenues as projected.

If such a resolution is approved, then the scheduled raises shall be reduced by up to 1.0%, and shall be effective as of the date of the raise in the Agreement. The resolution shall specify the amount of any decrease (up to the 1.0%). The same resolution shall also limit any increase in average compensation (i.e., COLA, bonuses, and merit) of the executive and appointive employees to no more than that of the average increase in compensation of all CLV represented employees.

Within 60 days of the conclusion of the fiscal year, the CLV shall certify and provide backup documentation showing that the average increase in compensation for the executive and

appointive employees did not exceed that of the average increase in compensation for the CLV represented employees.

That on or after January 2010, any resolution that affects the Association is conditioned upon the CLV having made reasonable efforts to negotiate or secure similar or more stringent terms with the other employee organizations.

Section 3: Article 23 – Schedules and Hours
That Article 23 of the Agreement be amended as per Exhibit A to this Memorandum of Understanding.

Section 4: Additional Time for Parties To Open Final Article of the Agreement
That Article 31(C) of the Agreement be changed as follows:

> Notwithstanding the provisions of section A of this article, either party may give written notice of its intent to open any article of this agreement for negotiations. Each party shall be limited to opening three (3) articles per year during calendar years 2006 and 2007 and one (1) article ~~during~~ on or after calendar year 2008. No more articles after January 1, 2009 may be opened except by mutual consent. Notice of intent to negotiate may include any subject or matter referred to or covered in this Agreement except for Articles 14, 15.16, 18, and 19.

Section 5: Limitation on Layoffs
Layoffs of LVCEA represented employees shall be limited to the following conditions:

1) Workload has diminished to the point where it does not justify current staffing levels;
2) The CLV decides to eliminate a service;
3) An enterprise fund has an operating deficit that can only be remedied through a layoff; or
4) The Budget Action Corrective Plan is revised due to one of the triggers in the general fund fiscal model. Those triggers are:
   a) Revenue drops more than 2% from the projection during a 6 month period; or
   b) The revenue drop in a 6 month period exceeds 50% of the Revenue Stabilization Fund (once established)

The City Manager's Office will consult with the leadership of the Association prior to taking any action to reduce the workforce through any employee layoffs. Section 5 of this Memorandum of Understanding is not subject to arbitration. Neither Section 2 or 5 of this Memorandum of Understanding shall have any precedential value and shall not continue after the affective date of this Agreement.

12/17/08

Las Vegas City Employees' Association

for Tommy Richetts

City of Las Vegas

Tentatively Agreed to by the City and the LVCEA. Final Approval by ratification by the City Council and the LVCEA Membership needed.

City of Las Vegas Agenda Item No.: **43.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY MANAGER'S OFFICE
DIRECTOR: DOUGLAS SELBY ☐ **Consent** ☒ **Discussion**

SUBJECT:
ADMINISTRATIVE:

Discussion and possible action on offering the Voluntary Separation Program to certain full time regular non-probationary employees

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
The City has proposed offering a Voluntary Separation Program (VSP) to certain full time regular non probationary employees. The application period for the VSP will run from January 7, 2009 to February 20, 2009. Eligible employees must separate employment with the City by March 20, 2009. This voluntary separation program will result in an undetermined savings in salary and benefit costs to the General Fund and potentially save jobs of some employees scheduled for layoffs. It is recommended that the VSP be approved by Mayor and Council subject to the final review of participants by the City Manager for each specific employee's participation.

RECOMMENDATION:
To approval the Voluntary Separation Program

BACKUP DOCUMENTATION:
1. VSP Time line
2. Voluntary Separation Program Eligibility Criteria

VSP Timeline:

1/7/09	City Council Agenda
1/7/09	Roll out VSP plan
1/7/09 – 2/20/09	Enrollment Period
2/20/09	Final date to submit VSP application
2/27/09	Final date for employees to withdraw or make changes to application
Thru 3/6/09	Department Director review period
Thru 3/13/09	Executive Team review period
3/16/09	Notify employees of dispositions
3/20/09	Last date for VSP approved employees to separate

Voluntary Separation Program (*Draft*)

ELIGIBILITY CRITERIA

- Full time, regular status (not on probation) classified, appointive, attorney and executive city of Las Vegas ("the City") employees **are eligible** to participate in this program, with the exception for public safety employees below.
- Employees with fewer than 5 full years of service working in public safety fields covered by the following collective bargaining agreements **are not eligible** to participate in this program:
  International Association of Fire Fighters;
  Police Protective Association; and
  Peace Officers Association.
- Temporary, hourly and substitute employees **are not eligible** to participate in this program.

PROGRAM DETAILS

1. **Total benefit value is calculated as specified below, but shall not exceed $40,000 for any employee:**
   (Base salary does not include longevity)
   - Employees with 5 or more **full** years of service:
     20% of base salary plus 1.5% of base pay for each **full** year of service over 5 years
   - Employees who have completed 3 – 4 **full** years of service:
     20% of base salary
   - Employees who have completed 1 – 2 **full** years of service:
     10% of base salary

   Partial years of service will be rounded down. Example: An employee with 2 ½ years of service will fall into the category of 10% of base salary.

   Subject to the above limitations, employees may choose to receive their total benefit value in the form of any combination of the following:

   A. Cash (taxable income)
   B. COBRA insurance (non-taxable income)
      Employees may choose any combination of medical, dental, or vision for up to 18 months of coverage. Please refer to the insurance premium chart included in the application packet for the dollar equivalency. Employees who will be eligible for Medicare upon separation must contact Steve Miller at 229-5075 or Candace Mbaye at 229-5039 for assistance with their selection.
   C. City-purchased service credit with the Public Employees Retirement System of Nevada (PERS) (tax deferred until employee draws benefits)
      Cost per month/year will vary depending on employee's age and current salary.
      Employees with fewer than 5 years of service credit with PERS are not eligible to purchase credit.
      Example: The cost for one year of service credit for a 55-year-old employee enrolled in the regular retirement fund (non-Police/Fire) and currently earning $60,000 annually is approximately $24,180.
      Please visit http://www.nvpers.org/public/oscEstimator/index.jsp for the purchase estimator or use the Purchase of Service Program worksheet included in the application packet to determine the estimated cost. Employees may also contact PERS at (775)687-4200 or Melody Atwell at 229-4869 for additional assistance.

2. The application by an employee for the Voluntary Separation Program is voluntary on the part of the employee. No employee will be forced or coerced to apply or prevented from applying.

3. Individuals who wish to apply for consideration under the City's Voluntary Separation Program must submit an application during the designated filing period of January 7 through February 20, 2009.
   All applications must be received by Human Resources no later than February 20, 2009 at 4:30 p.m.
   You will have seven (7) calendar days to change or withdraw your application from the date it is received by the Human Resources Department. You must submit change or withdrawal requests in writing.

4. Applications will be reviewed and initial decisions made by the applicant's Department Director. Final approval decisions will be made by the City Manager's Office, Finance Director, and Human Resources Director. The decisions will be based on an assessment of business necessity, the ability to meet departmental budget needs, and the identification of long term savings.

5. The City does not guarantee that all applicants will receive final approval to participate in this program. All applicants will be informed of the final disposition of their applications by Monday, March 16, 2009. Employees whose applications are approved will be required to submit a resignation letter with a separation date no later than Friday, March 20, 2009.

6. Employees interested in the Voluntary Separation Program are advised to discuss this plan with a financial planner and/or legal counsel. Human Resources staff and representatives from PERS are available to discuss the program with interested employees, however, they cannot provide legal or financial advice.

7. Your signed application includes a waiver relinquishing your right to file an age discrimination claim against the City. If you have questions regarding the waiver, please feel free to consult an attorney of your choice for guidance.

If you need assistance regarding any aspect of the program, please contact:

- Length of service or total benefit value questions: Sue Brown, 229-1218 or

  Ann Rubertino-Beck, 229-6673
- COBRA questions: Steve Miller, 229-5075 or Candace Mbaye, 229-5039
- PERS service credit estimates or other PERS information: PERS, 486-3900 or

  (775) 687-4200, or Melody Atwell, 229-4869

Application packets may be obtained from the Human Resources second floor front desk, Monday through Friday 8:00 AM to 5:00 PM. Applications may be submitted at the same location no later than **Friday, February 20, 2009 at 4:30 p.m.**

City of Las Vegas Agenda Item No.: **44.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: OFFICE OF BUSINESS DEVELOPMENT
DIRECTOR: SCOTT D. ADAMS ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding a Second Amendment to Disposition and Development Agreement (2nd Amendment) between Office District Parking I, Inc., (ODP) and CityMark Juhl, LLC, (CityMark) for the development of a mixed-use residential project at 353 Bonneville Avenue (Project) (APN 139-34-312-000) - Ward 3 (Reese)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
CityMark commenced construction of the Project with approved Improvement Plans premised on the City of Las Vegas (City) constructing new sewer storm drain facilities on Bonneville Avenue, to which the Project would connect its sewer storm drain. To date, the City has not constructed the new sewer storm drain facilities causing CityMark to incur substantial additional costs to redesign and connect the Project's sewer storm drain to 4th Street. The 2nd Amendment provides CityMark a credit of $184,739.04 towards its Promissory Note to ODP for the additional costs.

RECOMMENDATION:
Authorization and approval for the President of Office District Parking I, Inc., to execute the Second Amendment to Disposition and Development Agreement.

BACKUP DOCUMENTATION:
1. Agenda Memo
2. Second Amendment to Disposition and Development Agreement
3. Documentation of Additional Costs
4. Disclosure of Principals
5. Site Map

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: BUSINESS DEVELOPMENT
ITEM DESCRIPTION: Discussion and possible action regarding a Second Amendment to Disposition and Development Agreement between Office District Parking I, Inc. and CityMark Juhl LLC

1. On October 20, 2004, Office District Parking I, Inc. (ODP), a wholly owned subsidiary of the City, was authorized to enter into a Disposition and Development Agreement (DDA) with CityMark Development LLC to develop a mixed-use residential project on a site located at 3rd St. and Bonneville Ave. (Project) totaling approximately 2.38 acres (Property).

2. On June 15, 2005, a First Amendment to DDA (1st Amendment) was authorized to provide for relocation of existing utilities before and after close of escrow without waiving Developer's responsibility for the expense of relocating said utilities.

3. CityMark Juhl LLC (CityMark), with the consent of ODP, acquired from CityMark Development LLC all present and future right, title and interest in and to the DDA and 1st Amendment through the Assignment and Assumption of Disposition and Development Agreement dated December 12, 2005.

4. Under the terms of the DDA, the CityMark paid ODP a downpayment of $2,000,000 and executed a Promissory Note in the principal amount of $3,196,200 (secured by a Deed of Trust) for the Site. The Promissory Note accrues interest at 5.5% and is due at the earlier of the close of escrow for the 220th residential unit sold in the Project or May 31, 2009.

5. CityMark commenced construction of the Project with approved Improvement Plans (Plan # CLV-107Y4909) premised on the City of Las Vegas ("City") constructing new sewer storm drain facilities on Bonneville Ave. to which the Project would connect its sewer storm drain.

6. However, the City has not constructed the new sewer storm drain facilities along Bonneville Ave. causing CityMark to incur substantial additional costs to redesign and connect the Project's sewer storm drain to 4th St.

7. The purpose of the 2nd Amendment is to provide CityMark with a credit equal to the $184,739.04 in additional costs incurred (to redesign the Project's sewer storm drain connection) towards its Promissory Note to ODP.

SECOND AMENDMENT TO
DISPOSITION AND DEVELOPMENT AGREEMENT

THIS SECOND AMENDMENT TO DISPOSITION AND DEVELOPMENT AGREEMENT ("Second Amendment") is entered into as of the _____ day of _____, 2009, by and between OFFICE DISTRICT PARKING I, INC., a Nevada not-for-profit corporation ("ODP") and CITYMARK JUHL LLC, a Nevada limited liability company (the "Developer").

WITNESSETH:

WHEREAS, ODP and CityMark Development LLC (CityMark) entered into a Disposition and Development Agreement dated on October 20, 2004 ("DDA"), pursuant to which ODP agreed to sell and CityMark agreed to purchase the Property in accordance with the DDA.

WHEREAS, ODP and CityMark entered into a First Amendment to DDA on June 15, 2005 ("First Amendment"), so as to not result in Project delays, to provide for relocation of existing utilities before and after close of escrow without waiving Developer's responsibility for the expense of relocating said utilities (the DDA and the First Amendment are collectively referred to as the "Initial Agreement"). Capitalized terms used in this Amendment without definition have the meanings given those terms in the Initial Agreement.

WHEREAS, Developer, with the consent of ODP, acquired from CityMark Development LLC all present and future right, title and interest in and to the Initial Agreement through the Assignment and Assumption of Disposition and Development Agreement dated December 12, 2005.

WHEREAS, Developer commenced construction of the Project with Improvement Plans number CLV-107Y4909 (the "Improvement Plans") which were approved by the City of Las Vegas ("City") on the premise that City would construct new sewer storm drain facilities along Bonneville Avenue to which the Project would connect its sewer storm drain.

WHEREAS, City has not constructed the new sewer storm drain facilities along Bonneville Avenue which were part of the previously approved Improvement Plans for the Project.

WHEREAS, it was in the best interests of both Developer and ODP to modify the previously approved Improvement Plans for the Project by redesigning and constructing the Project's sewer storm drain to connect to existing sewer storm drain facilities on Fourth Street at substantial additional cost to Developer.

WHEREAS, both ODP and Developer desire to amend the DDA, which constitutes the joint escrow instructions of ODP and Developer for the Property, to provide Developer with a credit towards the principal and interest due on the Promissory Note in an amount equal to the substantial additional cost incurred by Developer to redesign the previously approved Improvement Plans and physically construct the redesigned sewer storm drain connection for the Project.

NOW, THEREFORE, in consideration of the promises and mutual covenants set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby

acknowledged, the parties hereby agree as follows:

1. **ESCROW.**

Section 10(f) of the DDA, which serves as the joint escrow instruction of ODP and Developer, is hereby amended to add the following:

(vii) Credit from ODP to Developer the amount of One Hundred Eighty-Four Thousand Seven Hundred Thirty-Nine Dollars and Four Cents ($184,739.04) towards the outstanding principal and interest due on the Promissory Note dated June 16, 2006, made by CityMark Juhl LLC to Office District Parking I, Inc. in the principal sum of Three Million One Hundred Ninety-Six Thousand Two Hundred Dollars ($3,196,200.00).

2. **REPRESENTATIONS AND WARRANTIES.**

ODP and Developer each represents and warrants to the other as follows: (a) It has not assigned its interest under the Initial Agreement; and (b) Execution, delivery and performance by it of this Amendment, and all instruments or documents required hereunder, are within its powers and have been duly authorized, and the person signing this Second Amendment on its behalf is duly authorized.

3. **SUCCESSORS AND ASSIGNS.**

This Second Amendment shall be binding upon and inure to the benefit of the parties hereto, their legal representatives, successors and permitted assigns.

4. **FURTHER ASSURANCES.**

Developer and ODP shall execute and deliver such additional documents as may reasonably be required to fully effectuate the intent of this Second Amendment.

5. **COUNTERPARTS.**

This Second Amendment may be executed in any number of counterparts, each of which shall be deemed to be an original, and all of such counterparts shall constitute one Second Amendment. Delivery of this Second Amendment may be accomplished by facsimile transmission of this Second Amendment. In such event, the parties hereto shall promptly thereafter deliver to each other executed counterpart originals of this Second Amendment.

6. **ENTIRE AGREEMENT.**

This Second Amendment and the documents executed and delivered pursuant hereto constitute the entire agreement between the parties with respect to the subject matter hereof, and may be amended only by signing in writing on behalf of each party.

7. **INTERPRETATION.**

The headings of the paragraphs of this Second Amendment are for convenience and reference only, are not to be considered a part hereof and shall not limit or expand or otherwise affect any of the terms hereof. All references in this Second Amendment to Sections and Exhibits shall be to Sections and Exhibits of or to the DDA or First Amendment, unless otherwise specified. The term "including" is by way of example and not limitation.

8. **EFFECT ON DDA.**

Except as specifically modified herein, each and every term, covenant and condition of the Initial Agreement as amended is hereby ratified and shall remain in full force and effect.

9. **TIME FOR ACCEPTANCE OF AMENDMENT BY CITY.**

This First Amendment has been approved on _____, 2009 by the Las Vegas City Council. The effective date of this First Amendment shall be the date when this First Amendment has been signed by ODP ("Effective Date").

Date of City Council approval:

_____, 2009.

OFFICE DISTRICT PARKING I, INC.

By:_____
President
"ODP"

ATTEST:

_____
Secretary

_____, 2009

APPROVED AS TO FORM:

J. Pandelli 12/18/08
Date

CITYMARK JUHL LLC, a Nevada limited liability company

By:_____
Richard Gustafson

Its:_____
"Developer"

DOCUMENTATION OF ADDITIONAL COSTS

Total Cost	Description of Work
$139,939.04	Re-route existing drains from beneath slabs to above floor so as to meet drainage requirements
$41,800.00	Replace original drains with elliptical pipe, drop inlet, manhole & two catch basins to accommodate new drainage system
$3,000.00	CityMark supervision for required modifications to the storm drain system. (estimated amount of time).
$184,739.04	TOTAL COST INCURRED AS A RESULT OF NOT HAVING THE ANTICIPATED STORM DRAIN INSTALLED BY THE CITY OF LAS VEGAS

Turner

8/8/2008

Squash pipe

~~$10K~~ N/A ~~GRG Design~~ ~~Kelly Dixon~~

15K - C/M Supv. & Archit.

(Conc. Fill (4) Locations

~~$9K~~ included

Mr. Rick Wilczak
CityMark Development
701 B St. #1100
San Diego, CA 92101

RE: JUHL Condominiums
618 S. Casino Center
Las Vegas, NV 89101
Project #: 12576B0
Change Order Request Number 331

Dear Mr. Wilczak,

We have finalized the required quotations for the additional work outlined below. Please see the attached supporting documentation for a complete labor, material and equipment estimate of the work.

PCO No	Description	Amount
359.3	Storm and Landscape Drainage	~~$152,099.48~~ $139,939.04 139,129.57

This potential change is for the landscape and the civil drains. This price includes all of the material and labor to install the drains found in ASI 103 and/or the Civil Plans Delta 3. The cost for the concrete patch work, $1965.00, is an allownace and will need to be detailed by Glotman Simpson.

Total Amount ~~$152,099.48~~ 139,939.04 139,129.57 8/14/08 "As Revised" 8/14/08

We have reviewed the scopes of work and have verified that they are in compliance with our contract agreement. See the attached for a detailed breakdown of the costs included in this Change Order Request.

Please return one (1) copy of this letter indicating your approval of this Change Order Request which increases (decreases) our Contract by ~~One hundred fifty two thousand ninety nine and 48/100 ($152,099.48).~~ This approval will also authorize us to issue Subcontract Change Orders accordingly.

This change will also result in a possible schedule impact of 0 days to the project. Please note that Turner will refund the owner the unused, if any, Extended Turner General Condition Day(s) at a daily rate of $6,401 for this change of 0 calendar days to the project.

This change order request is valid for 15 calendar days from the above date and subject to change thereafter. If you have any questions regarding this Change Order Request, please call me at your earliest convenience.

Sincerely,

Shane Rensmon
Project Engineer

Approved By: _____ Date: 8/14/08

Rick Wilczak
Owner's Representative "As Revised"

cc: PCO 359.3

PCO 359.3 Worksheet

Item #	DESCRIPTION OF WORK	Subcontractor		Cost	CCIP Breakout	Total For Sub Change Order	Enter to Prolog	
	and the civicls,			$ 152,099.48	$ 6,874.91	$ 152,099.49	$ 152,099.48	
5	Concrete Patching	Preferred Underground		$ 1,965.00	$ 93.02	$ 2,058.02	$ 2,058.02	
33	Mechanical & Plumbing 124,721 123,983	Interstate		$ ~~134,620.00~~	$ 6,372.88	$ 140,992.88	$ 140,992.88	
100	126,682 129,948.00	*Direct Work Subtotal*		$ ~~136,585.00~~	$ 6,465.90	$ 143,050.90	$ 143,050.90	Sum of Items; #3 through #49
101	1,448.40	*Subguard*	1.15%	$ ~~1,570.73~~	$ 74.36	$ 1,645.09	$ 1,570.73	% multiplied to Item #100
102	127,396.40	*Subguard Subtotal*		$ ~~138,155.73~~	$ 6,540.26	$ 144,695.99	$ 144,621.63	Summed Items; #100 through #101
103	General Conditions	908.12 Turner		$ ~~2,109.44~~	$ 99.86	$ 2,209.30	$ 2,209.30	
104	General Requirements	General Requirements		$ -	$ -	$ -	$ -	
105	128,304.52	*Directs, Subgard, GC & GR Subtotal*		$ ~~140,265.17~~	$ 6,640.12	$ 146,905.29	$ 146,830.93	Summed Items; #102 through #104
106		*TCCO Builders Risk Insurance*	0.33%	$ ~~501.93~~	$ 23.77	$ 525.70	$ 501.93	% multiplied to Item #111
107		*DIC Insurance*	0.02%	$ ~~27.40~~	$ 1.30	$ 28.70	$ 27.40	% multiplied to Item #111
108	10,825.05	*CCIP / GL*	4.52%	$ ~~6,874.90~~		$ -	$ 309.14	% multiplied to Item #111
109		*Directs & Indirects Subtotal*		$ ~~147,669.40~~	$ 6,665.19	$ 147,459.69	$ 147,669.40	Summed Items; #105 through #108
110		*TCCO Fee*	3.00%	$ ~~4,430.08~~	$ 209.72	$ 4,639.80	$ 4,430.08	% multiplied to Item #109
111		*Total*		$152,099.48	$6,874.91	$152,099.49	$152,099.48	Added Items; #109 through #110

$ 139,129.57

$139,931.04

Printed on 8/8/2008 @ 2:04 PM

Juhl Condominium Project

Turner Construction Company
Change Order General Condition Study

Date: 8/8/2008

Potential Change Order 422

			Unit		Rate	Cost	
Staff							
	Project Executive		0.50	hr	$133.33	~~$66.67~~	0
	Project Manager		1.00	hr	$98.15	~~$98.15~~	0
	Project Superintendent		0.00	hr	$88.14	$0.00	
	Project Engineer		1.00	hr	$78.45	~~$78.45~~	0
	Superintendent - Interior		0.00	hr	$78.37	$0.00	
	Superintendent - Site	10	20.00	hr	$78.37	~~$1,567.35~~	783.70
	Superintendent - MEFP		0.00	hr	$78.37	$0.00	
	Logistic Superintendent		0.00	hr	$75.18	$0.00	
	Engineer Document Control		0.00	hr	$62.21	$0.00	
	Engineer		2.00	hr	$62.21	~~$248.84~~	124.42
	Project Safety		0.00	hr	$59.62	$0.00	
	Other			hr	$0.00	$0.00	
				hr	$0.00	$0.00	
				hr	$0.00	$0.00	
Material / Equipment							
	Office Supplies		0	ls	$50.00	$0.00	
	Equipment						
		Copier	1	ls	$25.00	~~$25.00~~	0
		Computer	1	ls	$25.00	~~$25.00~~	0

Total Change Order GC's ~~$2,109.44~~ # 908.12

Concrete Patch for Revised Roof Drains Allowance					
# of Locations	# of Men	# of Hours Per Opening	Cost per Hour	Cost Per Opening	Total Cost
3	2	5	$ 65.50	$ 655.00	$ 1,965.00

Inclusions:

This allowance includes all material and labor associated with patching the holes left by the original roof drains and is not limited to concrete, rebar, epoxying, and/or special inspections.

INTERSTATE
PLUMBING & AIR CONDITIONING, INC.

Date: 25-Jul-08

Company: Turner Construction

Attention: Steve Roy

Project: Juhl Condominiums IPAC # 9093

Subject: Interstate Plumbing & Air Conditioning - Change Order Request # COR-183R1

Description: Storm Piping Revisions for Site Strom Changes

To Whom It May Concern:

Our Cost to perform the above subject work is as follows:

Material						$ 36,304.76	
Sales Tax				7.75%		$ 2,813.62	
Labor	Hours	~~228~~ ~~922.0~~	Rate	$ 57.98		$ ~~53,458.92~~	45,108.44
Foreman	Hours	~~118~~ ~~82.2~~	Rate	$ 62.45		$ ~~5,758.04~~	4,858.61
Equipment Rentals						$ 7,173.00	
					Subtotal	$ ~~105,506.34~~	96,258.43
Overhead & Profit				15%		$ ~~15,826.25~~	14,438.76
					Subtotal	$ ~~121,334.59~~	110,697.19
Subcontractor Cost						$ 12,653.00	
Overhead & Profit on Subcontractor				5.0%		$ 632.65	
					Subtotal	$ ~~134,620.24~~	123,982.84
Bond Fees				0.0%		$ -	

TOTAL $ ~~134,620.24~~ 123,982.84

Say $ ~~134,620~~ 123,983

Additional Time: 115.25 Day(s)
Detailed Estimate is attaced for your reference

Exclusions:

(1) Any Concrete Removal or Replacement.
(2) Any Site plumbing not shown on the P2.00 Drawing.
(3)
(4)

O.K. w/ Interstate 8/13/08

We reserve the rights to additional time and compensation for delays should it be determined at a later date that this change impacted our completion.
If you have any questions, please do not hesitate to contact the undersigned.

This proposal is for acceptance within 7 days and is subject to escalation thereafter or subject to voidance.

Sincerely,
Interstate Plumbing & Air Conditioning, Inc.

Samuel J. Ricchiazzi Sr.
Commercial Division Manager

License # 28743
5520 Stephanie - Las Vegas, NV 89122
Phone (702) 367-6064 Fax (702) 795-7836
License #27744

Landscape

INTERSTATE PLUMBING & AIR CONDITIONING, INC.

Change Order Breakdown

Storm Piping Revisions for Site Storm Changes

ITEM	QTY	LABOR EA.	LABOR	MATERIAL EA.	MATERIAL
MATERIAL					
4" Sch 40 PVC DWV PE Pipe	234	0.126	29.60	$ 3.70	$ 866.60
6" Sch 40 PVC DWV PE Pipe	170	0.218	37.14	$ 6.57	$ 1,116.70
10" Sch 40 PVC DWV PE Pipe	143	0.356	50.98	$ 15.30	$ 2,187.19
12" Sch 40 PVC DWV PE Pipe	18	0.402	7.24	$ 22.36	$ 402.63
4" PVC DWV Coupling	6	0.931	5.59	$ 2.98	$ 17.85
6" PVC DWV Coupling	7	1.541	10.79	$ 9.69	$ 67.80
10" PVC DWV Coupling	7	2.725	19.08	$ 32.70	$ 228.89
4" PVC DWV Wye	2	1.403	2.81	$ 11.95	$ 23.91
4" PVC DWV 1/4 Bend	10	0.931	9.31	$ 6.89	$ 68.91
4" PVC DWV 1/8 Bend	10	0.931	9.31	$ 5.49	$ 54.87
6" Sch 40 PVC DWV SW 90 Ell	1	1.541	1.54	$ 31.06	$ 31.06
6" Sch 40 PVC DWV SW 45 Ell	2	1.541	3.08	$ 29.23	$ 58.47
10" Sch 40 PVC DWV SW 45 E	1	2.725	2.73	$ 132.75	$ 132.75
12"Sch 40 PVC DWV SW 45 El	2	3.082	6.16	$ 182.67	$ 365.34
6 x 4 Sch 40 PVC DWV SW Re	1	1.231	1.23	$ 26.02	$ 26.02
8 x 4 Sch 40 PVC DWV SW Re	1	1.702	1.70	$ 57.88	$ 57.88
10 x 4 Sch 40 PVC DWV SW R	1	1.817	1.82	$ 93.67	$ 93.67
12 x 4" Sch 40 PVC DWV SW F	1	2.001	2.00	$ 104.64	$ 104.64
6 Sch 40 PVC DWV SW Wye	1	2.311	2.31	$ 49.44	$ 49.44
8 Sch 40 PVC DWV SW Wye	2	3.726	7.45	$ 111.79	$ 223.57
6 x 4 Sch 40 PVC DWV SW Re	2	2.001	4.00	$ 48.08	$ 96.16
8 x 6 Sch 40 PVC DWV SW Re	1	3.254	3.25	$ 85.12	$ 85.12
10 x 4 Sch 40 PVC DWV SW R	4	3.174	12.70	$ 136.36	$ 545.42
10 x 6 Sch 40 PVC DWV SW R	2	3.484	6.97	$ 176.89	$ 353.77
10 x 8 Sch 40 PVC DWV SW R	1	3.956	3.96	$ 209.32	$ 209.32
12 x 4 Sch 40 PVC DWV SW R	1	3.542	3.54	$ 202.66	$ 202.66
12 x 10 Sch 40 PVC DWV SW	1	4.439	4.44	$ 306.66	$ 306.66
AD-6 3" x 5" (4" Round Pipe)	5	0.862	4.31	$ 78.10	$ 390.50
C-456 3" x 5" 45 DEG CPLG	8	0.862	6.90	$ 81.40	$ 651.20
CO-9 3" X 9" CURB OUTLET	3	0.978	2.93	$ 96.87	$ 290.60
RP610-5 3" X 5" X 5' SQUARE	3	0.115	0.34	$ 183.88	$ 551.63
RP910-5 3" X 9" X 5' SQUARE	2	0.161	0.32	$ 208.51	$ 417.01
RP-610 3" X 5" X 10' SQ. PIPE	25	0.115	2.87	$ 338.80	$ 8,470.00
RP-910 3" X 9" X 10' SQ. PIPE	4	0.161	0.64	$ 386.10	$ 1,544.40
4" TY (3" x 5")	3	1.725	5.17	$ 265.28	$ 795.83
5" x 4" TY (3" x 5" to 3" x 9")	6	2.012	12.07	$ 289.91	$ 1,739.43
4" Cast Iron Foundation Sleeve	4	0.805	3.22	$ 95.00	$ 380.00
4" EGCO Grade Cleanout	9	0.92	8.28	$ 85.00	$ 765.00
4" PVC Glue Joints	66			$ 0.46	$ 30.36
6" PVC Glue Joints	28			$ 0.69	$ 19.32
10" PVC Glue Joints	32			$ 1.15	$ 36.80
12" PVC Glue Joints	9			$ 1.38	$ 12.42

Civil

INTERSTATE PLUMBING & AIR CONDITIONING, INC.

Change Order Breakdown

Storm Piping Revisions for Site Storm Changes

ITEM	QTY	LABOR EA.	LABOR	MATERIAL EA.	MATERIAL
MATERIAL Con't					
4" No-Hub Cast Iron Soil Pipe	116	0.092	10.67	$ 4.85	$ 562.65
5" No-Hub Cast Iron Soil Pipe	19	0.104	1.97	$ 6.85	$ 130.10
6" No-Hub Cast Iron Soil Pipe	152	0.115	17.48	$ 8.34	$ 1,267.39
8" No-Hub Cast Iron Soil Pipe	382	0.184	70.29	$ 12.98	$ 4,960.25
4" NH CI Soil Test Tee L/Plug	8	0.92	7.36	$ 19.83	$ 158.62
5" NH CI Soil Test Tee L/Plug	1	1.035	1.03	$ 41.89	$ 41.89
6" NH CI Soil Test Tee L/Plug	2	1.15	2.30	$ 47.41	$ 94.83
8" NH CI Soil Test Tee L/Plug	2	1.84	3.68	$ 113.03	$ 226.07
4" NH Cast Iron 1/4 Bend	8	0.92	7.36	$ 12.17	$ 97.36
5" NH Cast Iron 1/4 Bend	2	1.035	2.07	$ 27.99	$ 55.98
6" NH Cast Iron 1/4 Bend	5	1.15	5.75	$ 30.73	$ 153.65
8" NH Cast Iron 1/4 Bend	4	1.84	7.36	$ 84.69	$ 338.74
4" NH CI Soil 1/8 Bend	12	0.92	11.04	$ 8.92	$ 107.10
5" NH CI Soil 1/8 Bend	2	1.035	2.07	$ 19.02	$ 38.03
6" NH CI Soil 1/8 Bend	2	1.15	2.30	$ 20.64	$ 41.28
8" NH CI Soil 1/8 Bend	8	1.84	14.72	$ 59.53	$ 476.27
4" No-hub Couplings	67			$ 2.82	$ 188.62
5" No-hub Couplings	11			$ 6.84	$ 75.29
6" No-hub Couplings	32			$ 7.13	$ 228.31
8" No-hub Couplings	64			$ 13.47	$ 862.00
6" Sheet Metal Wall Sleeve	1	0.69	0.69	$ 95.00	$ 95.00
8" Sheet Metal Wall Sleeve	1	0.805	0.80	$ 95.00	$ 95.00
10" Sheet Metal Wall Sleeve	1	0.805	0.80	$ 95.00	$ 95.00
4" Galv. Adjustable Hangers	8	0.81	6.44	$ 6.15	$ 49.20
5" Galv. Adjustable Hangers	3	0.81	2.42	$ 9.55	$ 28.65
6" Galv. Adjustable Hangers	16	0.92	14.72	$ 12.01	$ 192.16
8" Galv. Adjustable Hangers	46	1.15	52.90	$ 24.50	$ 1,127.00
6" Riser Clamps	6	0.58	3.46	$ 18.54	$ 111.24
8" Riser Clamps	8	0.69	5.52	$ 30.31	$ 242.48
Duct Tape	6			$ 15.50	$ 93.00
Excavation & Backfill			369.00		$ -
					$ -
Labor Hours			922.0		

Added to Revision Work & Sewer 5/13/08

O.K. w/ Interstate 5/13/08

MATERIAL COST: $ 361304.76

Owner - Civil

Subcontractors / Rentals

Core Drilling	$ 2,280.00
X-Ray - 3 Locations	$ 3,200.00
Backhoe	$ 7,173.00
Air Balance	$ -
Crane	$ -
Subcontractor Totals:	$ 12,653.00

PREFERRED
Underground
4852 Cocilo Ave. Las Vegas NV, 89115
Office-702.453.7383 Fax-702.227.7383
NV Lic.# 0051856

December 12, 2008

Re: Juhl Project
Storm Drain Conflicts at Bonneville St

Due to elevations of the existing 30" storm drain previously installed by others, we were unable to achieve a sufficient amount of cover per City of Las Vegas standards. In order to achieve these standards we were required to remove and replace the existing storm drain with Elliptical pipe.

The costs incurred to do this are as follows:

200 lf	Elliptical Storm Drain Pipe	$ 22,000
2 ea	3x3 Precast Catch Basins & sidewalk drains	$ 4,800
1 ea	NDOT Man Hole	$ 8,000
1 ea	4' DI	$ 7,000
	Total Cost	$ 41,800

Johnny Batiste
Estimator

DISCLOSURE OF PRINCIPALS

The principals and partners of CityMark Juhl LLC and all persons and entities holding more than 1% (one percent) interest in CityMark Juhl LLC or any principal of CityMark Juhl LLC are the following:

FULL NAME	BUSINESS ADDRESS	BUSINESS PHONE
1. Richard V. Gustafson	701 B Street, #1100 San Diego, CA 92101	(619) 231-1161
2. Russell C. Haley	"	"
3. Vince Hoenigman	"	"
4.		
5.		
6.		

I hereby certify under penalty of perjury, that the foregoing list is full and complete.

By: _____
Richard V. Gustafson

Its: President

Subscribed and sworn to before me
this 17 day of Dec., 2008

Susan L. Trimingham
Notary Public

SUSAN L. TRIMINGHAM
Commission # 1563483
Notary Public - California
San Diego County
My Comm. Expires Mar 26, 2009

Site Map

Legend

Juhl

0 50 100 200 Feet

9/26/2008

City of Las Vegas Agenda Item No.: **45.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding the Proclamation and Order declaring the 2009 City of Las Vegas Municipal Election

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Article V of the Las Vegas City Charter and Nevada Revised Statutes, where it can be made applicable and is not inconsistent with the Charter, govern the conduct of elections for the City. Since our municipal elections are under the control of the City Council, it is appropriate at this time for the City Council to formally order the 2009 Municipal Election. The order sets forth the offices to be voted upon by the registered voters of the City and establishes the City polling locations with the appropriate precincts and Wards. After adoption by the City Council the Clerk's office will proceed with required publications.

The Clerk's Office will again provide the public with an election website to assist voters in both English and Spanish, candidates and people seeking general information about our election. This internet application will conveniently provide answers on a 24-hour basis to frequently asked questions from City residents about all aspects of the election process.

RECOMMENDATION:
The City Council approve the Proclamation and Order declaring the 2009 Municipal Election.

BACKUP DOCUMENTATION:
Proclamation and Order

PROCLAMATION AND ORDER
DECLARING THE
2009 MUNICIPAL ELECTION

WHEREAS, Article V of the Charter of the City of Las Vegas, Nevada, establishes the dates for a Municipal Primary and General Election as being held in odd years the first Tuesday after the first Monday in April and June, respectively; and

WHEREAS, Article V of the Charter sets forth the offices to be filled at said election and establishes the process for nomination and election of candidates; and

NOW, THEREFORE, I, OSCAR B. GOODMAN, MAYOR of the City of Las Vegas, do hereby proclaim by order of the City Council at their regular meeting held, January 7, 2009, and in accord with Article V of the Charter of the City of Las Vegas, that a PRIMARY MUNICIPAL ELECTION be held in the City of Las Vegas, Nevada, on TUESDAY, April 7, 2009, for the nomination and election by the registered voters of the City at Large and respective Wards for a:

CITY COUNCILMAN, WARD 2
CITY COUNCILMAN, WARD 4
CITY COUNCILMAN, WARD 6
MUNICIPAL COURT JUDGE, DEPT. 1
MUNICIPAL COURT JUDGE, DEPT. 4
MUNICIPAL COURT JUDGE, DEPT. 6

NOW, THEREFORE, IT IS FURTHER ORDERED that any office for which a candidate has not been declared elected as a result of a race in which there was only one candidate, or which remains undecided after the April 7, 2009 Primary Election, will be decided by the respective voters at a MUNICIPAL GENERAL ELECTION to be held in the City of Las Vegas on June 2, 2009, in accord with Article V of the Charter of the City of Las Vegas; and

IT IS ALSO ORDERED that the locations within said City at which ballots may be cast by the registered voters are hereby determined to be as follows:

POLLING PLACE & ADDRESS	PRECINCT	WARD
Adcock, O.K. Elementary	6360	1
6350 Hyde Ave.	6382	1
Las Vegas 89107	6383	1
Advent United Methodist Church	2325	6
3460 North Rancho Dr.	2326	6
Las Vegas 89130		
Allen, Dean Elementary	3464	4
8680 W. Hammer Ln.	3465	4
Las Vegas 89149		
Arbor View High School	3494	6
7500 Whispering Sands	3508	6
Las Vegas 89131	3510	6
Becker, Ernest Sr. Middle School	3041	2
9151 Pinewood Hills Dr.	3042	4
Las Vegas 89134	3220	4
Bell, Rex Elementary	6400	1
2900 Wilmington Way	6401	1
Las Vegas 89102		
Bilbray, James H. Elementary	3506	6
9370 Brent Ln.	3514	6
Las Vegas 89143	3550	6
Bonner, John Elementary	3372	2
765 Crestdale Ln.	3381	2
Las Vegas 89144		
Bryan, Richard Elementary	3390	4
8050 Cielo Vista Ave.	3391	4
Las Vegas 89128		
Bunker, Berkeley Elementary	2451	5
6350 Peak Dr.	2454	5
Las Vegas 89108		

POLLING PLACE & ADDRESS	PRECINCT	WARD
Cadwallader, Ralph L. Middle School	3491	6
7775 Elkhorn Rd.	3502	6
Las Vegas 89131	3556	6
Calvary Lutheran Church	4451	5
800 N. Bruce St.	4452	5
Las Vegas 89101	4463	5
Cambeiro, Arturo Elementary	4385	3
2851 Harris Ave.	4386	3
Las Vegas 89101		
Carl, Kay Elementary	2352	6
5625 Corbett St.	2353	6
Las Vegas 89130	2354	6
	2355	6
Centennial High School	3530	6
10200 W. Centennial Pkwy	3546	6
Las Vegas 89149	3547	6
Christ Lutheran Church	6343	1
111 N Torrey Pines Dr.	6350	1
Las Vegas 89107		
Christensen, M. J. Elementary	3341	2
9001 Mariner Cove Dr.	3342	2
Las Vegas 89117	3344	2
	3352	2
Cimarron Memorial High School	2302	1
2301 N. Tenaya Way	2313	4
Las Vegas 89128	6305	5
Clark High School	6034	1
4291 Pennwood Ave.	6393	1
Las Vegas 89102	6403	1
Crestwood Elementary	5384	3
1300 Pauline Way	5385	3
Las Vegas 89104		
Culley, Paul Elementary	6334	5
1200 N. Mallard St.	6341	5
Las Vegas 89108		

POLLING PLACE & ADDRESS	PRECINCT	WARD
Darnell, Marshall Elementary 9480 W. Tropical Pkwy. Las Vegas 89149	3525 3526	6 6
Derfelt, Herbert Elementary 1900 S. Lisa Ln. Las Vegas 89117	3320 3321 3322	2 2 2
Desert Pines High School 3800 Harris Ave. Las Vegas 89110	4373 4376 4382	3 3 3
Desert Shores Community Center 2500 Regatta Dr. Las Vegas 89128	3400 3401	4 4
Desert Vista Community Center 10360 Sun City Blvd. Las Vegas 89134	3040 3214 3404 3411 3412 3413	4 4 4 4 4 4
Deskin, Ruthe Elementary 4550 N. Pioneer Way Las Vegas 89129	2350 3450	6 4
Down, James Towers 5000 Alta Dr. Las Vegas 89107	6353	1
Dula Gym 441 E. Bonanza Rd. Las Vegas 89101	4455	5
Durango Hills Community Center/YMCA 3521 N. Durango Dr. Las Vegas 89129	3217 3425	4 4
Earl, Ira Elementary 1463 Marion Dr. Las Vegas 89110	4380 4381	3 3
Eisenberg, Dorothy Elementary 7770 W Delhi Ave. Las Vegas 89129	3430 3431	4 4

POLLING PLACE & ADDRESS	PRECINCT	WARD
El Adobe Estates Mobile Home Park 825 N. Lamb Blvd. Las Vegas 89110	4374 4375	3 3
Faith Lutheran Jr-Sr High School 2015 S Hualapai Way Las Vegas 89117	3363 3364	2 2
Fire Station #2-Las Vegas 900 S. Durango Drive Las Vegas 89145	3355	2
Fire Station #7-Las Vegas 10101 Banburry Cross Dr. Las Vegas 89144	3371	2
Fire Station #9-Las Vegas 4747 N. Rainbow Blvd. Las Vegas 89108	2345	4
Fire Station #41-Las Vegas 6989 N. Buffalo Dr. Las Vegas 89131	3500	6
Fire Station #43-Las Vegas 6420 Smoke Ranch Rd. Las Vegas 89108	2332 2333	5 5
Fire Station #45-Las Vegas 3821 N. Fort Apache Rd. Las Vegas 89129	3415 3416 3417 3418	4 4 4 4
First Christian Church 101 S. Rancho Dr. Las Vegas 89106	4325 4330	1 5
First Good Shepherd Lutheran Church 301 S. Maryland Pkwy. Las Vegas 89101	4343	3
Fong, Wing & Lilly Elementary 2200 James Bilbray Dr. Las Vegas 89108	2455 2460 2462	5 5 5

POLLING PLACE & ADDRESS	PRECINCT	WARD
Fremont, John Middle School 1100 E. St. Louis Ave. Las Vegas 89104	5300 5356	3 3
Fyfe, Ruth Elementary 4101 W. Bonanza Rd. Las Vegas 89107	6330 6331 6351	5 5 1
Garehime, Edith Elementary 3850 N Campbell Rd Las Vegas 89129	3442	4
Garside, Frank Middle School 300 S. Torrey Pines Dr. Las Vegas 89107	6355 6384 6385	1 1 1
Givens, Linda Rankin Elementary 655 Park Vista Dr. Las Vegas 89138	3541 3544 3557	2 2 2
Gragson, Oran Elementary 555 N. Honolulu St. Las Vegas 89110	4364 4365 4370	3 3 3
Griffith United Methodist Church 1701 E Oakey Blvd. Las Vegas 89104	5352	3
Griffith, E.W. Elementary 324 Essex Dr. Las Vegas 89107	6365 6370 6372	1 1 1
Guy, A.D. Education Center (CCSN) 817 N St. Las Vegas 89106	4462 4468	5 5
Hancock, Doris Elementary 1661 Lindell Rd. Las Vegas 89146	3120 3301	1 1
Hewetson, Halle Elementary 701 N. 20th St. Las Vegas 89101	4383 4384 4387	3 3 3

POLLING PLACE & ADDRESS	PRECINCT	WARD
Hoggard, Mabel Magnet School 950 N. Tonopah Dr. Las Vegas 89106	4460 4464	5 5
Holy Spirit Lutheran Church 6670 W. Cheyenne Ave. Las Vegas 89108	2048 2322 2323 2341	4 4 6 5
Hyde Park Middle School 900 Hinson St. Las Vegas 89107	6373 6392	1 1
Jacobson, Walter Elementary 8400 Boseck Dr. Las Vegas 89145	3089 3225 3362	2 2 2
Johnson, Walter Middle School 7701 Ducharme Ave. Las Vegas 89145	3090 3360 3361	2 2 2
Kahre, Marc Elementary 7887 W. Gowan Rd. Las Vegas 89129	3434 3453	4 4
Katz, Edythe & Lloyd Elementary 1800 Rock Springs Dr. Las Vegas 89128	2312 2331	1 5
Knudson, K.O. Middle School 2400 Atlantic St. Las Vegas 89104	5383	3
Lakes Lutheran Church 8200 W. Sahara Ave. Las Vegas 89117	3340	2
Lamb of God Lutheran Church 6220 N. Jones Blvd. Las Vegas 89130	3483	6
Las Vegas Academy Auditorium 9th St. & Clark Ave. Las Vegas 89101	4347 4348 4350	5 3 3

POLLING PLACE & ADDRESS	PRECINCT	WARD
Las Vegas City Clerk 400 Stewart Ave. Las Vegas 89101	2050	5
	2052	6
	2324	4
	2327	5
	2328	6
	2329	6
	2338	6
	2344	4
	2349	5
	2357	6
	2358	5
	2450	5
	3302	1
	3308	1
	3309	1
	3310	1
	3414	4
	3432	4
	3436	4
	3446	4
	3454	4
	3466	4
	3486	6
	3498	6
	3524	6
	3527	6
	3528	6
	3529	6
	3545	6
	3551	6
	4035	5
	4050	3
	4321	5
	4332	5
	4340	5
	4341	5
	4342	5
	4344	3
	4345	3
	4363	3
	4450	5
	4453	5
	5014	1
	5310	3
	6031	1
	6301	5

POLLING PLACE & ADDRESS	PRECINCT	WARD
Las Vegas City Clerk (continued) 400 Stewart Ave. Las Vegas 89101	6302 6303 6314 6339 6402	5 5 5 5 1
Leavitt, Justice Myron Middle School 4701 Quadrel St. Las Vegas 89129	2351	6
Lied Middle School 5350 W. Tropical Pkwy. Las Vegas 89130	3481 3482	6 6
Life Care Center of Las Vegas 6151 Vegas Dr. Las Vegas 89108	6310 6311 6312 6340	5 5 5 5
Lummis, William Elementary 9000 Hillpointe Rd. Las Vegas 89134	3392 3393 3396	4 4 4
May, Ernest Elementary 6350 W. Washburn Rd. Las Vegas 89130	3470 3471 3472	6 6 6
McMillan, James Elementary 7000 Walt Lott Dr. Las Vegas 89128	2307 2314	1 1
McWilliams, J.T. Elementary 1315 Hiawatha Rd. Las Vegas 89108	6320 6322 6332 6333	5 5 5 5
Minker, Chuck Sports Complex 275 N. Mojave Rd. Las Vegas 89101	5003 5312 5315	3 3 3
Molasky, Irwin & Susan Middle School 7801 W Gilmore Ave. Las Vegas 89129	3435 3452	4 4

POLLING PLACE & ADDRESS	PRECINCT	WARD
Moore, William Elementary 491 N. Lamb Blvd. Las Vegas 89110	5313 5316 5320	3 3 3
Mountain Crest Neighborhood Svc. Center 4701 N. Durango Dr. Las Vegas 89129	3463	4
Mountain Shadows Community Center 9107 Del Webb Blvd. Las Vegas 89134	3034 3037 3038	4 4 4
Mountain View Lutheran Church 9550 W. Cheyenne Ave. Las Vegas 89129	3420 3421 3422 3424	4 4 4 4
Neal, Joseph Elementary 6651 W. Azure Dr. Las Vegas 89130	3469 3485 3490	6 6 6
New Horizon Academy 6701 W. Charleston Bl Las Vegas 89146	3311 3323 3326	1 1 2
North Las Vegas Airport 2730 Airport Dr. North Las Vegas 89032	4320 4324	5 5
Ober, D'Vorre & Hal Elementary 3035 Desert Marigold Ln. Las Vegas 89135	3345 3350 3351	2 2 2
Opportunity Village-Wilson Complex 6300 W. Oakey Blvd. Las Vegas 89146	3127 3312	1 1
Park-Edison, John Elementary 931 Franklin Ave. Las Vegas 89104	5350 5351	3 3
Parson Elementary 4100 Thom Blvd. Las Vegas 89130	2037 2044	6 6

POLLING PLACE & ADDRESS	PRECINCT	WARD
Piggott, Clarence Elementary 9601 Red Hills Rd. Las Vegas 89117	3129 3227 3353 3354	2 2 2 2
Pinnacle Community Center 2215 Thomas W. Ryan Blvd. Las Vegas 89134	3383 3384	4 4
Pittman, Vail Elementary 6333 Fargo Ave. Las Vegas 89107	6342 6344	1 1
Public Administrator Office 515 Shadow Ln. Las Vegas 89106	4355 4356	1 1
Rainbow Library 3150 N. Buffalo Dr. Las Vegas 89128	3394 3395 3402 3403	4 4 4 4
Red Rock Elementary 408 Upland Blvd. Las Vegas 89107	6352 6354 6371	1 1 1
Red Rock Southern Baptist Church 5500 Alta Dr. Las Vegas 89107	6363	1
Reed, Doris Elementary 2501 Winwood St. Las Vegas 89108	2452 2453	5 5
Regional Transportation Building 600 S. Grand Central Pkwy. Las Vegas 89106	4331 4351	5 3
Rhodes, Betsy Elementary 7350 Tealwood St. Las Vegas 89131	3495 3501	6 6
Sahara West Library 9600 W. Sahara Ave. Las Vegas 89117	3130 3228 3229	2 2 2

POLLING PLACE & ADDRESS	PRECINCT	WARD
Sartini Plaza 900 Brush St. Las Vegas 89107	6364	1
Saville, Anthony Middle School 8101 N. Torrey Pines Dr. Las Vegas 89131	3505 3509	6 6
Scherkenbach, William & Mary Elementary 9371 Iron Mountain Rd. Las Vegas 89143	3520	6
Shadow Hills Baptist Church 7811 Vegas Dr. Las Vegas 89128	2300 2301 2305 2306 2310 2311 2461	4 4 4 4 4 1 1
Shadow Ridge High School 5050 Brent Ln. Las Vegas 89131	3507 3548 3549	6 6 6
Smith, Helen Elementary 7101 Pinedale Ave. Las Vegas 89145	6013 6380 6381	1 1 1
St. Andrew Lutheran Church 8901 Del Webb Blvd. Las Vegas 89134	3035 3036	4 4
Stanford Elementary 5350 Harris Ave. Las Vegas 89110	7370 7371 7372 7373	3 3 3 3
Staton, Ethel Elementary 1700 Sageberry Dr. Las Vegas 89144	3370 3382 3386	2 2 2
Stupak Community Center 300 W. Boston Ave. Las Vegas 89102	4352 4353	3 3

POLLING PLACE & ADDRESS	PRECINCT	WARD
Summerlin Library 1771 Inner Circle Las Vegas 89134	3365 3366	2 2
Sunlake Terrace Retirement Center 3250 S. Fort Apache Rd. Las Vegas 89117	3343	2
Sunrise Acres Elementary 211 N. 28th St. Las Vegas 89101	4360 4361	3 3
Tarr, Sheila Elementary 9400 W. Gilmore Ave. Las Vegas 89129	3423 3443	4 4
Tobler, R.E. Elementary 6510 Buckskin Ave. Las Vegas 89108	2047 2346	6 6
Twin Lakes Elementary 3300 Riverside Dr. Las Vegas 89108	6323 6325	5 5
Unity Baptist Church 545 Marion Dr. Las Vegas 89110	4371 4372	3 3
Vegas Verdes Elementary 4000 El Parque Ave. Las Vegas 89102	6390 6391 6394	1 1 1
Veterans Memorial Leisure Svc Center 101 S. Pavillon Center Dr. Las Vegas 89144	3219 3373 3374 3375 3380 3385	2 2 2 2 2 2
Warren, Rose Elementary 6451 Brandywine Way Las Vegas 89107	6361 6362	1 1
Wasden, Howard Elementary 2831 Palomino Ln. Las Vegas 89107	6374 6375 6396	1 1 1

POLLING PLACE & ADDRESS	PRECINCT	WARD
West Las Vegas Library	4028	5
951 W. Lake Mead Blvd.	4461	5
Las Vegas 89106	4467	5
West Preparatory Middle School	4031	5
2050 Saphire Stone Ave.	4465	5
Las Vegas 89106	4466	5
Westminster Presbyterian Church	6300	5
4601 W. Lake Mead Blvd.		
Las Vegas 89108		
Word of Life Christian Center	2321	4
3520 N. Buffalo Dr.	2342	4
Las Vegas 89129		

PASSED, APPROVED, AND ORDERED this 7th day of January 2009.

CITY OF LAS VEGAS

_____

MAYOR OSCAR B. GOODMAN

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Las Vegas, Nevada, to be affixed this 7th day of January 2009.

ATTEST:

_____

Beverly K. Bridges
City Clerk

City of Las Vegas Agenda Item No.: **46.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES ☐ **Consent** ☒ **Discussion**

SUBJECT:
Report on the selection of permanent and temporary polling locations for Early Voting during the 2009 City of Las Vegas Municipal Election

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
NRS 293C.3561 states that the City Clerk is to establish criteria for the selection of permanent and temporary polling places for Early Voting by personal appearance. Additionally, the City Clerk is to inform the City Council, at a regular meeting, of the sites that have been selected. Using the established criteria, as well as historical data on Early Voting in the City of Las Vegas, 16 temporary sites have been selected with locations within each of the 6 Wards; and the two permanent polling locations at City Hall and the Meadows Mall.

RECOMMENDATION:
Report Only, No Action Required.

BACKUP DOCUMENTATION:
1. Criteria for Selecting Early Voting Polling Places for the City of Las Vegas
2. List of Selected Permanent and Temporary Polling Places for Early Voting at the 2009 Municipal Elections

Criteria for Selecting Early Voting Polling Places for the City of Las Vegas

1. Polling places must be accessible to individuals with disabilities.

2. To the extent possible, polling places will be located throughout the county based upon the distribution of registered voters so that residents of all communities have an opportunity to participate in the early voting program.

3. Polling places will be selected to ensure, to the extent it is consistent with criteria #1 and #2, the efficient use of early voting personnel and equipment.

Considerations:

a. Organizations that allow the City to use their facilities as early voting sites do so as a service to the community. Not all organizations choose to participate in the early voting program; therefore, not all sites the City might wish to use are available as early voting polling locations.

b. The facility must be physically suitable for use as an early voting site. Key issues include parking, ADA accessibility, space within the facility and communications (sites must be wired for connectivity, a one-time cost).

c. The facility or its providers must not be actively involved or perceived to be involved in any current political activities targeting local voters. This consideration would not necessarily exclude those organizations which are traditionally considered to be nonpartisan, such as the League of Women Voters.

d. The City of Las Vegas contains a significant amount of rural and undeveloped areas in which residents do not have Election Day polling places, but are assigned to mail precincts. Individuals in these precincts may vote at any early voting site, but due to their sparsity, do not figure into the selection of early voting locations.

e. The early voting program was initiated in 1994 in Clark County and has grown each year since its inception. As a result, many voters now refer to the early voting site at which they traditionally vote as "their polling place." Just as Election Day voters are sensitive to changes in polling places, so too are early voters. Early voting history, therefore, is an important consideration when selecting site locations.

f. Early voting turnout history clearly indicates that voters prefer polling places be situated at locations at which they would gather or shop whether or not early voting was taking place.

g. Opening and closing times of non-permanent early voting locations may be staggered so that the teams that set up and take down the voting equipment can support more than one location. Operating hours for the permanent sites are based upon the location (e.g., mall hours for malls, etc.).

NEIGHBORHOOD POLLING PLACES FOR EARLY VOTING AT THE 2009 MUNICIPAL ELECTIONS
PERMANENT AND TEMPORARY

Ward	Location	Address	Intersection	Other Wards Serviced
	Meadows Mall	**4300 Meadows Lane**		**Permanent site serving all wards**
	City Hall	**400 Stewart Avenue**	**Las Vegas Blvd/Stewart Ave**	**Permanent site serving all wards**
1	Albertsons	1650 N. Buffalo	Buffalo/Vegas	2, 4, 5 and 6
1	Food 4 Less	3864 W. Sahara Ave	Sahara/Valley View	3 and 5
1	West Charleston Library	6301 W. Charleston Blvd	Charleston/Community College	2, 4 and 5
2	Sahara West Library	9600 W. Sahara		1 and 4
2	Albertsons	10250 W. Charleston	Charleston/Town Center	4
2	Vons	820 S. Rampart	Charleston/Rampart	1, 4 and 5
3	Cardenas Market	4421 E. Bonanza	Bonanza/Lamb	5
3	Lucky's	2400 E. Bonanza	Bonanza/Eastern	1 and 5
3	Albertsons	1760 E. Charleston	Charleston/Bruce	1 and 5
4	Desert Vista Community Ctr	10360 Sun City Blvd		2
4	Albertsons	8350 W. Cheyenne	Bonanza/Eastern	1, 2, 5 and 6
5	Smiths	1421 N. Jones Blvd	Vegas/Jones	1, 2, 4 and 5
5	Doolittle Center	1950 J Street	J Street/Lake Mead	1 and 3
6	Centennial Center (Near Circuit City)		Centennial Center & Tropical Parkway	4
6	Smiths	4400 N. Rancho	Rancho/Craig	1, 4 and 5
6	Vons	6000 W. Cheyenne	Cheyenne/Jones	1, 4 and 5
6	Albertsons	8410 Farm Rd	Farm/El Capitan	4

City of Las Vegas Agenda Item No.: **47.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding Temporary Approval of a new Package License subject to Health Dept. regulations, Cheyenne & Lee, Inc., dba Lee's Discount Liquor, 10470 West Cheyenne, Suite 130, Hae Un Lee, Pres, Dir, CEO and Sun Ja Lee, Secy, Treas, 100% jointly with spouse - Ward 4 (Brown)

Fiscal Impact

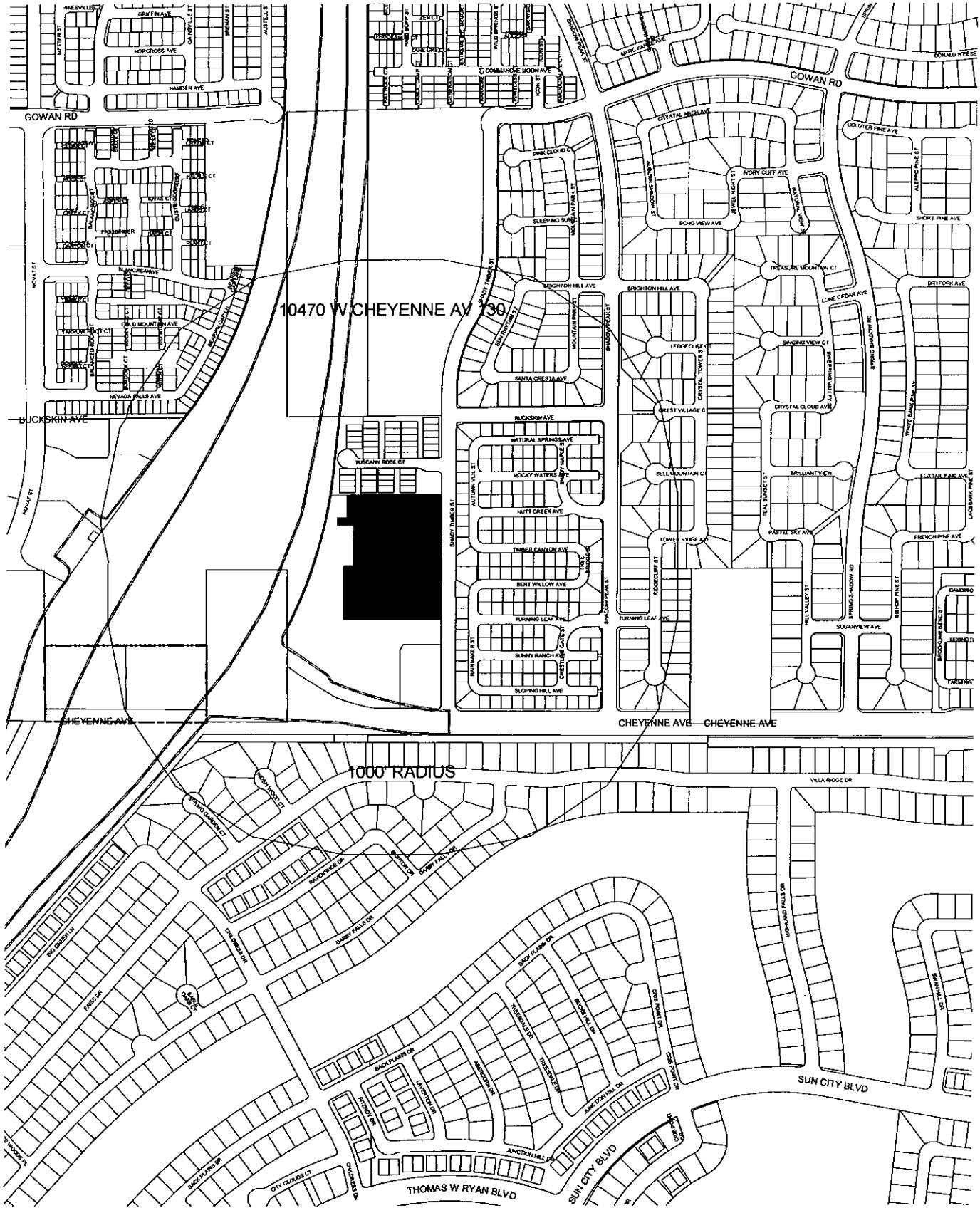
☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Discussion and possible action regarding Temporary Approval of a new Package License.

RECOMMENDATION:
Recommend temporary approval with the authority of the Director or Designee to issue a permanent license upon receipt of a favorable investigative report or extend the temporary license if the investigation is not complete during the temporary period and subject to Health Dept. regulations.

BACKUP DOCUMENTATION:
Map

LEE'S DISCOUNT LIQUOR



City of Las Vegas Agenda Item No.: **48.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding Temporary Approval of a Change of Business Name and a Change of Ownership subject to the provisions of the planning and fire codes and Health Dept. regulations, From Vallarta's, Inc., dba Vallarta's Mexican Restaurant, To: J & M United, LLC, dba Lindo Michoacan Centennial, 7870 West Tropical Parkway, Javier G. Barajas, Managing Mmbr, 50%, Mark J. Berry, Managing Mmbr, 25%, and Preston E. Hubbs, Mmbr, 25% - Ward 6 (Ross)

Fiscal Impact

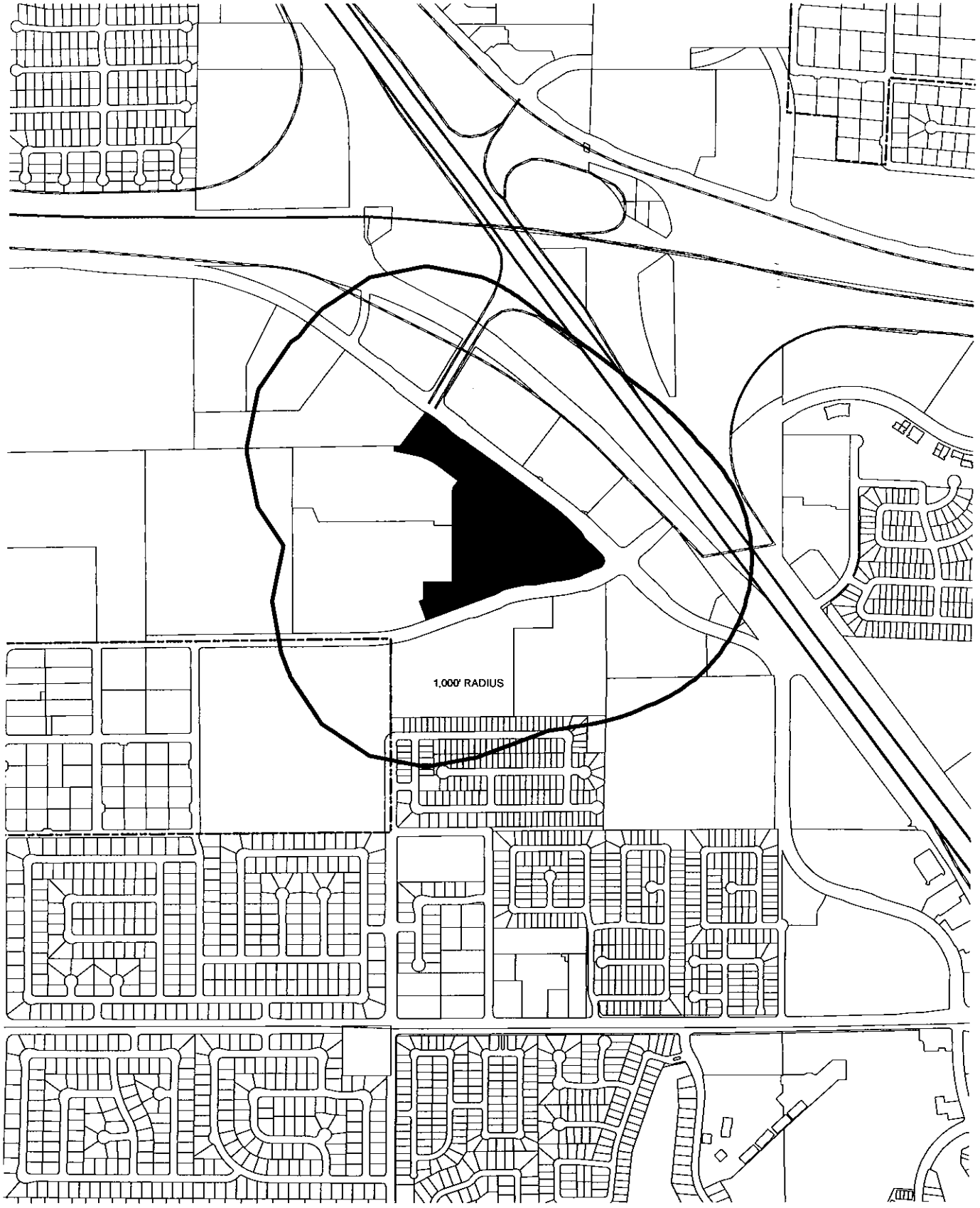
☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Discussion and possible action regarding Temporary Approval of a Change of Business Name and a Change of Ownership.

RECOMMENDATION:
Recommend temporary approval with the authority of the Director or Designee to issue a permanent license upon receipt of a favorable investigative report or extend the temporary license if the investigation is not complete during the temporary period and subject to the provisions of the planning and fire codes and Health Dept. regulations.

BACKUP DOCUMENTATION:
Map

LINDO MICHOACAN CENTENNIAL



City of Las Vegas Agenda Item No.: **49.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding Temporary Approval of a new Tavern License subject to Health Dept. regulations, Stoney's North Forty, LLC, dba Stoney's North Forty, 4949 North Rancho Drive, Harold K. Gray, Mgr, Mgr, 49%, Christopher W. Lowden, 49%, and Dean Y. Kajioka, Mmbr, 2% - Ward 6 (Ross)

Fiscal Impact

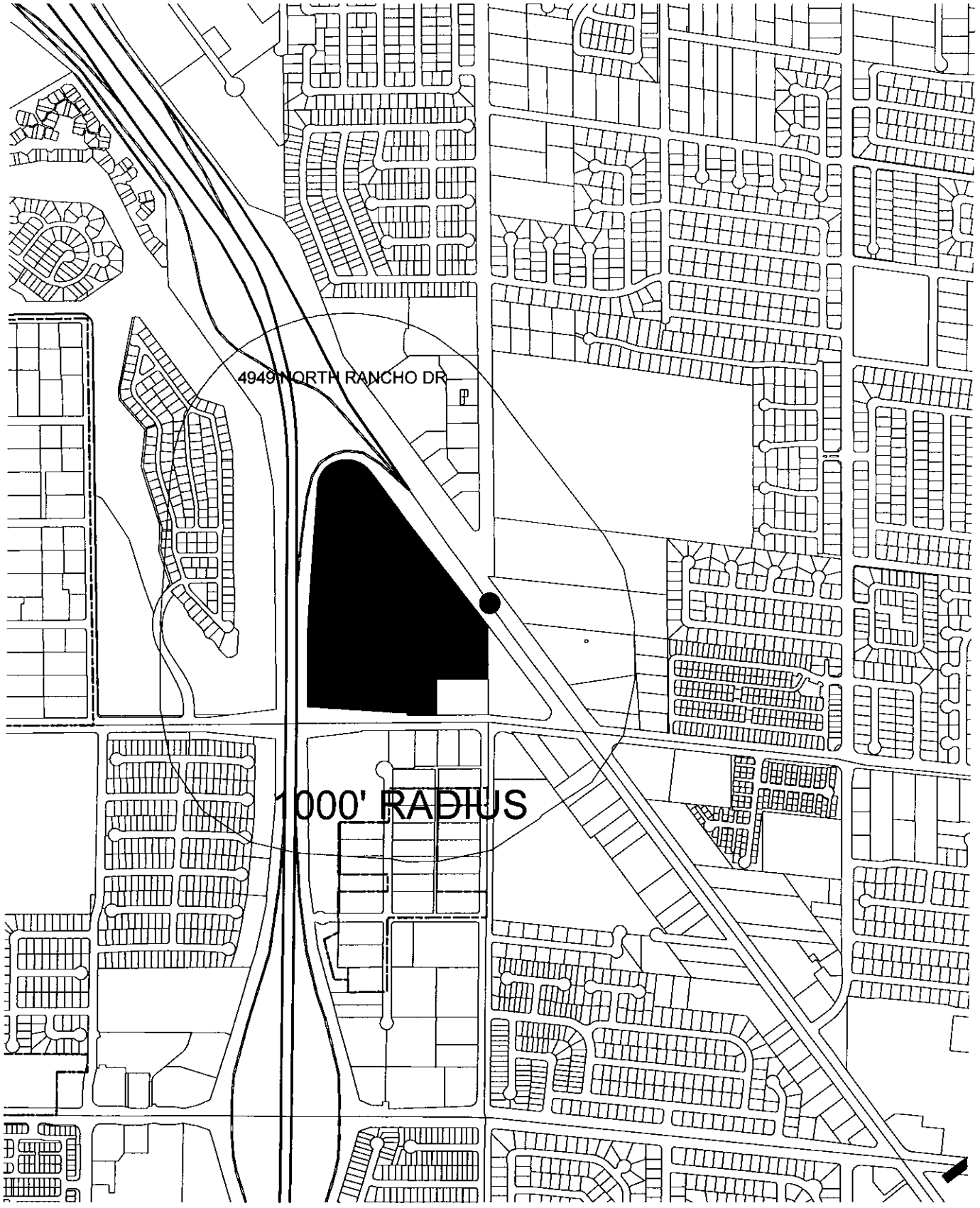
☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Discussion and possible action regarding Temporary Approval of a new Tavern License.

RECOMMENDATION:
Recommend temporary approval with the authority of the Director or Designee to issue a permanent license upon receipt of a favorable investigative report or extend the temporary license if the investigation is not complete during the temporary period and subject to the Health Dept. regulations.

BACKUP DOCUMENTATION:
Map

STONEY'S NORTH FORTY



City of Las Vegas Agenda Item No.: **50.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding Temporary Approval of a new Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, Wash-N-Fun Laundromat, LLC, dba Wash N Fun Laundromat, 4425 Stewart Avenue, Suite 101, Sanford K. Feld, Mgr, Mmbr and Terri L. Feld, Mgr, Mmbr, 100% jointly with spouse - Ward 3 (Reese)

Fiscal Impact

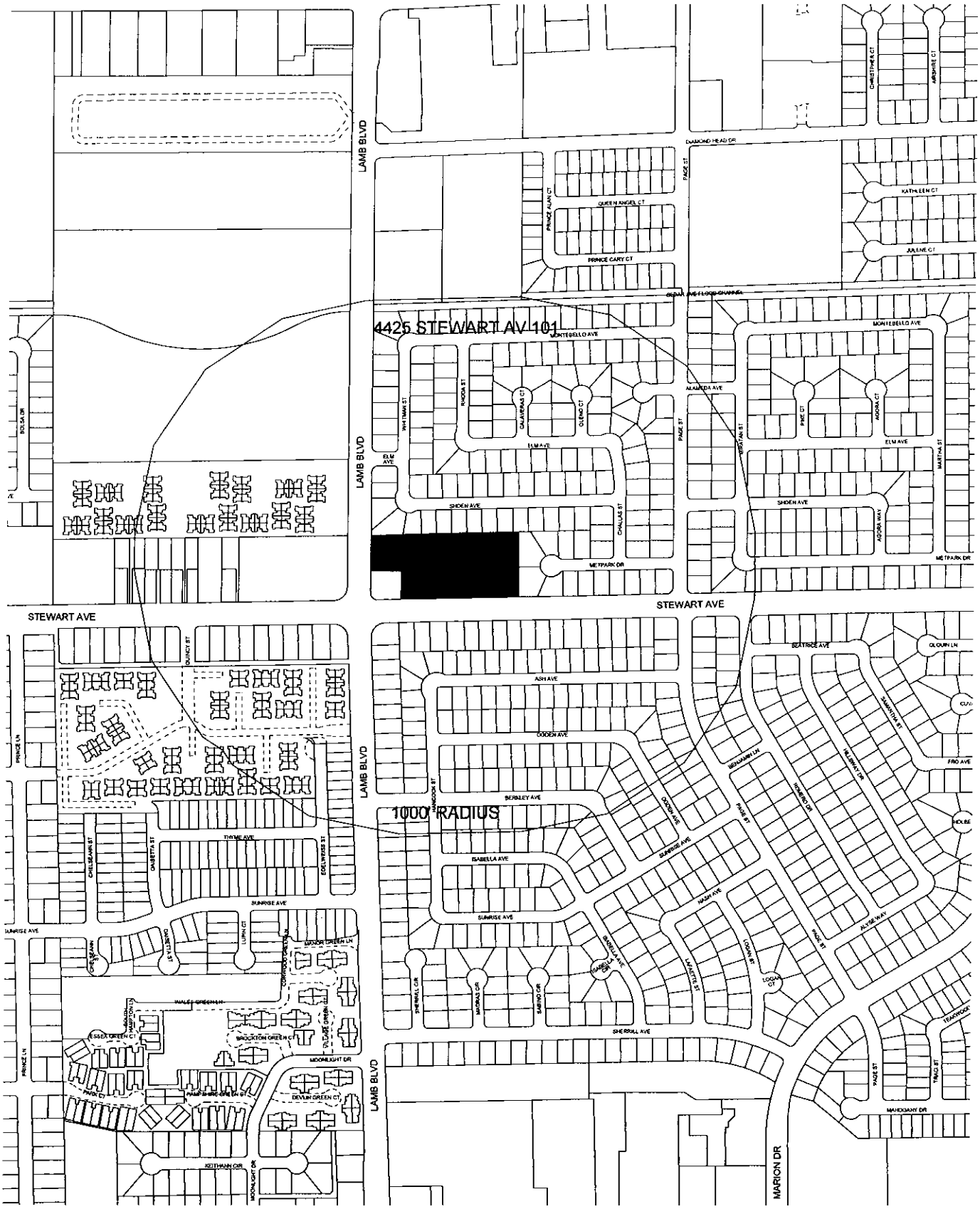
☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Discussion and possible action regarding Temporary Approval of a new Restricted Gaming License for 4 slots.

RECOMMENDATION:
Recommend temporary approval with the authority of the Director or Designee to issue a permanent license upon receipt of a favorable investigative report or extend the temporary license if the investigation is not complete during the temporary period and subject to confirmation of approval by the Nevada Gaming Commission.

BACKUP DOCUMENTATION:
Map

WASH N FUN LAUNDROMAT



City of Las Vegas Agenda Item No.: **51.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding Temporary Approval of a new Wedding Chapel License subject to the provisions of the fire codes, All Seasons Wedding Chapel, LLC, dba All Seasons Wedding Chapel, 1040 East Sahara Avenue, Suite 104, Michael S. Grill, Mmbr, 100% - Ward 3 (Reese)

Fiscal Impact

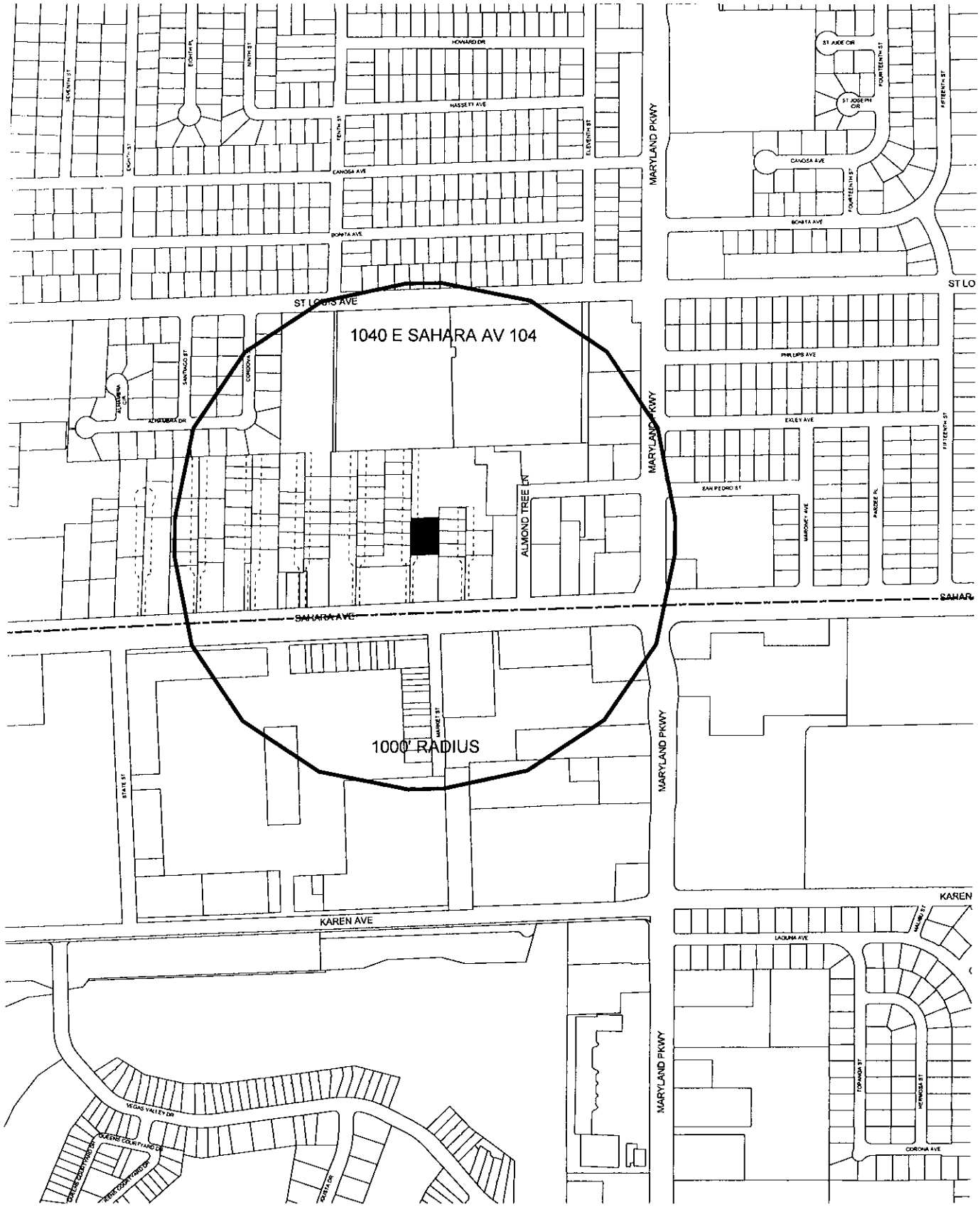
☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Discussion and possible action regarding Temporary Approval of a new Wedding Chapel License.

RECOMMENDATION:
Recommend temporary approval with the authority of the Director or Designee to issue a permanent license upon receipt of a favorable investigative report or extend the temporary license if the investigation is not complete during the temporary period and subject to the of the fire codes.

BACKUP DOCUMENTATION:
Map

ALL SEASONS WEDDING CHAPEL



City of Las Vegas Agenda Item No.: **52.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding a Review of a Temporary Beer/Wine/Cooler On-sale License, Intramezzo, Inc., dba Mezzo Bistro Italiano, 4275 North Rancho Drive, Suite 130, Marcus T. Sgrizzi, 100% - Ward 6 (Ross)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Discussion and possible action regarding a Review of a Beer/Wine/Cooler On-sale License.

RECOMMENDATION:
Recommendation to be provided following the discussion of this item at the City Council Meeting.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **53.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding a Review of a Beer/Wine/Cooler On-sale License, Six Tables, Inc., dba Six Tables, 2110 North Rampart Boulevard, Suite 110, Gail A. Levi, Pres, Treas, Secy, 100% - Ward 4 (Brown)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Discussion and possible action regarding a Review of a Beer/Wine/Cooler On-sale License.

RECOMMENDATION:
Recommendation to be provided following the discussion of this item at the City Council Meeting.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **54.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding a Review of Conditions of a Tavern License, Dominic L. Laino, dba Club 2100, 2100 Fremont Street, Dominic L. Laino, Owner, 100% - Ward 3 (Reese)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Discussion and possible action regarding a Review of Conditions of a Tavern License.

RECOMMENDATION:
Recommendation to be provided following the discussion of this item at the City Council Meeting.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **55.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: FINANCE AND BUSINESS SERVICES
DIRECTOR: CANDACE FALDER, ACTING ☐ **Consent** ☒ **Discussion**

SUBJECT:
Discussion and possible action regarding a Review of a Temporary Martial Arts Instruction License, Dillow's Training Center, LLC, dba Karate for Kids/ATA, 4840 East Bonanza Road, Suites 2 & 3, Travis N. Dillow, Mgr, 50% and Robin B. Campbell-Dillow, Mgr, 50% - Ward 3 (Reese)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Discussion and possible action regarding a Review of a Temporary Martial Arts Instruction License.

RECOMMENDATION:
Recommendation to be provided following the discussion of this item at the City Council Meeting.

BACKUP DOCUMENTATION:
None

City of Las Vegas Agenda Item No.: **56.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES ☐ **Consent** ☒ **Discussion**

SUBJECT:
BOARDS & COMMISSIONS:

ABEYANCE ITEM - OVERSIGHT PANEL FOR SCHOOL FACILITIES – Councilwoman Lois Tarkanian, Term Expiration 12-31-2008

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
The 1997 State Legislature formed the Oversight Panel for School Facilities whose obligation it is to "review and approve or disapprove a request by the board of trustees of the school district for the issuance of general obligation bonds" for school construction (NRS 393.097). The law calls for a representative of the County Commission and each of the City Councils in Clark County to serve on this panel, along with five members appointed by the Board of School Trustees. Councilwoman Lois Tarkanian has served as the City's representative on this Panel, term expiration December 31, 2008, and is eligible for reappointment. This item was abeyed at the 12-17-2008 City Council meeting.

RECOMMENDATION:
Procedure to fill this seat is appointment by the Mayor with ratification by the City Council. Options are to reappoint Councilwoman Tarkanian or appoint a new member of the Council to serve on the Oversight Panel for School Facilities.

BACKUP DOCUMENTATION:
Current Listing and Authority

12-6-2006

OVERSIGHT PANEL FOR SCHOOL FACILITIES

Member	Appt. Date	Exp./ Notes
Councilwoman Lois Tarkanian (Filled Unexpired Term of Councilman Larry Brown, Resigned 7-20-2005)	7-20-2005 **(Reappt. 12-6-2006)**	12-31-2008

Authority: NRS 393.092; AB353

Term: 2-Year term begins on January 1 and ends on December 31 of the second year

Appointment: Committee consists of 11 members as follows:

Six members elected representatives of local government determined as follows:

1 member board of county commissioners appointed by a majority vote of the board of county commissioners

1 member of the governing body of each incorporated city in the county, each of whom is appointed by a majority vote of the governing body of which he is a member.

If the county and cities' membership is less than six, one additional member of the board of county commissioners and, if applicable, additional members of the governing bodies of incorporated cities in the county, appointed as above, until six members have been appointed. If this membership would result in an unequal number of representatives among the incorporated cities, the membership of the incorporated cities on the panel must be rotated and the board of county commissioners shall draw lots to determine which city of cities will be first represented, which next, and so on.

Five members board of trustees of the County School District according to specific criteria set forth in Section 6 of AB353.

After the initial terms, the term of each member of this panel is 2 years; members are eligible for reappointment.

Purpose: On or before July 1 of each even-numbered year, the Oversight Panel is mandated to submit to the director of the Legislative Counsel Bureau for transmittal to the next regular session of the legislature written recommendations for financing the cost of new construction, design, maintenance and repair of school facilities. In addition, the Oversight Panel shall review and approve or disapprove a request by the Board of Trustees of the School District for the issuance of General Obligation Bonds pursuant to Subsection 4 of NRS 350.020.

City of Las Vegas Agenda Item No.: **57.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES ☐ **Consent** ☒ **Discussion**

SUBJECT:
BOARDS & COMMISSIONS:

ABEYANCE ITEM - REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA (RTC) ADVISORY COMMITTEE ON BUS BENCH/SHELTER CONSTRUCTION AND MAINTENANCE – William McCurdy, Term Expires 1-4-2009; Mel Irwin, Term Expires 1-4-2009

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
This Advisory Committee was created by Assembly Bill 239 to provide information and advice to the RTC concerning the construction and maintenance of benches and shelters for passengers of public mass transportation. Members serve for a term of one year and may be reappointed for additional one year terms. There is no City residency requirement. Both Mr. McCurdy and Mr. Irwin are eligible for reappointment. This item was abeyed at the 12/17/2008 City Council meeting.

RECOMMENDATION:
Procedure for this Board requires appointment by the City Council. Options are:
Reappoint Mr. McCurdy OR appoint a new member to fill his seat.
Reappoint Mr. Irwin OR appoint a new member to fill his seat.

BACKUP DOCUMENTATION:
1. Current Listing and Authority
2. Memo from Office of Government and Community Affairs

12-19-2007

REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA ADVISORY COMMITTEE ON BUS BENCH/SHELTER CONSTRUCTION AND MAINTENANCE

MEMBERS	ADDRESS	ZIP CODE	ORIGINAL APPT.	TERM EXPIRES
1. WILLIAM McCURDY (Brown's Recommendation) (Filled Unexpired Term of Harry Furey)	1117 Hart Avenue	89106	8-1-2007 **(Reappt. 12-19-2007)**	1-04-2009
2. MEL IRWIN (Tarkanian's Recommendation)	P.O. Box 28055	89126	1-04-2006 **(Reappt. 12-20-2006)** **(Reappt 12-19-2007)**	1-04-2009

******

AUTHORITY: Assembly Bill 239, NRS Chapter 373

TERM: 1 year term
Must fill unexpired terms
No term limit

APPOINTED: 2 members appointed by the City Council

PURPOSE: Provides information and advice to the Regional Transportation Commission concerning the construction and maintenance of benches and shelters for passengers of public mass transportation in the county.

MEETINGS: 3rd Thursday every other month at 3:00 P.M.

NOTES: **No City Residency Requirement**
No compensation, per diem, or travel expenses

CONTACTS: Ted Olivas, Director, Government and Community Affairs Office, City of Las Vegas
Carl Scarbrough, Regional Transportation Commission, 600 S. Grand Central Parkway, Ste. #350, Las Vegas, Nevada 89106 (676-1608)

Memorandum

City of Las Vegas
Government & Community Affairs

RECEIVED
CITY CLERK

2008 DEC -9 A 9:13

To: Beverly Bridges, City Clerk

From: Brian Knudsen on behalf of Ted Olivas

C:

Date: December 8, 2008

Re: Regional Transportation Commission of Southern Nevada Advisory Committee on Bus Bench-Shelters

---

Councilwoman Lois Tarkanian contacted Mr. Mel Irwin, whose term on the Regional Transportation Commission (RTC) of Southern Nevada Advisory Committee on Bus Bench-Shelters expires on January 4, 2009. Mr. Irwin wishes to be appointed for another 1 year term on the Commission. Per RTC records, to date, he has attended zero of the five meetings held in the last twelve months. Councilwoman Tarkanian recommends Mr. Irwin's reappointment.

City of Las Vegas Agenda Item No.: **58.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES ☐ **Consent** ☒ **Discussion**

SUBJECT:
BOARDS & COMMISSIONS:

CITY PARKWAY V, INC. – Resignation of Directors Douglas Selby, resignation effective 1-8-2008 and Steve Houchens (Resigned 12-14-2008)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
The Bylaws of City Parkway V, Inc., require two (2) Directors to be appointed by the City Council. Due to the resignations of Douglas Selby and Steve Houchens, the City Council is required to appoint new Directors.

RECOMMENDATION:
It is recommended that Elizabeth N. Fretwell and Scott D. Adams be appointed as Directors to City Parkway V, Inc.

BACKUP DOCUMENTATION:
Letters of Resignation

CITY PARKWAY V, INC.

An Affiliate of the City of Las Vegas

December 22, 2008

City Parkway V, Inc.
400 Stewart Avenue
Las Vegas, Nevada 89101

RE: Resignation from City Parkway V, Inc.

I am resigning as President and Director of City Parkway V, Inc. effective January 8, 2009. It has been my pleasure to serve in this capacity for the past 6 years helping to move the development of Union Park forward.

Douglas A. Selby
President and Director
City Parkway V, Inc.

c: Betsy Fretwell
Mark Vincent
Scott Adams
Teri Ponticello

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

December 12, 2008

To: City of Las Vegas Boards and Commissions

To Whom It May Concern:

I hereby resign my positions as a Director, and Secretary and Treasurer from City Parkway V, Inc., City Parkway IV A, Inc. and Office District Parking I, Inc. effective as of today's date.

Thank you.

Steve Houchens

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

City of Las Vegas Agenda Item No.: **59.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES ☐ **Consent** ☒ **Discussion**

SUBJECT:
BOARDS & COMMISSIONS:

CITY PARKWAY IV A, INC. - Resignation of Directors Douglas Selby, resignation effective 1-8-2008 and Steve Houchens (Resigned 12-14-2008)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
The Bylaws of City Parkway IV A, Inc., require two (2) Directors to be appointed by the City Council. Due to the resignations of Douglas Selby and Steve Houchens, the City Council is required to appoint new Directors.

RECOMMENDATION:
It is recommended that Elizabeth N. Fretwell and Scott D. Adams be appointed as Directors to City Parkway IV A, Inc.

BACKUP DOCUMENTATION:
Letters of Resignation

CITY PARKWAY IV A, INC.

An Affiliate of the City of Las Vegas

December 22, 2008

City Parkway IV A, Inc.
400 Stewart Avenue
Las Vegas, Nevada 89101

RE: Resignation from City Parkway IV A, Inc.

I am resigning as President and Director of City Parkway IV A, Inc. effective January 8, 2009. It has been my pleasure to serve in this capacity for the past 6 years helping to move the development of city-owned property forward.

Douglas A. Selby
President and Director
City Parkway IV A, Inc.

c: Betsy Fretwell
Mark Vincent
Scott Adams
Teri Ponticello

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

December 12, 2008

To: City of Las Vegas Boards and Commissions

To Whom It May Concern:

I hereby resign my positions as a Director, and Secretary and Treasurer from City Parkway V, Inc., City Parkway IV A, Inc. and Office District Parking I, Inc. effective as of today's date.

Thank you.

Steve Houchens

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

City of Las Vegas Agenda Item No.: **60.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES ☐ **Consent** ☒ **Discussion**

SUBJECT:
BOARDS AND COMMISSIONS:

OFFICE DISTRICT PARKING I, INC. - Resignation of Directors Douglas Selby, resignation effective 1-8-2008 and Steve Houchens (Resigned 12-14-2008)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
The Bylaws of Office District Parking I, Inc., require two (2) Directors to be appointed by the City Council. Due to the resignations of Douglas Selby and Steve Houchens, the City Council is required to appoint new Directors.

RECOMMENDATION:
It is recommended that Elizabeth N. Fretwell and Scott D. Adams be appointed as Directors to Office District Parking I, Inc.

BACKUP DOCUMENTATION:
Letters of Resignation

OFFICE DISTRICT PARKING I, INC.

An Affiliate of the City of Las Vegas

December 22, 2008

Office District Parking I, Inc.
400 Stewart Avenue
Las Vegas, Nevada 89101

RE: Resignation from Office District Parking I, Inc.

I am resigning as President and Director of Office District Parking I, Inc. effective January 8, 2009. It has been my pleasure to serve in this capacity for the past 6 years helping to move the development of city-owned property forward.

Douglas A. Selby
President and Director
Office District Parking I, Inc.

c: Betsy Fretwell
Mark Vincent
Scott Adams
Teri Ponticello

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

December 12, 2008

To: City of Las Vegas Boards and Commissions

To Whom It May Concern:

I hereby resign my positions as a Director, and Secretary and Treasurer from City Parkway V, Inc., City Parkway IV A, Inc. and Office District Parking I, Inc. effective as of today's date.

Thank you.

Steve Houchens

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

City of Las Vegas Agenda Item No.: **61.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES ☐ **Consent** ☒ **Discussion**

SUBJECT:
BOARDS & COMMISSIONS:

CHILD CARE LICENSING BOARD – Diana Saffold-Cooks, Term Expiration 6-2011 (Resigned)

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Each member of Council appoints one member subject to ratification by the Council with terms concurrent with the term of the appointing City Council member. All members of this board must be City residents, and unexpired terms must be filled. Additionally, no fewer than one and no more than three members must be currently licensed as owners or operators of child care facilities within the City. The other four citizen members are not required to fill a specific category. Ms. Saffold-Cooks, Councilman Barlow's appointment, has resigned and it will be necessary to fill this unexpired term with a citizen member.

RECOMMENDATION:
Councilman Barlow to recommend his coterminous appointee, filling Ms. Saffold-Cooks unexpired term. The appointee must be a city resident, may be a licensed operator of a child care facility or may be a citizen member.

BACKUP DOCUMENTATION:
Current Listing and Authority

CHILD CARE LICENSING BOARD

MEMBERS	ADDRESS	ZIP CODE	ORIGINAL APPT.	TERM EXPIRES
1. CLODT, TERRY D. **Mayor's Appointment** **(Mayor Pro-Tem Reese appointed for Mayor Goodman)**	6936 Rosinwood St. **(Ward 6 Resident)**	89131	12-17-2003 **(Reappt. 7-11-2007)**	6-2011
2. PROUD, JULIE **Ward 1 (Tarkanian) Appointment**	2509 Callita Court **(Ward 1 Resident)**	89102	12-5-2001 **(Reappt. 7-11-2007)**	6-2011
3. VENTER, JENNY **Ward 2 (Wolfson) Appointment** (Fills Unexpired Term of Jana Tompkins)	3068 Misty Harbor Drive **(Ward 2 Resident)**	89117	11-21-2007	6-2009
4. THOMAS, JoNELL **Ward 3 (Reese) Appointment**	1509 5th Place **(Ward 3 Resident)**	89104	8-4-2004 **(Reappt. 6-20-2007)**	6-2011
5. HAYES, MARY JANE * **Ward 4 (Brown) Appointment** **Licensed Operator of Child Care Facility Representative**	2612 Ashby Avenue **(Ward 1 Resident)**	89102	10-3-2001 **(Reappt. 6-1-2005)**	6-2009
6. VACANT **Ward 5 (Barlow) Appointment** (Fills Unexpired Term of Diana Saffold-Cooks)	**(Ward 5 Resident)**		6-20-2007	6-2011
7. MECHAM, CHRISTINE **Ward 6 (Ross) Appointment** **(Replaced June Gunderson, Resigned 5-7-2006)**	4104 Nancy Margarite Lane **(Ward 6 Resident)**	89130	7-12-2006	6-2009

AUTHORITY: L.V.M.C. 6.24. **Created by Ord. #860, 8-10-60. Bill #92-7, Ord. 3631, 3-4-92, restructured board. Bill #2001-70, Ord. 5346, 8-1-01, financial disclosure statement. Bill #2003-77; Ord. 5635 First Amendment; expanded and defined membership and amended licensing provisions. Ord. 5664 further defined restrictions on membership concerning childcare licensees.**
Per L.V.M.C. 2.49.010, a person is not eligible to serve on this board unless he or she is a resident of the City of Las Vegas.

MEMBERS: 7 MEMBERS appointed by the City Council, with each member of the Council making one appointment.

TERM: 4 years, with term to run concurrent with term of the elected official who made the appointment.

NOTES: **MUST BE CITY RESIDENT. MUST FILL UNEXPIRED TERMS IF APPROPRIATE.**
NO LIMIT TO NUMBER OF TERMS, WHICH MAY BE SERVED.
(City Financial Disclosure no longer required due to adoption of Bill #2001-70, Ord. #5346, adopted 8-1-01. State Financial Disclosure no longer required due to passage of AB611 during 1999 Nevada State Legislature stipulating uncompensated Boards no longer required to file State form.) (Council to give special consideration to the background of appointees - qualifications, ability, education, experience, training, profession or occupation, availability and willingness to serve, etc.)

RESTRICTION: ***No fewer than one and no more than three members must be currently licensed as owners or operators of child care facilities within the City, with an owner/operator who transfers or terminates ownership eligible to complete their term. The other four citizen members are not required to fill a specific category**

PURPOSE: Hears all applications for child care facility licenses and makes recommendations on amendments to the Child Care Chapter of the City Code.

MEETINGS: Meets second Wednesday of each month, 4:00 p.m., Council Chambers.

City of Las Vegas Agenda Item No.: **62.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES ☐ **Consent** ☒ **Discussion**

SUBJECT:
BOARDS & COMMISSIONS:

PLANNING COMMISSION – David Steinman, Term Expiration 6-2009 (Resigned 12-19-2008)

Fiscal Impact

☐ **No Impact** ☐ **Augmentation Required**
☒ **Budget Funds Available**
Amount: $80 per meeting attended
Funding Source: General Fund
Dept./Division: Planning & Development

PURPOSE/BACKGROUND:
The Mayor and each member of City Council appoint one member to this committee subject to ratification by the Council. The terms are concurrent with the term of the appointing City Council member. All members of this board must be City residents but are not required to reside in the specific Ward of the Councilmember making the appointment. Terms are for four years with a limit of two full terms, and unexpired terms must be filled. Additionally, this is a compensatory board. Mr. Steinman was appointed by Councilman Brown in February of 2004. He has resigned from the board and a replacement needs to be appointed to fill his unexpired term.

RECOMMENDATION:
Procedure for this Board is a recommendation by the appropriate member of Council with the approval of Council. Option is:
Appoint a new member to represent Ward 4

BACKUP DOCUMENTATION:
1. Current Listing & Authority
2. Letter of Resignation David Steinman
3. Board Interest Form for Audrey Zachry

12-23-2008 Per Senate Bill 147, effective June 11, 2003, compensated boards meeting certain criteria are no longer required to file State Financial Disclosure Statements. This board meets that established criteria.

PLANNING COMMISSION

MEMBERS	ADDRESS	ZIP CODE	ORIGINAL APPT.	TERM EXPIRES
1. TRUESDELL, RIC **(Mayor's recommendation)** **Mayor's Appointment**	Cornerstone Company 9901 Covington Cross, #170 **(Ward 2 Resident)**	89144	7-7-2004 **(Reappt. 6-20-2007)**	6-2011
2. QUINN, VICKI **(Tarkanian's recommendation)** **Ward 1 Appointment**	1821 Western Avenue **(Ward 1 Resident)**	89102	12-19-2007	6-2011
3. TROWBRIDGE, GLENN (Vice Chairman) **(Wolfson's recommendation)** **Ward 2 Appointment**	8112 Pacific Cove Drive **(Ward 4 Resident)**	89128	7-6-2005	6-2009
4. EVANS, STEVEN **(Reese's appointment)** **Ward 3 Appointment**	State of Nevada 2200 S. Rancho Drive, Ste. #210 **(Ward 3 Resident)**	89102	8-1-2001 **(Reappt. 6-18-2003)** **(Reappt. 6-20-2007)**	6-2011
5. VACANT **(Brown's recommendation)** **Fills Unexpired Term of David Steinman (Resigned)** **Ward 4 Appointment**			2-4-2004	6-2009
6. GOYNES, BYRON A. (Chairman) **(Barlow's recommendation)** **Ward 5 Appointment**	8728 Tala Street **(Ward 6 Resident)**	89131	2-16-2000 **(Reappt. 5-16-2001)** **(Reappt. 6-18-2003)** **(Reappt. 6-20-2007)**	6-2011
7. ELLSWORTH, KEEN **(Ross's recommendation)** **(Fills Unexpired Term of Sam Dunnam)** **Ward 6 Appointment**	7881 W. Charleston, #210 **(Ward 6 Resident)**	89117	10-15-2008	6-2009

AUTHORITY: NRS 278 - L.V.M.C. 2.44
Per L.V.M.C. 2.49.010, a person is not eligible to serve on this board unless he or she is a resident of the City of Las Vegas.

(11-15-95 Ord. 3940, Bill 95-73, removed restriction that PC members could hold no other public office - this restriction was previously removed by the Legislature from NRS.)
(Amended per Bill 2001-70, Ordinance 5346, adopted 8-1-2001, to indicate financial disclosure requirement)
(Amended per Bill 2001-145, Ordinance 5409 - First Amendment, adopted 1-2-2002, to increase compensation for members from $50.00 to $80.00 per meeting attended, effective October 1, 2001 per SB554)

TERM: 4 years (limited to 2 full terms; no former member who has completed two full terms will be eligible for appointment until at least two years from term expiration have elapsed.) **(LVMC 2.44.020; 1-19-2000 Ord. 5193, Revised the expiration of members' terms to run concurrent with the term of the elected official recommending their appointment)**
Must fill unexpired terms.

COMPENSATION: $80.00 per meeting attended

APPOINTED: 7 Members-each member of the City Council recommends one person for appointment w/approval of Council. Terms are coterminous with the member making the recommendation **(Appointees may not be members of the elected governing body - NRS 278.040)**

NOTES: **MUST BE CITY OF LAS VEGAS RESIDENT.**

Per Senate Bill 147, effective June 11, 2003, compensated boards meeting certain criteria are no longer required to file State Financial Disclosure Statements. This board meets that established criteria.

MEETINGS: Meets 2nd & 4th Thursday of each month, 6:00 PM, Council Chambers, January through October, and 1st and 3rd Thursday, November and December.

PURPOSE: The Planning Commission is advisory to the City Council on matters related to zoning and other related issues and serves as a final action board for Tentative and Final Maps.

RECEIVED
CITY CLERK

2008 DEC 19 P 1:55

December 19, 2008

Beverly K. Bridges
City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Dear Ms. Bridges

Effective immediately, I resign my position as Planning Commissioner for the City of Las Vegas.

Sincerely,

David W. Steinman

2616 High Range Drive
Las Vegas, NV 89134-7564

RECEIVED
CITY CLERK

2008 AUG 29 A 10:51

City of Las Vegas
Board, Commission, or Committee Interest Form

Name: AUDREY M. ZACHRY

Home Street Address: 7921 AVIANO PINES

City: LAS VEGAS **ZIP Code:** 89129

Work Street Address: 1009 WHITNEY RANCH

City: HENDERSON **ZIP Code:** 89014

Employer: TRC **Occupation:** CIVIL ENGINEER

Home Phone Number: 702 6551002 **Work Phone Number:** 702 248 6415

Other Phone Number: 702 499 2958 **Email Address:** momazac@cox.net

Please list the boards, commissions, or committees that you are interested in serving on:

BUS BENCH / SHELTER CONSTR. & MAINT.

PLANNING COMMISSION, REDEVELOPMENT AGENCY

TRAFFIC & PARKING COMMISSION

PARKS & REC ADVISORY COMM.

For office use only

CLV Y√ N___

Ward 4

Date 8.29.08

Please list any boards, commissions, or committees that you serve on, or have served on in the past (Use additional pages, if necessary):

APWA - SPRING CONFERENCE COMMITTEE

Please discuss your qualifications to serve on any boards, commissions, or committees (Use additional pages, if necessary):

PLEASE SEE COVER LETTER & RESUMES ATTACHED

Please list any of your relatives or friends that work for the entity in which you would be serving:

NA

Feel free to attach a resume to this form. Upon submitting this form, all information will be considered public information. This form will be kept on file for 6 months from date of submittal. It is the applicant's responsibility to submit a new form after that time. This form does not constitute an application for employment. Please do not to submit this form electronically. It should be printed, completed and mailed along with a letter and resume.

Please submit to:

City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, NV 89101

Fax: (702) 382-4803

**You may be required to be resident of the City of Las Vegas to serve certain boards, committees, or commissions.*

TRC

1009 Whitney Ranch Drive
Henderson, NV 89014

702.248.6415 PHONE
702.248.0626 FAX

www.TRCsolutions.com

RECEIVED
CITY CLERK

2008 AUG 29 A 10:50

RECEIVED
CITY CLERK

2008 AUG 29 A 10:47

August 27, 2008

Beverly Bridges, City Clerk
City of Las Vegas
400 Stewart Avenue
Las Vegas, Nevada 89101

Subject: Request to be considered for Appointment to Committees and Commissions

Dear Ms. Bridges,

I am forwarding my Resume and Interest form to you, in an effort to be considered for appointment to the committees and/or commissions listed on the attached Interest form.

I am a Las Vegas resident and I believe I can serve my community with my expertise in Civil Engineering and Land Development specifically, but generally I can serve as a well invested and concerned citizen and mother of two. I am well organized and I can offer leadership and the ability to help create well thought out recommendations.

I believe in giving back to my community and this is an obvious way I can contribute to my city and state.

In the meantime, please let me know if there's anything I can assist with.

Thank you,

Audrey Zachry
Director of Land Development, TRC
Home address:
7921 Aviano Pines
Las Vegas, Nevada 89129
702-499-2958

Audrey Zachry, P.E.

7921 Aviano Pines Avenue
Las Vegas, Nevada 89129
702-499-2958

Experience

TRC (formerly V-Point)

Land Development Director ***4/2007 through present***

Marketing and Sales
Oversee of Project Entitlements, Project Design and Coordination
Oversee of Production Group implementing Improvement Plans and all relevant reports
Project Scheduling and Client Liaison
Contract Negotiation, Extra Origination, Contract Management and Billing

Subdivision Acceptance LLC

Vice President of Operations ***8/2006 through 4/2007***

Management of Company Start up and Client Base Marketing and Sales
Oversee of Estimates and Cost Analysis
General Management / Hiring

Centex Homes

Land Development Manager ***4/2004 through 7/2006***

Oversight of Construction Management
Management of Project Entitlements, Land Construction Budgets, Construction Schedules, Cash Flows and Contractor Performance
Land Acquisition Analysis, Budgets, Schedules and Proformas
Responsibilities included:

- Land Acquisition research and analysis to help determine profit potential
- Land Acquisition Proformas
- Coordination and Management of Engineering Documents, Entitlements and schedules
- Value Engineering of each facet of construction for Land Development
- Contract Negotiation, Budget Management and Management of Cash Flow projections for Land Development
- Management of Land Construction Schedule to meet the Master Schedule for Vertical Starts and Sales
- Quarterly analysis of Budgets and the Costs to Complete the project to insure Land Costs were projected correctly through home sales
- Bond exoneration and utility refund analysis in order to close out jobs and budgets
- Bi-party and Tri-party contract and budget management
- Training and protocol development for Forward Planning, Land Development Management and Field Operations

CVL Consultants, Inc

Senior Project Manager ***6/2002 through 4/2004***

Oversee of Project Entitlements, Project Design and Coordination
Oversee of Production of Improvement Plans and all relevant reports as well as Final Maps
Project Scheduling and Client Liaison
Contract and Extra Origination and Contract Management

Civiltec, Inc

Project Manager ***3/1996 through 6/2002***

Project Design and Coordination
Tentative Map, Site Planning and Layout, Site Calc'ing and Zoning
Field Note Reduction
Sewer / Water Analysis with Report
Coordination with Hydrology
Storm Drain Calcs
Computer Department Manager; Acad, Softdesk Standards
Client/Architect Coordination and correspondence
Final Mapping

At Home Mom

2/1993 through 3/1996

L.R. Nelson, Inc

Project Manager ***2/1991 through 2/1993***

Project Design and Coordination
Site Layout, Planning and Calc'ing
Field Note Reduction
Sewer / Water Analysis with Report
Coordination with Hydrology and some Storm Drain Calcs
Computer Department Manager; Acad, Softdesk Standards
Construction Management in conjunction with Architect for 2 High Schools
Client/Architect Coordination and correspondence

E. S. I.

Project Designer ***2/1989 through 2/1991***

Project Design and Coordination
Field Note Reduction
Sewer / Water Analysis with Report
Coordination with Hydrology, some Storm Drain Calcs

L.R. Nelson, Inc

Designer ***7/1987 through 2/1989***

S. E. A.
Drafter ***9/1985 through 7/1987***

J. M. Montgomery Engineers
Drafter and Runner ***9/1983 through 9/1985***

Relevant Construction Management Projects

- *Santa Bella 3 and 4 Single Family Residential (SFR) Development*
- *Tropical and Lawrence SFR*
- *Robindale Lindale North and South SFR*
- *Nelson Ranch and Nelson Ranch Pump Station SFR*
- *Edna Van Allen SFR*
- *Mesa Verde (Finished Lot Acquisition) SFR*

Relevant Design Projects

- *Santa Bella 3 and 4 SFR*
- *Tesoro, Terracina, Terrasol Subdivisions*
- *La Cresenta and La Ventina Subdivisions*
- *Grand View Apartments*
- *Martinez Elementary School*
- *Black Mountain, Towncenter LDS Churches*
- *Copper Canyon, Willows At Sunrise, Willows At Lone Mountain Apartments Sites*
- *Edna Garden, Cottonwood At Sunrise, Cottonwood North, Horizon Heights, Fairway Pointe At Queensridge Subdivisions*
- *Horizon Marketplace, Green Valley Business Center, Simmons Market Place Commercial Sites*
- *Las Vegas, Durango, Silverado High Schools*
- *Tate and Snyder Office Building*
- *Valle Verde / Pittman Wash Bridge - Civil Design*
- *Buckingham Estates, South Shore Villas, Copper Ridge Subdivisions*
- *Pecos Road, Windmill Road, Pebble Road*

Education

University of Nevada, Las Vegas
Civil Engineering Major

Certifications / License

State Of Nevada
Professional Engineering License 18277

State Of Nevada
Real Estate License

TRC

Audrey Zachry, PE
Director of Land Development

EDUCATION
Civil Engineering Major, University of Nevada

PROFESSIONAL REGISTRATIONS/CERTIFICATIONS
Professional Engineer, Nevada, (#18277), 2007

AREAS OF EXPERTISE
Ms. Audrey Zachry has expertise in the following areas:

- Master Planned Communities and Infrastructure
- Residential Development
- Commercial Development
- Street Improvements
- Utilities
- Land Development Construction Management

REPRESENTATIVE EXPERIENCE
Ms. Zachry has over 20 years experience in various aspects of Land Development both in the public and private sectors. Her experience includes Construction Management of Residential Developments as well Senior Project Management of civil engineering and design projects. Her position as Director of Land Development allows her to lead and mentor many design teams to produce quality and timely projects for our clients.

Master Planned Communities and Infrastructure

American West Homes, Mountain Falls South – Pahrump, NV (Project Manager: 2007-present)
Ms. Zachry is currently involved with project management of the proposed 4,400 single family residential development in accordance with Nye County standards. This encompasses a 919-acre proposed development, entitlements, drainage facility design, backbone utilities, and street improvements as well as individual lot improvements.

Residential

Ovation, Duck Creek, Clark County, NV (Project Engineer: 2007-Present)
This project consisted of 363 apartment units on 20-acres in Clark County. Ms. Zachry was responsible for the technical drainage study and coordination with the improvement plans.

Plaster Development and Charter Development, Grand View, Copper Canyon, Willows at Sunrise and Willows at Lone Mountain Apartment Sites, Nv (Project Manager: 1998-2002)
These projects were 20 acre apartment sites, Ms. Zachry's responsibilities included close coordination with other firms including architectural, electrical, structural, mechanical, and landscape at all stages of the project. As project manager she designed and managed all civil aspects including offsite utilities and roadways, onsite utilities and ADA compliance.

American Premiere, Centex and Charter Development, Santa Bella, Tesoro, Terracina, Terrasol, Cottonwood Series, Fairway Pointe at Queensridge, La Cresenta and La Ventina Single Family Residential Subdivisions, Nv (Project Manager: 1996-2004)
These projects ranged from 15 to 40 acre sites, Ms. Zachry's responsibilities included project management of the entitlements and civil engineering phase of projects. As project manager she designed and managed all civil aspects including offsite utilities and roadways, onsite utilities and hydraulic and hydrology calculations. She managed and evaluated the site earthwork balance and cost estimates for the client to minimize ultimate project costs.

Commercial

Clark County School District, Martinez Elementary School, NV (Project Manager: 1999 - 2000) Ms. Zachry was responsible for the oversight of project design and coordination with the architect. The project consisted of sewer and water hydraulic analysis, along with traffic analysis coordination. Her responsibilities also included construction services, working through the architect to approve and coordinate product approvals.

Clark County School District, Las Vegas, Durango and Silverado High Schools, Nv (Project Manager: 1991 - 1993)
Ms. Zachry was project manager for each of the 40 acre sites. Her responsibilities included offsite coordination, site layout coordination with the architect and overall management of the civil project design, including water and sewer analysis. Her duties also included coordination of traffic design and hydrology design into the final civil design. Ms. Zachry coordinated and managed the project through the construction phase through the architect in charge.

Marathon Development, Horizon Market Place and Simmons Market Place and Green Valley Business Center, Nv (Project Manager: 2004-2006)
These projects were 20 acre commercial sites, Ms. Zachry's responsibilities included close coordination with other firms including architectural, electrical, structural, mechanical, and landscape at all stages of the project. As project manager she designed and managed all civil aspects including offsite utilities and roadways, onsite utilities and she designed the site utilizing specific specifications of tenants and ADA Compliance.

LDS Church, Black Mountain, Alexander, Galleria and Towncenter LDS Church Sites, Nv (Project Manager: 1998-2002)
Ms. Zachry was project manager for each of the church sites. Her responsibilities included offsite coordination, site layout coordination with the architect and overall management of the civil project design, including water and sewer analysis. Her duties also included coordination of traffic design and hydrology design into the final civil design.

Tate and Snyder, Tate and Snyder Office Building, Nv (1991-1993)
Ms. Zachry's responsibilities included close coordination with the architect and landscape architect to meet the expectations of the client. As project manager she designed and managed all civil aspects including offsite utilities and roadways, onsite utilities and she designed the site utilizing specific specifications of client and ADA Compliance.

Construction Management

Centex, Santa Bella, Tropical/Lawrence, Robindale/Lindale, Nelson Ranch, Mesa Verde, Runvee Single Family Residential Projects, Nv (Land Development Manager: 2004-2006)
Ms. Zachry's role was as Land Development Manager and her responsibilities included pro formas for each project for land acquisition, oversight of entitlements, budget and lot delivery schedules, contract negotiation and management, quarterly cost to completes to corporate, construction management, contractor management, bond exoneration and project close out.

PROFESSIONAL AFFILIATIONS

- American Society of Civil Engineers, ASCE
- American Public Works Association, APWA
- National Women in Construction, NWIC
- American General Contractors, AGC
- National Association of Industrial and Office Properties, Naiop
- Nevada Development Authority, NDA
- Urban Land Institute Nevada, ULI
- US Green Building Council, USGBC

City of Las Vegas Agenda Item No.: **63.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2008-54 – Requires all streets and drives that do not terminate in an intersection to terminate in a circular cul-de-sac. Sponsored by: Councilman Steven D. Ross

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
This bill will amend the City's subdivision regulations to require all streets and drives that do not terminate in an intersection to terminate in a circular cul-de-sac.

RECOMMENDATION:
ADOPTION at 1/7/2009 City Council meeting pursuant to the 12/16/2008 Recommending Committee

First Reading – 12/3/2008; First Publication 12/19/2008

BACKUP DOCUMENTATION:
Bill No. 2008-54

BILL NO. 2008-54

ORDINANCE NO. _____

AN ORDINANCE TO REQUIRE ALL STREETS AND DRIVES THAT DO NOT TERMINATE IN AN INTERSECTION TO TERMINATE IN A CIRCULAR CUL-DE-SAC, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Requires all streets and drives that do not terminate in an intersection to terminate in a circular cul-de-sac.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 18, Chapter 12, Section 105, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18.12.105: In a residential subdivision, private drives shall:

(A) Have a minimum pavement width of twenty-four feet; [and a maximum length of two hundred feet;]

(B) Be accessible only from a public or private residential street; [and]

(C) Terminate in:

(1) An intersection with a public or private street; or

(2) A cul-de-sac that conforms to Section 18.12.130; and

(D) Be provided with street name signs that bear the words "privately maintained," and are of a color and design established by the City and in conformance with the Manual of Uniform Traffic Control Devices. The color of such a sign must differ distinctly from that used in connection with public streets.

SECTION 2: Title 18, Chapter 12, Section 130, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

18.12.130: Cul-de-sacs shall be designed and installed in accordance with City standards. For public streets which terminate other than at an intersection with another public street, and private streets that terminate other than at an intersection with another private or public street, the termination shall be provided by means of a circular cul-de-sac of a sufficient diameter to accommodate emergency service vehicles. [for termination. For private streets or drives which terminate at a length

over one hundred fifty feet, there shall be either a circular turn-around or emergency service vehicle access gates.]

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 4: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

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SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2009.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Val Steed 11-19-08
_____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2008, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2009, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

City of Las Vegas Agenda Item No.: **64.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2008-55 – Amends the Lone Mountain West Master Development Plan and Design Standards to update certain information regarding area acreage, unit counts and density, and to establish a maximum overall residential density of seven dwelling units per gross acre.
Sponsored by: Councilman Larry Brown

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
This bill will amend the Lone Mountain West Master Development Plan and Design Standards to update certain information regarding area acreage, unit counts and density, and to establish a maximum overall residential density of seven dwelling units per gross acre.

RECOMMENDATION:
ADOPTION at 1/7/2009 City Council meeting as a First Amendment pursuant to the 12/16/2008 Recommending Committee

First Reading – 12/3/2008; First Publication 12/19/2008

BACKUP DOCUMENTATION:
1. Bill No. 2008-55
2. Bill No. 2008-55 First Amendment

BILL NO. 2008-55

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE LONE MOUNTAIN WEST MASTER DEVELOPMENT PLAN AND DESIGN STANDARDS TO UPDATE CERTAIN INFORMATION REGARDING AREA ACREAGE, UNIT COUNTS AND DENSITY; TO ESTABLISH A MAXIMUM OVERALL RESIDENTIAL DENSITY OF SEVEN DWELLING UNITS PER GROSS ACRE; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Larry Brown

Summary: Amends the Lone Mountain West Master Development Plan and Design Standards to update certain information regarding area acreage, unit counts and density, and to establish a maximum overall residential density of seven dwelling units per gross acre.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Section 2.2 of the Lone Mountain West Master Development Plan and Design Standards, entitled "Development Parcels," is hereby amended by deleting the introductory paragraph thereof and replacing it with the following:

> Tables 1 and 2 refer specifically to the initial Lone Mountain West Master Plan project area. See Table 3 for a breakdown of planned land uses for the 297-acre area surrounding the initial Lone Mountain West Master Plan project area. Table 4 shows the Lone Mountain West Master Development Plan area as a whole and reflects the various parcel additions and designation changes as of November 6, 2008.

SECTION 2: Section 2.2 of the Lone Mountain West Master Development Plan and Design Standards, entitled "Development Parcels," is hereby amended by deleting Table 4 that appears therein and replacing it with the following Table 4:

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Table 4 – LAND USE DESIGNATION TOTALS FOR ALL PARCELS

COMMERCIAL LAND USES	**APPROX. GROSS ACRES**	
NEIGHBORHOOD COMMERCIAL	0	
VILLAGE COMMERCIAL	11.1	
TOTAL COMMERCIAL	11.1	
RESIDENTIAL LAND USES	**APPROX. GROSS ACRES**	**MAX. TOTAL UNITS**
LOW DENSITY RESIDENTIAL	208.9	1066
MEDIUM-LOW DENSITY RESIDENTIAL	196.5	1782
MULTI-FAMILY MEDIUM RESIDENTIAL	47.0	828
TOTAL RESIDENTIAL	452.4	
TOTAL DWELLING UNITS		3676 [1]
PUBLIC FACILITIES/OPEN SPACE	**APPROX. GROSS ACRES**	
TOTAL PUBLIC FACILITY/OPEN SPACE	92.75	
TOTAL INITIAL LONE MOUNTAIN WEST PROJECT AREA (includes 44.39 acres for schools, trail system, Park I and 6.14 acres for open space and pocket parks)	222.11	
TOTAL ACRES IN PCD (area outside the initial Project Area, including BLM parcels, since included within the Development Plan Area)	333.77	
TOTAL ACREAGE IN PLANNING AREA	555.88	
GROSS RESIDENTIAL DENSITY FOR ENTIRE PLAN AREA		**6.88 [2,3]**

NOTES:

[1] Total units built, under construction, and entitled equals 3,328 units at a density of 5.99 dwelling units per gross acre of the Lone Mountain West Development Plan Area as of November 2008.

[2] Total gross residential density possible at maximum build-out of remaining undeveloped parcels within the Lone Mountain West Development Plan Area as of November 2008.

[3] Maximum residential density for the 555.88 acres represented in the Lone Mountain West Development Plan Area shall not exceed 7.0 dwelling units per gross acre.

SECTION 3: Section 2.3 of the Lone Mountain West Master Development Plan and

Design Standards, entitled "Land Use Designations," is hereby deleted and replaced with the following Section 2.3:

2.3 Land Use Designations

The Lone Mountain West Master Development Plan Area shall be comprised of the eight land use designations listed below.

(1) Neighborhood Commercial

(2) Village Commercial

(3) Low Density Residential (up to 6 du/ac)

(4) Medium-Low Density Residential (up to 12 du/ac)

(5) Multi-Family Medium Residential (up to 25 du/ac)

(6) Public Facilities

(7) Open Space and Recreation

See **Table 1 – Development Parcels** for initial project area data.

See **Table 2 – Proposed Land Use Designations Summary**.

See **Table 4 – Land Use Designation Totals for All Parcels** for area acreage, unit counts and density information current as of November 2008.

Notwithstanding the density limitations identified for each of the three residential designations, the maximum overall residential density permitted within the Lone Mountain West Master Development Plan Area shall not exceed 7.0 dwelling units per gross acre.

SECTION 4: The Planning and Development Department is authorized and directed to make the amendments described in Sections 1 to 3, inclusive, of this Ordinance and to republish the document so amended as deemed appropriate.

SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2009.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Val Steed 11-19-08
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2008, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2009, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

FIRST AMENDMENT

BILL NO. 2008-55

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE LONE MOUNTAIN WEST MASTER DEVELOPMENT PLAN AND DESIGN STANDARDS TO UPDATE CERTAIN INFORMATION REGARDING AREA ACREAGE, UNIT COUNTS AND DENSITY; TO ESTABLISH A MAXIMUM OVERALL RESIDENTIAL DENSITY OF SEVEN DWELLING UNITS PER GROSS ACRE; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Larry Brown

Summary: Amends the Lone Mountain West Master Development Plan and Design Standards to update certain information regarding area acreage, unit counts and density, and to establish a maximum overall residential density of seven dwelling units per gross acre.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Section 2.2 of the Lone Mountain West Master Development Plan and Design Standards, entitled "Development Parcels," is hereby amended by deleting the introductory paragraph thereof and replacing it with the following:

> Tables 1 and 2 refer specifically to the initial Lone Mountain West Master Plan project area. See Table 3 for a breakdown of planned land uses for the 297-acre area surrounding the initial Lone Mountain West Master Plan project area. Table 4 shows the Lone Mountain West Master Development Plan area as a whole and reflects the various parcel additions and designation changes as of December 3, 2008.

SECTION 2: Section 2.2 of the Lone Mountain West Master Development Plan and Design Standards, entitled "Development Parcels," is hereby amended by deleting Table 4 that appears therein and replacing it with the following Table 4:

. . .

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Table 4 – LAND USE DESIGNATION TOTALS FOR ALL PARCELS

COMMERCIAL LAND USES	**APPROX. GROSS ACRES**	
NEIGHBORHOOD COMMERCIAL	0	
VILLAGE COMMERCIAL	11.1	
TOTAL COMMERCIAL	11.1	
RESIDENTIAL LAND USES	**APPROX. GROSS ACRES**	**MAX. TOTAL UNITS**
LOW DENSITY RESIDENTIAL	208.9	1066
MEDIUM-LOW DENSITY RESIDENTIAL	180.1	1623
MULTI-FAMILY MEDIUM RESIDENTIAL	63.4	1124
TOTAL RESIDENTIAL	452.4	
TOTAL DWELLING UNITS		3813 [1]
PUBLIC FACILITIES/OPEN SPACE	**APPROX. GROSS ACRES**	
TOTAL PUBLIC FACILITY/OPEN SPACE	92.75	
TOTAL INITIAL LONE MOUNTAIN WEST PROJECT AREA (includes 44.39 acres for schools, trail system, Park I and 6.14 acres for open space and pocket parks)	222.11	
TOTAL ACRES IN PCD (area outside the initial Project Area, including BLM parcels, since included within the Development Plan Area)	333.77	
TOTAL ACREAGE IN PLANNING AREA	555.88	
GROSS RESIDENTIAL DENSITY FOR ENTIRE PLAN AREA		**7.27** [2,3]

NOTES:

[1] Total units built, under construction, and entitled equals 3,465 units at a density of 6.23 dwelling units per gross acre of the Lone Mountain West Development Plan Area as of December 2008.

[2] Total gross residential density possible at maximum build-out of remaining undeveloped parcels within the Lone Mountain West Development Plan Area as of December 2008.

[3] Maximum residential density for the 555.88 acres represented in the Lone Mountain West Development Plan Area shall not exceed 7.0 dwelling units per gross acre.

SECTION 3: Section 2.3 of the Lone Mountain West Master Development Plan and

Design Standards, entitled "Land Use Designations," is hereby deleted and replaced with the following Section 2.3:

2.3 Land Use Designations

The Lone Mountain West Master Development Plan Area shall be comprised of the eight land use designations listed below.

(1) Neighborhood Commercial

(2) Village Commercial

(3) Low Density Residential (up to 6 du/ac)

(4) Medium-Low Density Residential (up to 12 du/ac)

(5) Multi-Family Medium Residential (up to 25 du/ac)

(6) Public Facilities

(7) Open Space and Recreation

See **Table 1 – Development Parcels** for initial project area data.

See **Table 2 – Proposed Land Use Designations Summary**.

See **Table 4 – Land Use Designation Totals for All Parcels** for area acreage, unit counts and density information current as of December 2008.

Notwithstanding the density limitations identified for each of the three residential designations, the maximum overall residential density permitted within the Lone Mountain West Master Development Plan Area shall not exceed 7.0 dwelling units per gross acre.

SECTION 4: The Planning and Development Department is authorized and directed to make the amendments described in Sections 1 to 3, inclusive, of this Ordinance and to republish the document so amended as deemed appropriate.

SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,

subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2009.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

_____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2008, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2009, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as amended and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

City of Las Vegas Agenda Item No.: **65.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2008-57 – Annexation No. ANX-29903 – Property location: Approximately 1350 feet east of the North Hualapai Way alignment fronting the exit ramp for Clark County Highway 215; Petitioned by: Las Vegas Valley Water District; Acreage: 5.08 acres; Zoned: R-E (County zoning), C-V (City equivalent). Sponsored by: Councilman Steven D. Ross

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
The proposed ordinance annexes certain real property generally located approximately 1350 feet east of the North Hualapai Way alignment fronting the exit ramp for Clark County Highway 215. The annexation is at the request of Las Vegas Valley Water District. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 16, 2009) is set by this ordinance.

RECOMMENDATION:
This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
Bill No. 2008-57 and Location Map

BILL NO. 2008-57

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-29903)

Sponsored by: Councilman Steven D. Ross

Summary: Annexes property described generally as located approximately 1350 feet east of the North Hualapai Way alignment fronting the exit ramp for Clark County Highway 215.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

> That portion of the West Half (W 1/2) of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section 19, Township 19 South, Range 60 East, M.D.M., together with a portion of I-215 Las Vegas Beltway right- of-way as dedicated by instrument recorded in Book 20011204 as Instrument Number 02527 of Clark County, Nevada Records, described as follows.
>
> The West Half (W 1/2) of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4), of Section 19, Township 19 South, Range 60 East, M.D.M., in County of Clark, State of Nevada.

SECTION 2: The City Council hereby determines that the described territory meets the requirements provided by law for annexation to the City for the following reasons:

A. The area to be annexed was contiguous to the City's boundaries at the time the annexation proceedings were instituted;

B. More than one-eighth (1/8) of the aggregate external boundaries of the area are contiguous to the City;

C. The territory proposed to be annexed is not included within the boundaries of another incorporated city or within the boundaries of any unincorporated town as those boundaries existed as of July 1, 1983;

D. The City is eligible to annex the described territory since the landowners have signed a petition constituting one hundred percent (100%) of the owners of record of individual lots or parcels of land within the annexation area.

SECTION 3: The City will provide police protection through the Las Vegas Metropolitan Police Department, fire protection, street maintenance, and library services immediately upon annexation. Garbage collection by the company franchised by the City will also be provided immediately. The City sanitary sewer system will serve the proposed annexation area. Any connection to or extension of this sewer line to serve the annexation area shall be at the expense of the landowners. Other services, such as participation in the City's recreational programs, special education classes and programs, public works planning, building inspections, and other City services will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided by private utility companies and other services to the area will not be affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation will be installed in the presently developed areas upon the request of the property owners and at their expense by means of special assessment districts. Such improvements will be extended into the undeveloped areas as development takes place and the need therefor arises, and will be located according to the needs of the area at that time. Such installations will also be made at the expense of the property owners, either by means of special assessment districts or as

prerequisites to the approval of subdivision plats, building permits or other land use or development applications.

SECTION 4: The annexation of the described territory shall become effective on the 16th day of January, 2009, and on that date the City will have the funds appropriated in sufficient amount to finance the extension into the described territory of police protection, fire protection, street maintenance, street sweeping, and street lighting maintenance.

SECTION 5: The described territory, together with the inhabitants and property thereof, shall, from and after the 16th day of January, 2009, be subject to all debts, laws, ordinances and regulations in force in the City and shall be entitled to the same privileges and benefits as other parts of the City, and shall be subject to municipal taxes levied by the City.

SECTION 6: The City Engineer is hereby instructed to cause to be prepared an accurate map or plat of the described territory and to record the map or plat, together with a certified copy of this ordinance, in the office of the County Recorder of Clark County, Nevada, which recording shall be done prior to the 16th day of January, 2009.

SECTION 7: The described territory, which previously has been zoned R-E (County of Clark classification), is hereby classified as C-V (City of Las Vegas classification), which is deemed to be the City equivalent of the County classification.

SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause of phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2009.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Val Steed 12-3-08
Date

The above and foregoing ordinance was first proposed and read by title to the Council on the _____ day of _____, 2008, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2009, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

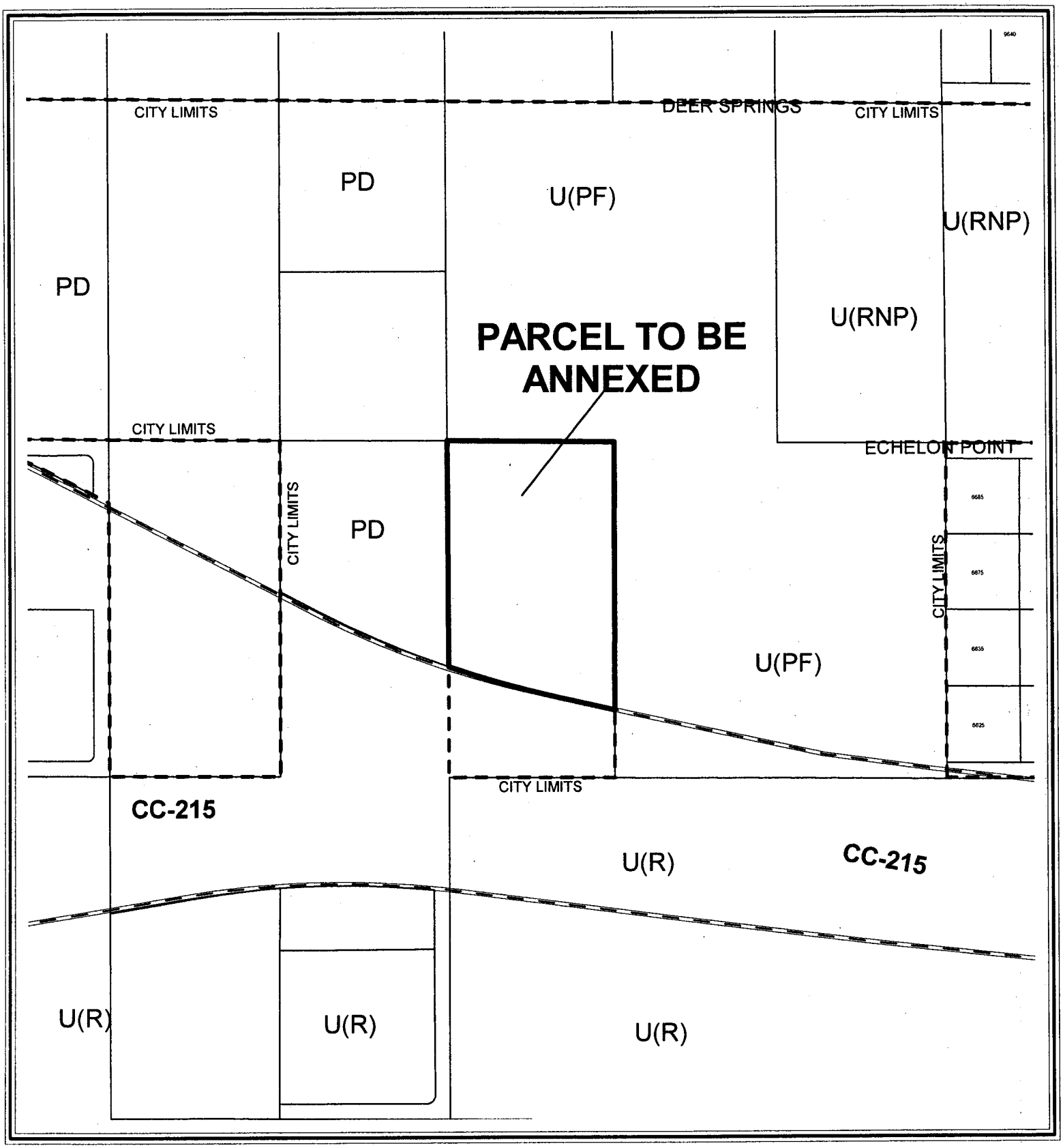
ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk



CASE: ANX-29903

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City of Las Vegas Agenda Item No.: **66.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING

Bill No. 2008-60 – Establishes a framework for transitioning the licensing and regulation of child care facilities within the City to the Nevada Bureau of Services for Child Care, and provides for a prospective repealer of the City's child care regulations. Sponsored by: Councilman Steven D. Ross

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Under Nevada law, the primary responsibility for the licensing and regulation of child care facilities rests with the Nevada Bureau of Services for Child Care (the "Bureau"). For many years the City has exercised its option under State law to license and regulate child care facilities locally. As a cost-saving measure, and in order to facilitate standardized regulation, it is proposed to transition the regulation of these facilities to the Bureau. This bill will accomplish the transition, as well as provide for the repeal of the City's child care regulations following the transition period.

RECOMMENDATION:
This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
1. Bill No. 2008-60
2. Business Impact Statement

BILL NO. 2008-60

ORDINANCE NO. _____

AN ORDINANCE TO ESTABLISH A FRAMEWORK FOR TRANSITIONING THE LICENSING AND REGULATION OF CHILD CARE FACILITIES WITHIN THE CITY TO THE NEVADA BUREAU OF SERVICES FOR CHILD CARE; TO CONFORM CERTAIN DEFINITIONS TO THOSE USED BY THE BUREAU; TO PROVIDE A PROSPECTIVE REPEALER OF THE CITY'S CHILD CARE REGULATIONS; AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Establishes a framework for transitioning the licensing and regulation of child care facilities within the City to the Nevada Bureau of Services for Child Care, and provides for a prospective repealer of the City's child care regulations.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 6, Chapter 24, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 5, reading as follows:

6.24.005: (A) NRS Chapter 432A and associated regulations establish the Nevada Bureau of Services for Child Care (the "Bureau") as the agency responsible for the licensing and regulation of child care facilities within the State of Nevada. However, those provisions also afford certain local governments the option of licensing and regulating child care facilities within their respective jurisdictions, and the City has exercised this option over a period of many years. The City Council now intends to transition the licensing and regulation of child care facilities within the City to the Bureau. Of necessity that transition will take place in phases over a period of time. It is the intent of the City Council and the Bureau as follows:

(1) Beginning on or about January 1, 2009, new license applications will be sent to and processed by the Bureau and, as to applications approved, all subsequent licensing and regulatory activity regarding those licensees will be addressed by the Bureau.

(2) Beginning May 8, 2009, all licensing and regulatory activities otherwise occurring under this Chapter will proceed under the jurisdiction, authority and regulations of the Bureau.

(B) In the event an issue comes up during the transition period that is not adequately addressed by State law and regulations, or by the provisions of this Section, the Department shall have the authority to apply the provisions of this Chapter as deemed necessary or appropriate.

SECTION 2: Title 6, Chapter 24, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

6.24.010: As used in this Chapter, unless the context otherwise indicates, the following terms shall have the meanings that are ascribed to them as follows:

"Accommodation Facility" means a commercial business establishment, not directly related to child care, that provides limited facilities for the custody of customers' children, with or without compensation, for not more than three and one-half hours in any twenty-four-hour period.

"Board" means the Child Care Licensing Board of the City of Las Vegas.

"Board of Health" means the Clark County District Board of Health.

"Child Care Center" means any facility which provides day or night care, or both day and night care, for compensation, for more than twelve children.

"Child Care Facility" or "facility" means an establishment operated and maintained for the purpose of furnishing care on a temporary or permanent basis, during the day or overnight, for compensation, to [one] five or more children less than eighteen years of age. For the purpose of this definition, "furnishing care" does not include:

(1) The occasional care of a neighbor's or a friend's child for a period not to exceed four weeks.

(2) Care provided in the home of a natural parent or guardian, foster home as defined in Chapter 424 of NRS or maternity home.

(3) Care provided in a family dwelling in which the only children received, cared for and maintained are related within the third degree of consanguinity or affinity by blood, adoption or marriage to the person providing the care.

The term includes without limitation an accommodation facility, outdoor youth program, and summer camp program.

"Child Care Institution" means a facility in which the licensee provides care during the day and

night and provides developmental guidance to sixteen or more children who do not routinely return to the homes of their parents or guardians.

"Child with Special Needs" means a child who does not function according to expectations appropriate to his or her age and who regularly requires special assistance or accommodations.

"Department" means the Department of Finance and Business Services.

"Director" means either the licensee of a child care facility or a person appointed by the licensee who is responsible for managing the operation of a child care facility.

"Family Child Care Home" means a facility within a family dwelling in which care is provided for compensation, without the presence of parents, for at least [one,] five, but not more than six children.

"Group Home for Child Care" means a facility within a family dwelling in which care is provided for compensation without the presence of parents, for at least seven, but not more than twelve children.

"On-site Child Care Facility" means a facility that:

(1) Is located on the premises of a business for the purpose of providing child care services to the employees of the business;

(2) Provides care on a temporary or permanent basis, during the day or night, for compensation, to one or more children under the age of eighteen years old who are not related within the third degree of consanguinity or affinity to an owner or manager of the business; and

(3) Is owned, operated, subsidized, managed, contracted for or staffed by the business.

"Outdoor Youth Program" means a program for the provision of services, while living outdoors, to persons under eighteen years of age who have behavioral problems with mental health or problems with abuse of alcohol or drugs. "Outdoor Youth Program" does not include any facility, activity or program operated by or on behalf of a governmental entity, or licensed by the State.

"Preschool" means a facility in which the licensee has established specific goals to enhance each child's cognitive, social, emotional, physical and creative development. A preschool may be part of another type of child care facility. A preschool may allow the number of children stated on its

license to attend one or more class sessions per day provided that each session does not exceed four hours, including recesses, and there is a recess between sessions.

"Regulations" means the City of Las Vegas Regulations and Standards For Child Care Facilities adopted by the City Council in addition to the provisions of this Chapter.

"Special Needs Facility" means a child care facility with forty percent or more of its authorized enrollment consisting of children with special need.

"Summer Camp Program" means a program offered during the summer for the care of children under eighteen years of age. "Summer camp program" does not include recreational programs affiliated with or conducted by the City, another governmental entity or a year-round recreational program offered and conducted by a non-profit organization.

SECTION 3: Effective May 8, 2009, Title 6, Chapter 24, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

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SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2009.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Val Steed 12-3-08
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2008, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2009, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

BUSINESS IMPACT STATEMENT
BILL NO. 2008-60
(Establishes a framework for transitioning the licensing and regulation of child care facilities within the City to the Nevada Bureau of Services for Child Care, and provides for a prospective repealer of the City's child care regulations)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2008-60, that will establish a framework for transitioning the licensing and regulation of child care facilities within the City to the Nevada Bureau of Services for Child Care, and provide for a prospective repealer of the City's child care regulations.

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Not applicable

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

Not applicable

Beneficial effects:

Not applicable

Direct effects:

Not applicable

Indirect effects:

Not applicable

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent that federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: December 3, 2008

City of Las Vegas Agenda Item No.: **67.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 2008-58 – Annexation No. ANX-30397 – Property location: On the southeast corner of Florine Avenue and Tomsik Street; Petitioned by: Daniel Shannon; Acreage: 1.42 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Steven D. Ross

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
The proposed ordinance annexes certain real property generally located on the southeast corner of Florine Avenue and Tomsik. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (January 30, 2009) is set by this ordinance.

RECOMMENDATION:
This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
Bill No. 2008-58 and Location Map

BILL NO. 2008-58

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-30397)

Sponsored by: Councilman Steven D. Ross

Summary: Annexes property described generally as located on the southeast corner of Florine Avenue and Tomsik Street.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to annex, include, and make a part of the City of Las Vegas, Nevada, the following described real property:

That portion of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4), Section 4, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada, being LOT 1 and the adjacent half street right of way of FLORINE AVENUE (formerly CORALIE AVENUE, 30.00 feet wide as measured from centerline thereof) and the half street right of way of TOMSIK STREET (width varies) as shown on Parcel Map in File 30, Page 43 of Clark County, Nevada Records, described as follows:

COMMENCING at the south quarter corner of said Section 4; thence along the east line of the Southwest Quarter (SW 1/4) of said Section 4, North 00°23'58" East 670.64 feet; thence along the north line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of said Section 4 and along the centerline of said FLORINE AVENUE, North 87°42'05" West 340.85 feet to the POINT OF BEGINNING; thence continuing North 87°42'05" West 340.85 feet to the centerline intersection with said TOMSIK STREET; thence along the

centerline of said TOMSIK STREET, South 00°19'14" West 182.31 feet; thence South 87°40'11" East 30.02 feet to the southwest corner of said LOT 1 as shown on said Parcel Map in File 30, Page 43; thence along the south line of said LOT 1, South 87°40'11" East 310.58 feet to the southeast corner of said LOT 1; thence along the east line of said LOT 1, North 00°23'58" East 152.47 feet to the northeast corner of said LOT 1 on the south line of said FLORINE AVENUE; thence continuing North 00°23'58" East 30.02 feet to the POINT OF BEGINNING.

BASIS OF BEARINGS: North 00°23'58" East being the east line of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW 1/4) of Section 4, Township 20 South, Range 60 East, M.D.M., as shown on Parcel Map in File 30, Page 43 of Clark County, Nevada Records.

Prepared by:
Brian Yu, PLS
Public Works, City of Las Vegas,
731 S. Fourth Street,
Las Vegas, 89101
byu@lasvegasnevada.gov

SECTION 2: The City Council hereby determines that the described territory meets the requirements provided by law for annexation to the City for the following reasons:

A. The area to be annexed was contiguous to the City's boundaries at the time the annexation proceedings were instituted;

B. More than one-eighth (1/8) of the aggregate external boundaries of the area are contiguous to the City;

C. The territory proposed to be annexed is not included within the boundaries of another incorporated city or within the boundaries of any unincorporated town as those boundaries existed as of July 1, 1983;

D. The City is eligible to annex the described territory since the landowners have signed a petition constituting one hundred percent (100%) of the owners of record of individual lots or parcels of land within the annexation area.

SECTION 3: The City will provide police protection through the Las Vegas Metropolitan Police Department, fire protection, street maintenance, and library services immediately upon annexation. Garbage collection by the company franchised by the City

will also be provided immediately. The City sanitary sewer system will serve the proposed annexation area. Any connection to or extension of this sewer line to serve the annexation area shall be at the expense of the landowners. Other services, such as participation in the City's recreational programs, special education classes and programs, public works planning, building inspections, and other City services will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided by private utility companies and other services to the area will not be affected by annexation. Street paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation will be installed in the presently developed areas upon the request of the property owners and at their expense by means of special assessment districts. Such improvements will be extended into the undeveloped areas as development takes place and the need therefor arises, and will be located according to the needs of the area at that time. Such installations will also be made at the expense of the property owners, either by means of special assessment districts or as prerequisites to the approval of subdivision plats, building permits or other land use or development applications.

SECTION 4: The annexation of the described territory shall become effective on the 30th day of January, 2009, and on that date the City will have the funds appropriated in sufficient amount to finance the extension into the described territory of police protection, fire protection, street maintenance, street sweeping, and street lighting maintenance.

SECTION 5: The described territory, together with the inhabitants and property thereof, shall, from and after the 30th day of January, 2009, be subject to all debts, laws, ordinances and regulations in force in the City and shall be entitled to the same privileges and benefits as other parts of the City, and shall be subject to municipal taxes levied by the City.

SECTION 6: The City Engineer is hereby instructed to cause to be prepared an accurate map or plat of the described territory and to record the map or plat, together with a certified copy of this ordinance, in the office of the County Recorder of Clark County,

Nevada, which recording shall be done prior to the 30th day of January, 2009.

SECTION 7: The described territory, which previously has been zoned R-E (County of Clark classification), is hereby classified as R-E (City of Las Vegas classification), which is deemed to be the City equivalent of the County classification.

SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause of phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2009.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Val Steed 12-3-08
_____
Date

The above and foregoing ordinance was first proposed and read by title to the Council on the _____ day of _____, 2008, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2009, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

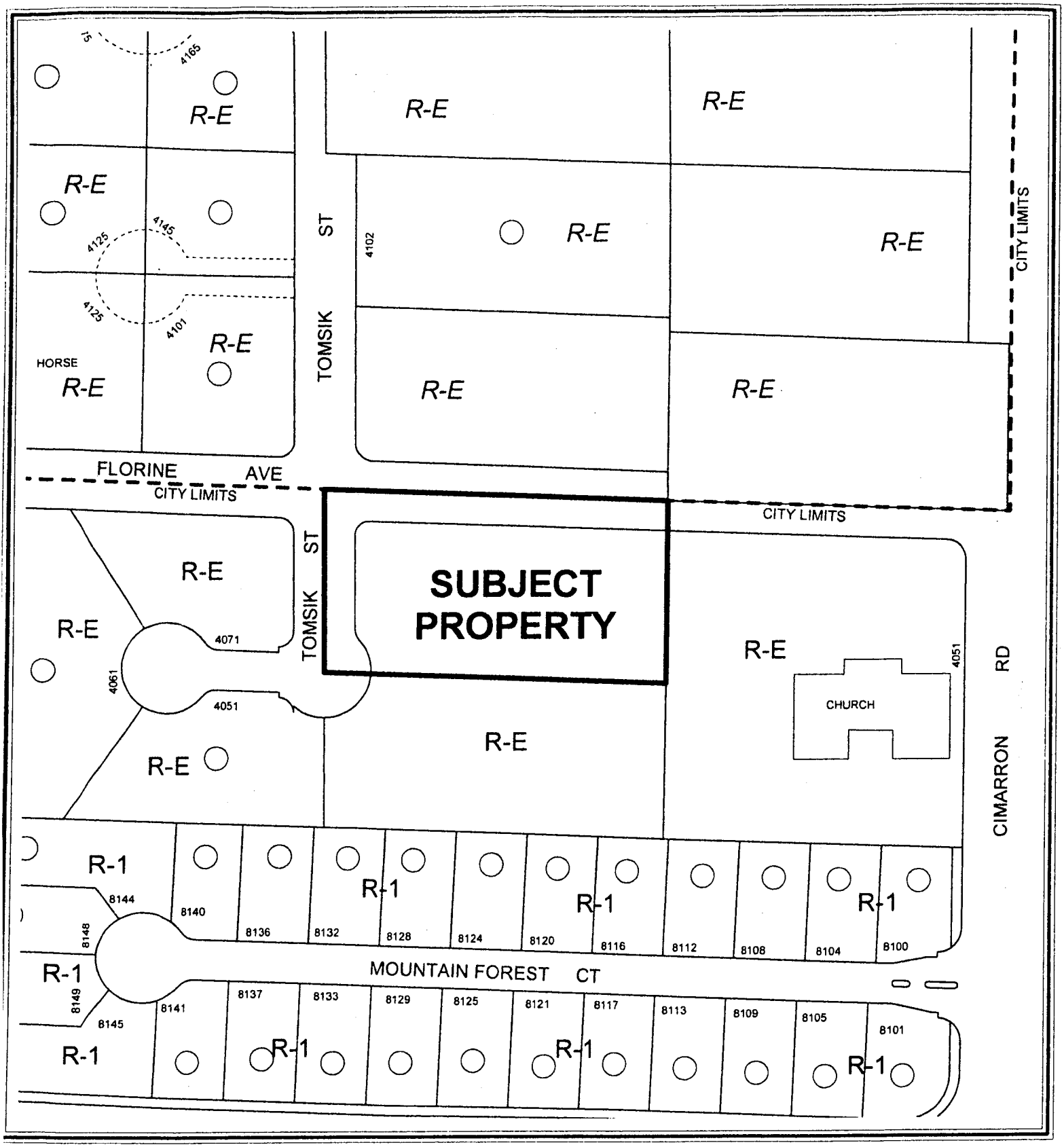
ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk



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CASE: ANX-30397

N

City of Las Vegas Agenda Item No.: **68.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 2008-59 – Updates remedies and procedures pertaining to enforcement of the City's rights in drainage easements. Sponsored by: Councilman Steven D. Ross

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Various provisions of the Municipal Code prohibit unauthorized obstructions and encroachments within drainage easements that run in favor of the City. This bill will clarify and strengthen those prohibitions, expand the enforcement authority available to the City, and authorize the use of nuisance proceedings for violations.

RECOMMENDATION:
This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
Bill No. 2008-59

BILL NO. 2008-59

ORDINANCE NO. _____

AN ORDINANCE TO UPDATE REMEDIES AND PROCEDURES PERTAINING TO ENFORCEMENT OF THE CITY'S RIGHTS IN DRAINAGE EASEMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Updates remedies and procedures pertaining to enforcement of the City's rights in drainage easements.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 9, Chapter 4, Section 10, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.04.010: As used in this Chapter, unless the context requires otherwise, the following terms shall be defined as set forth in this Section.

"Authorized official" means an officer of the Las Vegas Metropolitan Police Department and any person designated and empowered by ordinance, by the City Manager or by the District Health Officer to enforce the provisions of Title 9.

"Chronic nuisance" means the existence of any of the following conditions:

(1) When three or more nuisance activities exist or have occurred during any thirty-day period on a property;

(2) When a person associated with the property has engaged in three or more nuisance activities during any thirty-day period on the property or within one hundred feet of the property;

(3) When the property has been the subject of a search warrant based on probable cause of continuous or repeated violations of NRS Chapter 459; or

(4) When a building or place is used for the purpose of unlawfully selling, serving, storing, keeping, manufacturing, using or giving away a controlled substance, immediate precursor as defined in NRS 453.086 or controlled substance analog as defined in NRS 453.043.

"Criminal activity" means any activity defined as a misdemeanor in the Las Vegas Municipal Code or as a misdemeanor, gross misdemeanor or felony in NRS Title 15.

"Imminent hazard" means any condition associated with real property that places a person's life, health or property in high risk of peril when such condition is immediate, impending, or on the point of happening or menacing.

"Owner" means any person having a legal or equitable interest in real property within the City. For purposes of providing notice under this Chapter to an owner of real property, the term also includes any agent or representative of the owner, or any person who acts as a manager or collects rents regarding that property.

"Person associated with the property" means a person who, on the occasion of a nuisance activity, has:

(1) Entered, patronized or visited;

(2) Attempted to enter, patronize or visit; or

(3) Waited to enter, patronize or visit, a property or a person present on the property.

"Public nuisance," "nuisance," or "nuisance activity" means any of the following conditions:

(1) Any area, structure or object which by its nature, location, or character would tend to attract and endanger the safety of any minor person.

(2) Any violation of Title 16, including violations of the codes pertaining to building, construction, housing, and fire safety adopted thereunder.

(3) Any body of water which by its nature or location constitutes an unhealthy or unsafe condition, including any accumulation of stagnant water that has become or is likely to become a breeding area for insects.

(4) Any refuse, waste, litter or other material, regardless of its market value, which, by reason of its location or character, is unsightly or interferes with the reasonable use and enjoyment of adjacent properties, has a detrimental effect upon adjacent property values, or would hamper or interfere with the containment of fire upon the premises. Examples include, without limitation, decaying or non-decaying solid and semi-solid wastes, whether or not combustible, such as old lumber, tin, wire, cans, barrels, cartons, boxes, rags, tires, inner tubes, brush, grass and hedge clippings, rocks, bricks, cinders, scrap iron, buckets, tubs, windows, screens, glass, bottles,

wastepaper, bedsprings, mattresses, discarded furniture and appliances, bedding and material cleaned from animal or fowl pens, automobile parts, scrap paving material, and piles of earth mixed with other waste material which may harbor insect or rodent infestations or may become a fire hazard.

(5) Any violation of Title 19 or Title 20 of this Code.

(6) Operating a business without a current license as required by Title 6.

(7) Any other act or condition, other than those permitted by NRS 40.140 and 202.450, which, by reason of its nature, character or location, interferes with the reasonable use and enjoyment of adjacent properties, or which has a detrimental effect upon adjacent property values. Such nuisances include without limitation the following:

(a) Weeds, turf grass, or uncultivated plant growth exceeding eight inches in height, either on a vacant parcel or on a developed parcel at a location visible from public property;

(b) Dead trees, plants and other vegetation that present a fire hazard or are otherwise a threat to property or to the health and safety of the public or a segment thereof;

(c) Graffiti, as defined in LVMC 10.48.060, that is allowed to remain for more than twenty-four hours;

(d) Unpainted or painted buildings, walls, fences or other structures whose condition has become so deteriorated as to create a hazardous condition; threaten collapse, displacement, or other breakdown of structural integrity; permit decay, excessive cracking, peeling, chalking, dry rot, warping or termite infestation; or create a condition of blight visible from public right-of-way;

(e) Any vehicle that has been abandoned, or any vehicle in an obviously mechanically inoperable condition, that:

(i) Is parked within a multifamily residential parking lot, in a location that is visible from public property, including a street or alley;

(ii) Has been parked in the same location for more than seven consecutive days;

(f) Criminal activity on any lot or premises within the City.

"Responsible party" means any tenant, occupant, lessor, lessee, manager, licensee or other

person having control over a structure or parcel of land in the City.

SECTION 2: Title 13, Chapter 32, Section 80, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

13.32.080: (A) All unauthorized encroachments or obstructions upon any [street, public alley or highway] public street or highway, public alley or public easement in the City, including abandoned and unregistered motor vehicles, where provision for removal is not otherwise prescribed, shall be removed by the City Manager, or his designee, and the cost of such removal shall be a debt to the City and shall be paid prior to the release of the property or vehicle causing the encroachment or obstruction. The Metropolitan Police Department shall report all such encroachments and obstructions to the City Manager.

(B) The City Manager shall not cause the removal of any encroachment or obstruction, including any abandoned or unregistered vehicle, as prescribed in Subsection (A) of this Section, until he has given the owner of such property causing the obstruction or encroachment twenty-four hours prior written notice to remove it. In the event the owner cannot be ascertained by reasonable efforts, the written notice shall be attached to or posted on the obstruction or encroachment and the period of notification shall begin to run upon such posting.

SECTION 3: Title 20, Chapter 4, Section 50, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20.04.050: (A) It is unlawful for anyone to construct, erect or place any building, structure or improvement on any land within any proposed or existing flood control channel as set forth on the Master Plan of Flood Control Channels Map, excepting, however, when conduit is used instead of an open channel, the City Council upon recommendation of the Planning Commission may allow buildings, structures, or other improvements above the area occupied by the conduit.

(B) Except as authorized by the Director of Public Works, it is unlawful to do any of the following with respect to a drainage easement that runs in favor of the City or another governmental entity:

(1) Place or erect any structure within the boundaries of the easement; or

(2) Deposit or place any object or material that encroaches upon the easement.

(C) Except as authorized by the Director of Public Works, it is unlawful for the owner of property subject to a drainage easement that runs in favor of the City or another governmental entity to:

(1) Knowingly permit the placement of a structure within the boundaries of the easement;

(2) Knowingly permit the deposit or placement of any object or material that encroaches upon the easement; or

(3) Fail to remove any such structure, object or material, upon notice by the City to do so, within the time period specified by the notice.

(D) A violation of this Section or any other provision of this Title constitutes a public nuisance.

SECTION 4: Title 20, Chapter 8, Section 140, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

20.08.140: The Director of Public Works is [hereby appointed to administer and implement] responsible for the implementation, administration and enforcement of this Chapter. Whenever the provisions of this Chapter refer to the Director of Public Works, that reference includes the Director's designee. The Director, with the approval of the City Manager, may authorize employees of other departments to enforce any or all provisions of this Title.

SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 6: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2009.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Val Steed 12-3-08
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2008, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2009, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

City of Las Vegas Agenda Item No.: **69.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
RECOMMENDING COMMITEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING

Bill No. 2008-61 – Establishes electric utility service, rather than water service, as the basis for requiring a property to subscribe to mandatory solid waste collection service. Sponsored by: Councilman Steven D. Ross

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Owners of unoccupied properties often discontinue water service in order to avoid paying for waste collection service. It has been suggested that tying waste collection service to electric utility service, rather than water service, will encourage such owners to maintain their water service. It is hoped that, with water service still available, property owners and owners' associations will be more likely to maintain landscaping on such properties.

RECOMMENDATION:
This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
1. Bill No. 2008-61
2. Business Impact Statement

BILL NO. 2008-61

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE CITY'S SOLID WASTE REGULATIONS CONCERNING MANDATORY WASTE COLLECTION SERVICE REQUIREMENTS, AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Establishes electric utility service, rather than water service, as the basis for requiring a property to subscribe to mandatory solid waste collection service.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 9, Chapter 8, Section 210, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

9.08.210: (A) To ensure the uniform, safe and sanitary treatment of solid waste in the City and to discourage the illegal handling and disposal of solid waste, it shall be mandatory for any person owning, occupying or managing any premises in the City which are connected to [water] an electric utility service to subscribe to solid waste collection service provided by the City or its authorized franchisee and to pay the charges specified in this Chapter. No person may discontinue paying for solid waste collection service for his or her premises, unless such premises are not connected to [water] an electric utility service for the entire billing period.

(B) In order to discontinue paying for solid waste collection service pursuant to Subsection (A) of this Section, a person must request discontinuation of service and provide proof that no [water] electric utility service to the premises is provided. No fee may be charged to discontinue service or to reestablish service to the premises after service has been discontinued pursuant to this Subsection (B).

(C) All charges for regular or periodic services provided by the City, its franchisees, or their duly appointed agents[,] pursuant to this Chapter shall be billed on the first business day of the quarterly or monthly billing period, as applicable, and shall be due and payable on the last day of the billing month; provided, however, that charges for on-call service may be billed at the time of service. All charges for services under this Chapter, including the penalties for delinquent payment,

shall constitute a debt and obligation of the legal owner of the premises to the City or its franchisee, and such person shall be liable therefor in a civil action commenced by the City or its franchisee in any court of competent jurisdiction for the recovery of such charges and penalties.

(D) If any person fails to pay the charges authorized by this Chapter by the date they become due and payable, a penalty shall be added thereto of three dollars per quarter (or fraction thereof) for residential accounts and two percent per month (or fraction thereof) of the delinquent amount for commercial accounts.

(E) A customer shall be entitled to a refund of any advance payment for service he or she has made upon presenting proof that a connection to [water] an electric utility service did not exist at the customer's premises during the entire billing period for which the advance payment was made. All refunds from a franchisee to a customer shall be paid within thirty days from the date of the customer's request for reimbursement or date of franchisee's knowledge that a refund is owed.

(F) No person shall accept and no franchisee shall offer or give any solid waste collection, transportation and disposal services or curbside recyclables collection services without charge, or shall offer or give a discount, refund or rebate of any charge authorized by this Chapter, except that this provision does not apply to any credits or refunds issued pursuant to Section 9.08.340, charitable organizations which are exempt from federal income tax pursuant to Section 501(c) of the Internal Revenue Code or as further provided by franchise agreement.

SECTION 2: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 3: Whenever in this ordinance any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in this ordinance the doing of any act is

required or the failure to do any act is made or declared to be unlawful or an offense or a misdemeanor, the doing of such prohibited act or the failure to do any such required act shall constitute a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $1,000.00 or by imprisonment for a term of not more than six months, or by any combination of such fine and imprisonment. Any day of any violation of this ordinance shall constitute a separate offense.

SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2009.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Val Steed 12-3-08
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2008, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2009, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

BUSINESS IMPACT STATEMENT
BILL NO. 2008-61
(Establishes electric utility service, rather than water service, as the basis for requiring a property to subscribe to mandatory solid waste collection service)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2008-61, that will establish electric utility service, rather than water service, as the basis for requiring a property to subscribe to mandatory solid waste collection service.

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Not applicable. Unable to identify particular businesses or types of businesses that might be affected

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

Unable to identify

Beneficial effects:

Potential decrease in number of properties whose landscaping is not maintained

Direct effects:

Unable to identify

Indirect effects:

Potential decrease in number of properties whose landscaping is not maintained

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent that federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: December 3, 2008

City of Las Vegas Agenda Item No.: **70.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
NEW BILL:

Bill No. 2009-1 – Revises the composition of the Records Management Committee, and adopts the most recent version of the minimum records retention schedules for local governments in Nevada. Proposed by: Beverly K. Bridges, City Clerk

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
This bill will update the composition of the City's Records Management Committee by adding members and providing additional flexibility for the designation of alternates. The bill will also adopt the most recent version of the minimum records retention schedules for local governments in Nevada.

RECOMMENDATION:
This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
1. Bill No. 2009-1
2. Business Impact Statement

BILL NO. 2009-1

ORDINANCE NO. _____

AN ORDINANCE TO REVISE THE COMPOSITION OF THE RECORDS MANAGEMENT COMMITTEE, ADOPT THE MOST RECENT VERSION OF THE MINIMUM RECORDS RETENTION SCHEDULES FOR LOCAL GOVERNMENTS IN NEVADA, AND PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Beverly K. Bridges, City Clerk

Summary: Revises the composition of the Records Management Committee, and adopts the most recent version of the minimum records retention schedules for local governments in Nevada.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Title 2, Chapter 60, Section 30, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2.60.030: A records management committee is hereby established and shall be composed of the following[:] (or their respective designees):

(A) The City Manager; [or his designee;]

(B) The City Attorney; [or his designee;]

(C) The City Clerk;

(D) The City Auditor;

(E) The Director of Finance and Business Services; [or his designee;]

(F) The Director of Public Works ; [or his designee; and]

(G) The Director of Information Technologies; [or his designee.]

(H) The Director of Detention and Enforcement; and

(I) The Municipal Court Administrator.

SECTION 2: Title 2, Chapter 60, Section 70, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

2.60.070: (A) A record may be disposed of only in accordance with the records retention schedule that has been approved for records of that type.

(B) The following documents [entitled "Local Government Records Retention

Schedules" and "Nevada Local Government Records Program Manual," adopted by the Nevada State Library and Archives Division on June 26, 2007,] are hereby adopted by the City[.]:

(1) "Nevada Local Government Records Program Manual," as adopted by the Nevada State Library and Archives Division on June 26, 2007; and

(2) "Local Government Records Retention Schedules," as adopted by the Nevada State Library and Archives Division on June 26, 2007, and as subsequently amended on August 28, 2008.

➥The respective retention periods that are established in those documents shall be the minimum periods for which the records of the City, other than judicial records and other documents of the Municipal Court, must be retained.

(C) The City may establish periods of retention longer than those designated by the State for any particular class of record. Further, the City may establish retention schedules for any record not addressed by the State's schedules. Any schedule proposed to be established pursuant to this Subsection (C) shall be submitted to the Records Management Committee for its approval and, after such schedule has received the approval of the Records Management Committee, the City Clerk shall submit the same to the City Council for its approval. Such approval shall be accomplished by ordinance.

(D) The disposition of judicial records and other documents of the Municipal Court shall be governed by a records retention schedule that is approved by the Judges of the Municipal Court by a court rule that is adopted in accordance with the rules of the Nevada Supreme Court. Such schedule shall become effective upon its approval by a majority of the Judges of the Municipal Court and shall establish a system of records management for Municipal Court to be implemented by the Court Administrator.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,

paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2009.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Val Steed 12-23-08
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2009, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2009, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

BUSINESS IMPACT STATEMENT
BILL NO. 2009-1
(Revises the composition of the Records Management Committee, and adopts the most recent version of the minimum records retention schedules for local governments in Nevada)

This business impact statement was prepared pursuant to NRS 237.090 to address the impact of a proposed ordinance, Bill No. 2009-1, that would revise the composition of the Records Management Committee and adopt the most recent version of the minimum records retention schedules for local governments in Nevada.

1. The following constitutes a description of the number of the manner in which comment was solicited from affected businesses, a summary of their responses and an explanation of the manner in which other interested persons may obtain a copy of the summary.

Not applicable

2. The estimated economic effect of the proposed rule on businesses, including, without limitation, both adverse and beneficial effects, and both direct and indirect effects:

Adverse effects:

None

Beneficial effects:

None

Direct effects:

None

Indirect effects:

None

3. The following constitutes a description of the methods the local government considered to reduce the impact of the proposed rule on businesses and a statement regarding whether any, and if so which, of these methods were used:

Not applicable

4. The governing body estimates the annual cost to the local government for enforcement of the proposed rule is:

No additional cost

5. If the proposed rule provides for a new fee or increases an existing fee, the total annual amount expected to be collected is:

Not applicable

6. If the proposed rule provides for a new fee or increases an existing fee, the money generated by the new fee or increase in existing fee will be used by the local government to:

Not applicable

7. If the proposed rule includes provisions that duplicate or are more stringent that federal, state or local standards regulating the same activity, the following explains when such duplicative or more stringent provisions are necessary:

Not applicable

Date: December 23, 2008

City of Las Vegas Agenda Item No.: **71.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
NEW BILL:

Bill No. 2009-2 – Amends the special use permit standards applicable to secondhand dealers in the Town Center District to allow the sale of personal computers, laptop computers, and other similar computer devices on a non-consignment basis. Sponsored by: Councilman Steven D. Ross

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
Secondhand dealers are permitted by means of special use permit under the current version of the Town Center Development Standards, but the "secondhand" operation is limited to consignment sales. This bill will adjust that limitation to allow a secondhand dealer use to sell personal computers, laptop computers, and other similar computer devices on a non-consignment basis.

RECOMMENDATION:
This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
Bill No. 2009-2

BILL NO. 2009-2

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE TOWN CENTER DEVELOPMENT STANDARDS MANUAL REGARDING THE SPECIAL USE PERMIT STANDARDS APPLICABLE TO SECONDHAND DEALERS TO ALLOW THE SALE OF PERSONAL COMPUTERS, LAPTOP COMPUTERS, AND OTHER SIMILAR COMPUTER DEVICES ON A NON-CONSIGNMENT BASIS; AND PROVIDING FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Steven D. Ross

Summary: Amends the special use permit standards applicable to secondhand dealers in the Town Center District to allow the sale of personal computers, laptop computers, and other similar computer devices on a non-consignment basis.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The Town Center Development Standards Manual, adopted under Section 19.06.110(B) of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended as set forth in Section 2 of this Ordinance. Deletions are shown by bracketing and additions by underlining.

SECTION 2: Section B.4.B of the Manual is amended by amending Subdivision 51 thereof to read as follows:

51) SECONDHAND DEALER

a. Except as otherwise provided in Paragraph (c), [The] the use may be operated for consignment sales only[.

b. Only the following merchandise may be sold:] and such consignment sales shall be limited to the following merchandise: jewelry (Class III), furniture, fixtures, tableware, pictures and paintings.

[c.] b. Payment to the consignor for consigned merchandise may not be made until after the merchandise has been sold.

c. The following (and only the following) secondhand merchandise may be sold on a non-consignment basis to customers of the operation: personal computers, laptop computers, and other similar computer devices.

d. No outdoor displays, sales or storage of any merchandise shall be permitted.

e. The hours of operation shall be limited to the hours between 8:00 a.m. and 10:00 p.m., unless otherwise specified by the City Council.

f. The use shall comply with the applicable requirements of LVMC Title 6.

g. The conditions listed above are not waivable development standards under the provisions of the Town Center Development Standards Manual.

SECTION 3: The Planning and Development Department is authorized and directed to incorporate into the Manual the amendments made by this Ordinance

SECTION 4: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 5: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2009.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Val Steed 12-23-08
_____
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2009, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2009, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

City of Las Vegas Agenda Item No.: **72.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY ATTORNEY
DIRECTOR: BRADFORD R. JERBIC ☐ **Consent** ☒ **Discussion**

SUBJECT:
NEW BILL:

Bill No. 2009-3 – Amends the Downtown Centennial Plan to update the list of uses permitted within the district known as "18b The Las Vegas Arts District." Sponsored by: Councilman Gary Reese

Fiscal Impact

☒ **No Impact** ☐ **Augmentation Required**
☐ **Budget Funds Available**
Amount:
Funding Source:
Dept./Division:

PURPOSE/BACKGROUND:
This bill will add to the list of uses permitted within the district known as "18b The Las Vegas Arts District" the following uses: "Office, Other Than Listed," "Banquet Facility" and "Accessory Massage." The Board of the District's Neighborhood Association has expressed support for the proposal.

RECOMMENDATION:
This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:
Bill No. 2009-3

BILL NO. 2009-3

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE DOWNTOWN CENTENNIAL PLAN TO UPDATE THE LIST OF USES PERMITTED WITHIN THE DISTRICT KNOWN AS "18B THE LAS VEGAS ARTS DISTRICT," AND TO PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by: Councilman Gary Reese

Summary: Amends the Downtown Centennial Plan to update the list of uses permitted within the district known as "18b The Las Vegas Arts District."

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The Downtown Centennial Plan, as adopted by Ordinance No. 5874, is hereby amended as set forth in Sections 2 to 3, inclusive, of this Ordinance.

SECTION 2: Section VII(D)(2)(3) is amended by adding, at the appropriate location, the following use to the list of uses permitted under the category of "Office and Professional Uses":

- Office, Other Than Listed (meaning offices other than those listed in the "Office and Professional Uses" category)

SECTION 3: Section VII(D)(2)(5) is amended by adding, at the appropriate locations, the following uses to the list of uses permitted under the category of "Retail and Personal Services":

- Banquet Facility
- Massage, Accessory

SECTION 4: The Planning and Development Department is authorized and directed to incorporate into the Downtown Centennial Plan the amendments contained in this Ordinance.

SECTION 5: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,

invalid or ineffective.

SECTION 6: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed.

PASSED, ADOPTED and APPROVED this _____ day of _____, 2009.

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

APPROVED AS TO FORM:

Val Steed 12-23-09
Date

The above and foregoing ordinance was first proposed and read by title to the City Council on the _____ day of _____, 2009, and referred to the following committee composed of _____ and _____ for recommendation; thereafter the said committee reported favorably on said ordinance on the _____ day of _____, 2009, which was a _____ meeting of said Council; that at said _____ meeting, the proposed ordinance was read by title to the City Council as first introduced and adopted by the following vote:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT: _____

APPROVED:

By _____
OSCAR B. GOODMAN, Mayor

ATTEST:

_____
BEVERLY K. BRIDGES, CMC
City Clerk

City of Las Vegas Agenda Item No.: **73.**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: CITY CLERK
DIRECTOR: BEVERLY K. BRIDGES ☐ **Consent** ☒ **Discussion**

SUBJECT:

Any items from the afternoon session that the Council, staff and /or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

City of Las Vegas Agenda Item No.: **74.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

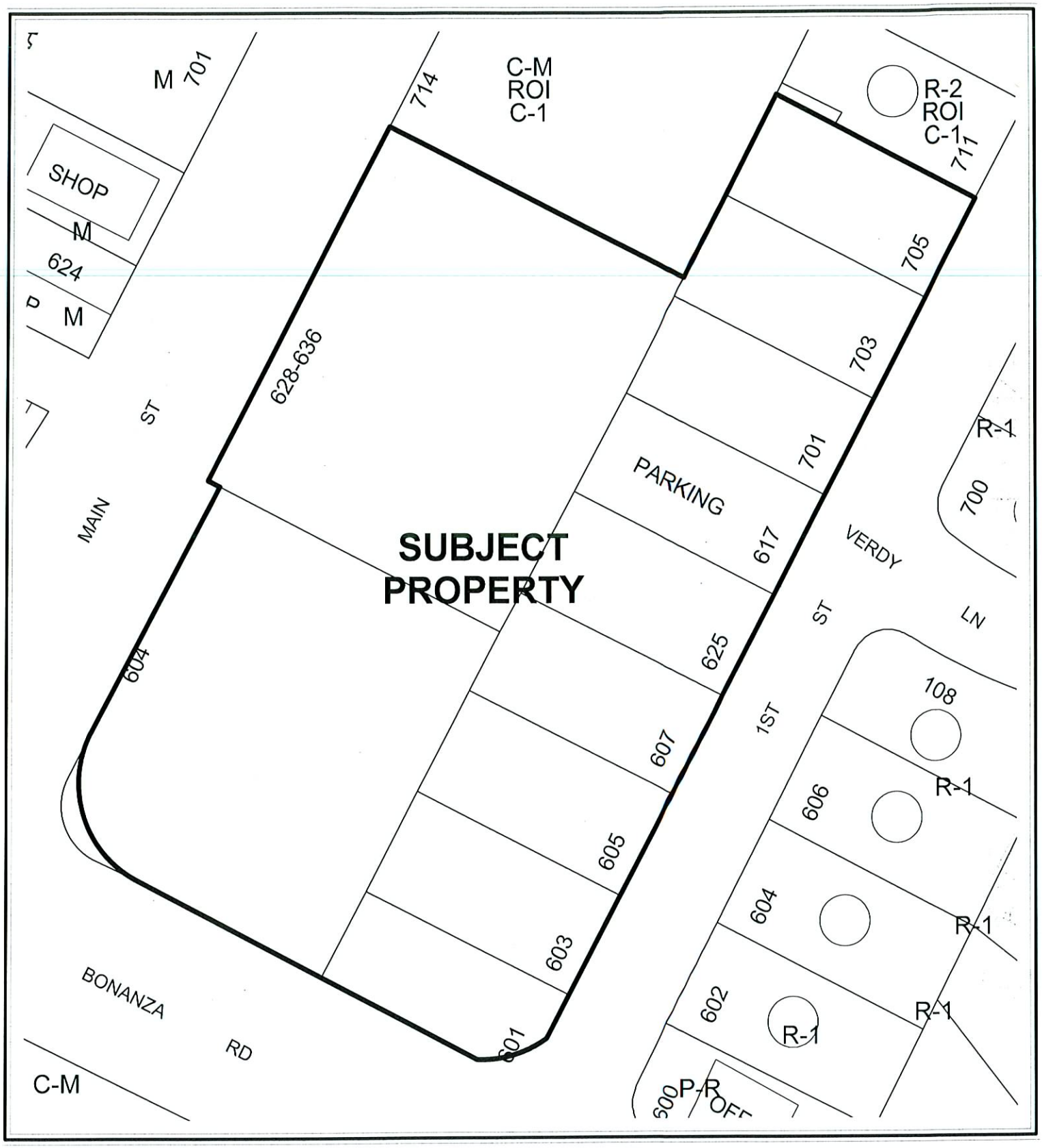
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☒ **Consent** ☐ **Discussion**

SUBJECT:
EOT-32355 - REINSTATEMENT AND EXTENSION OF TIME - REZONING - APPLICANT/OWNER: VERGE LIVING CORP. - Request for a Reinstatement and Extension of Time of an approved Rezoning (Z-0046-02) FROM R-2 (MEDIUM-LOW DENSITY RESIDENTIAL) AND C-M (COMMERCIAL/INDUSTRIAL) TO C-1 (LIMITED COMMERCIAL) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road ((APNs 139-27-810-001, 002, 003, 004 and 139-27-707-008, 046 through 051), Ward 5 (Barlow). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council Approval Letter for Z-0046-02



CASE: **EOT-32355**

ZONING OF SUBJECT PROPERTY:

R-2 (MEDIUM -LOW DENSITY RESIDENTIAL) AND C-M (COMMERCIAL/INDUSTRIAL) ZONE UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-32355 – REINSTATEMENT AND EXTENSION OF TIME – REZONING - APPLICANT/OWNER: VERGE LIVING CORPORATION

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. Rezoning (Z-0046-02) shall expire on November 2, 2010 unless another Extension of Time is approved by City Council.

2. Conformance to the Conditions of Approval for Rezoning (Z-0046-02) and all other related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Reinstatement and an Extension of Time of an approved Rezoning (Z-0046-02) from R-2 (Medium-Low Density Residential) and C-M (Commercial/Industrial) to C-1 (Limited Commercial) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.

It is noted that there are three (3) related Extension of Times (EOT-31907; EOT-31906; and EOT-31350) that will be heard concurrently with this application.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
04/06/60	The Board of City Commissioners approved a request for Rezoning (Z-0011-60) for lots 1-8, inclusive of block 4- Biltmore Addition from C-2 (General Commercial) to R-2 (Low Density Residential). The Planning Commission recommended approval on 03/22/60.
05/05/65	The Board of City Commissioners approved a request for Rezoning (Z-0019-65) from R-2 (Low Density Residential) to C-2 (General Commercial) of property generally located on the northwest corner of Bonanza Road and First Street. The Planning Commission recommended approval on 04/27/65.
07/16/69	The Board of City Commissioners approved a request for Rezoning (Z-0042-69) from C-2 (General Commercial) to C-M (Commercial/Industrial) of property generally located on the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 07/10/69.
11/15/01	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a request to Amend the Downtown Redevelopment Plan (GPA-0042-01) from R-2 (Low Density Residential) to Tourist Commercial on 1.27 acres adjacent to the northwest corner of First Street and Bonanza Road.
11/20/02	The City Council approved a request for a Rezoning (Z-0046-02) from R-2 (Low Density Residential) and C-M (Commercial/Industrial) to C-1 (Limited Commercial) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/24/02.

11/20/02	The City Council approved a request for a Site Development Plan Review [Z-0046-02(1)] and a reduction of the on-site landscape requirements for a 326-unit multi-family senior apartment complex with 20,000 square feet of commercial development on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/24/02.
11/20/02	The City Council approved a request for a Variance (V-0072-02) to allow lot coverage in excess of 50 percent for a senior apartment complex on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/24/02.
11/20/02	The City Council approved a request for a Special Use Permit (U-0114-02) for a multi-family senior apartment complex on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/24/02.
02/05/04	A Code Enforcement case (9611) was processed for abandoned vehicles on a lot at 604 North Main Street. The case was closed on 02/09/04.
04/08/04	A Code Enforcement case (12360) was processed for debris on a vacant lot at 604 North Main Street. The case was closed on 04/22/04.
05/26/04	A Code Enforcement case (15615) was processed for high weeds and junk/abandoned vehicles on a vacant lot at 701 North First Street. The case was closed on 06/16/04.
05/26/04	A Code Enforcement case (15618) was processed for abandoned vehicles, high weeds, and refuse/waste on a vacant lot at 703 North First Street. The case was closed on 06/16/04.
05/26/04	A Code Enforcement case (15617) was processed for abandoned vehicles on a vacant lot at 705 North First Street. The case was closed on 06/10/04.
11/17/04	The City Council approved a request for an Extension of Time (EOT-5402) of an approved Rezoning (Z-0046-02) from R-2 (Low Density Residential) and C-M (Commercial/Industrial) to C-1 (Limited Commercial) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.
11/17/04	The City Council approved a request for an Extension of Time (EOT-5403) of an approved Site Development Plan Review [Z-0046-02(1)] and a reduction of the on-site landscape requirements for a 326-unit multi-family senior apartment complex with 20,000 square feet of commercial development on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.
11/17/04	The City Council approved a request an Extension of Time (EOT-5404) of an approved Special Use Permit (U-0114-02) for a multi-family senior apartment complex on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.
03/17/05	A Code Enforcement case (27395) was processed for an abandoned motor home on a vacant lot at 705 North First Street. The case was closed on 06/22/05.

10/31/05	A Code Enforcement case (35777) was processed for high vegetation on a vacant lot located at 604 North Main Street. The case was closed on 02/23/06.
11/02/05	The City Council approved a request for a Site Development Plan Review (SDR-8649) for a mixed-use development with 296 residential units and 34,700 square feet of commercial space and a waiver in building placement; street and foundation landscape standards; front, corner-side, and rear yard setback requirements; and to allow a 241-foot Residential Adjacency Setback where 249 feet from residential property is required on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/06/05.
11/02/05	The City Council approved a request for a Variance (VAR-8651) to allow no step back where a 1:1 step back ratio is required above 35 feet on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/06/05.
11/02/05	The City Council approved a request for a Special Use Permit (SUP-8814) for a proposed mixed-use commercial and residential development adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/06/05.
11/17/05	A Code Enforcement case (36307) was processed for broken down vehicles on an abandoned lot at 701 North First Street. The case was closed on 01/25/06.
03/15/06	A Code Enforcement case (39278) was processed for a vacant office building being used to house vagrants at 601 North Main Street. The case was closed on 03/20/06.
06/26/06	A Code Enforcement case (43765) was processed for abandoned vehicles on a vacant lot at 705 North First Street. The case was closed on 07/03/06.
07/03/06	A Code Enforcement case (44023) was processed for wrecked vehicles on lot, may be a repair business without a license. The case was closed on 07/24/06.
07/10/06	A Code Enforcement case (44266) was processed for abandoned vehicles on a vacant lot ay 625 North First Street. The case was closed on 07/15/06.
08/24/06	The Planning Commission approved a request for a Tentative Map (TMP-1504) for a mixed-use subdivision consisting of 296 residential condominium units and one commercial lot on 2.47 acres at the northeast corner of Main Street and Bonanza Road.
09/20/06	The City Council approved a request for an Extension of Time (EOT-15724) of an approved Rezoning (Z-0046-02) from R-2 (Low Density Residential) and C-M (Commercial/Industrial) to C-1 (Limited Commercial) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.

01/17/07	The City Council approved a request for a Major Modification (SDR-18025) to an approved Site Development Plan Review (SDR-8649) for a proposed addition of a 2,600 square-foot restaurant; an addition of 40 feet in height of an approved mixed-use development; and to allow a Residential Adjacency Setback of 57 feet where 375 feet is the minimum required on 2.87 acres at the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 12/21/06.
01/17/07	The City Council approved a request for a Review of Condition (ROC-18046) Number 3 of an approved Rezoning (Z-0046-02) to allow a radius of 30 feet where 54 feet was required on the northwest corner of Bonanza Road and Main Street.
04/06/07	A Temporary Commercial Permit (TCP-21080) was issued to allow a barbecue for the reserved guests of Verge Living Corporation for the proposed mixed-use project. The event took place in the parking lot on the southeast corner of Bonanza Road and Main Street. The permit was valid until 04/08/07.
06/11/07	The Planning and Development Department and Department of Public Works administratively denied a request for a Final Map Technical Review (FMP-21862), subject to conditions that will be incorporated into a revised Final Map blue line submittal.
09/19/07	The City Council approved a request for an Extension of Time (EOT-23631) of an approved Special Use Permit (SUP-8814) for a proposed mixed-use commercial and residential development adjacent to the northeast corner of Main Street and Bonanza Road.
12/11/07	A Temporary Commercial Permit (TCP-9016) was issued for a sales event at 604 North Main Street. The permit was valid until 12/12/07.
12/19/07	The City Council approved a request for an Extension of Time (EOT-25466) of an approved Site Development Plan Review (SDR-8649) for a mixed-use development with 296 residential units and 34,700 square feet of commercial space and a waiver in building placement; street and foundation landscape standards; front, corner-side, and rear yard setback requirements; and to allow a 241-foot Residential Adjacency Setback where 249 feet from residential property is required on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.
12/19/07	The City Council approved a request for an Extension of Time (EOT-25467) of an approved Variance (VAR-8651) to allow no step back where a 1:1 step back ratio is required above 35 feet on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.
02/20/08	A Code Enforcement case (62529) was processed for a fence blown down over a week ago on the lot at the corner of First Street and Bonanza Road. The case was closed on 03/06/08.

08/19/08	A Code Enforcement case (68883) was processed for carpet that was removed from the building being left outside and on the street for over two weeks. The case was closed on 08/21/08.
Related Building Permits/Business Licenses	
07/23/07	A building permit (94440) was issued for the demolition of a 3,000 square-foot building at 703 North First Street.
05/14/08	A building permit (0115185) was issued to install a meter and main disconnect on permitted modular at 604 North main Street. The permit was finalized on 11/10/08.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application, nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	2.87

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Vacant Land- Proposed Mixed-Use Development	MXU (Mixed-Use)	C-M (Commercial/Industrial) and R-2 (Low Density Residential)- both with a Resolution of Intent to C-1 (Limited Commercial)
North	Vacant Land	MXU (Mixed-Use)	C-M (Commercial/Industrial) with a Resolution of Intent to C-1 (Limited Commercial)
	Proposed Mixed Use Development	MXU (Mixed-Use)	R-2 (Low Density Residential) with a Resolution of Intent to C-1 (Limited Commercial)

South	Parking Lot	C (Commercial)	C-M (Commercial/Industrial)
	Single-Family Residential	MXU (Mixed-Use)	R-4 (High Density Residential) with a Resolution of Intent to C-2 (General Commercial)
East	Offices	MXU (Mixed-Use)	C-1 (Limited Commercial)
	Single-Family Residential	MXU (Mixed-Use)	R-1 (Single Family Residential)
West	Retail Establishments	C (Commercial)	M (Industrial)
	Vacant Lot	C (Commercial)	C-M (Commercial/Industrial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan	X		Y
Las Vegas Redevelopment Plan (Downtown Redevelopment Area)	X		Y

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		Y
A-O (Airport Overlay) District (200 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This application is for a Reinstatement and a third Extension of Time of an approved Rezoning (Z-0046-02). In the time since the original approval of the Rezoning, the plans for the proposed development changed in January 2007. In addition, a building permit was issued in July 2007 for the demolition of an existing building on the subject site.

Title 19.18.040 allows an extension of time or reinstatement of zoning approval as long as the zoning continues to conform to the use and density classification of the General Plan, and remains consistent with the surrounding area and pattern of development.

FINDINGS

The applicant is requesting that the Rezoning be Reinstated and an Extension of Time granted in order to meet Title 19 requirements. The rezoning conforms to the use and density classification of the MXU (Mixed-Use) General Plan designation and is consistent with the surrounding area and pattern of development. The applicant has not yet met Title 19.18.040 requirements to exercise the Rezoning; therefore, staff recommends approval with a two-year time limit. Conformance to the conditions of approval of Rezoning (Z-0046-02) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT **N/A**

SENATE DISTRICT **N/A**

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-32355** APN: 139-27-712-0846 139-27-707-008, 139-27-810-001 to 004

Name of Property Owner: Verge Living Corporation

Name of Applicant: Verge Living Corporation

Name of Representative: Darren Dunckel

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Darren Dunckel

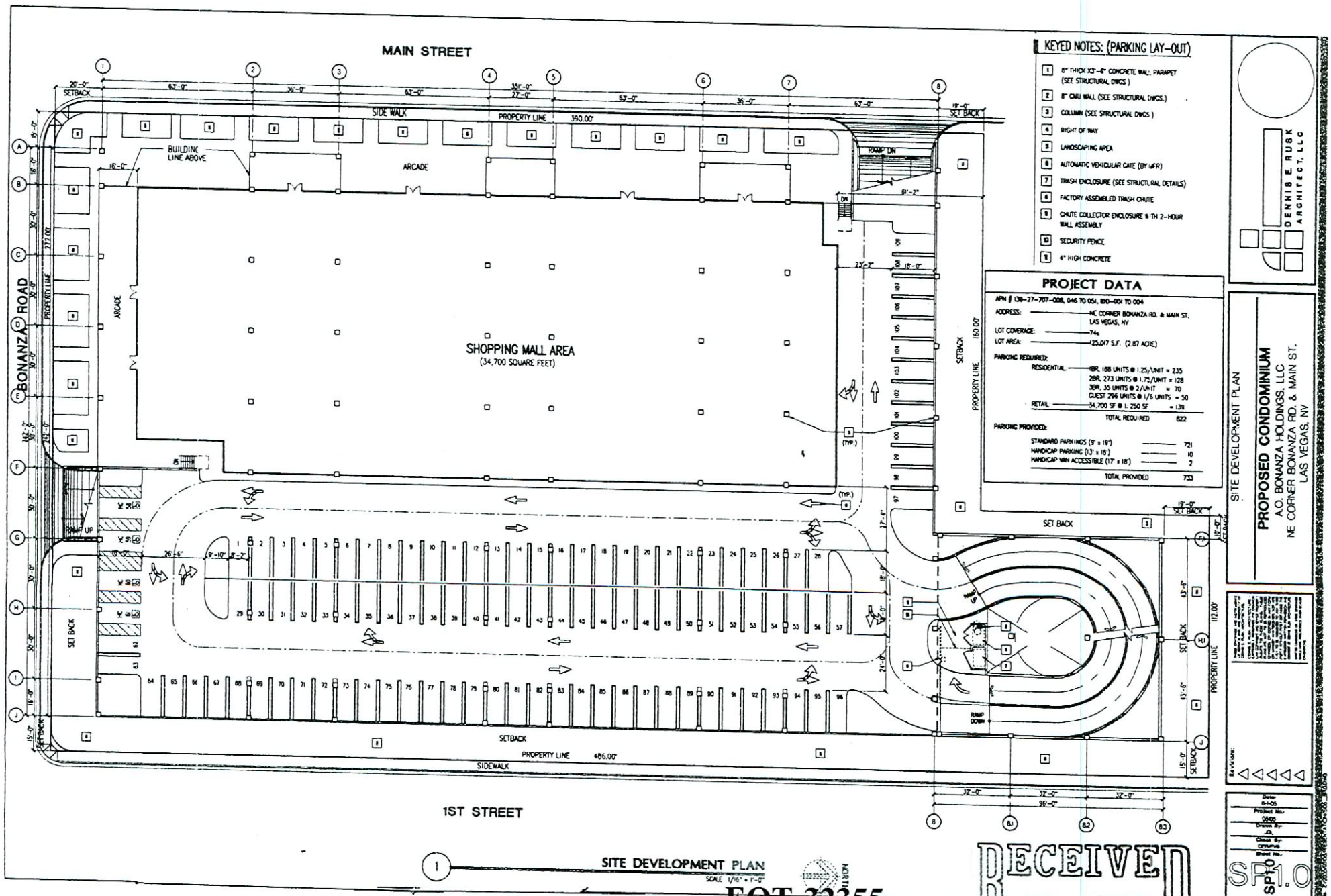
Subscribed and sworn before me

This 1 day of Dec, 20 08

_____

Notary Public in and for said County and State

DANIEL V. LERMAN
Commission # 1686510
Notary Public - California
Los Angeles County
My Comm. Expires Aug 6, 2010



1 SITE DEVELOPMENT PLAN
SCALE 1/16" = 1'-0"

RECEIVED
DEC 2 2008

EOT-32355
01-07-09 CC

VERGE

December 1, 2008

Planning & Development
City of Las Vegas

Re: Justification Letter

On behalf of Verge Living Corporation, I am requesting an extension to our current zoning permit that expires in November 2008.

Verge Living Corporation owns land on the north east corner of Main and Bonanza in the City of Las Vegas. Verge Living has developed plans and has been marketing a mixed use building made up of 318 residential units and approximately 33,000 square feet of retail. The company has spent over $15 million to date on the project with the majority of the money benefitting Las Vegas business.

Prior to the economic downturn that began last year, the Verge project had experienced great success and was a highly anticipated addition to the downtown landscape. The current financial crises, that is impacting the nation has also had its affect on Verge Living Corporation. As the mortgage crises began, Verge Living had secured two LOI's for construction financing only to see one of the companies acquired as it was on the brink of bankruptcy and another back out of their offer as the crises worsened last fall. Since that time Verge Living has been aggressive in its efforts to secure construction financing but has only found empty promises that have lead to false starts on the project.

We believe that once the banking system begins to realize the effects of the government's $700 billion investment/bailout, that our project will be able to secure the construction financing necessary to build the building. The Verge building upon completion will have a positive impact on downtown Las Vegas, creating affordable living and jobs.

As President of Verge Living Corporation, I appreciate your consideration of the extension request and look forward to continuing to be a part of the most dynamic city in the world.

Sincerely,

Darren Dunckel
President
Verge Living Corporation
ddunckel@vergeliving.com
310-729-9007

EOT-32355
01-07-09 CC

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
MICHAEL J. McDONALD
LARRY BROWN
LYNETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK

CITY MANAGER
DOUGLAS A. SELBY

November 21, 2002

Mr. Sam Oved
Bonanza Realty Inc.
18607 Ventura Boulevard, Suite #314
Tarzana, California 91356

RE: Z-0046-02 - REZONING
CITY COUNCIL MEETING OF NOVEMBER 20, 2002
Related to U-0114-02, V-0072-02 & Z-0046-02(1)

Dear Mr. Oved:

The City Council at a regular meeting held November 20, 2002 APPROVED the request for a Rezoning FROM: R-2 (Medium-Low Density Residential) and C-M (Commercial/ Industrial) TO: C-1 (Limited Commercial) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road (APN: 139-27-707-008, 139-27-810-001, 002, 003, 004, 139-27-712-046, 047, 048, 049, 050, and 051), PROPOSED USE: MIXED USE SENIOR APARTMENT AND COMMERICAL DEVELOPMENT. The Notice of Final Action was filed with the Las Vegas City Clerk on November 21, 2002 This approval is subject to:

Planning and Development

1. Resolution of Intent with a two-year time limit.

2. A Site Development Plan review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading and all development activity for the site.

Public Works

3. Dedicate an additional 10 feet of right-of-way adjacent to this site for Bonanza Road, an additional 4 feet for Main Street, an additional 14 feet for a total radius of 54 feet on the northeast corner of Bonanza Road and Main Street and a 25 foot radius on the northwest corner of Bonanza Road and 1st Street prior to the issuance of any permits. Additional public street dedications may be required if so determined in the approved Traffic Impact Analysis Coordinate with the Right-of-way Section of the Department of Public Works for assistance in preparing the appropriate documents.

4. Construct all incomplete half-street improvements on 1st Street, Bonanza Road and Main Street, if any, adjacent to this site concurrent with development of this site. Also, remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

EOT-32355
01-07-09 CC

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

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

5. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A, unless otherwise allowed by City Traffic Engineer. Also, any new driveways or modifications to existing driveways along Main Street and Bonanza Road shall receive approval from the Nevada Department of Transportation.

6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

   Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, whichever may occur first, if allowed by the City Engineer.

EOT-32355
01-07-09 CC

8. Landscape and maintain all unimproved right-of-way on 1st Street, Bonanza Road and Main Street adjacent to this site.

9. Submit an Encroachment Agreement or obtain an Occupancy Permit, as appropriate, for all private improvements located in the 1st Street, Bonanza Road and Main Street public rights-of-way adjacent to this site prior to occupancy of this site.

Sincerely,

Doreen Araujo
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

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

Mr. Rich Moreno
300 S. Fourth Street, Suite #1500
Las Vegas, Nevada 89101

EOT-32355
01-07-09 CC

City of Las Vegas Agenda Item No.: **75.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-31350 - EXTENSION OF TIME - VARIANCE - APPLICANT/OWNER: VERGE LIVING CORP. - Request for an Extension of Time of an approved Variance (VAR-8651) TO ALLOW NO STEP BACK WHERE A 1:1 STEP BACK RATIO IS REQUIRED ABOVE 35 FEET on 2.87 acres adjacent to the northeast corner of Bonanza Road and Main Street (APNs 139-27-810-001, 002, 003, 004 and 139-27-707-008 and 046 through 051), R-2 (Medium-Low Density Residential) and C-M (Commercial/Industrial) Zone under a Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

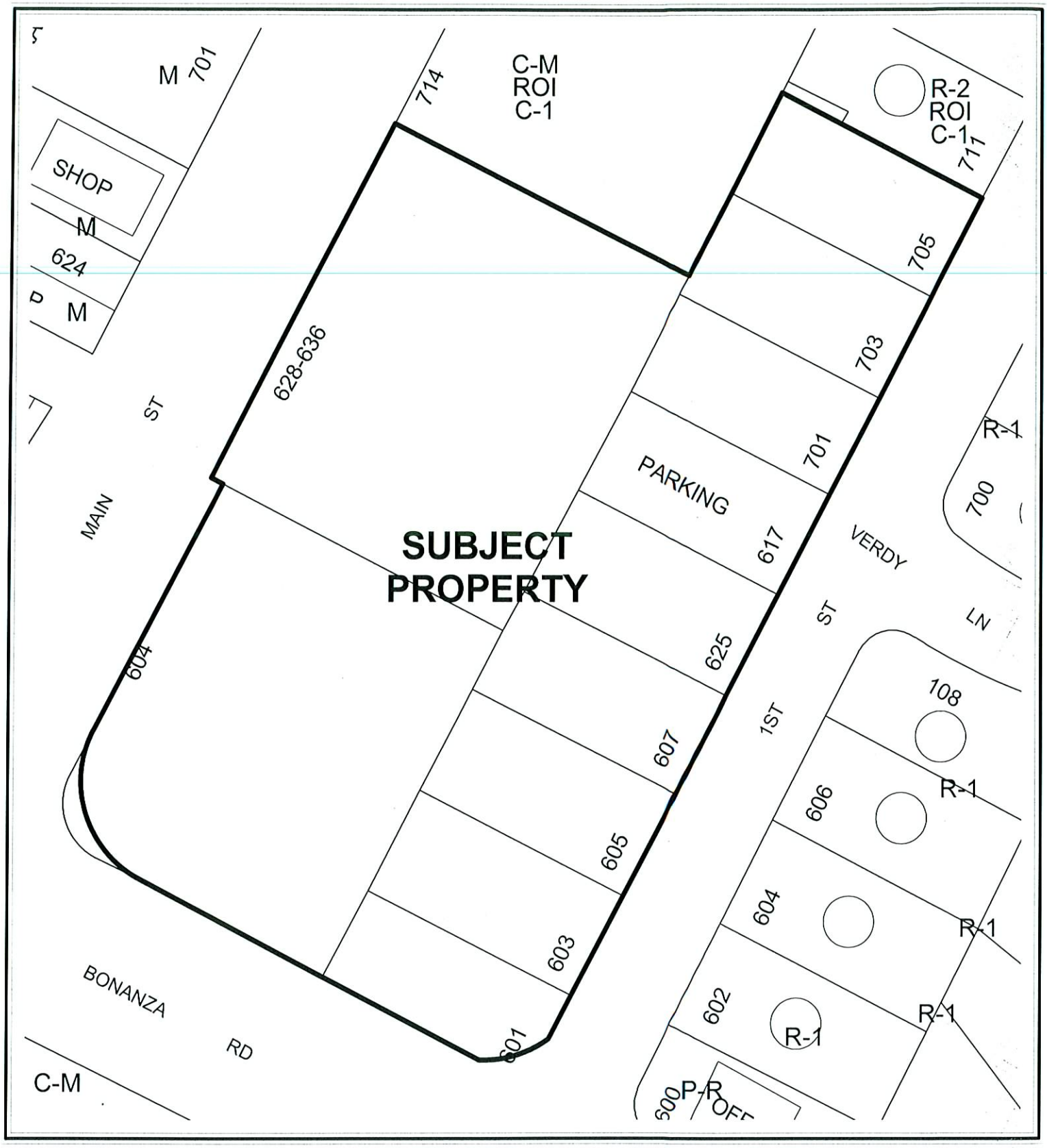
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council Approval Letter for VAR-8651



0 50 100 Feet

CASE: **EOT-31350**

ZONING OF SUBJECT PROPERTY:

R-2 (MEDIUM -LOW DENSITY RESIDENTIAL) AND C-M (COMMERCIAL/INDUSTRIAL) ZONE UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-31350 – EXTENSION OF TIME – VARIANCE -
APPLICANT/OWNER: VERGE LIVING CORPORATION

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. Variance (VAR-8651) shall expire on November 2, 2010 unless another Extension of Time is approved by City Council.

2. Conformance to the Conditions of Approval for Variance (VAR-8651) and all other related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Variance (VAR-8651) to allow no step back where a 1:1 step back ratio is required above 35 feet on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.

It is noted that there are three (3) related Extension of Times (EOT-31907; EOT-31906; and EOT-32355) that will be heard concurrently with this application.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
04/06/60	The Board of City Commissioners approved a request for Rezoning (Z-0011-60) for lots 1-8, inclusive of block 4- Biltmore Addition from C-2 (General Commercial) to R-2 (Low Density Residential). The Planning Commission recommended approval on 03/22/60.
05/05/65	The Board of City Commissioners approved a request for Rezoning (Z-0019-65) from R-2 (Low Density Residential) to C-2 (General Commercial) of property generally located on the northwest corner of Bonanza Road and First Street. The Planning Commission recommended approval on 04/27/65.
07/16/69	The Board of City Commissioners approved a request for Rezoning (Z-0042-69) from C-2 (General Commercial) to C-M (Commercial/Industrial) of property generally located on the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 07/10/69.
11/15/01	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a request to Amend the Downtown Redevelopment Plan (GPA-0042-01) from R-2 (Low Density Residential) to Tourist Commercial on 1.27 acres adjacent to the northwest corner of First Street and Bonanza Road.
11/20/02	The City Council approved a request for a Rezoning (Z-0046-02) from R-2 (Low Density Residential) and C-M (Commercial/Industrial) to C-1 (Limited Commercial) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/24/02.

11/20/02	The City Council approved a request for a Site Development Plan Review [Z-0046-02(1)] and a reduction of the on-site landscape requirements for a 326-unit multi-family senior apartment complex with 20,000 square feet of commercial development on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/24/02.
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11/17/04	The City Council approved a request for an Extension of Time (EOT-5403) of an approved Site Development Plan Review [Z-0046-02(1)] and a reduction of the on-site landscape requirements for a 326-unit multi-family senior apartment complex with 20,000 square feet of commercial development on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.
11/17/04	The City Council approved a request an Extension of Time (EOT-5404) of an approved Special Use Permit (U-0114-02) for a multi-family senior apartment complex on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.
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11/02/05	The City Council approved a request for a Site Development Plan Review (SDR-8649) for a mixed-use development with 296 residential units and 34,700 square feet of commercial space and a waiver in building placement; street and foundation landscape standards; front, corner-side, and rear yard setback requirements; and to allow a 241-foot Residential Adjacency Setback where 249 feet from residential property is required on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/06/05.
11/02/05	The City Council approved a request for a Variance (VAR-8651) to allow no step back where a 1:1 step back ratio is required above 35 feet on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/06/05.
11/02/05	The City Council approved a request for a Special Use Permit (SUP-8814) for a proposed mixed-use commercial and residential development adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/06/05.
11/17/05	A Code Enforcement case (36307) was processed for broken down vehicles on an abandoned lot at 701 North First Street. The case was closed on 01/25/06.
03/15/06	A Code Enforcement case (39278) was processed for a vacant office building being used to house vagrants at 601 North Main Street. The case was closed on 03/20/06.
06/26/06	A Code Enforcement case (43765) was processed for abandoned vehicles on a vacant lot at 705 North First Street. The case was closed on 07/03/06.
07/03/06	A Code Enforcement case (44023) was processed for wrecked vehicles on a lot may be a repair business without a license. The case was closed on 07/24/06.
07/10/06	A Code Enforcement case (44266) was processed for abandoned vehicles on a vacant lot at 625 North First Street. The case was closed on 07/15/06.
08/24/06	The Planning Commission approved a request for a Tentative Map (TMP-1504) for a mixed-use subdivision consisting of 296 residential condominium units and one commercial lot on 2.47 acres at the northeast corner of Main Street and Bonanza Road.
09/20/06	The City Council approved a request for an Extension of Time (EOT-15724) of an approved Rezoning (Z-0046-02) from R-2 (Low Density Residential) and C-M (Commercial/Industrial) to C-1 (Limited Commercial) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.

01/17/07	The City Council approved a request for a Major Modification (SDR-18025) to an approved Site Development Plan Review (SDR-8649) for a proposed addition of a 2,600 square-foot restaurant; an addition of 40 feet in height of an approved mixed-use development; and to allow a Residential Adjacency Setback of 57 feet where 375 feet is the minimum required on 2.87 acres at the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 12/21/06.
01/17/07	The City Council approved a request for a Review of Condition (ROC-18046) Number 3 of an approved Rezoning (Z-0046-02) to allow a radius of 30 feet where 54 feet was required on the northwest corner of Bonanza Road and Main Street.
04/06/07	A Temporary Commercial Permit (TCP-21080) was approved and issued to allow a barbecue for the reserved guests of Verge Living Corporation for the proposed mixed-use project. The event took place in the parking lot on the southeast corner of Bonanza Road and Main Street. The permit was valid until 04/08/07.
06/11/07	The Planning and Development Department and Department of Public Works administratively denied a request for a Final Map Technical Review (FMP-21862), subject to conditions that will be incorporated into a revised Final Map blue line submittal.
09/19/07	The City Council approved a request for an Extension of Time (EOT-23631) of an approved Special Use Permit (SUP-8814) for a proposed mixed-use commercial and residential development adjacent to the northeast corner of Main Street and Bonanza Road.
12/11/07	A Temporary Commercial Permit (TCP-9016) was issued for a sales event at 604 North Main Street. The permit was valid until 12/12/07.
12/19/07	The City Council approved a request for an Extension of Time (EOT-25466) of an approved Site Development Plan Review (SDR-8649) for a mixed-use development with 296 residential units and 34,700 square feet of commercial space and a waiver in building placement; street and foundation landscape standards; front, corner-side, and rear yard setback requirements; and to allow a 241-foot Residential Adjacency Setback where 249 feet from residential property is required on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.
12/19/07	The City Council approved a request for an Extension of Time (EOT-25467) of an approved Variance (VAR-8651) to allow no step back where a 1:1 step back ratio is required above 35 feet on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.
02/20/08	A Code Enforcement case (62529) was processed for a fence blown down over a week ago on the lot at the corner of First Street and Bonanza Road. The case was closed on 03/06/08.

08/19/08	A Code Enforcement case (68883) was processed for carpet that was removed from the building being left outside and on the street for over two weeks. The case was closed on 08/21/08.
Related Building Permits/Business Licenses	
07/23/07	A building permit (94440) was issued for the demolition of a 3,000 square-foot building at 703 North First Street.
05/14/08	A building permit (0115185) was issued to install a meter and main disconnect on permitted modular at 604 North main Street. The permit was finalized on 11/10/08.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application, nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	2.87

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Vacant Land- Proposed Mixed-Use Development	MXU (Mixed-Use)	C-M (Commercial/Industrial) and R-2 (Low Density Residential)- both with a Resolution of Intent to C-1 (Limited Commercial)
North	Vacant Land	MXU (Mixed-Use)	C-M (Commercial/Industrial) with a Resolution of Intent to C-1 (Limited Commercial)
	Proposed Mixed Use Development	MXU (Mixed-Use)	R-2 (Low Density Residential) with a Resolution of Intent to C-1 (Limited Commercial)

South	Parking Lot	C (Commercial)	C-M (Commercial/Industrial)
	Single-Family Residential	MXU (Mixed-Use)	R-4 (High Density Residential) with a Resolution of Intent to C-2 (General Commercial)
East	Offices	MXU (Mixed-Use)	C-1 (Limited Commercial)
	Single-Family Residential	MXU (Mixed-Use)	R-1 (Single Family Residential)
West	Retail Establishments	C (Commercial)	M (Industrial)
	Vacant Lot	C (Commercial)	C-M (Commercial/Industrial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan	X		Y
Las Vegas Redevelopment Plan (Downtown Redevelopment Area)	X		Y

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		Y
A-O (Airport Overlay) District (200 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This request is for a second Extension of Time of an approved Variance (VAR-8651) to allow no step back where a 1:1 step back ratio is required above 35 feet. Title 19.18.070 deems a Variance exercised when a business license is issued to conduct the activity, if required, or upon the issuance of a certification of occupancy or approval of a final inspection. Thus far, a building permit has been issued for the demolition of a building on the subject property, but no permits have been issued for the construction of the proposed development.

FINDINGS

The Variance (VAR-8651) has not met the requirements outlined in Title 19.18.050 to exercise the entitlement. The previous Extension of Time (EOT-25467) was granted for one-year. The applicant is requesting an additional two-year extension to develop the site according to the submitted plans. Staff is recommending approval with a two-year time limit. Conformance to the conditions of approval of the Variance (VAR-8651) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT **N/A**

SENATE DISTRICT **N/A**

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

CITY OF LAS VEGAS

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-31350 APN: 139-27-707-008 139-27-712-006 139-27-810-001, 002, 003, 004

Name of Property Owner: VERGE LIVING CORP

Name of Applicant: VERGE LIVING CORP

Name of Representative: DARREN DUNCKEL

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: DARREN DUNCKEL

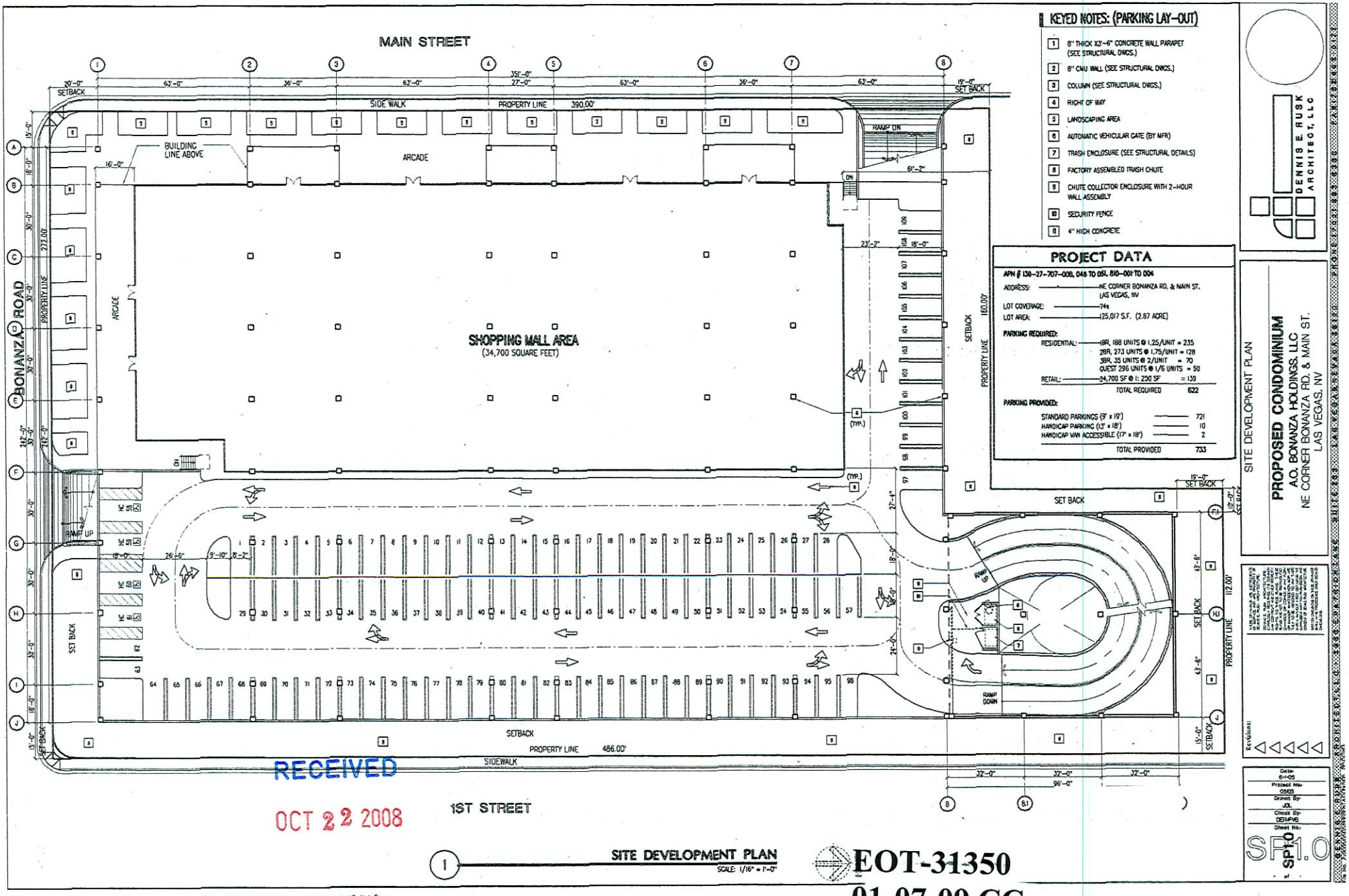
Subscribed and sworn before me

This 16 day of OCT., 2008

_____

Notary Public in and for said County and State

GAVRI BOUZAGLOU
Commission # 1628491
Notary Public - California
Los Angeles County
My Comm. Expires Dec 10, 2009



KEYED NOTES: (PARKING LAY-OUT)

1. 8" THICK X3'-6" CONCRETE WALL PARAPET (SEE STRUCTURAL DWGS.)
2. 8" CMU WALL (SEE STRUCTURAL DWGS.)
3. COLUMN (SEE STRUCTURAL DWGS.)
4. RIGHT OF WAY
5. LANDSCAPING AREA
6. AUTOMATIC VEHICULAR GATE (BY MFR)
7. TRASH ENCLOSURE (SEE STRUCTURAL DETAILS)
8. FACTORY ASSEMBLED TRASH CHUTE
9. CHUTE COLLECTOR ENCLOSURE WITH 2-HOUR WALL ASSEMBLY
10. SECURITY FENCE
11. 4" HIGH CONCRETE

PROJECT DATA

APN # 138-27-707-008, 046 TO 051, 810-001 TO 004

ADDRESS: NE CORNER BONANZA RD. & MAIN ST. LAS VEGAS, NV

LOT COVERAGE: 74%

LOT AREA: 125,017 S.F. (2.87 ACRE)

PARKING REQUIRED:

RESIDENTIAL:	1BR, 188 UNITS @ 1.25/UNIT =	235
	2BR, 273 UNITS @ 1.75/UNIT =	128
	3BR, 35 UNITS @ 2/UNIT =	70
	GUEST 296 UNITS @ 1/6 UNITS =	50
RETAIL:	34,700 SF @ 1: 250 SF =	139
	TOTAL REQUIRED	622

PARKING PROVIDED:

STANDARD PARKINGS (9' x 19')	721
HANDICAP PARKING (13' x 18')	10
HANDICAP VAN ACCESSIBLE (17' x 18')	2
TOTAL PROVIDED	733

DENNIS E. RUSK ARCHITECT, LLC

SITE DEVELOPMENT PLAN

PROPOSED CONDOMINIUM
A.O. BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST.
LAS VEGAS, NV

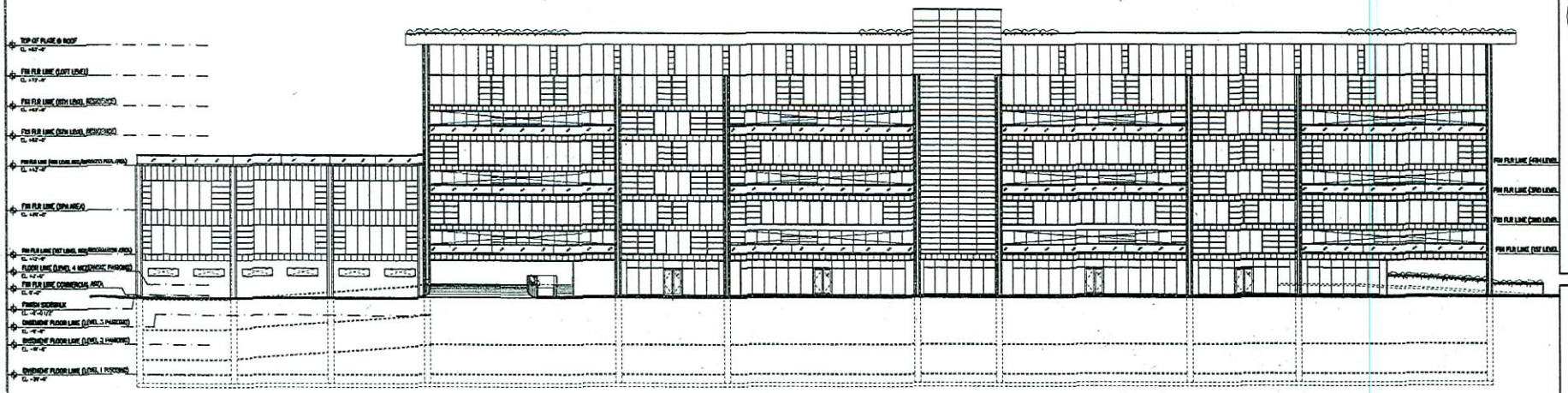
Revisions:

Date: 6-1-08
Project No: 0505
Drawn By: JS
Check By: DER/EVB
Sheet No: SP1.0

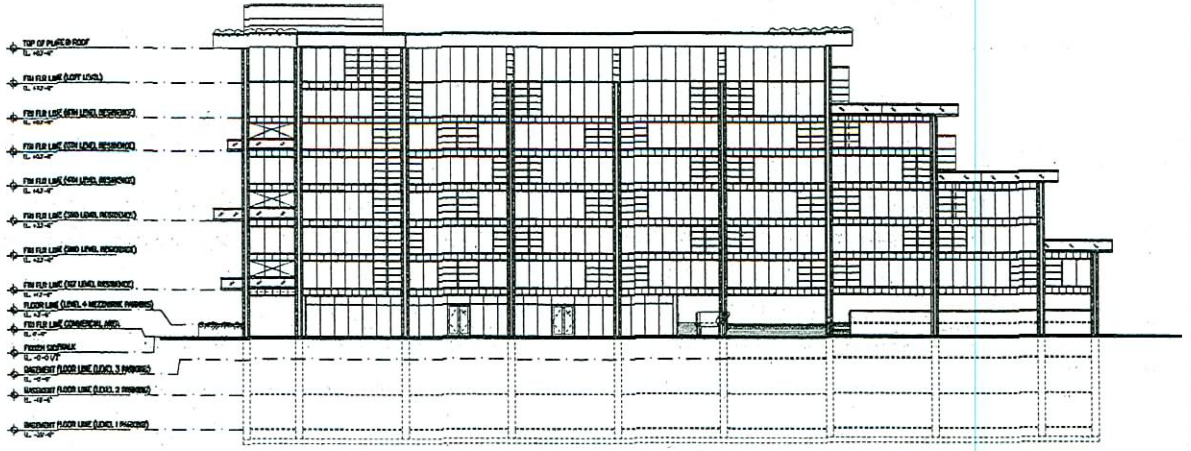
RECEIVED
OCT 22 2008

1 SITE DEVELOPMENT PLAN
SCALE: 1/16" = 1'-0"

EOT-31350
01-07-09 CC



2 ELEVATION ALONG MAIN STREET
SCALE: 1/16" = 1'-0"



1 ELEVATION ALONG BONANZA ROAD
SCALE: 1/16" = 1'-0"

RECEIVED
OCT 22 2008

EOT-31350
01-07-09 CC

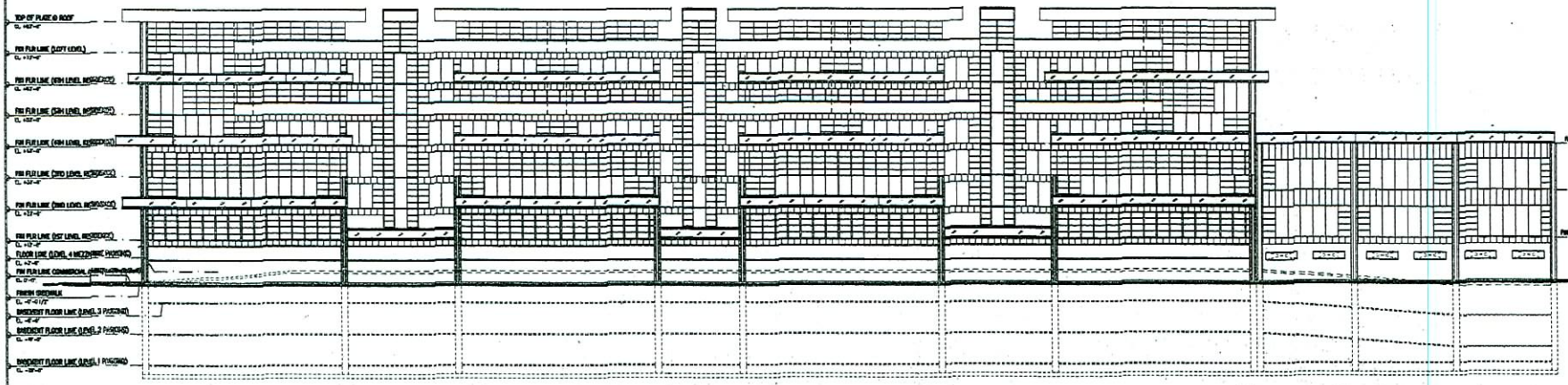
DENNIS E. RUSK
ARCHITECT, LLC

BUILDING ELEVATIONS

PROPOSED CONDOMINIUM
A.O. BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST.
LAS VEGAS, NV

Revisions:

Date: 6-4-05
Project No.: 05105
Drawn By: JCL/RCB
Check By: DER/PVB
Sheet No.: A3.0



2 ELEVATION ALONG 1ST STREET
SCALE: 1/16" = 1'-0"

RECEIVED
OCT 22 2008

1 SOUTH ELEVATION
SCALE: 1/16" = 1'-0"

EOT-31350
01-07-09 CC

DENNIS E. RUSK
ARCHITECT, LLC

BUILDING ELEVATIONS

PROPOSED CONDOMINIUM
A.O. BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST.
LAS VEGAS, NV

Date: 6-4-05
Project No.: 0565
Drawn By: JGL/RDS
Check By: DER/RVG
Sheet No.: A3.1

VERGE

October 16, 2008

Planning & Development
City of Las Vegas

Re: Justification Letter

On behalf of Verge Living Corporation, I am requesting an extension to our current zoning permit that expires in November 2008.

Verge Living Corporation owns land on the north east corner of Main and Bonanza in the City of Las Vegas. Verge Living has developed plans and has been marketing a mixed use building made up of 318 residential units and approximately 33,000 square feet of retail. The company has spent over $15 million to date on the project with the majority of the money benefitting Las Vegas business.

Prior to the economic downturn that began last year, the Verge project had experienced great success and was a highly anticipated addition to the downtown landscape. The current financial crises, that is impacting the nation has also had its affect on Verge Living Corporation. As the mortgage crises began, Verge Living had secured two LOI's for construction financing only to see one of the companies acquired as it was on the brink of bankruptcy and another back out of their offer as the crises worsened last fall. Since that time Verge Living has been aggressive in its efforts to secure construction financing but has only found empty promises that have lead to false starts on the project.

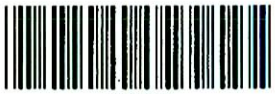
We believe that once the banking system begins to realize the effects of the government's $700 billion investment/bailout, that our project will be able to secure the construction financing necessary to build the building. The Verge building upon completion will have a positive impact on downtown Las Vegas, creating affordable living and jobs.

As President of Verge Living Corporation, I appreciate your consideration of the extension request and look forward to continuing to be a part of the most dynamic city in the world.

Sincerely,

Darren Dunckel
President
Verge Living Corporation
ddunckel@vergeliving.com
310-729-9007

EOT-31350
01-07-09 CC



AS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

November 3, 2005

Ms. Moshe Schnapp
A.O. Bonanza Holding, LLC
1061-1/2 North Spaulding Avenue
West Hollywood, California 90046

RE: VAR-8651 - VARIANCE
CITY COUNCIL MEETING OF NOVEMBER 2, 2005
RELATED TO SUP-8814 AND SDR-8649

Dear Ms. Schnapp:

The City Council at a regular meeting held November 2, 2005 APPROVED the request for a Variance TO ALLOW NO STEP BACK WHERE A 1:1 STEP BACK RATIO IS REQUIRED ABOVE 35 FEET on 2.87 acres adjacent to the northeast corner of Bonanza Road and Main Street (APNs 139-27-810-001, 002, 003, 004 and 139-27-707-008 and 046 through 051), R-2 (Medium-Low Density Residential) Zone and C-M (Commercial/Industrial) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on November 3, 2005. This approval is subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Special Use Permit (SUP-8814) and a Site Development Plan Review (SDR-8649) by the City Council.

2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City.

Sincerely,

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

cc: See Attached List

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

EOT-31350
01-07-09 CC

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

Mr. Bill Curran
Curran & Parry
300 South 4th Street, Suite #101
Las Vegas, Nevada 89101

EOT-31350
01-07-09 CC

City of Las Vegas Agenda Item No.: **76.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

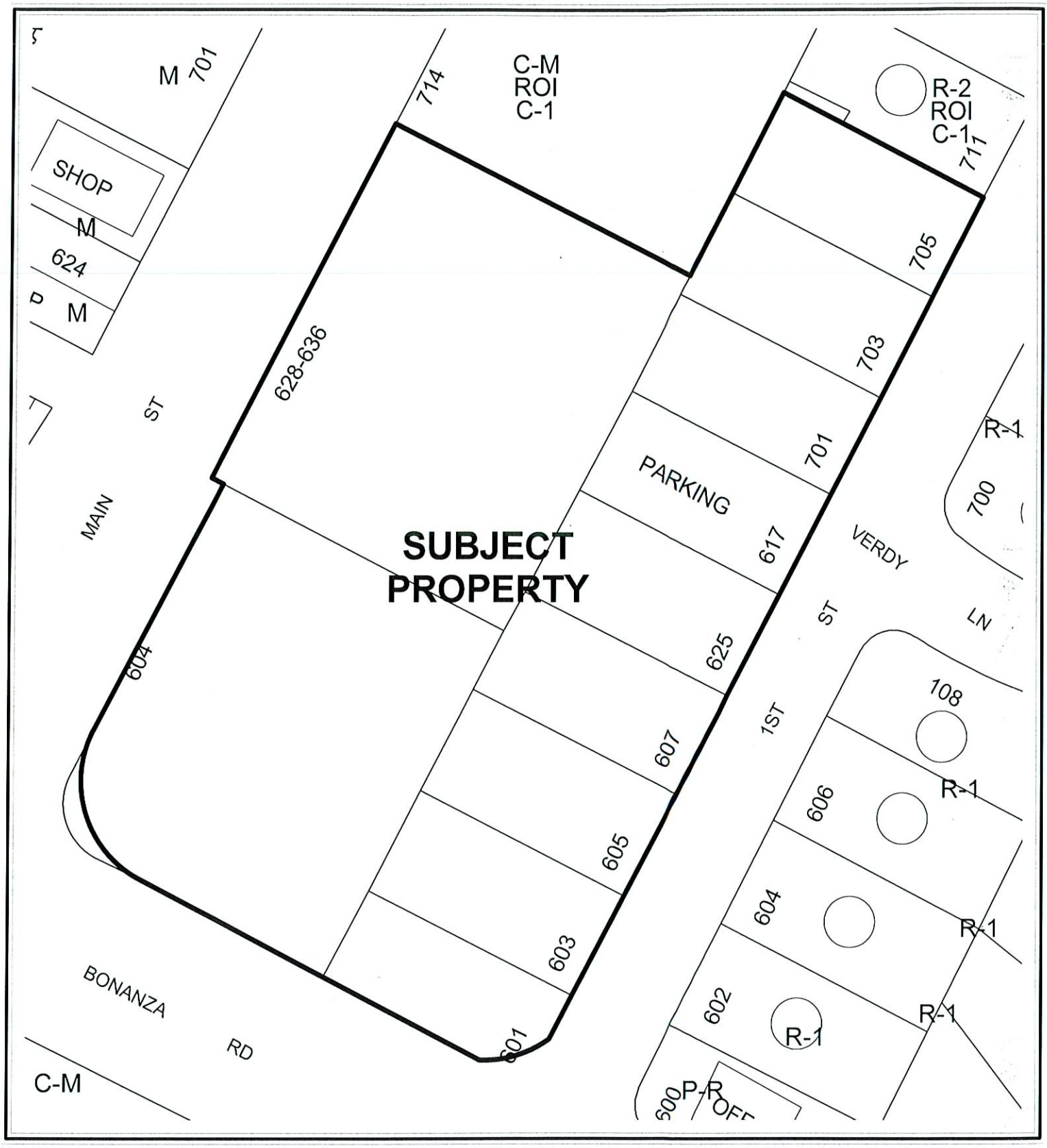
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☒ **Consent** ☐ **Discussion**

SUBJECT:
EOT-31907 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT/OWNER: VERGE LIVING CORP. - Request for an Extension of Time of an approved Special Use Permit (SUP-8814) FOR A PROPOSED MIXED-USE COMMERCIAL AND RESIDENTIAL DEVELOPMENT adjacent to the northeast corner of Main Street and Bonanza Road (APNs 139-27-810-001, 002, 003, 004 and 139-27-707-008, 046 through 051), R-2 (Medium-Low Density Residential) Zone and C-M (Commercial/Industrial) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council Approval Letter for SUP-8814



0 50 100 Feet

CASE: **EOT-31907**

ZONING OF SUBJECT PROPERTY:

R-2 (MEDIUM -LOW DENSITY RESIDENTIAL) AND C-M (COMMERCIAL/INDUSTRIAL) ZONE UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-31907 – EXTENSION OF TIME – SPECIAL USE PERMIT -
APPLICANT/OWNER: VERGE LIVING CORPORATION

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. Special Use Permit (SUP-8814) shall expire on November 2, 2010 unless another Extension of Time is approved by City Council.

2. Conformance to the Conditions of Approval for Special Use Permit (SUP-8814) and all other related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Special Use Permit (SUP-8814) for a proposed mixed-use commercial and residential development adjacent to the northeast corner of Main Street and Bonanza Road.

It is noted that there are three (3) related Extension of Times (EOT-32355; EOT-31906; and EOT-31350) that will be heard concurrently with this application.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
04/06/60	The Board of City Commissioners approved a request for Rezoning (Z-0011-60) for lots 1-8, inclusive of block 4- Biltmore Addition from C-2 (General Commercial) to R-2 (Low Density Residential). The Planning Commission recommended approval on 03/22/60.
05/05/65	The Board of City Commissioners approved a request for Rezoning (Z-0019-65) from R-2 (Low Density Residential) to C-2 (General Commercial) of property generally located on the northwest corner of Bonanza Road and First Street. The Planning Commission recommended approval on 04/27/65.
07/16/69	The Board of City Commissioners approved a request for Rezoning (Z-0042-69) from C-2 (General Commercial) to C-M (Commercial/Industrial) of property generally located on the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 07/10/69.
11/15/01	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a request to Amend the Downtown Redevelopment Plan (GPA-0042-01) from R-2 (Low Density Residential) to Tourist Commercial on 1.27 acres adjacent to the northwest corner of First Street and Bonanza Road.
11/20/02	The City Council approved a request for a Rezoning (Z-0046-02) from R-2 (Low Density Residential) and C-M (Commercial/Industrial) to C-1 (Limited Commercial) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/24/02.

11/20/02	The City Council approved a request for a Site Development Plan Review [Z-0046-02(1)] and a reduction of the on-site landscape requirements for a 326-unit multi-family senior apartment complex with 20,000 square feet of commercial development on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/24/02.
11/20/02	The City Council approved a request for a Variance (V-0072-02) to allow lot coverage in excess of 50 percent for a senior apartment complex on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/24/02.
11/20/02	The City Council approved a request for a Special Use Permit (U-0114-02) for a multi-family senior apartment complex on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/24/02.
02/05/04	A Code Enforcement case (9611) was processed for abandoned vehicles on a lot at 604 North Main Street. The case was closed on 02/09/04.
04/08/04	A Code Enforcement case (12360) was processed for debris on a vacant lot at 604 North Main Street. The case was closed on 04/22/04.
05/26/04	A Code Enforcement case (15615) was processed for high weeds and junk/abandoned vehicles on a vacant lot at 701 North First Street. The case was closed on 06/16/04.
05/26/04	A Code Enforcement case (15618) was processed for abandoned vehicles, high weeds, and refuse/waste on a vacant lot at 703 North First Street. The case was closed on 06/16/04.
05/26/04	A Code Enforcement case (15617) was processed for abandoned vehicles on a vacant lot at 705 North First Street. The case was closed on 06/10/04.
11/17/04	The City Council approved a request for an Extension of Time (EOT-5402) of an approved Rezoning (Z-0046-02) from R-2 (Low Density Residential) and C-M (Commercial/Industrial) to C-1 (Limited Commercial) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.
11/17/04	The City Council approved a request for an Extension of Time (EOT-5403) of an approved Site Development Plan Review [Z-0046-02(1)] and a reduction of the on-site landscape requirements for a 326-unit multi-family senior apartment complex with 20,000 square feet of commercial development on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.
11/17/04	The City Council approved a request an Extension of Time (EOT-5404) of an approved Special Use Permit (U-0114-02) for a multi-family senior apartment complex on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.
03/17/05	A Code Enforcement case (27395) was processed for an abandoned motor home on a vacant lot at 705 North First Street. The case was closed on 06/22/05.

10/31/05	A Code Enforcement case (35777) was processed for high vegetation on a vacant lot located at 604 North Main Street. The case was closed on 02/23/06.
11/02/05	The City Council approved a request for a Site Development Plan Review (SDR-8649) for a mixed-use development with 296 residential units and 34,700 square feet of commercial space and a waiver in building placement; street and foundation landscape standards; front, corner-side, and rear yard setback requirements; and to allow a 241-foot Residential Adjacency Setback where 249 feet from residential property is required on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/06/05.
11/02/05	The City Council approved a request for a Variance (VAR-8651) to allow no step back where a 1:1 step back ratio is required above 35 feet on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/06/05.
11/02/05	The City Council approved a request for a Special Use Permit (SUP-8814) for a proposed mixed-use commercial and residential development adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/06/05.
11/17/05	A Code Enforcement case (36307) was processed for broken down vehicles on an abandoned lot at 701 North First Street. The case was closed on 01/25/06.
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06/26/06	A Code Enforcement case (43765) was processed for abandoned vehicles on a vacant lot at 705 North First Street. The case was closed on 07/03/06.
07/03/06	A Code Enforcement case (44023) was processed for wrecked vehicles on lot, may be a repair business without a license. The case was closed on 07/24/06.
07/10/06	A Code Enforcement case (44266) was processed for abandoned vehicles on a vacant lot ay 625 North First Street. The case was closed on 07/15/06.
08/24/06	The Planning Commission approved a request for a Tentative Map (TMP-1504) for a mixed-use subdivision consisting of 296 residential condominium units and one commercial lot on 2.47 acres at the northeast corner of Main Street and Bonanza Road.
09/20/06	The City Council approved a request for an Extension of Time (EOT-15724) of an approved Rezoning (Z-0046-02) from R-2 (Low Density Residential) and C-M (Commercial/Industrial) to C-1 (Limited Commercial) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.

01/17/07	The City Council approved a request for a Major Modification (SDR-18025) to an approved Site Development Plan Review (SDR-8649) for a proposed addition of a 2,600 square-foot restaurant; an addition of 40 feet in height of an approved mixed-use development; and to allow a Residential Adjacency Setback of 57 feet where 375 feet is the minimum required on 2.87 acres at the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 12/21/06.
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07/23/07	A building permit (94440) was issued for the demolition of a 3,000 square-foot building at 703 North First Street.
05/14/08	A building permit (0115185) was issued to install a meter and main disconnect on permitted modular at 604 North main Street. The permit was finalized on 11/10/08.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application, nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	2.87

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Vacant Land- Proposed Mixed-Use Development	MXU (Mixed-Use)	C-M (Commercial/Industrial) and R-2 (Low Density Residential)- both with a Resolution of Intent to C-1 (Limited Commercial)
North	Vacant Land	MXU (Mixed-Use)	C-M (Commercial/Industrial) with a Resolution of Intent to C-1 (Limited Commercial)
	Proposed Mixed Use Development	MXU (Mixed-Use)	R-2 (Low Density Residential) with a Resolution of Intent to C-1 (Limited Commercial)

South	Parking Lot	C (Commercial)	C-M (Commercial/Industrial)
	Single-Family Residential	MXU (Mixed-Use)	R-4 (High Density Residential) with a Resolution of Intent to C-2 (General Commercial)
East	Offices	MXU (Mixed-Use)	C-1 (Limited Commercial)
	Single-Family Residential	MXU (Mixed-Use)	R-1 (Single Family Residential)
West	Retail Establishments	C (Commercial)	M (Industrial)
	Vacant Lot	C (Commercial)	C-M (Commercial/Industrial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan	X		Y
Las Vegas Redevelopment Plan (Downtown Redevelopment Area)	X		Y

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		Y
A-O (Airport Overlay) District (200 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the second request for an extension of time of an approved Special Use Permit (SUP-8814). Title 19.18.060 deems a Special Use Permit exercised upon the issuance of a business license to conduct the activity, if one is required, or otherwise upon the issuance of a certificate of occupancy or approval of a final inspection. Since the original approval of the Special Use Permit, the applicant has made any progress on the proposed mixed-use commercial and residential development by obtaining a permit for the demolition an existing building on property, though no permit has been issued for the construction of the proposed development.

FINDINGS

The applicant is requesting an extension of time in order to meet Title 19 requirements to exercise the Special Use Permit. Though the applicant has shown progress on clearing the land, a business license and/or a certificate of occupancy have not yet occurred since construction has not yet begun. Staff recommends approval of the extension of time request with a two-year time limit. Conformance to the conditions of approval of Special Use Permit (SUP-8814) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT **N/A**

SENATE DISTRICT **N/A**

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-31907 APN: 139-27-707-008 139-27-712-014 & 139-27-810-001, 002, 003, 004

Name of Property Owner: VERGE LIVING CORP

Name of Applicant: VERGE LIVING CORP

Name of Representative: DARREN DUNCKEL

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

_____Yes ✓ _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: _____

Subscribed and sworn before me

This 10 day of NOV, 2008

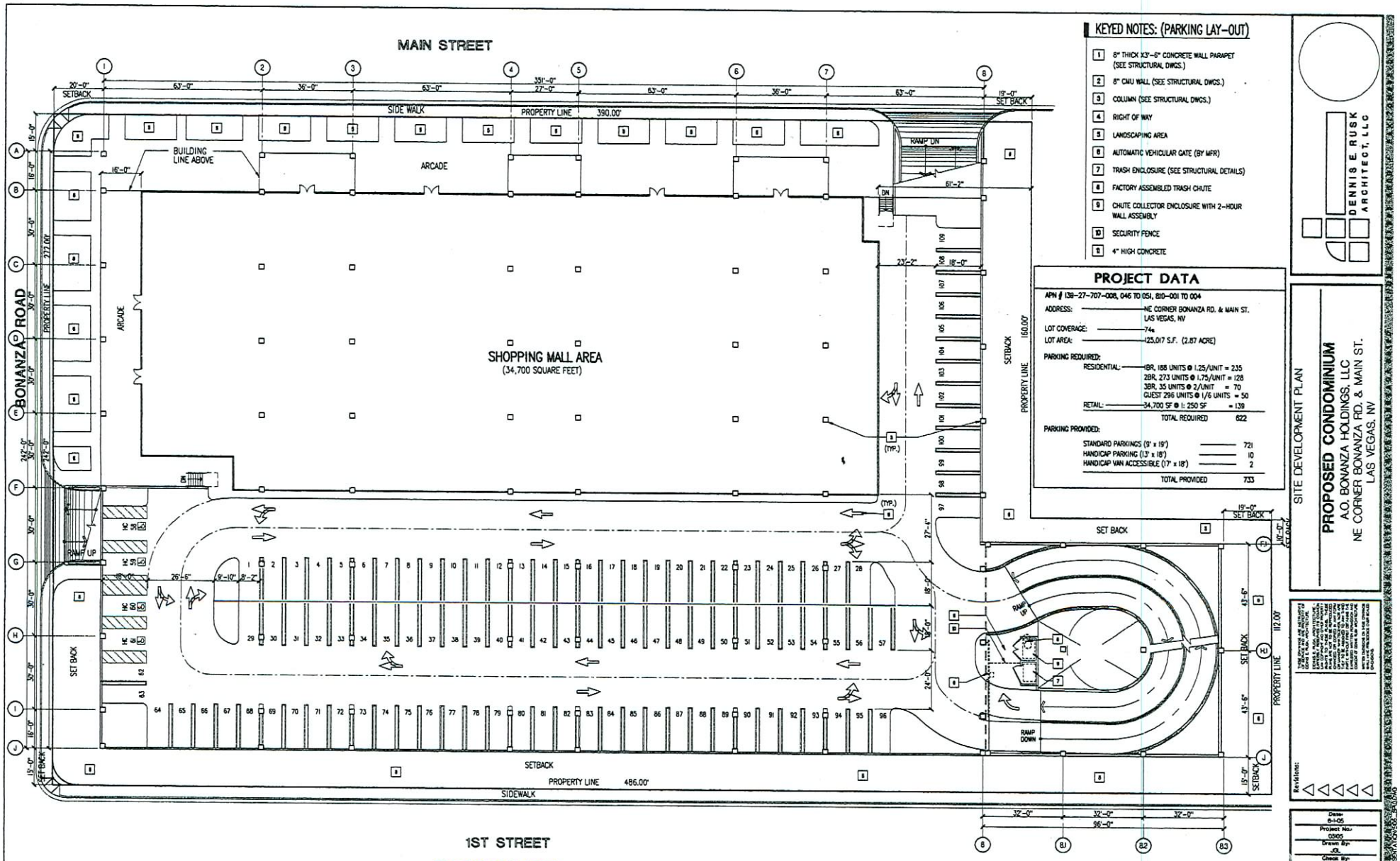
Anik Drmandjian

Notary Public in and for said County and State

ANIK DRMANDJIAN
Commission # 1672175
Notary Public - California
Los Angeles County
My Comm. Expires Jun 3, 2010

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.doc

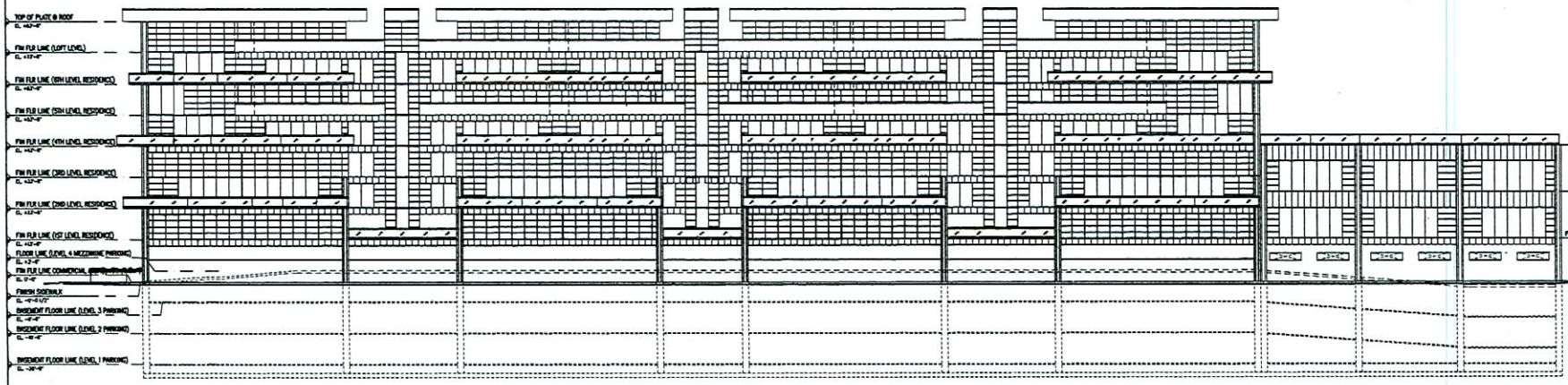


1 SITE DEVELOPMENT PLAN
SCALE: 1/16" = 1'-0"

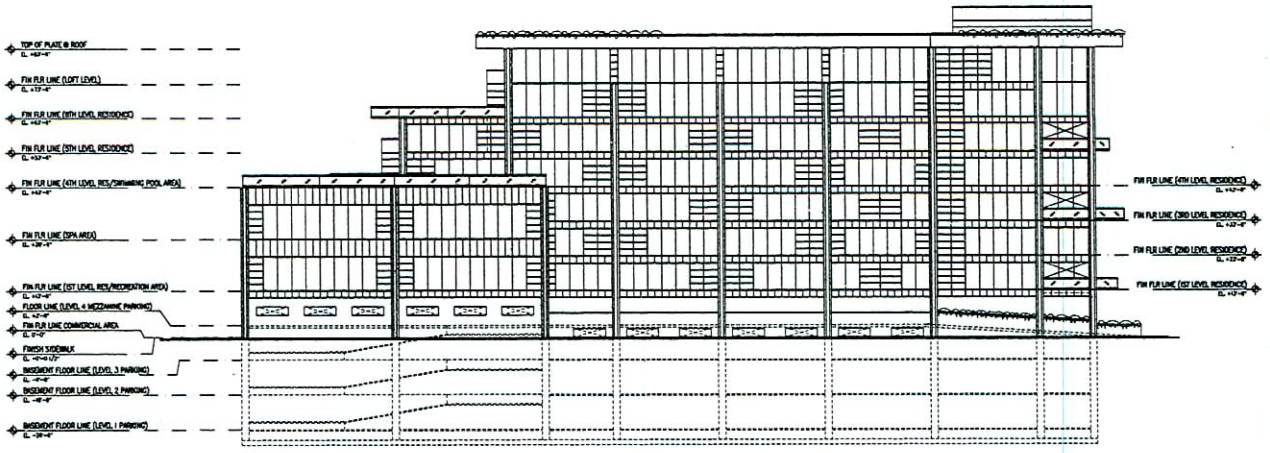
NORTH

RECEIVED
NOV 13 2008

EOT-31907
01-07-09 CC



2 **ELEVATION ALONG 1ST STREET**
SCALE: 1/16" = 1'-0"



1 **SOUTH ELEVATION**
SCALE: 1/16" = 1'-0"

DENNIS E. RUSK
ARCHITECT, LLC

BUILDING ELEVATIONS

PROPOSED CONDOMINIUM
A.O. BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST.
LAS VEGAS, NV

Revisions:

Date:
6-1-05
Project No.:
0505
Drawn By:
JGJR/CS
Check By:
DER/VB
Sheet No.:
A3.1

RECEIVED
NOV 13 2008

EOT-31907
01-07-09 CC

VERGE

November 5, 2008

Planning & Development
City of Las Vegas
731 S 4th St
Las Vegas, NV 89101

Re: Reinstatement Request

On behalf of Verge Living Corporation, I am requesting an extension to our current zoning permit, variance and site plan that expires in November 2008.

Verge Living Corporation owns land on the north east corner of Main and Bonanza in the City of Las Vegas. Verge Living has developed plans and has been marketing a mixed use building made up of 318 residential units and approximately 33,000 square feet of retail. The company has spent over $15 million to date on the project with the majority of the money benefitting Las Vegas business.

Prior to the economic downturn that began last year, the Verge project had experienced great success and was a highly anticipated addition to the downtown landscape. The current financial crises that is impacting the nation has also had its affect on Verge Living Corporation. As the mortgage crises began, Verge Living had several LOI's for construction financing only to see a collapse in the credit market last fall and has worsened. Since that time Verge Living has been aggressive in its efforts to secure construction financing and we believe that once the banking system begins to realize the effects of the government's $700 billion investment/bailout, that our project will be able to secure the construction financing necessary to build the building. The Verge building upon completion will have a positive impact on downtown Las Vegas, creating affordable living and jobs.

As President of Verge Living Corporation, I appreciate your consideration of the extension request and look forward to continuing to be a part of the most dynamic city in the world.

Sincerely,

Darren Dunckel
President
Verge Living Corporation
ddunckel@vergeliving.com
310-729-9007

EOT-31907
01-07-09 CC

AS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

November 3, 2005

Ms. Moshe Schnapp
A.O. Bonanza Holding, LLC
1061-1/2 North Spaulding Avenue
West Hollywood, California 90046

RE: SUP-8814 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF NOVEMBER 2, 2005
RELATED TO VAR-8651 AND SDR-8649

Dear Ms. Schnapp:

The City Council at a regular meeting held November 2, 2005 APPROVED the request for a Special Use Permit FOR A PROPOSED MIXED-USE COMMERCIAL AND RESIDENTIAL DEVELOPMENT adjacent to the northeast corner of Main Street and Bonanza Road (APNs 139-27-810-001, 002, 003, 004 and 139-27-707-008, 046 through 051), R-2 (Medium-Low Density Residential) Zone and C-M (Commercial/Industrial) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on November 3, 2005. This approval is subject to:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Mixed-Use development.

2. Approval of and conformance to the Conditions of Approval for a Variance (VAR-8651) and a Site Development Plan Review (SDR-8649).

3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City.

4. All City code requirements and design standards of all City departments must be satisfied.

Sincerely,

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

cc: See Attached List

EOT-31907
01-07-09 CC

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

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

Mr. Bill Curran
Curran & Parry
300 South 4th Street, Suite #101
Las Vegas, Nevada 89101

EOT-31907
01-07-09 CC

City of Las Vegas Agenda Item No.: **77.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☒ **Consent** ☐ **Discussion**

SUBJECT:

EOT-31906 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: VERGE LIVING CORP. - Request for an Extension of Time of an approved Site Development Plan Review (SDR-8649) FOR A MIXED-USE DEVELOPMENT WITH 296 RESIDENTIAL UNITS AND 34,700 SQUARE FEET OF COMMERCIAL SPACE AND WAIVERS IN BUILDING PLACEMENT; STREET AND FOUNDATION LANDSCAPE STANDARDS; FRONT, CORNER SIDE, AND REAR YARD SETBACK REQUIREMENTS; AND TO ALLOW A 241-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 249 FEET FROM RESIDENTIAL PROPERTY IS REQUIRED on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road (APNs 139-27-810-001, 002, 003, 004 and 139-27-707-008, 046 through 051), R-2 (Medium-Low Density Residential) Zone and C-M (Commercial/Industrial) Zone with a Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

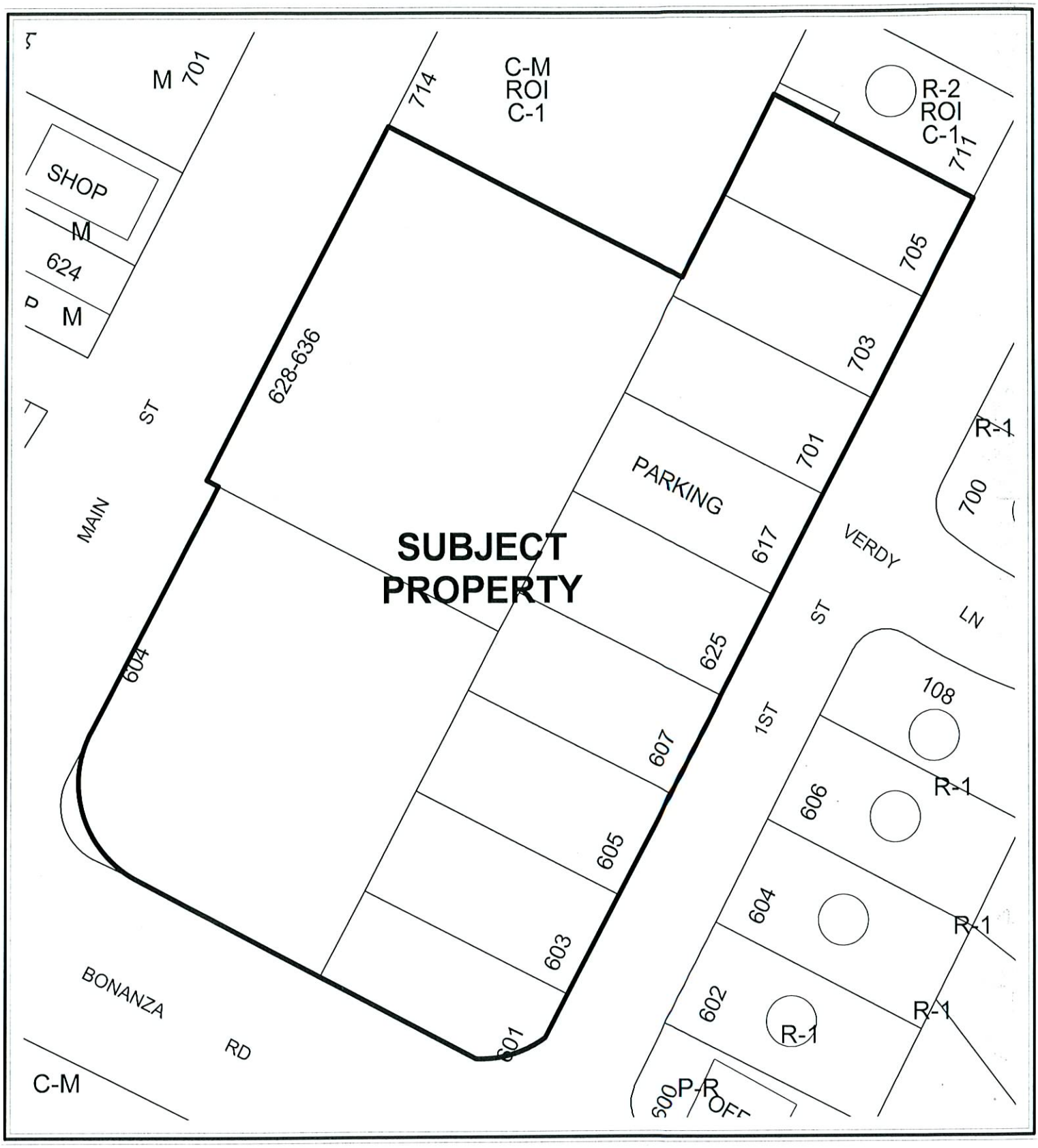
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council Approval Letter for SDR-8649



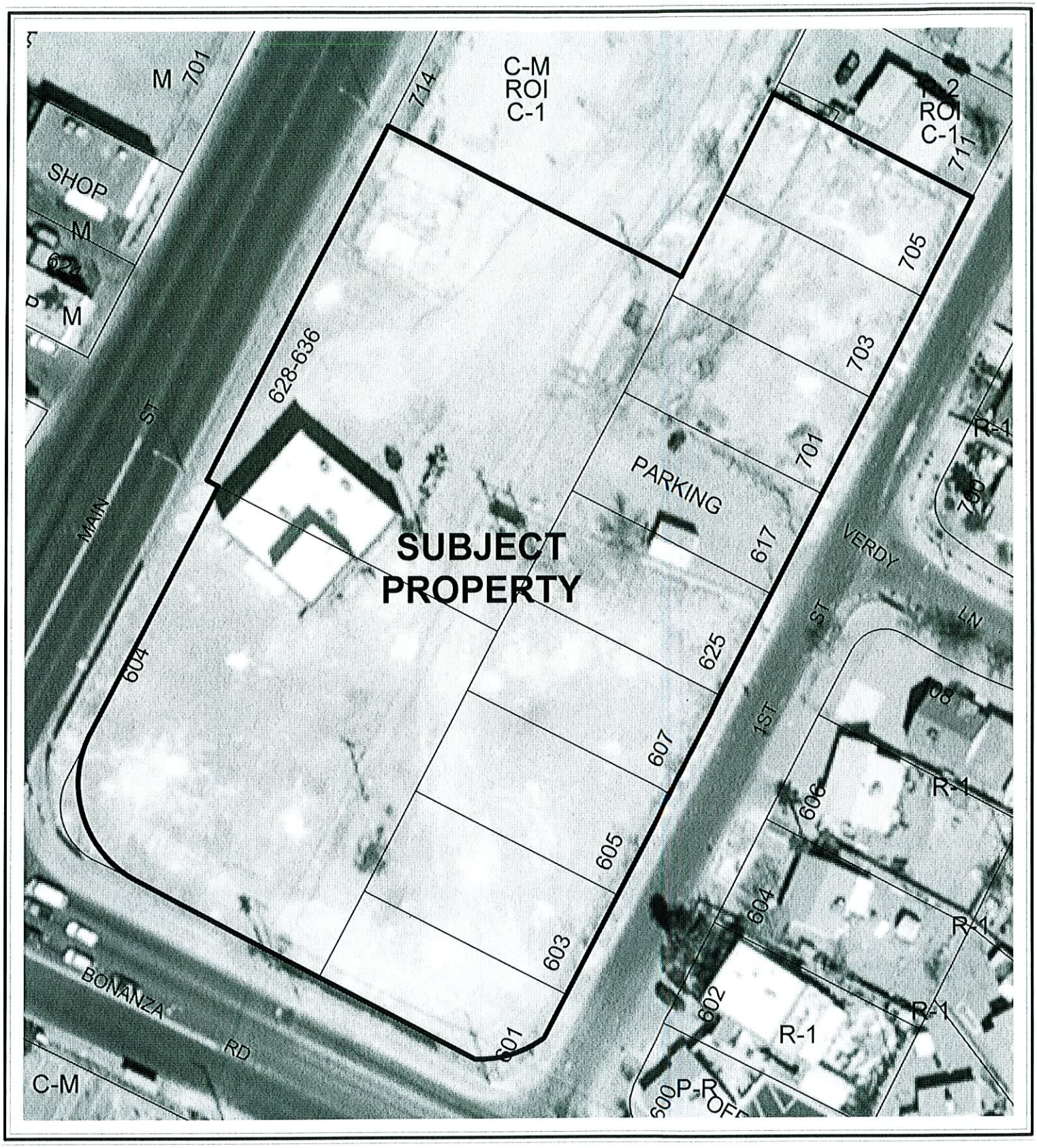
0 50 100 Feet

CASE: **EOT-31906**

ZONING OF SUBJECT PROPERTY:

R-2 (MEDIUM -LOW DENSITY RESIDENTIAL) AND C-M (COMMERCIAL/INDUSTRIAL) ZONE UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

N



0 50 100 Feet

CASE: **EOT-31906**

ZONING OF SUBJECT PROPERTY:

R-2 (MEDIUM -LOW DENSITY RESIDENTIAL) AND C-M (COMMERCIAL/INDUSTRIAL) ZONE UNDER RESOLUTION OF INTENT TO C-1 (LIMITED COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-31906 – EXTENSION OF TIME – SITE DEVELOPMENT PLAN REVIEW - APPLICANT/OWNER: VERGE LIVING CORPORATION

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. Site Development Plan Review (SDR-31906) shall expire on November 2, 2010 unless another Extension of Time is approved by City Council.

2. Conformance to the Conditions of Approval for SDR (SDR-31906) and all other related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Site Development Plan Review (SDR-8649) for a mixed-use development with 296 residential units and 34,700 square feet of commercial space with waivers in building placement; street and foundation landscape standards; front, corner side, and rear yard setback requirements; and to allow a 241-foot residential adjacency setback where 240 feet from residential property is required on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.

It is noted that there are three (3) related Extension of Times (EOT-31907; EOT-32355; and EOT-31350) that will be heard concurrently with this application.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
04/06/60	The Board of City Commissioners approved a request for Rezoning (Z-0011-60) for lots 1-8, inclusive of block 4- Biltmore Addition from C-2 (General Commercial) to R-2 (Low Density Residential). The Planning Commission recommended approval on 03/22/60.
05/05/65	The Board of City Commissioners approved a request for Rezoning (Z-0019-65) from R-2 (Low Density Residential) to C-2 (General Commercial) of property generally located on the northwest corner of Bonanza Road and First Street. The Planning Commission recommended approval on 04/27/65.
07/16/69	The Board of City Commissioners approved a request for Rezoning (Z-0042-69) from C-2 (General Commercial) to C-M (Commercial/Industrial) of property generally located on the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 07/10/69.
11/15/01	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a request to Amend the Downtown Redevelopment Plan (GPA-0042-01) from R-2 (Low Density Residential) to Tourist Commercial on 1.27 acres adjacent to the northwest corner of First Street and Bonanza Road.

11/20/02	The City Council approved a request for a Rezoning (Z-0046-02) from R-2 (Low Density Residential) and C-M (Commercial/Industrial) to C-1 (Limited Commercial) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/24/02.
11/20/02	The City Council approved a request for a Site Development Plan Review [Z-0046-02(1)] and a reduction of the on-site landscape requirements for a 326-unit multi-family senior apartment complex with 20,000 square feet of commercial development on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/24/02.
11/20/02	The City Council approved a request for a Variance (V-0072-02) to allow lot coverage in excess of 50 percent for a senior apartment complex on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/24/02.
11/20/02	The City Council approved a request for a Special Use Permit (U-0114-02) for a multi-family senior apartment complex on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/24/02.
02/05/04	A Code Enforcement case (9611) was processed for abandoned vehicles on a lot at 604 North Main Street. The case was closed on 02/09/04.
04/08/04	A Code Enforcement case (12360) was processed for debris on a vacant lot at 604 North Main Street. The case was closed on 04/22/04.
05/26/04	A Code Enforcement case (15615) was processed for high weeds and junk/abandoned vehicles on a vacant lot at 701 North First Street. The case was closed on 06/16/04.
05/26/04	A Code Enforcement case (15618) was processed for abandoned vehicles, high weeds, and refuse/waste on a vacant lot at 703 North First Street. The case was closed on 06/16/04.
05/26/04	A Code Enforcement case (15617) was processed for abandoned vehicles on a vacant lot at 705 North First Street. The case was closed on 06/10/04.
11/17/04	The City Council approved a request for an Extension of Time (EOT-5402) of an approved Rezoning (Z-0046-02) from R-2 (Low Density Residential) and C-M (Commercial/Industrial) to C-1 (Limited Commercial) on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.
11/17/04	The City Council approved a request for an Extension of Time (EOT-5403) of an approved Site Development Plan Review [Z-0046-02(1)] and a reduction of the on-site landscape requirements for a 326-unit multi-family senior apartment complex with 20,000 square feet of commercial development on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.

11/17/04	The City Council approved a request an Extension of Time (EOT-5404) of an approved Special Use Permit (U-0114-02) for a multi-family senior apartment complex on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road.
03/17/05	A Code Enforcement case (27395) was processed for an abandoned motor home on a vacant lot at 705 North First Street. The case was closed on 06/22/05.
10/31/05	A Code Enforcement case (35777) was processed for high vegetation on a vacant lot located at 604 North Main Street. The case was closed on 02/23/06.
11/02/05	The City Council approved a request for a Site Development Plan Review (SDR-8649) for a mixed-use development with 296 residential units and 34,700 square feet of commercial space and a waiver in building placement; street and foundation landscape standards; front, corner-side, and rear yard setback requirements; and to allow a 241-foot Residential Adjacency Setback where 249 feet from residential property is required on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/06/05.
11/02/05	The City Council approved a request for a Variance (VAR-8651) to allow no step back where a 1:1 step back ratio is required above 35 feet on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/06/05.
11/02/05	The City Council approved a request for a Special Use Permit (SUP-8814) for a proposed mixed-use commercial and residential development adjacent to the northeast corner of Main Street and Bonanza Road. The Planning Commission recommended approval on 10/06/05.
11/17/05	A Code Enforcement case (36307) was processed for broken down vehicles on an abandoned lot at 701 North First Street. The case was closed on 01/25/06.
03/15/06	A Code Enforcement case (39278) was processed for a vacant office building being used to house vagrants at 601 North Main Street. The case was closed on 03/20/06.
06/26/06	A Code Enforcement case (43765) was processed for abandoned vehicles on a vacant lot at 705 North First Street. The case was closed on 07/03/06.
07/03/06	A Code Enforcement case (44023) was processed for wrecked vehicles on lot, may be a repair business without a license. The case was closed on 07/24/06.
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Site Area	
Gross Acres	2.87

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Vacant Land- Proposed Mixed-Use Development	MXU (Mixed-Use)	C-M (Commercial/Industrial) and R-2 (Low Density Residential)- both with a Resolution of Intent to C-1 (Limited Commercial)
North	Vacant Land	MXU (Mixed-Use)	C-M (Commercial/Industrial) with a Resolution of Intent to C-1 (Limited Commercial)
	Proposed Mixed Use Development	MXU (Mixed-Use)	R-2 (Low Density Residential) with a Resolution of Intent to C-1 (Limited Commercial)

South	Parking Lot	C (Commercial)	C-M (Commercial/Industrial)
	Single-Family Residential	MXU (Mixed-Use)	R-4 (High Density Residential) with a Resolution of Intent to C-2 (General Commercial)
East	Offices	MXU (Mixed-Use)	C-1 (Limited Commercial)
	Single-Family Residential	MXU (Mixed-Use)	R-1 (Single Family Residential)
West	Retail Establishments	C (Commercial)	M (Industrial)
	Vacant Lot	C (Commercial)	C-M (Commercial/Industrial)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan	X		Y
Las Vegas Redevelopment Plan (Downtown Redevelopment Area)	X		Y
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts	X		Y
A-O (Airport Overlay) District (200 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This application is the second request for an Extension of Time of an approved Site Development Plan Review (SDR-8649). Title 19.18.050 deems a Site Development Plan Review exercised upon the issuance of a building permit for the principal structure on site, unless otherwise specified in connection with its approval. In the time since the original approval, the plans for the proposed development changed in January 2007. In addition, a building permit for the demolition of a building on the subject site was issued in July 2007, though no permit has been issued for the construction of the proposed development.

FINDINGS

The Site Development Plan Review (SDR-8649) has not met the requirements outlined in Title 19.18.050 to exercise the entitlement. The previous Extension of Time (EOT-25466) was granted for one-year. The applicant is requesting an additional two-year extension to develop the site according to the submitted plans. Staff is recommending approval with a two-year time limit. Conformance to the conditions of approval of Rezoning (Z-0046-02) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT **N/A**

SENATE DISTRICT **N/A**

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: EOT-31906 APN: 139-27-707-008 139-27-712-014 139-27-810-001, 002, 003, 004

Name of Property Owner: VERGE LIVING CORP

Name of Applicant: VERGE LIVING CORP

Name of Representative: DARREN DUNCKEL

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

_____Yes ✓ _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: _____

Subscribed and sworn before me

This 10 day of NOV., 2008

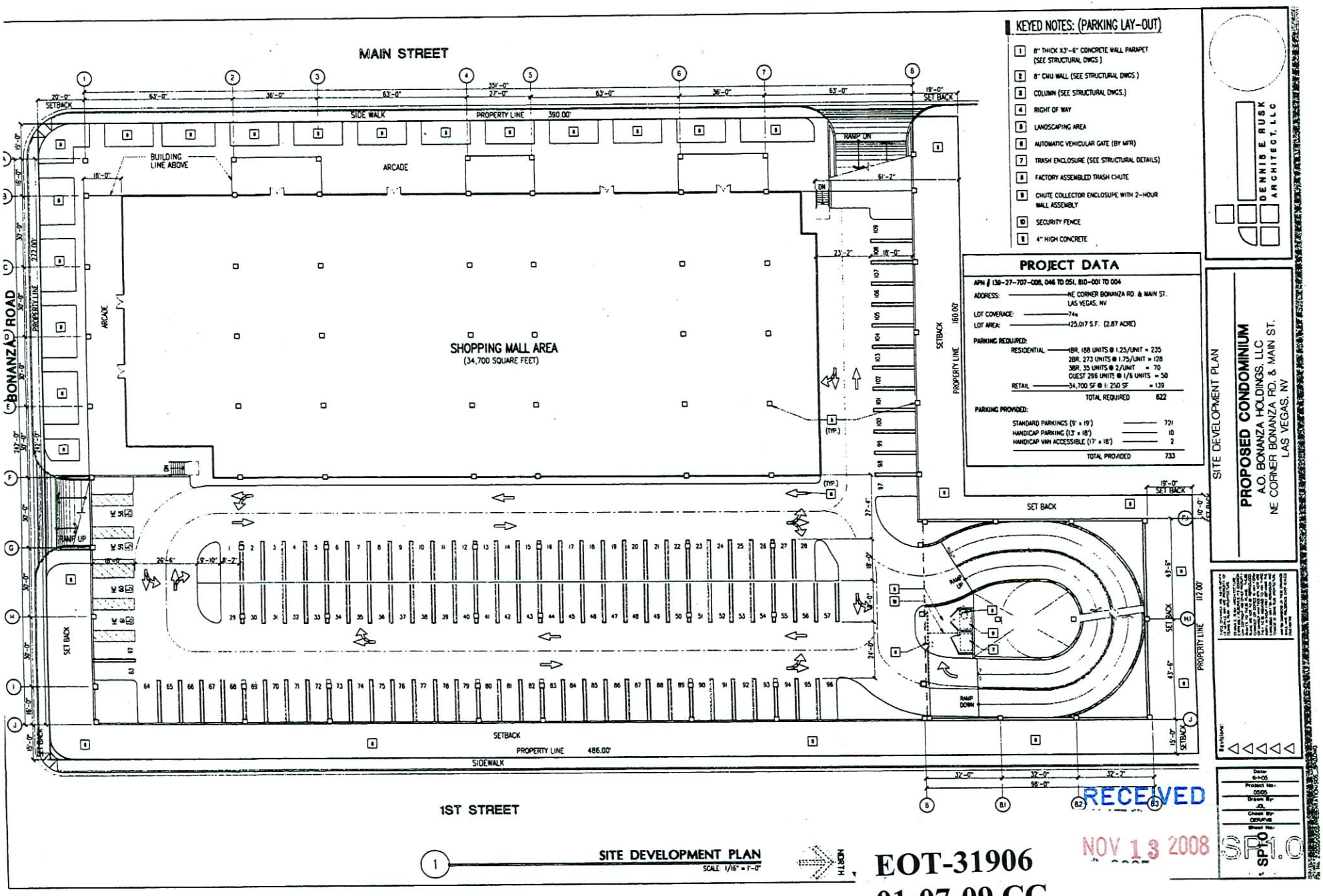
Anik Dirmandjian

Notary Public in and for said County and State

ANIK DIRMANDJIAN
Commission # 1672175
Notary Public - California
Los Angeles County
My Comm. Expires Jun 3, 2010

Revised 11-14-06

f:\depot\Application Packet\Statement of Financial Interest.doc



KEYED NOTES: (PARKING LAY-OUT)

1. 8" THICK X3'-6" CONCRETE WALL PARAPET (SEE STRUCTURAL DWGS.)
2. 8" CMU WALL (SEE STRUCTURAL DWGS.)
3. COLUMN (SEE STRUCTURAL DWGS.)
4. RIGHT OF WAY
5. LANDSCAPING AREA
6. AUTOMATIC VEHICULAR GATE (BY MFR)
7. TRASH ENCLOSURE (SEE STRUCTURAL DETAILS)
8. FACTORY ASSEMBLED TRASH CHUTE
9. CHUTE COLLECTOR ENCLOSURE WITH 2-HOUR WALL ASSEMBLY
10. SECURITY FENCE
11. 4" HIGH CONCRETE

PROJECT DATA

APN # 138-27-707-008, 046 TO 051, 810-001 TO 004

ADDRESS: NE CORNER BONANZA RD. & MAIN ST. LAS VEGAS, NV

LOT COVERAGE: 74%

LOT AREA: 425,017 S.F. (2.87 ACRE)

PARKING REQUIRED:

RESIDENTIAL	1BR, 158 UNITS @ 1.25/UNIT =	235
	2BR, 273 UNITS @ 1.75/UNIT =	128
	3BR, 35 UNITS @ 2/UNIT =	70
	GUEST 296 UNITS @ 1/6 UNITS =	50
RETAIL	34,700 SF @ 1: 250 SF =	139
	TOTAL REQUIRED	822

PARKING PROVIDED:

STANDARD PARKINGS (9' x 19')	721
HANDICAP PARKING (13' x 18')	10
HANDICAP VAN ACCESSIBLE (17' x 18')	2
TOTAL PROVIDED	733

DENNIS E RUSK ARCHITECT, LLC

PROPOSED CONDOMINIUM
A.O. BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST.
LAS VEGAS, NV

SITE DEVELOPMENT PLAN

Revisions:

Date: 6-1-05
Project No.: 0505
Drawn By:
Check By: DENNIS E RUSK
Sheet No.: SP1.0

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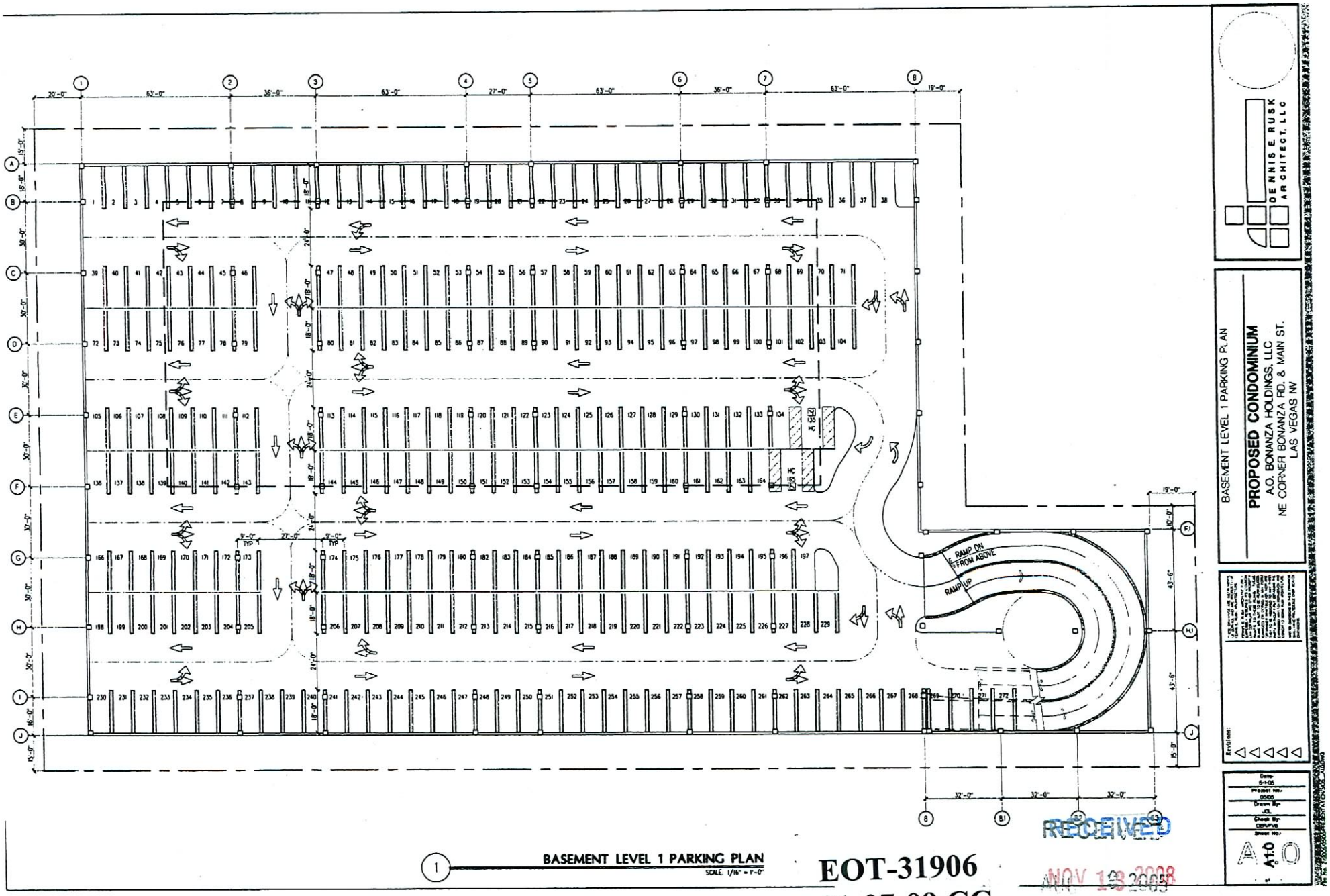

1 BASEMENT LEVEL 1 PARKING PLAN
SCALE: 1/16" = 1'-0"

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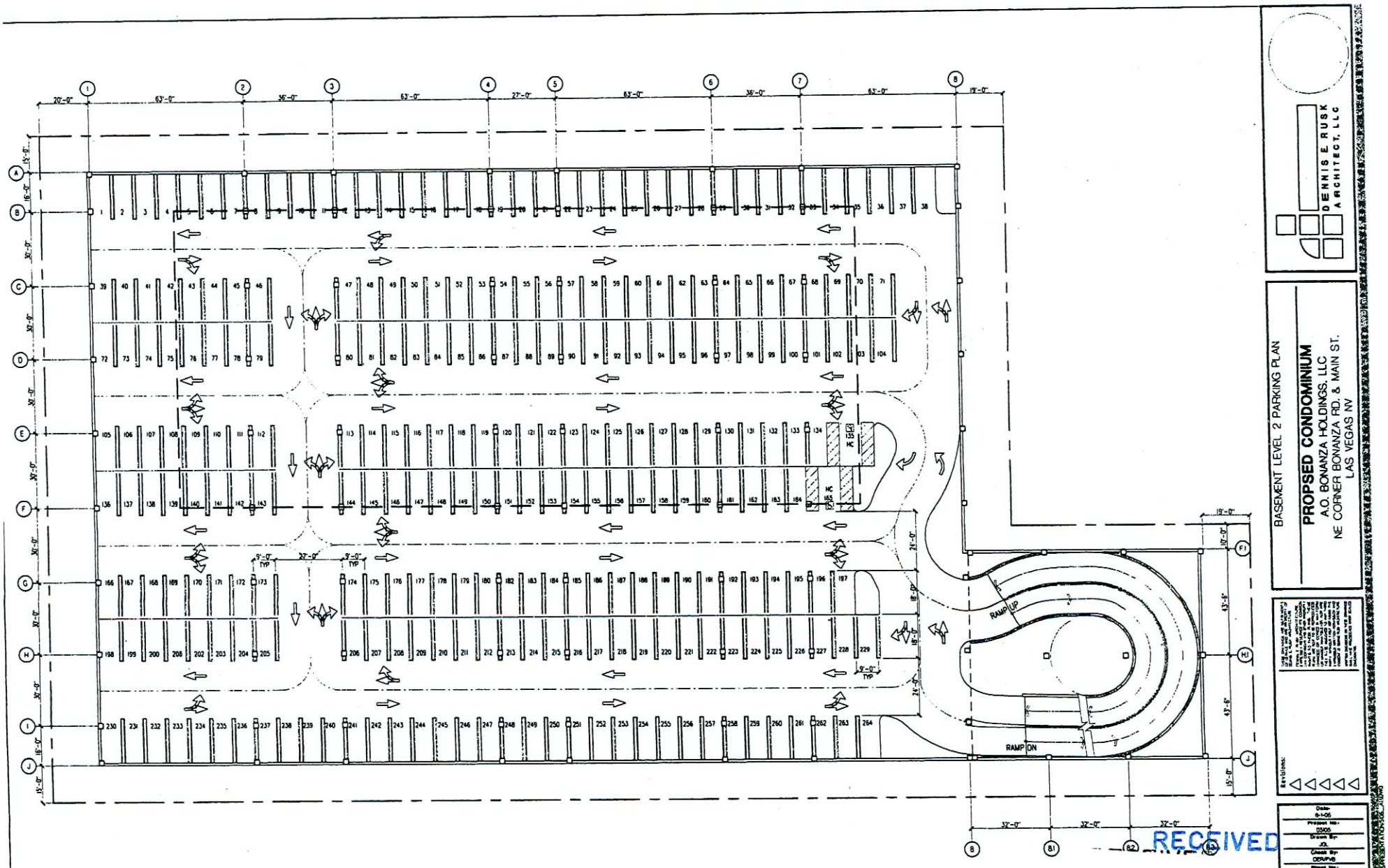

1 BASEMENT LEVEL 2 PARKING PLAN
SCALE: 1/16" = 1'-0"

DENNIS E RUSK ARCHITECT, LLC

BASEMENT LEVEL 2 PARKING PLAN

PROPSED CONDOMINIUM
A.O. BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST.
LAS VEGAS NV

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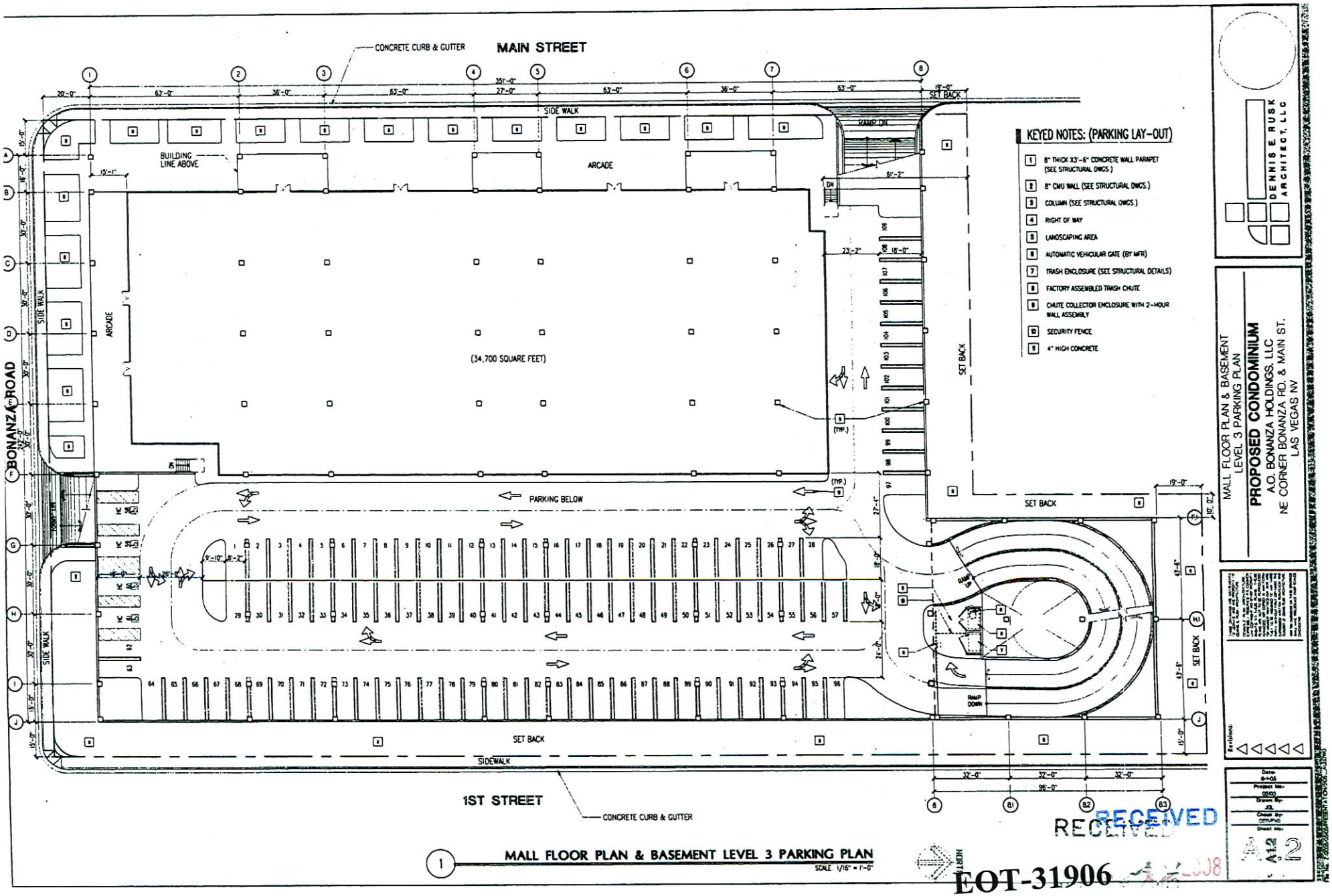

1 MALL FLOOR PLAN & BASEMENT LEVEL 3 PARKING PLAN
SCALE: 1/16" = 1'-0"

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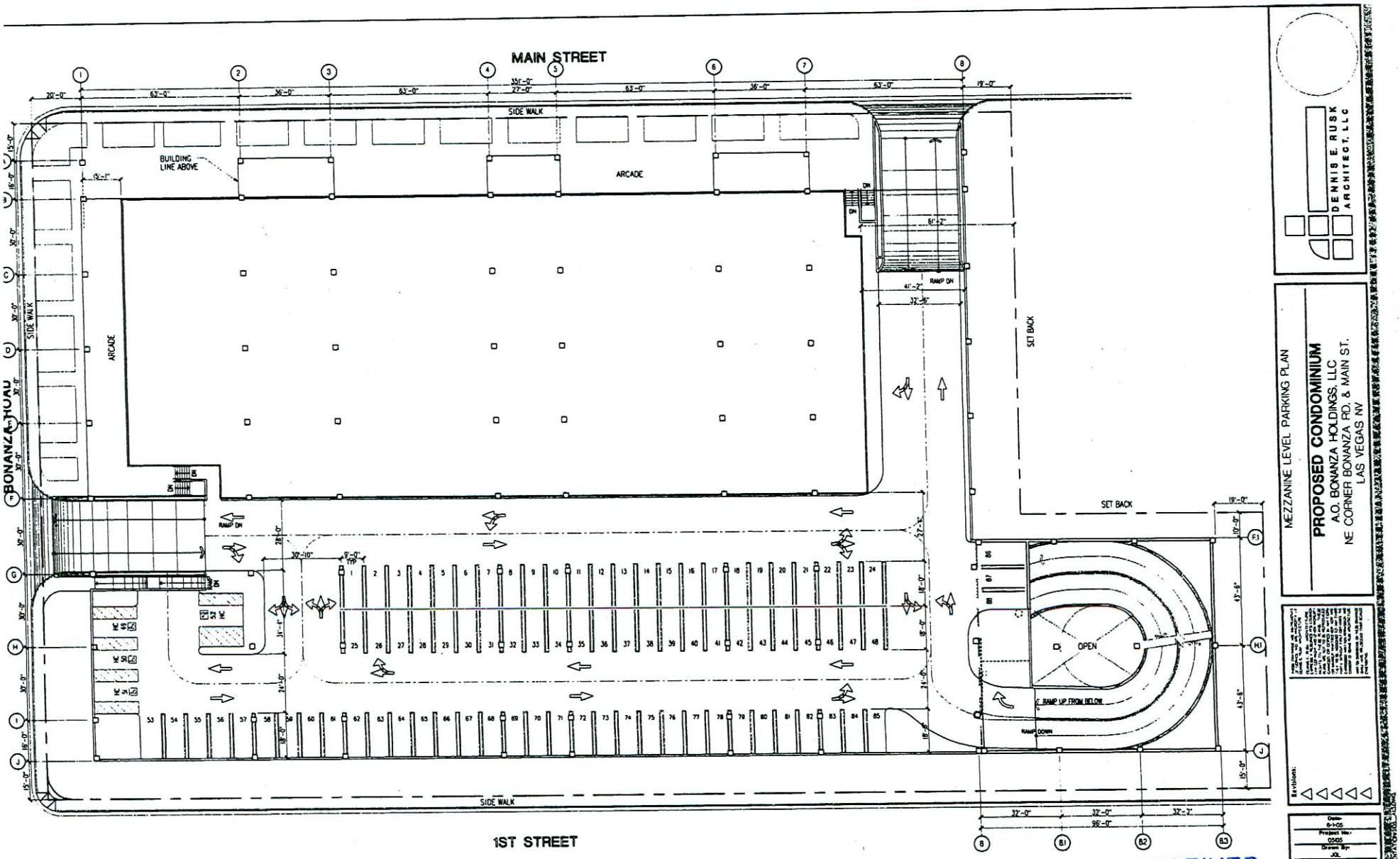

1 MEZZANINE LEVEL PARKING PLAN
SCALE: 1/16" = 1'-0"

DENNIS E. RUSK ARCHITECT, LLC

MEZZANINE LEVEL PARKING PLAN

PROPOSED CONDOMINIUM
A.O. BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST.
LAS VEGAS NV

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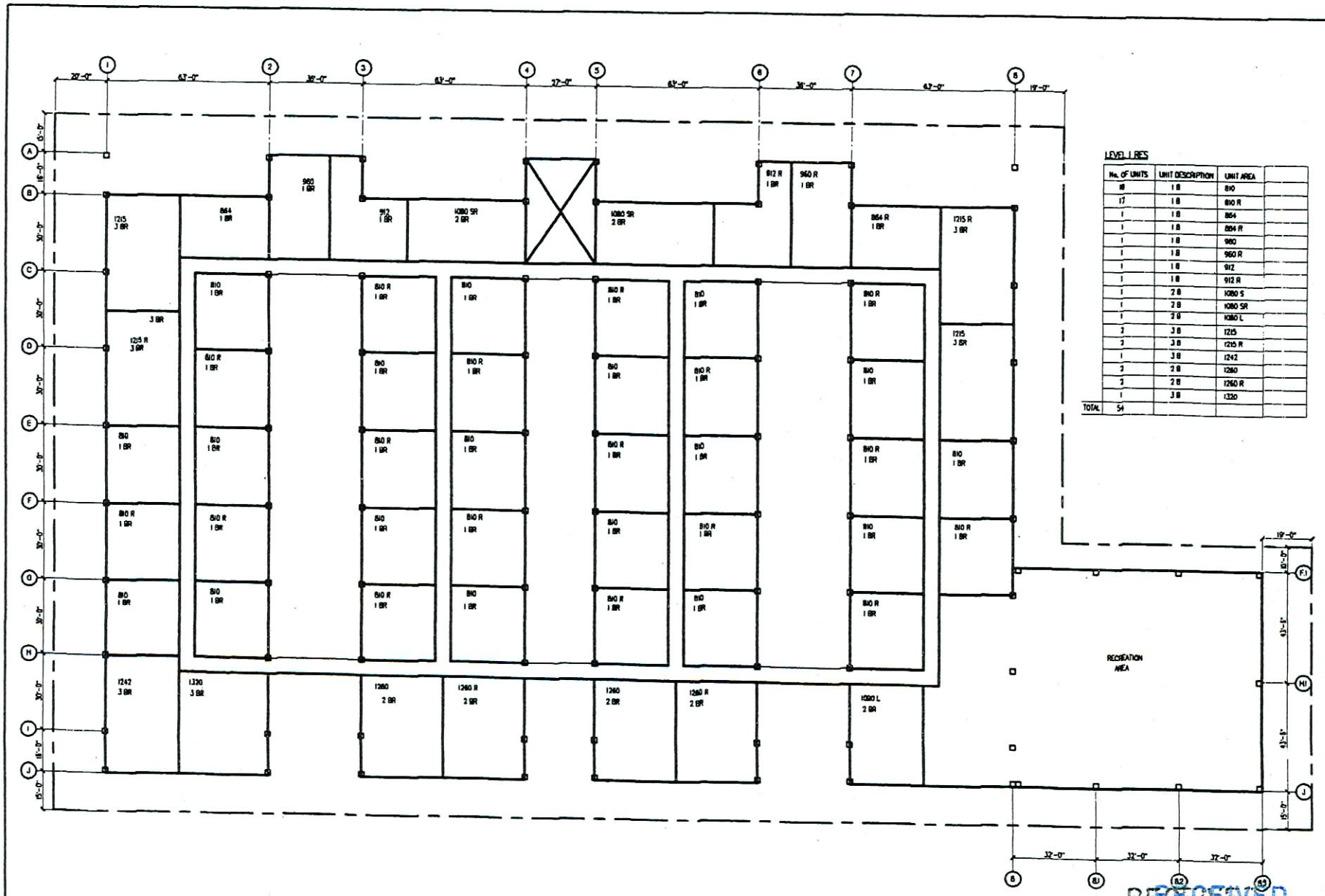

LEVEL 1 RES

No. OF UNITS	UNIT DESCRIPTION	UNIT AREA	
18	1 B	810	
17	1 B	810 R	
1	1 B	864	
1	1 B	864 R	
1	1 B	980	
1	1 B	960 R	
1	1 B	912	
1	1 B	912 R	
1	2 B	1080 S	
1	2 B	1080 SR	
1	2 B	1080 L	
2	3 B	1215	
2	3 B	1215 R	
1	3 B	1242	
2	2 B	1260	
2	2 B	1260 R	
1	3 B	1320	
TOTAL 54			

1 LEVEL 1 UNITS FLOOR PLAN
SCALE: 1/16" = 1'-0"

DENNIS E. RUSK ARCHITECT, LLC

LEVEL 1 UNITS FLOOR PLAN

PROPOSED CONDOMINIUM
A.O. BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST.
LAS VEGAS NV

Revisions:

Date: 6-4-05
Project No.: 0505
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Sheet No.: A1.4

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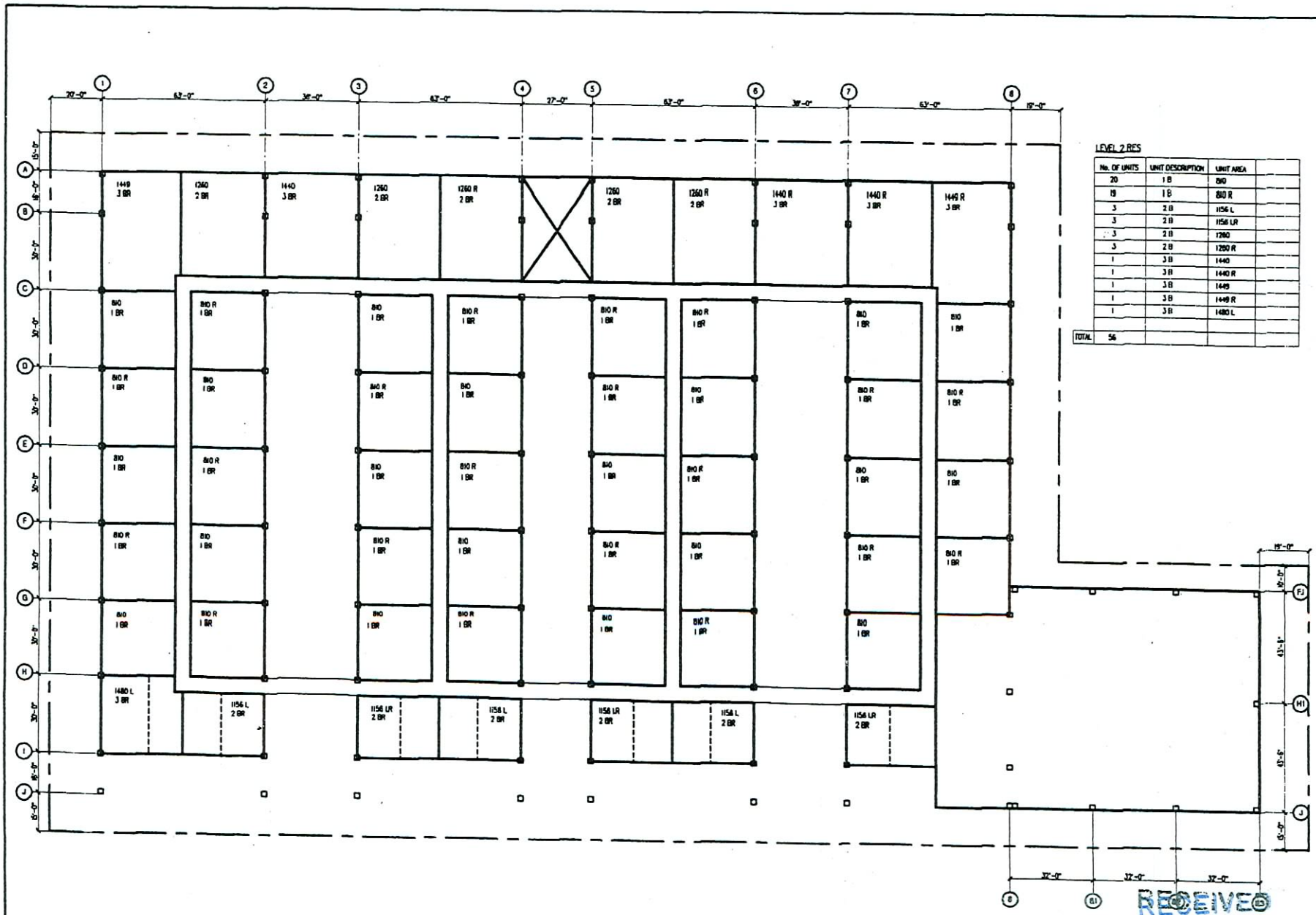

1 LEVEL 2 UNITS FLOOR PLAN
SCALE: 1/16" = 1'-0"

LEVEL 2 UNITS FLOOR PLAN

PROPOSED CONDOMINIUM
A.O. BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST.
LAS VEGAS NV

DENNIS E RUSK
ARCHITECT, LLC

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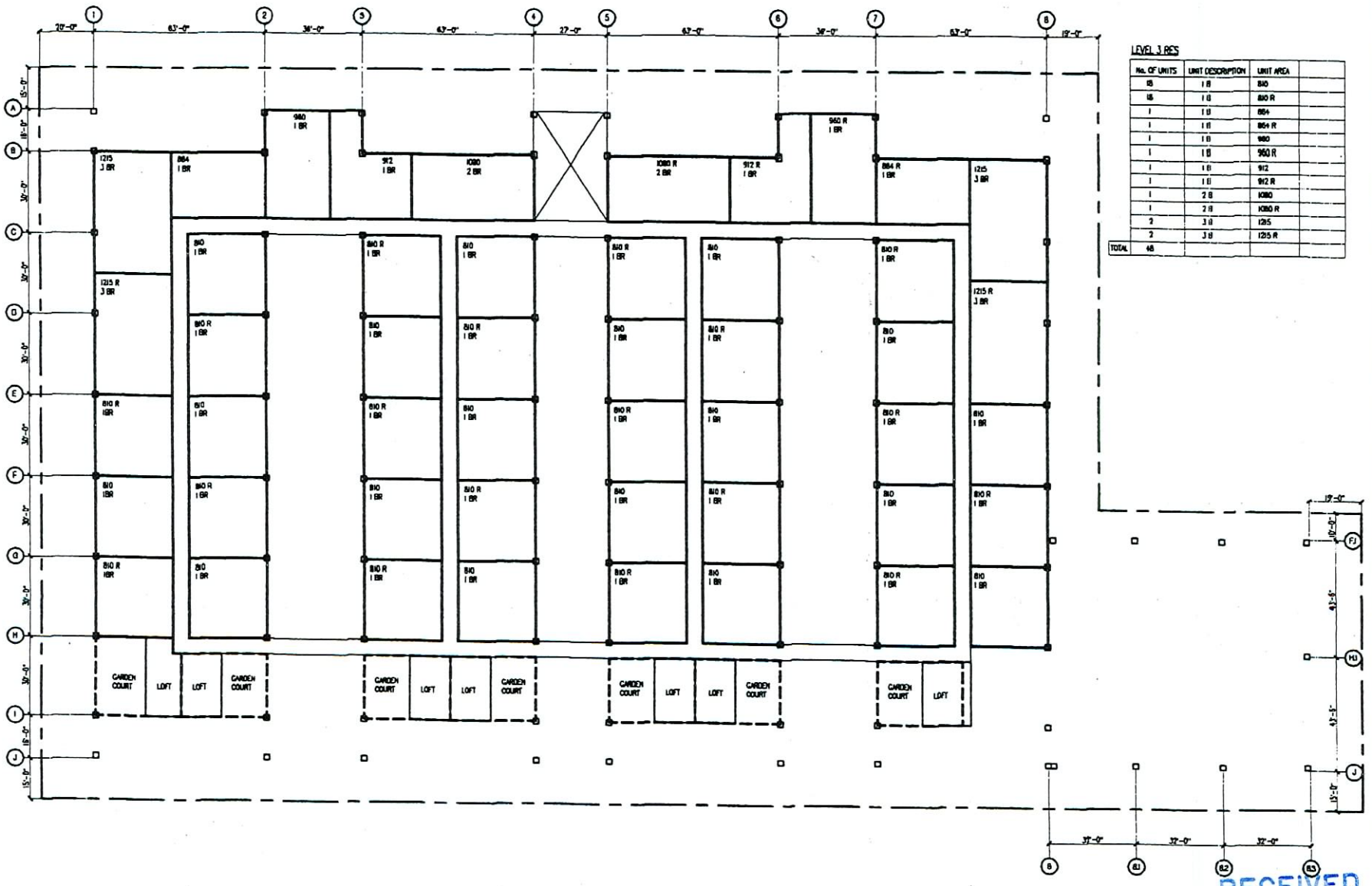

1 LEVEL 3 UNITS FLOOR PLAN
SCALE: 1/16" = 1'-0"

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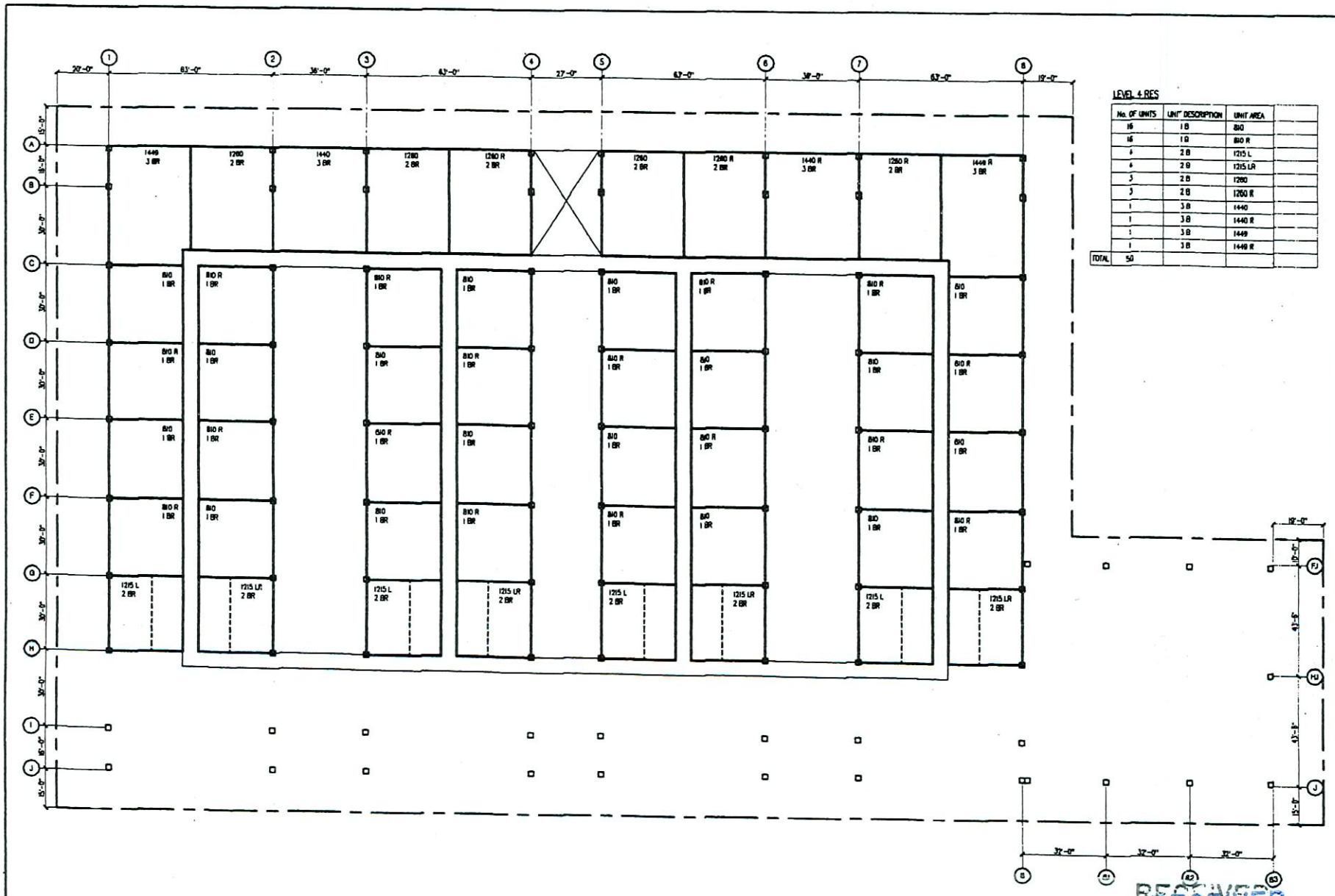

LEVEL 4 RES

No. OF UNITS	UNIT DESCRIPTION	UNIT AREA
16	1 B	810
16	1 B	810 R
4	2 B	1215 L
4	2 B	1215 LR
3	2 B	1260
3	2 B	1260 R
1	3 B	1440
1	3 B	1440 R
1	3 B	1449
1	3 B	1449 R
TOTAL 50		

1 LEVEL 4 UNITS FLOOR PLAN
SCALE: 1/16" = 1'-0"

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DENNIS E. RUSK ARCHITECT, LLC

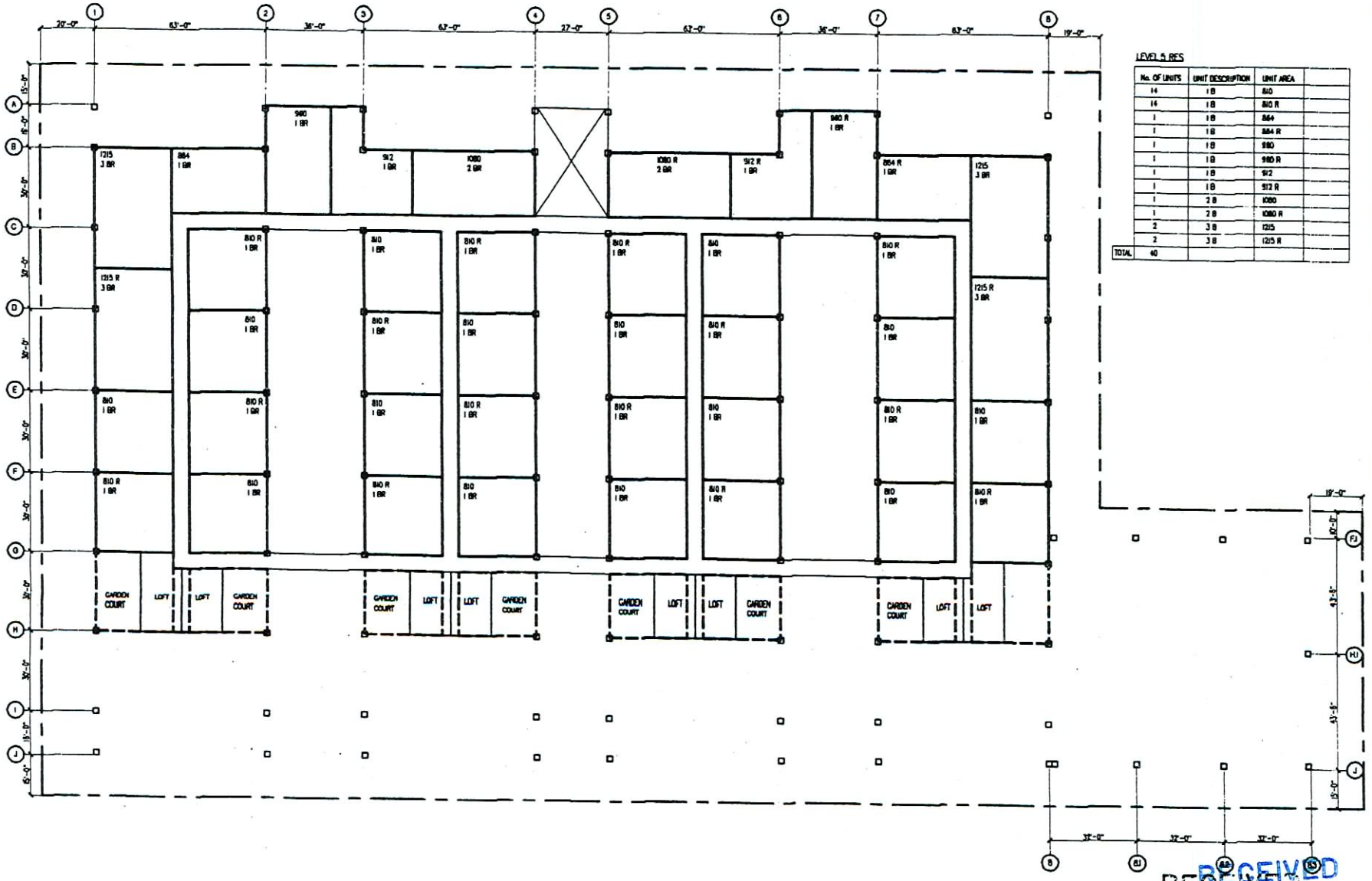
LEVEL 4 UNITS FLOOR PLAN

PROPOSED CONDOMINIUM
A.O. BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST.
LAS VEGAS, NV

Revisions:

Date: 6-1-05
Project No.: 0505
Drawn By: JDL
Check By: DERUSK
Sheet No.: A17

DENNIS E. RUSK • ARCHITECT, LLC • 8800 E. PATT AVE • SUITE 255 • LAS VEGAS, NEVADA 89129 • PHONE 1-805-8800 • FAX 1-805-8171



LEVEL 5 RES

No. OF UNITS	UNIT DESCRIPTION	UNIT AREA	
14	1 B	810	
14	1 B	810 R	
1	1 B	864	
1	1 B	864 R	
1	1 B	980	
1	1 B	980 R	
1	1 B	912	
1	1 B	912 R	
1	2 B	1080	
1	2 B	1080 R	
2	3 B	1215	
2	3 B	1215 R	
TOTAL 40			

LEVEL 5 UNITS FLOOR PLAN

SCALE: 1/16" = 1'-0"

DENNIS E. RUSK ARCHITECT, LLC

LEVEL 5 UNITS FLOOR PLAN

PROPOSED CONDOMINIUM

A.O. BONANZA HOLDINGS, LLC

NE CORNER BONANZA RD. & MAIN ST.

LAS VEGAS, NV

Revisions:

Date: 8-1-05

Project No.: 0505

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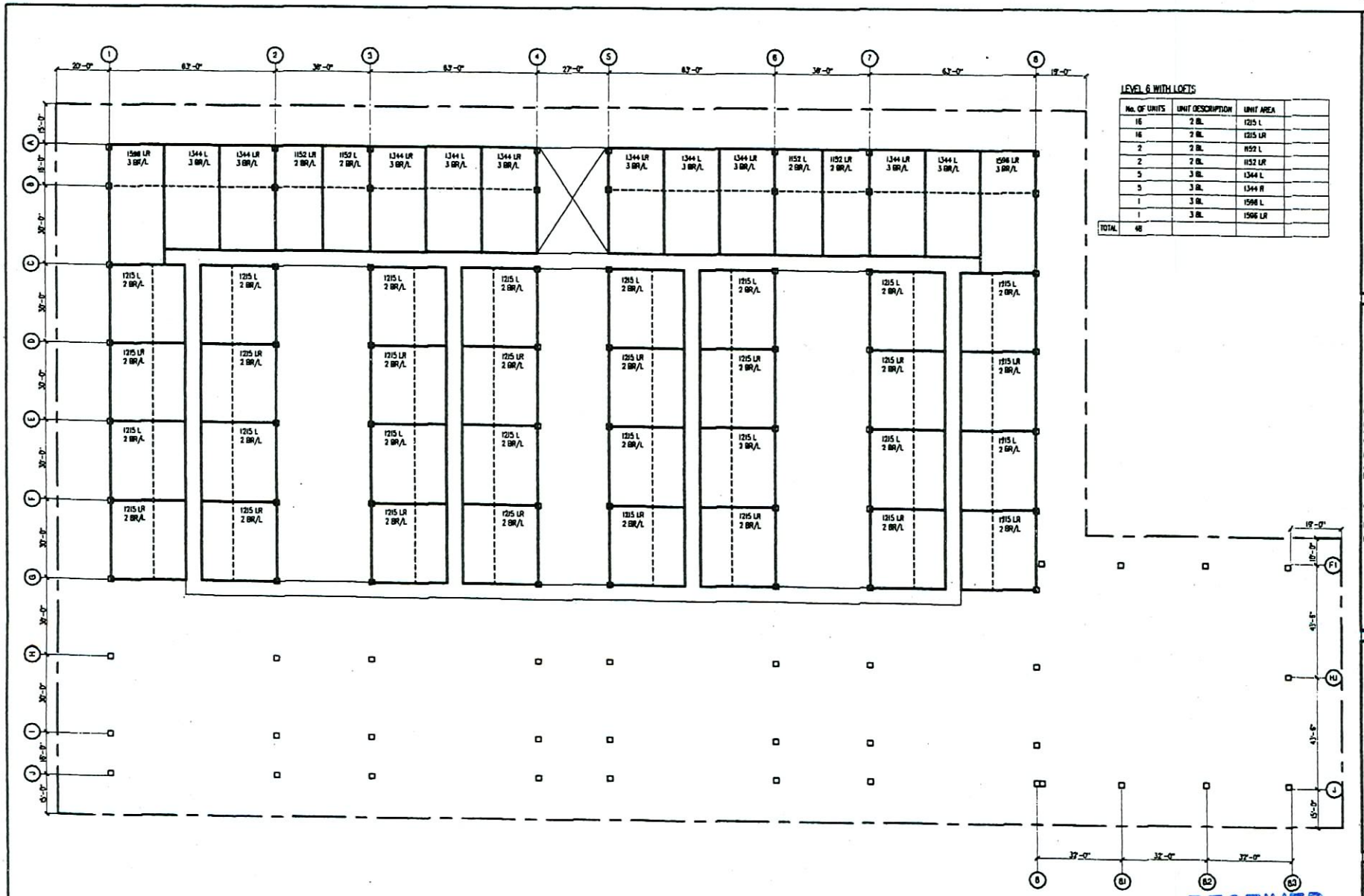

LEVEL 6 WITH LOFTS

No. OF UNITS	UNIT DESCRIPTION	UNIT AREA	
16	2 BL	1215 L	
16	2 BL	1215 LR	
2	2 BL	1152 L	
2	2 BL	1152 LR	
5	3 BL	1344 L	
5	3 BL	1344 R	
1	3 BL	1598 L	
1	3 BL	1596 LR	
TOTAL 48			

DENNIS E RUSK ARCHITECT, LLC

LEVEL 6 UNITS FLOOR PLAN

PROPOSED CONDOMINIUM
A.O. BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST.
LAS VEGAS, NV

Revisions:

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Project No.
Drawn By
Check By
Sheet No.

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1 LEVEL 6 UNITS FLOOR PLAN
SCALE: 1/16" = 1'-0"

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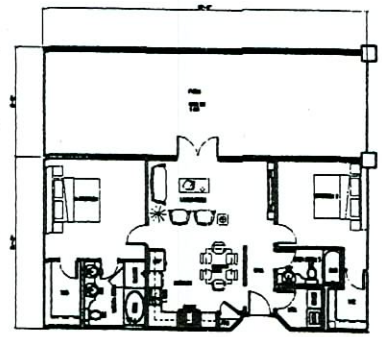
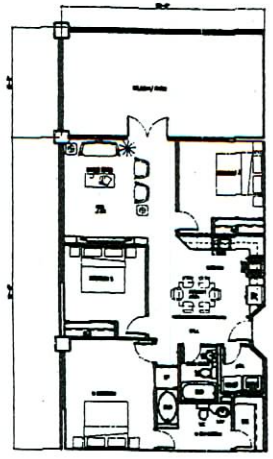
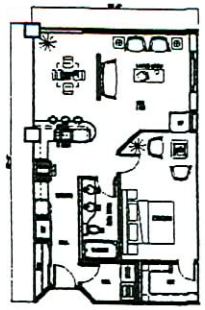


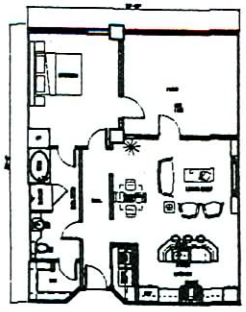
1E A2.0 UNIT 1080 (2 BR)
SCALE: 1/4" = 1'-0"



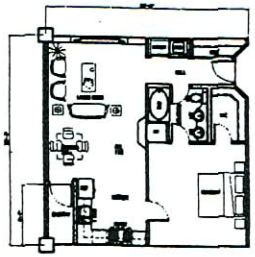
1A A2.0 UNIT 1215 (3 BR)
SCALE: 1/4" = 1'-0"



1B A2.0 UNIT 900 (1 BR)
SCALE: 1/4" = 1'-0"



1C A2.0 UNIT 912 (1 BR)
SCALE: 1/4" = 1'-0"



1D A2.0 UNIT 810 (1 BR)
SCALE: 1/4" = 1'-0"

1 ENLARGED FLOOR PLANS
SCALE: 1/4" = 1'-0"

ENLARGED FLOOR PLANS

PROPOSED CONDOMINIUM
AO, BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST.
LAS VEGAS, NV

DENNIS E RUSK
ARCHITECT, LLC

A2.0

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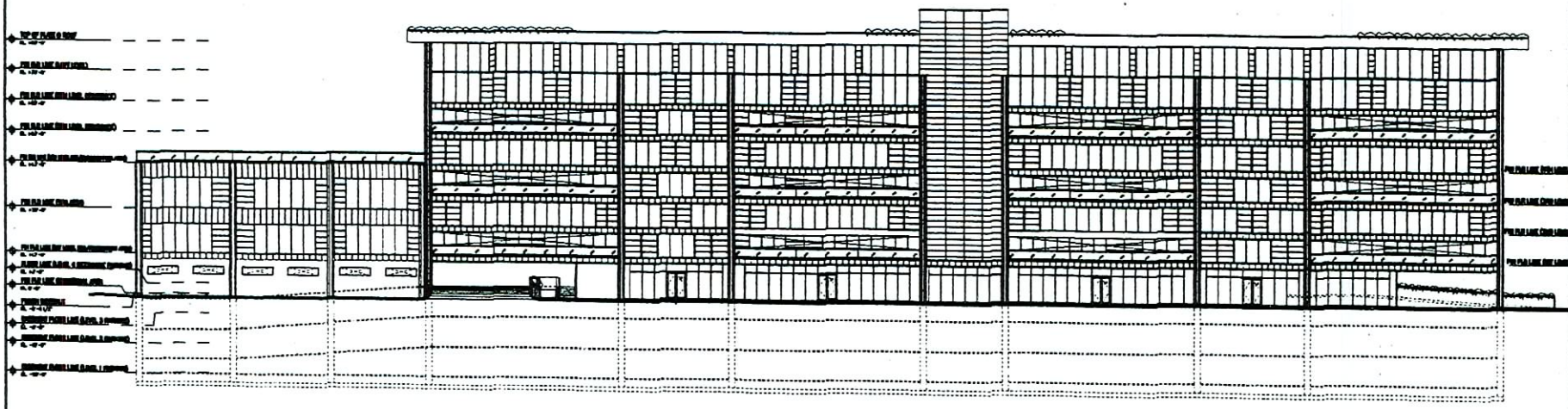
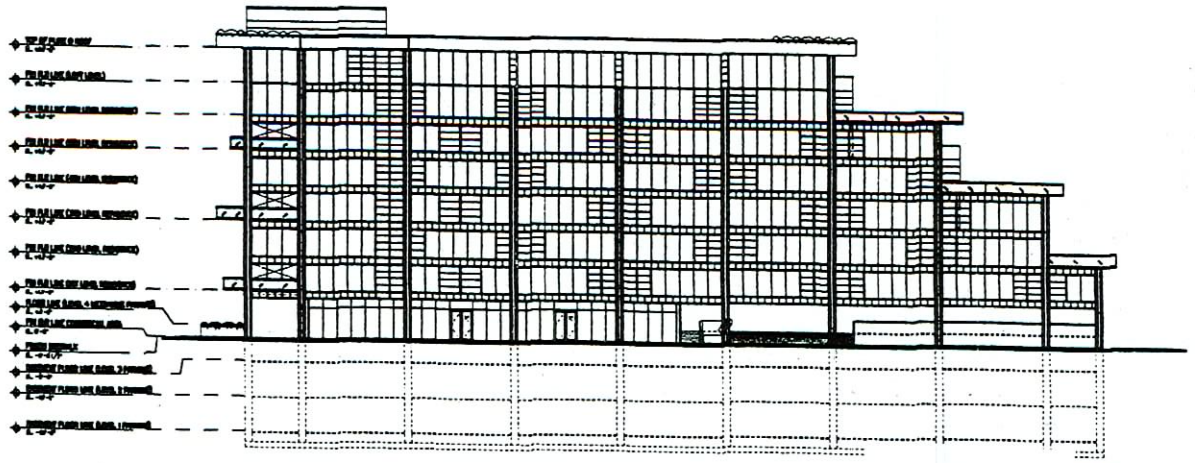


2 ELEVATION ALONG MAIN STREET
SCALE: 1/16" = 1'-0"



ELEVATION AL
SCALE: 1/16" = 1'-0"

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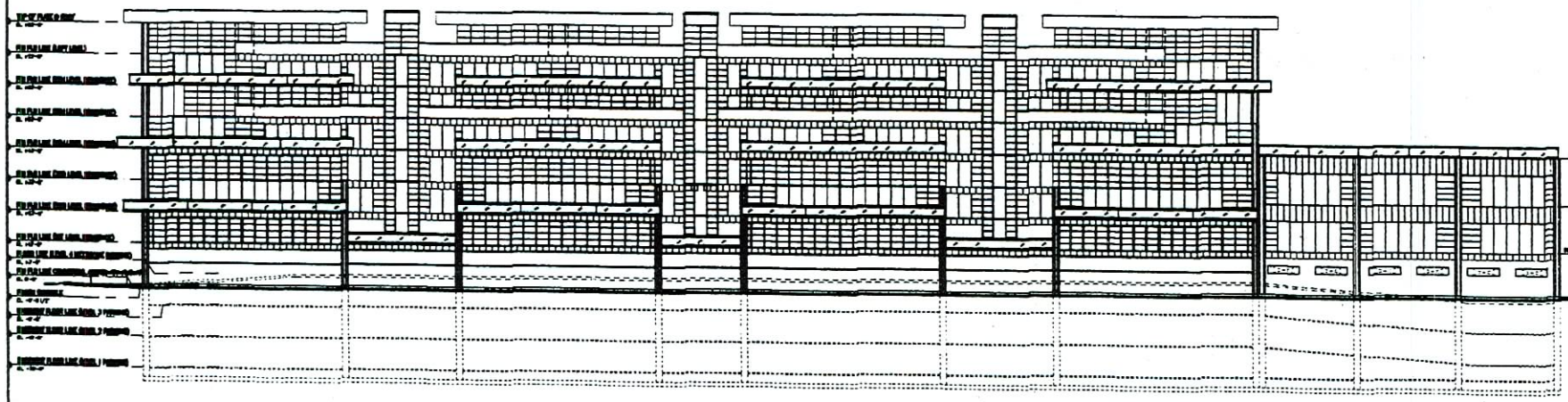
DENNIS E. RUSK
ARCHITECT, LLC

BUILDING ELEVATIONS

PROPOSED CONDOMINIUM
A.O. BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST.
LAS VEGAS, NV

A2.0



2 ELEVATION ALONG 1ST STREET
SCALE: 1/16" = 1'-0"

1 SCALE: 1/16" = 1'-0"

DENNIS E. RUSK
ARCHITECT, LLC

PROPOSED CONDOMINIUM
A.O. BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST.
LAS VEGAS, NV

BUILDING ELEVATIONS

Revisions:

A3.1

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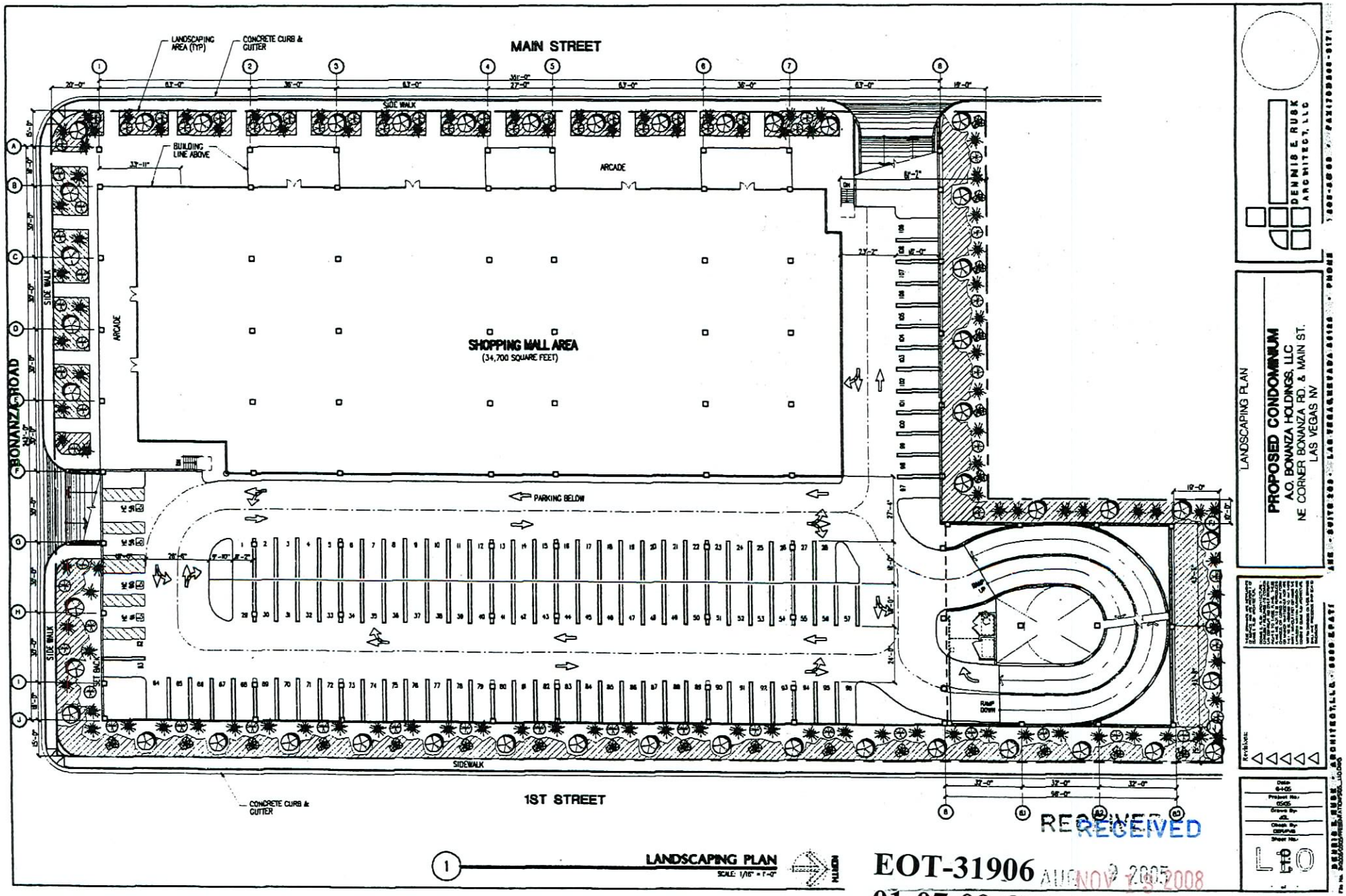

1 LANDSCAPING PLAN
SCALE: 1/16" = 1'-0"

DENNIS E. RUSK ARCHITECT, LLC

PROPOSED CONDOMINIUM
A.O. BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST.
LAS VEGAS NV

LANDSCAPING PLAN

L1.0

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LANDSCAPE LEGEND

SYMBOL	NO.	BOTANICAL NAME	COMMON NAME	USE	FULL SIZE	DESCRIPTION	SYMBOL	NO.	BOTANICAL NAME	COMMON NAME	USE	FULL SIZE	DESCRIPTION
	45	PINUS	ALEPPO PINE	EVERGREEN TREE	LARGE OVER 40'	24" BOX, STD. TRUNK		0	LEUCOPHYLLUM	TEXAS RANGER	EVERGREEN SHRUB	6'X8'	5 GALON
	25	PINUS	MONDEL PINE	EVERGREEN TREE	LARGE OVER 40' X MEDIUM 20'-40'	24" BOX, STD. TRUNK		65	BACCHARIS	DESERT BROOM	EVERGREEN SHRUB	3'x5'	5 GALON
	0	GAZANIA	GAZANIA	GROUND COVER				0	RHAPIOLEPIS	INDIAN HAWTHORNE	EVERGREEN SHRUB	4'X4'	5 GALON

1 LANDSCAPE LEGEND
NOT TO SCALE

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LANDSCAPE LEGEND

PROPOSED CONDOMINIUM
A.O. BONANZA HOLDINGS, LLC
NE CORNER BONANZA RD. & MAIN ST
LAS VEGAS NV

DENNIS E RUSK
ARCHITECT, LLC

L1.1

VERGE

November 5, 2008

Planning & Development
City of Las Vegas
731 S 4th St
Las Vegas, NV 89101

Re: Reinstatement Request

On behalf of Verge Living Corporation, I am requesting an extension to our current zoning permit, variance and site plan that expires in November 2008.

Verge Living Corporation owns land on the north east corner of Main and Bonanza in the City of Las Vegas. Verge Living has developed plans and has been marketing a mixed use building made up of 318 residential units and approximately 33,000 square feet of retail. The company has spent over $15 million to date on the project with the majority of the money benefitting Las Vegas business.

Prior to the economic downturn that began last year, the Verge project had experienced great success and was a highly anticipated addition to the downtown landscape. The current financial crises that is impacting the nation has also had its affect on Verge Living Corporation. As the mortgage crises began, Verge Living had several LOI's for construction financing only to see a collapse in the credit market last fall and has worsened. Since that time Verge Living has been aggressive in its efforts to secure construction financing and we believe that once the banking system begins to realize the effects of the government's $700 billion investment/bailout, that our project will be able to secure the construction financing necessary to build the building. The Verge building upon completion will have a positive impact on downtown Las Vegas, creating affordable living and jobs.

As President of Verge Living Corporation, I appreciate your consideration of the extension request and look forward to continuing to be a part of the most dynamic city in the world.

Sincerely,

Darren Dunckel
President
Verge Living Corporation
dduncke l@vergeliving.com
310-729-9007

EOT-31906
01-07-09 CC

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

November 30, 2005

Ms. Moshe Schnapp
A.O. Bonanza Holding, LLC
1061-1/2 North Spaulding Avenue
West Hollywood, California 90046

RE: SDR-8649 – SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF NOVEMBER 2, 2005
RELATED TO VAR-8651 AND SUP-8814

Dear Ms. Schnapp:

The City Council at a regular meeting held November 2, 2005 APPROVED the request for a Site Development Plan Review FOR A MIXED-USE DEVELOPMENT WITH 296 RESIDENTIAL UNITS AND 34,700 SQUARE FEET OF COMMERCIAL SPACE AND WAIVERS IN BUILDING PLACEMENT; STREET AND FOUNDATION LANDSCAPE STANDARDS; FRONT, CORNER SIDE, AND REAR YARD SETBACK REQUIREMENTS; AND TO ALLOW A 241-FOOT RESIDENTIAL ADJACENCY SETBACK WHERE 249-FEET FROM RESIDENTIAL PROPERTY IS REQUIRED on 2.87 acres adjacent to the northeast corner of Main Street and Bonanza Road (APNs 139-27-810-001, 002, 003, 004 and 139-27-707-008, 046 through 051), R-2 (Medium-Low Density Residential) Zone and C-M (Commercial/Industrial) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on November 3, 2005. This approval is subject to:

Planning and Development

1. A Special Use Permit (SUP-8814) for a Mixed-Use development and a Variance (VAR-8651) in the required step back ratio approved by the City Council.

2. This Site Development Plan Review shall expire two years from the date of final approval unless it is exercised or an Extension of Time is granted by the City.

3. All development shall be in conformance with the site plan and building elevations date stamped 8/09/05, except as amended by conditions herein, and colored elevations presented 11/02/05.

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

EOT-31906
01-07-09 CC

4. Waivers from Title 19.08.045 Commercial Development Standards is hereby approved for the following:
   - Waivers in the rear yard, front yard and corner side setback requirements to allow a 19-foot rear yard setback in lieu of 20 feet, a 12-foot front yard setback in lieu of 20 feet, and a seven-foot corner side yard setback in lieu of 15 feet. Waivers for the front yard and corner side yard setbacks shall only apply to balconies above the first floor.
   - A Waiver in the required street landscape planter width along Main Street to allow a six-foot planter width in lieu of 15 feet.
   - A Waiver in the required landscape island width of six feet between the building and sidewalks along the street arcade.
   - A Waiver of in the Residential Adjacency Standards in the setback from adjacent residential uses by reason of the Mixed-Use development containing a significant residential element.

5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 25% of the total landscaped area as turf.

6. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City and shall be permanently maintained in a satisfactory manner.

7. 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. The landscape plan shall include irrigation specifications.

8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

9. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.

10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform to the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

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13. 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.

14. Prior to the submittal of a building permit, the applicant shall meet with staff of the Planning and Development Department to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

15. 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.

16. All City code requirements and design standards of all City departments must be satisfied.

Public Works

17. Dedicate an additional four feet of right-of-way adjacent to parcel 139-27-707-008 on Main Street adjacent to this site.

18. Construct all incomplete half-street improvements on Main Street, Bonanza Road, and First Street adjacent to this site. Additionally, Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

19. The Final Map for this site shall be labeled as a "Merger and Resubdivision."

20. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

21. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

22. Site development to comply with all applicable conditions of approval for Z-46-02 and all other subsequent site-related actions.

Sincerely,

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

M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Bill Curran
Curran & Parry
300 South 4th Street, Suite #101
Las Vegas, Nevada 89101

EOT-31906
01-07-09 CC

City of Las Vegas Agenda Item No.: **78.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

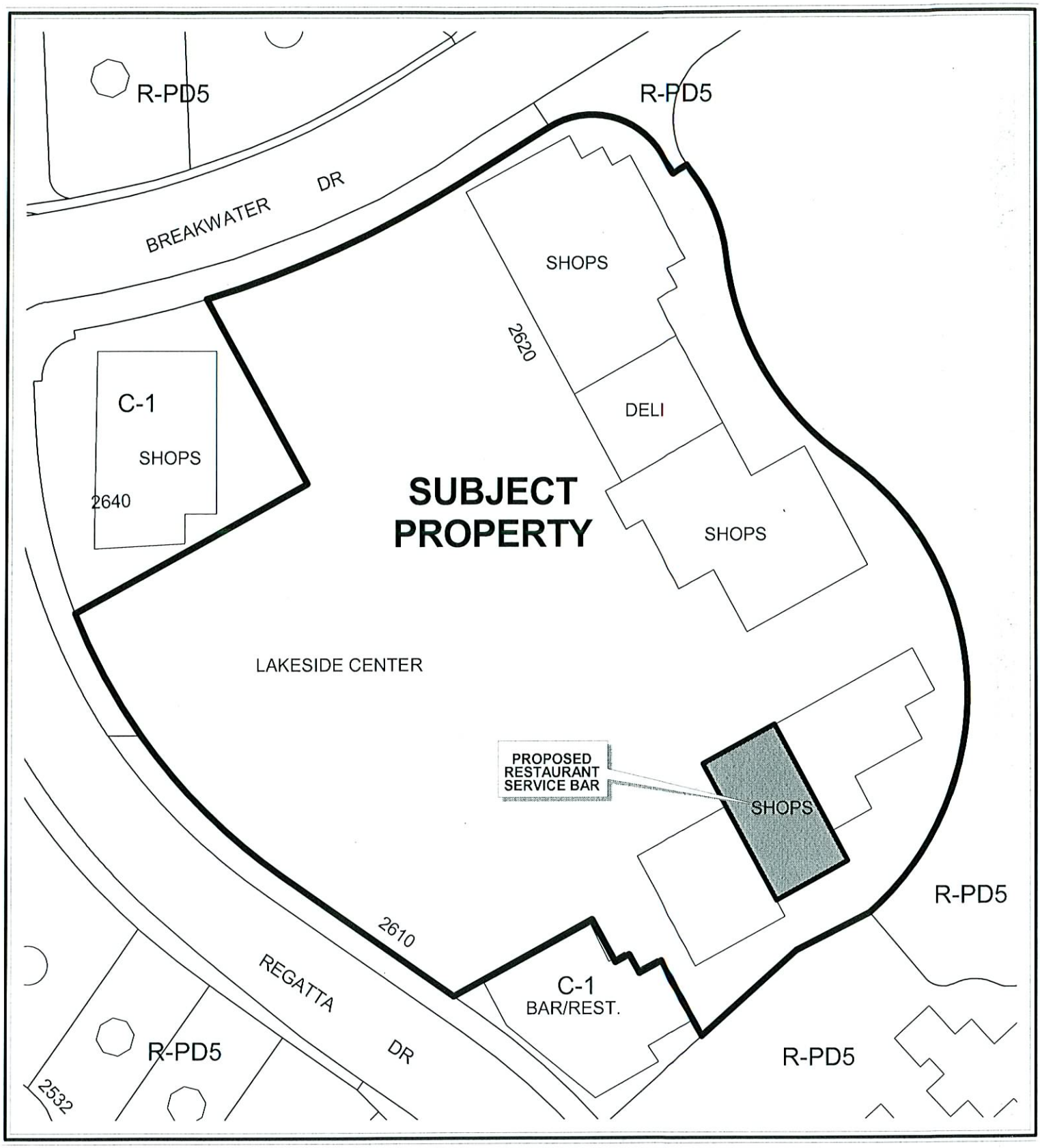
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☒ **Consent** ☐ **Discussion**

SUBJECT:
EOT-31990 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: LAKESIDE CENTER - OWNER: WFTNV, LLC - Request for an Extension of Time of an approved Special Use Permit (SUP-17307) FOR A RESTAURANT SERVICE BAR AND A WAIVER OF THE 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING CHURCH at 2620 Regatta Drive, Suite 117 (APN 138-16-717-002), C-1 (Limited Commercial) Zone, Ward 4 (Brown). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council Approval Letter for SUP-17307

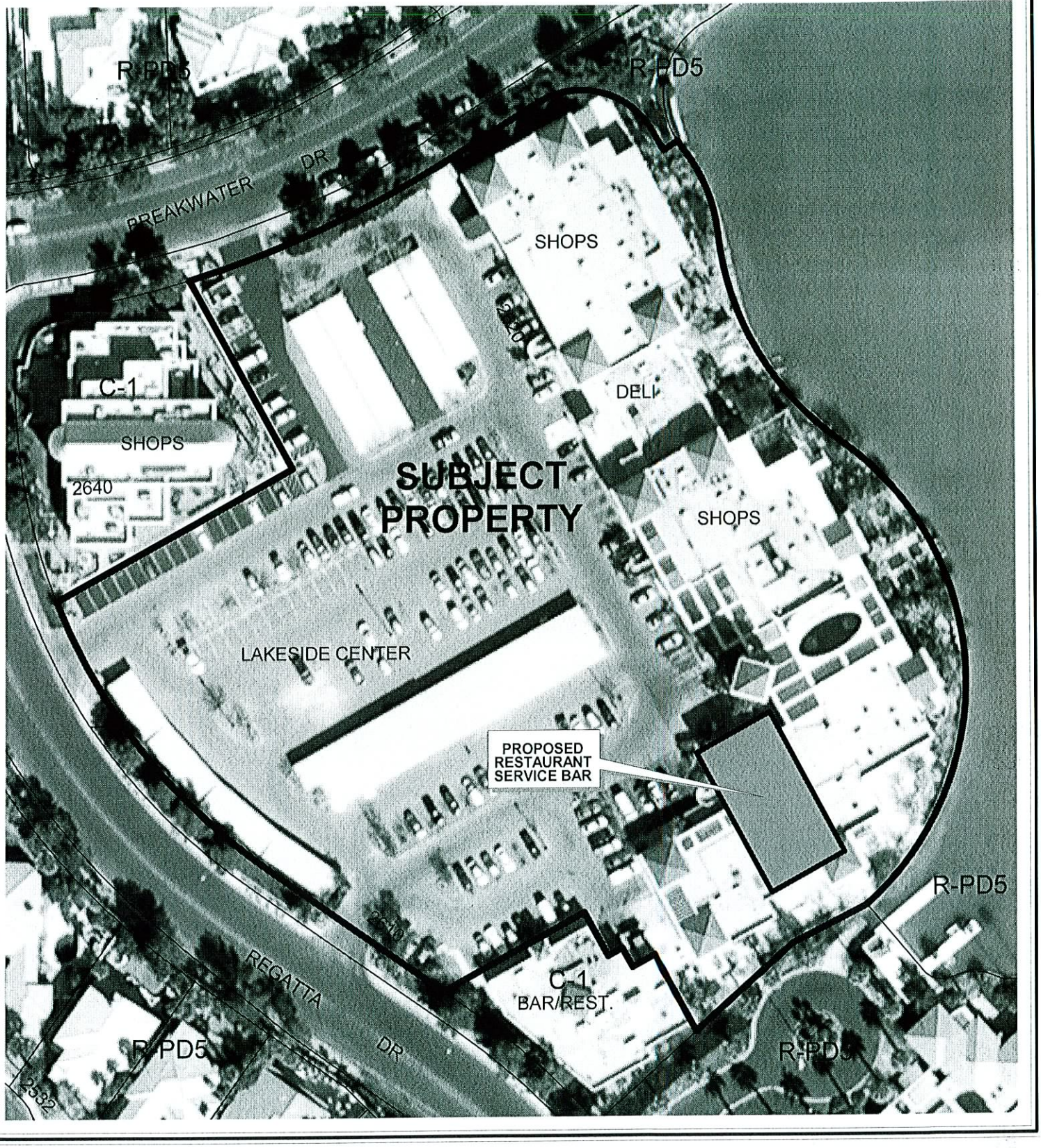


0 100 200 Feet

CASE: **EOT-31990**

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

N



0 100 200 Feet

CASE: **EOT-31990**

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-31990 – EXTENSION OF TIME – SPECIAL USE PERMIT – APPLICANT: LAKESIDE CENTER - OWNER: WFTNV, LLC

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. This Special Use Permit (SUP-17307) shall expire on January 3, 2010 unless another Extension of Time is approved by the Planning and Development Department.

2. Conformance to all conditions of approval of Special Use Permit (SUP-17307) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Special Use Permit (SUP-17307) for a proposed Restaurant Service Bar and a waiver of the 400-foot distance separation requirement from an existing church at 2620 Regatta Drive, Suite.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
01/06/88	The City Council approved a Rezoning (Z-0121-87) of property located west of Buffalo Drive, between Lake Mead Boulevard and Cheyenne Avenue from N-U (Non-Urban) to R-PD5 (Residential Planned Development- 5 Units per Acre) and C-1 (Limited Commercial) for a proposed residential and commercial development.
01/26/89	The Board of Zoning Adjustment approved a Variance (V-0154-88) to allow 315 parking spaces where 394 are required in conjunction with a proposed commercial shopping center.
02/19/92	The City Council approved a request for a Special Use Permit (U-0311-91) to allow Packaged Liquor Sales in conjunction with a proposed Market at 2600 Regatta Drive. The Board of Zoning Adjustment recommended approval on 01/28/91.
12/06/00	The City Council approved a request for a Special Use Permit (U-0169-00) for a Restaurant Service Bar at 2620 Regatta Drive. The Planning Commission recommended approval on 10/26/00.
06/20/01	The City Council approved a request for a Special Use Permit (U-0052-01) for a proposed Hypnotherapy business at 2620 Regatta Drive. The Planning Commission recommended approval on 05/1/01.
12/19/01	The City Council approved a request for a Variance (V-0073-01) to allow 315 parking spaces where 405 parking spaces are required on property located adjacent to the southeast corner of Regatta Drive and Breakwater Drive. The Planning Commission recommended approval on 11/01/01.
12/19/01	The City Council approved a request for a Site Development Plan Review [Z-0121-87(1)] to allow a proposed 8,325 square-foot Synagogue on property located adjacent to the southeast corner of Regatta Drive and Breakwater Drive. The Planning Commission recommended approval on 11/01/01.

07/18/03	The Planning and Development Department approved a request for an Administrative Review (SDR-19910) to allow antennas to be mounted inside the extension to the existing building at 2620 Regatta Drive.
11/20/03	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a request for a Special Use Permit (SUP-3167) for Automotive Rentals (RV) at 2620 Regatta Drive.
01/21/04	The City Council approved a request for an Extension of Time (EOT-3251) of an approved Variance (V-0073-01) to allow 316 parking spaces where 405 parking spaces are required adjacent to the southeast corner of Regatta Drive and Breakwater Drive. The Planning Commission recommended approval on 12/18/03.
01/21/04	The City Council approved a request for an Extension of Time (EOT-3252) of an approved Site Development Plan Review [Z-0121-87(1)] which allowed a proposed 8,325 square-foot Synagogue adjacent to the southeast corner of Regatta Drive and Breakwater Drive. The Planning Commission recommended approval on 12/18/03.
05/16/05	The Planning and Development Department approved a request for an Administrative Review (SDR-19894) to allow a proposed co-location of panel antennas on the existing building tower at 2620 Regatta Drive.
11/16/06	The Planning and Development Department approved a request for an Administrative Review (SDR-17309) for Valet Parking at an existing shopping center located on the southeast corner of Regatta Drive and Breakwater Drive.
01/03/07	The City Council approved a request for a Special Use Permit (SUP-17307) for a proposed Restaurant Service Bar and a waiver of the 400-foot distance separation requirement from an existing church at 2620 Regatta Drive, Suite 117. The Planning Commission recommended approval on 11/16/06.
06/20/07	A Code Enforcement case (54580) was processed for a carport for approximately 24 vehicles built without a permit at 2620 Regatta Drive. The case was closed on 06/25/07.
12/20/07	The Planning and Development Department approved a request for an Administrative Review (SDR-25722) to allow the replacement of antennas on an existing 63-foot tall commercial building at 2620 Regatta Drive.
02/06/08	The City Council approved a request for an Extension of Time (EOT-26119) of an approve Special Use Permit (SUP-17307) for a proposed Restaurant Service Bar and a waiver of the 400-foot distance separation requirement from an existing church at 2620 Regatta Drive, Suite 117.
Related Building Permits/Business Licenses	
12/28/95	A building permit (95885498) was issued for a Non-Work Certificate of Occupancy at 2620 Regatta Dr, Ste 117. The permit was finalized on 03/11/96.

10/07/06	A business license (L19-98418 and R09-98419) for a Restaurant Service Bar and Restaurant were applied for but not issued due to a delay in the anticipated opening at 2620 Regatta Dr, Ste 118.
07/09/07	A business license (L18-94423) was for a Liquor Caterer was applied for but not issued due to a delay in the anticipated opening at 2620 Regatta Drive, Ste 118.
01/09/08	A building permit (104813) was issued for a 9-foot by 19-foot carport with 43 spaces. The permit was not finalized.
02/19/08	A building permit (102265) was issued to replace antennas on an existing building at 2620 Regatta Dr. The permit was finalized on 04/09/08.
07/23/08	A building permit (120464) was issued for a fire alarm system at 2620 Regatta Dr, Ste 117. The permit is still active.
08/11/08	A building permit (121134) was issued for a sprinkler system at 2620 Regatta Drive, Ste 117. The permit is still active.
11/18/08	Plans (L-4103-05) have been submitted and permits issued for interior work at 2620 Regatta Drive, Ste 118 for the Ivy Grill.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application, nor was one held.	

Details of Application Request	
Site Area	
Gross Acres	5.50

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Restaurant Service Bar	SC (Service Commercial)	C-1 (Limited Commercial)
	Retail Establishment	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single-Family Residential	L (Low Density Residential)	R-PD5 (Residential Planned Development- 5 Units per Acre)
South	Community Center, Private	PR-OS (Parks/Recreation/Open Space)	R-PD5 (Residential Planned Development- 5 Units per Acre)

East	Lake	PR-OS (Parks/Recreation/Open Space)	R-PD5 (Residential Planned Development- 5 Units per Acre)
West	Single-Family Residential	L (Low Density Residential)	R-PD5 (Residential Planned Development- 5 Units per Acre)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts	X		Y
A-O (Airport Overlay) District (200 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the second request for an Extension of Time of an approved Special Use Permit (SUP-17307) for a Restaurant Service Bar and a waiver of the 400-foot distance separation requirement from an existing church. Title 19.18.060 deems a Special Use Permit exercised upon the approval of a business license for the activity, if required, or upon the issuance of a certificate of occupancy or approval of a final inspection.

The applicant has applied for business licenses, but due to a delay in the anticipated opening of the business, the licenses have not been approved and/or issued. Additionally, permits have been issued for the build out of the restaurant, which include plumbing, major electrical, hoods, vents, kitchen facilities, etc. The business is anticipating a grand opening by June 2009.

FINDINGS

The applicant is requesting an extension of time in order to meet Title 19 requirements to exercise the Special Use Permit. They have shown progress on the restaurant by receiving several building permits and have applied for the appropriate business licenses. Due to a delay in the remodeling of the facility, an extension of time is required; therefore, staff is recommending approval of the extension of time request with a one-year time limit. Conformance to the conditions of approval of Special Use Permit (SUP-17307) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT **N/A**

SENATE DISTRICT **N/A**

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-31990** APN: 138-16-717-002

Name of Property Owner: WFTNV LLC

Name of Applicant: Lakeside Center

Name of Representative: Ryan Arnold / The Skancke Company

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: ERIK R. WATTS

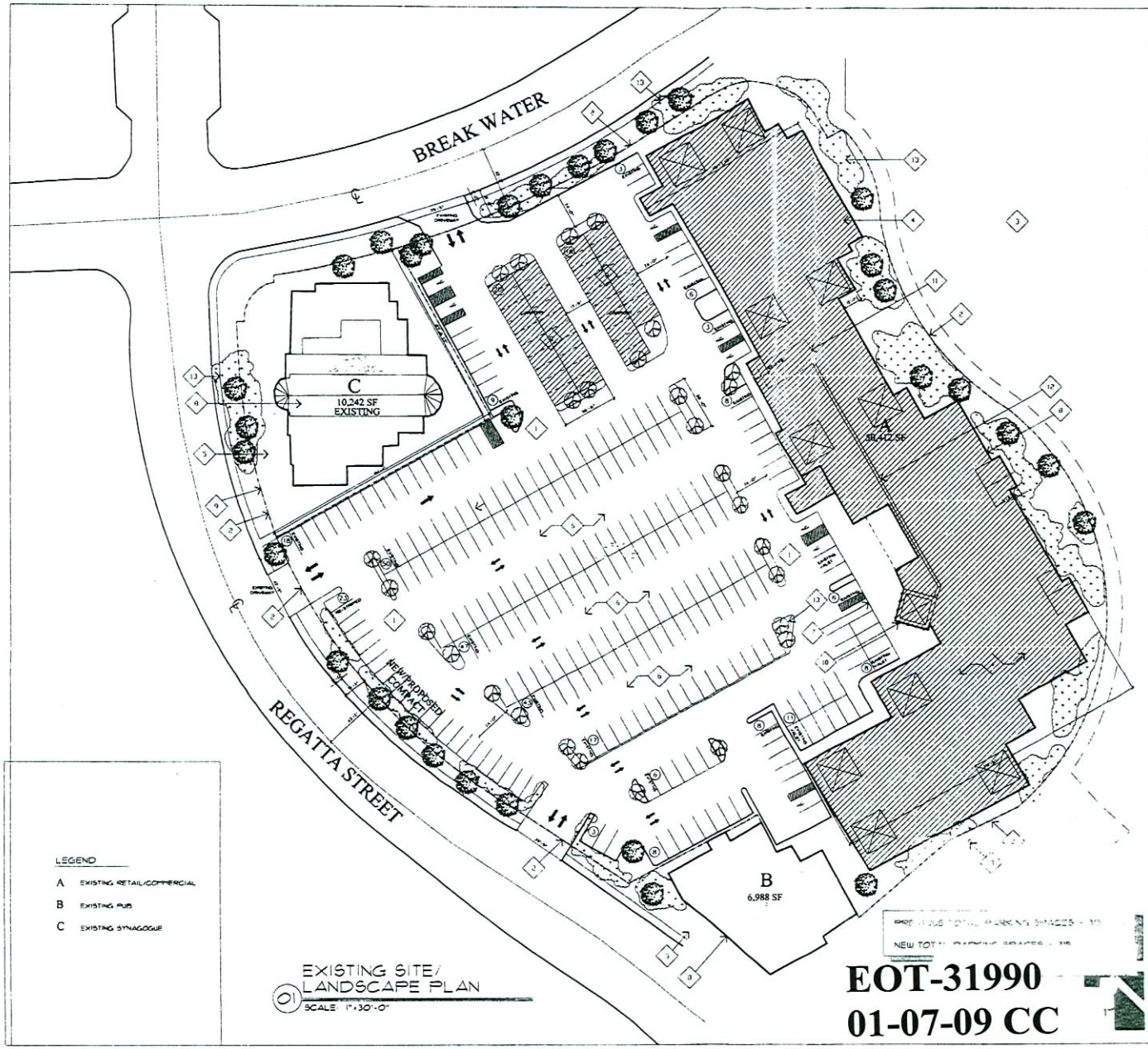
Subscribed and sworn before me

This 17TH day of NOV., 2008

Margaret Bruhns

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MARGARET BRUHNS
Appt. No. 02-73130-1
My Appt. Expires Feb. 1, 2010



EXISTING SITE/
LANDSCAPE PLAN
SCALE: 1"=30'-0"

EOT-31990
01-07-09 CC

PARKING CODE ANALYSIS

OVERALL SITE AREA — 9.50 ACRES

TOTAL SHOPPING CENTER SIZE — 67,342 SF
- 41,412 RETAIL
- 6,988 TAVERN
- 10,242 CHARC/MUSEUM
- 1,000 OUTSIDE DINING

SITE COVERAGE — 28.4%

PARKING REQUIRED (CALCULATED AS SHOPPING CENTER):
- SHOPPING CENTER (4 SPACES PER 1,000 SF): 67,342 / 1,000 = 67.342 = 4 — 270 SPACES REQUIRED
- OUTSIDE DINING (1 SPACES PER 50 SF): 1,000 / 50 = — 20 SPACES REQUIRED

TOTAL PARKING REQUIRED: 292 SPACES REQUIRED

PARKING PROVIDED:
- STANDARD STALLS (9'x18'): 264 SPACES
- VALET PARKING: 20 SPACES
- COMPACT PARKING (8'x15'): 23 SPACES
- H.C. PARKING: 8 SPACES
- TOTAL PARKING PROVIDED: 315 SPACES PROVIDED

PREVIOUS PARKING TOTAL PROVIDED: 310 SPACES

PARKING SURPLUS OVER PARKING REQUIRED: 23 SPACES

PERCENT DEFICIENT ALLOWED PER VARIANCE # V-0073-01

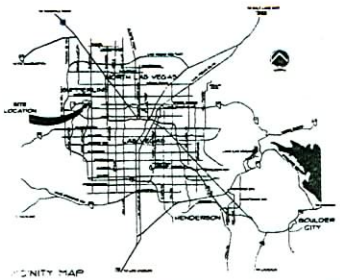
SITE PLAN KEYNOTES

1. EXISTING AC PAVING
2. EXISTING PROPERTY LINE
3. EXISTING LAKE
4. EXISTING ROOF DECK
5. EXISTING ADJACENT PROPERTY
6. EXISTING PARKING
7. EXISTING CURB
8. EXISTING BUILDING
9. EXISTING SIDEWALK
10. EXISTING CW ANTENNAS TO BE CHAGNED OUT
11. EXISTING CW EQUIPMENT ROOF LOCATED IN UPSTAIRS SUITE
12. EXISTING CW ROOF MOUNTED CABLE TRAY
13. EXISTING TREES / LANDSCAPE

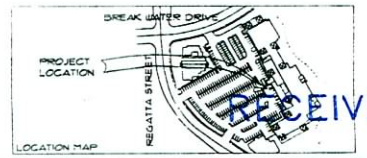
ASSESORS PARCEL NUMBERS

138167117002
138167114003
138168220001

JURISDICTION: LAS VEGAS 39128



VICINITY MAP



LOCATION MAP

REVISIONS

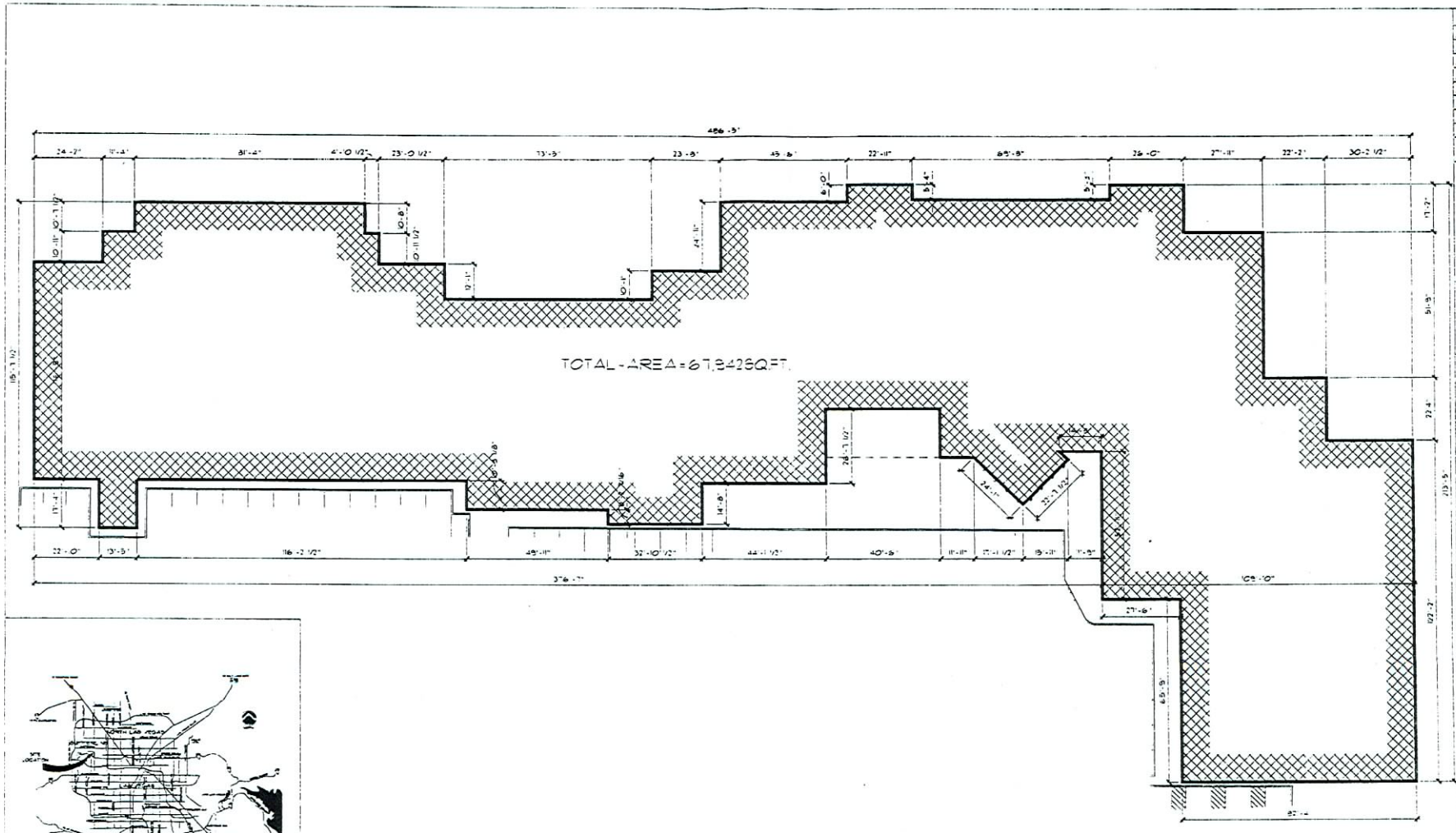
rsj architecture
6375 West Charleston Blvd, Ste 100
Las Vegas, NV 89146-3147
T 702.7529
F 702.7949
www.rsjarchitecture.com

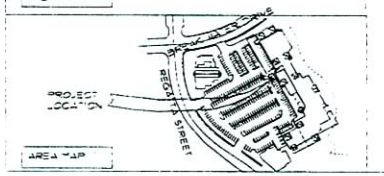
Client Information

PROJECT: LAKE SIDE CENTER
REGATTA & BREAK WATER
HENDERSON, NEVADA

ISSUE DATE:
JOB NUMBER: 08-112
PLOT DATE:
DRAWN BY:
SHEET TITLE: SITE PLAN
SHEET NO: A1.0

RECEIVED
NOV 18 2008





EXISTING - BUILDING - LAYOUT - PLAN

SCALE: 1/16"=1'-0"

EOT-31990
01-07-09 CC

RECEIVED
NOV 18 2008

LAKE SIDE CENTER
REGATTA & BREAK WATER
HENDERSON, NEVADA

A1.1

The Skancke Company

November 18, 2008

City of Las Vegas
Planning and Development Department
731 South 4th Street
Las Vegas, NV 89101

RE: Justification Letter for Extension of Time on Approved EOT-26119 / SUP-17307

To Whom It May Concern:

On behalf of my client, Lakeside Center, please consider this our letter of justification for the request of a second Extension of Time on approved EOT-26119 / SUP-17307.

On January 3, 2007 the City of Las Vegas City Council approved SUP-17307 which allowed a Restaurant Service Bar in our planned Ivy Grill restaurant located within the Lakeside Center development. On February 6, 2008 the City Council approved EOT-26119.

Our original extension of time was necessary due to a number of factors. At the time of our approval, the space identified for the Ivy Grill was occupied by another tenant that was scheduled to vacate the premises on a given date, which unfortunately didn't happen as planned. This along with a number of significant engineering and design challenges has delayed our construction.

Although we are asking for an additional extension of time, we have made significant progress on the restaurant build out. To date, we have completed our plumbing, major electrical, hoods, vents, kitchen facilities, walk in refrigerator, extensive fire walls and we've taken delivery of all finish material.

With the majority of the design and engineering challenges behind us and our finish materials ready for install, we are looking at a new grand opening date of June 2009.

We feel strongly that the Ivy Grill will make a wonderful addition to the Desert Shores Community and are co-sponsoring an open house with the

702.870.7068

2620 Regatta Drive
Suite 102
Las Vegas, Nevada 89128
Fax 702.474.4606

EOT-31990
01-07-09 CC

Desert Shores Association on December 6th at which time we are allowing an advanced showing of the restaurant.

If you should have any questions, please feel free to contact me at 702-870-7068.

Sincerely,

Ryan Arnold
Vice President

EOT-31990
01-07-09 CC

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

January 4, 2007

Ms. Cheryl Yamaguchi
WPT, NV, LLC
815 3rd Street
Santa Monica, California 90404

RE: SUP-17307 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF JANUARY 3, 2007

Dear Ms. Yamaguchi:

The City Council at a regular meeting held January 3, 2007 APPROVED the request for a Special Use Permit FOR A PROPOSED RESTAURANT SERVICE BAR AND A WAIVER OF THE 400-FOOT DISTANCE SEPARATION REQUIREMENT FROM AN EXISTING CHURCH at 2620 Regatta Drive, Suite #117 (APN 138-16-717-002), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on January 4, 2007. This approval is subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Restaurant Service Bar use.

2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Approval of this Special Use Permit does not constitute approval of a liquor license.

4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Lean Coleman

Lean Coleman
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

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

EOT-31990
01-07-09 CC

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

18112-001-05-05
CLV-7009

City of Las Vegas Agenda Item No.: **79.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

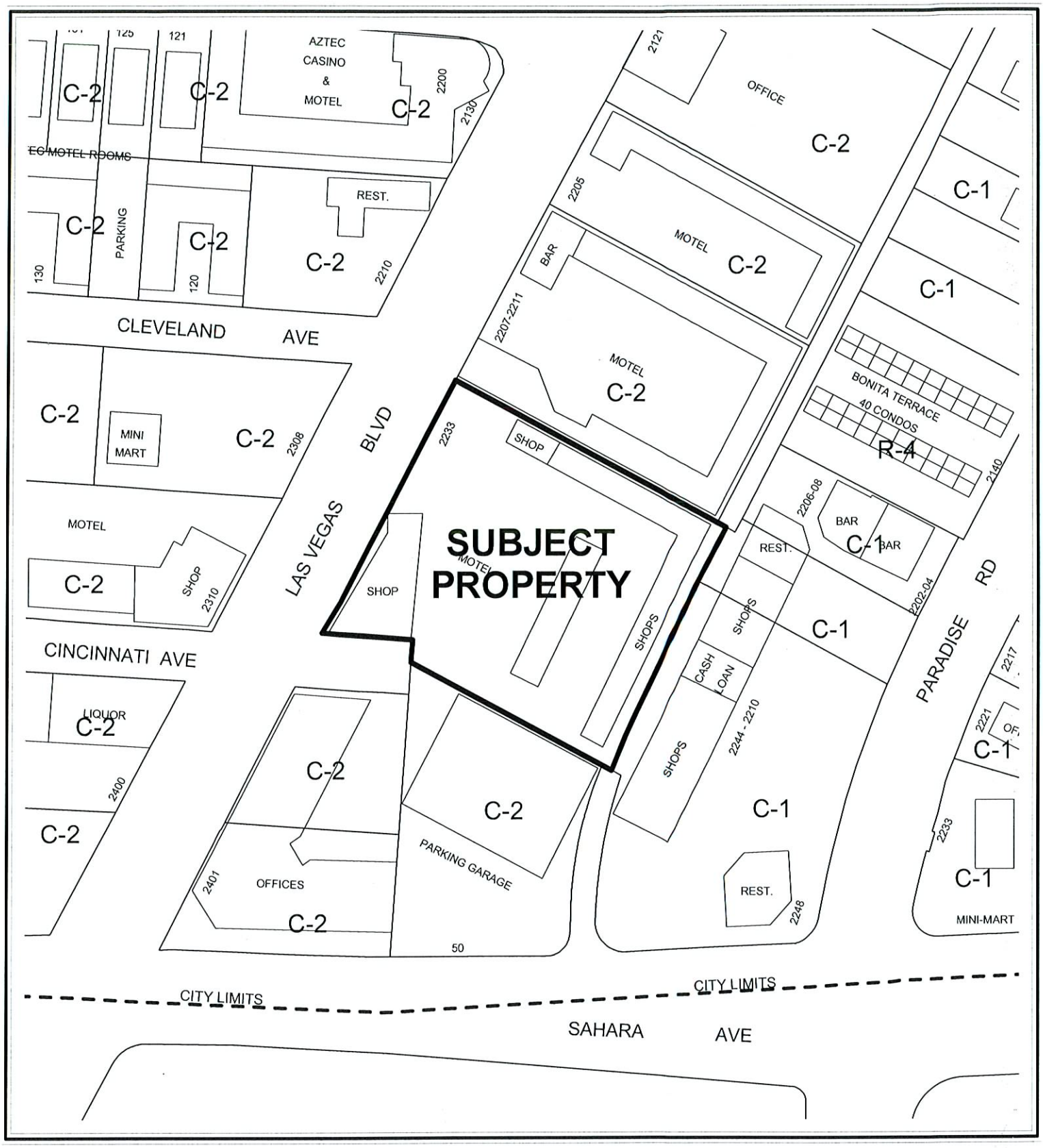
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☒ **Consent** ☐ **Discussion**

SUBJECT:
EOT-31998 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: FUN CITY MOTEL - OWNER: CHETAK DEVELOPMENT, INC - Request for an Extension of Time of an approved Special Use Permit (SUP-25068) FOR A PROPOSED PACKAGED LIQUOR OFF-SALE ESTABLISHMENT at 2301 South Las Vegas Boulevard (APN 162-03-410-007), C-2 (General Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

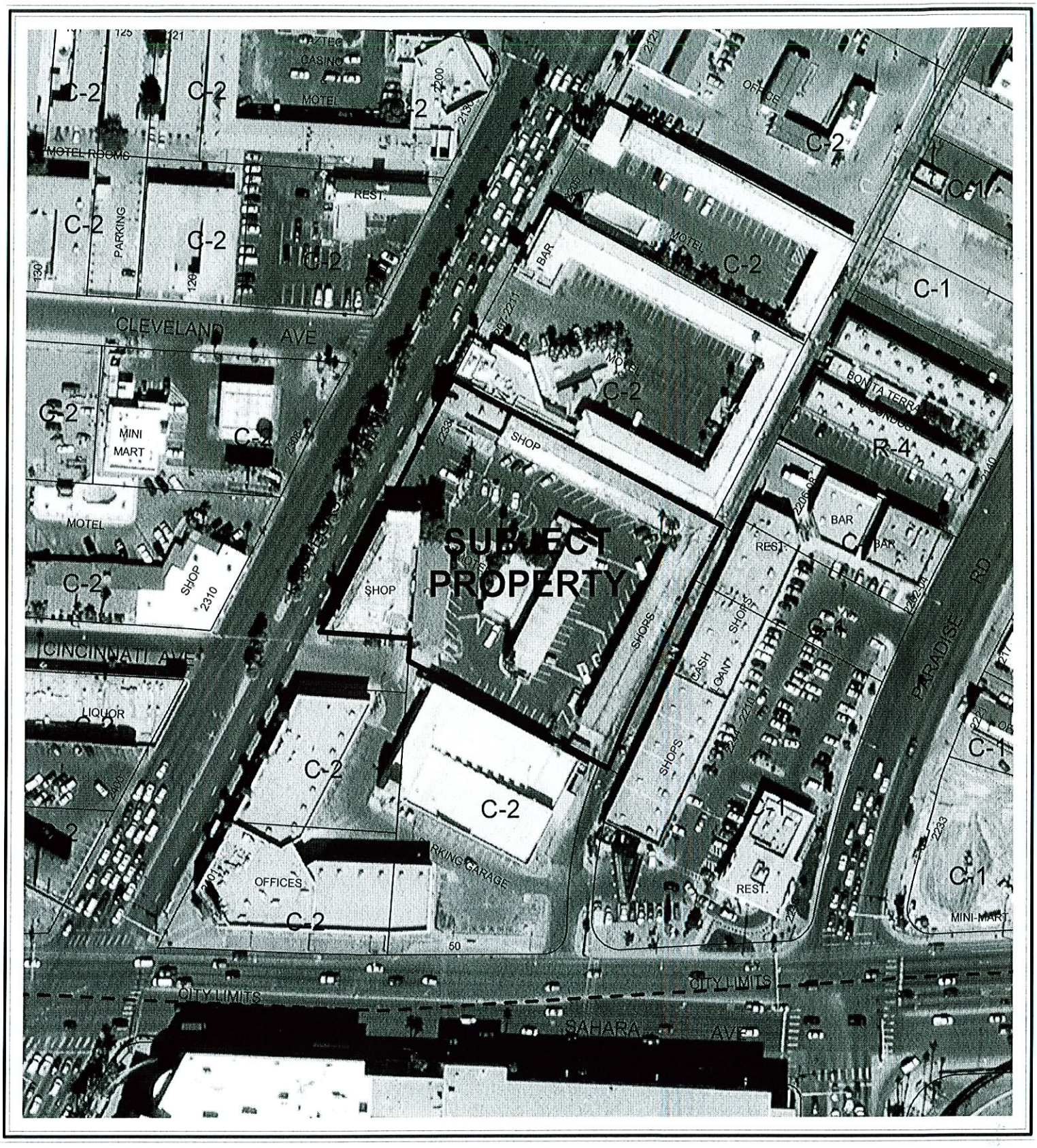
RECOMMENDATION:
Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council Approval Letter for SUP-25068



CASE: **EOT-31998**

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)



CASE: **EOT-31998**

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-31998 –EXTENSION OF TIME – SPECIAL USE PERMIT –
APPLICANT: FUN CITY MOTEL - OWNER: CHETAK DEVELOPMENT, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. Special Use Permit (SUP-25068) shall expire on January 09, 2010 unless another Extension of Time is approved by City Council.

2. Conformance to the Conditions of Approval for Special Use Permit (SUP-25068) and all other related actions as required by the Planning and Development Department and Department of Public Works.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Special Use Permit (SUP-25068) for a proposed Packaged Liquor Off-Sale Establishment at 2301 South Las Vegas Boulevard.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
12/4/02	The City Council approved a request for a Petition to Vacate (VAC-0070-02) a public alley generally located north of Sahara Avenue, west of Paradise Road.
02/27/07	A Code Enforcement case (50863) was processed for illegal banners at 2301 South Las Vegas Boulevard. The case was closed on 03/07/07.
03/06/07	The Planning and Development Department approved a request for a Temporary Sign Permit (TSP-20325) for a banner advertising Happy Feet Massage grand opening. The permit was valid until 04/05/07.
01/09/08	The City Council approved a request for a Special Use Permit (SUP-25068) for a proposed Packaged Liquor Off-Sale Establishment at 2301 South Las Vegas Boulevard. The Planning Commission recommended approval on 11/20/07.
Related Building Permits/Business Licenses	
01/08/08	A building permit (0105395) was issued for reroofing the building at 2301 South Las Vegas Boulevard.
12/08/08	A business license (C15-95920) was filed for a Convenience Store at 2301 S. Las Vegas Boulevard. The approval and issuance of the license is still pending.
12/08/08	A business license (C22-95916) was filed for a Check Cashing facility as a secondary function at 2301 South Las Vegas Boulevard. The approval and issuance of the license is still pending.
12/08/08	A business license (L15-95907) was filed for a Packaged Liquor Store at 2301 South Las Vegas Boulevard. The approval an issuance of the license is not pending.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application, nor was one held.	

Neighborhood Meeting
A neighborhood meeting is not required for this type of application, nor was one held.

Details of Application Request	
Site Area	
Gross Acres	1.88

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Motel	C (Commercial)	C-2 (General Commercial)
	Retail Establishment	C (Commercial)	C-2 (General Commercial)
North	Motel	C (Commercial)	C-2 (General Commercial)
South	Parking Garage	C (Commercial)	C-2 (General Commercial)
	Offices	C (Commercial)	C-2 (General Commercial)
East	Retail Establishments	C (Commercial)	C-1 (Limited Commercial)
West	Retail Establishments	C (Commercial)	C-2 (General Commercial)
	Motel	C (Commercial)	C-2 (General Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan	X		Y
Downtown Centennial Plan	X		Y
Las Vegas Redevelopment Plan	X		Y
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		Y
Downtown Overlay District	X		Y
G-O (Gaming Enterprise Overlay) District	X		Y
A-O (Airport Overlay) District (175 feet)	X		Y
Las Vegas Boulevard Scenic Byway Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first request for an Extension of Time of an approved Special Use Permit (SUP-25068) for a proposed Packaged Liquor Off-Sale Establishment at 2301 South Las Vegas Boulevard. Title 19.18.060 deems a Special Use Permit exercised upon the approval of a business license for the activity, if required, or upon the issuance of a certificate of occupancy or approval of a final inspection. Though the applicant has filed for three separate business licenses, they have not yet been approved and issued.

FINDINGS

The applicant is requesting an extension of time in order to meet Title 19 requirements to exercise the Special Use Permit. Though the applicant was applied for the related business licenses, they have not yet been approved; therefore, staff is recommending approval of this request with a one-year time limit. Conformance to the conditions of approval of Special Use Permit (SUP-25068) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT **N/A**

SENATE DISTRICT **N/A**

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **EOT-31998** APN: 162-03-410-007

Name of Property Owner: Chetak Development

Name of Applicant: Fun City Retail - Liquors

Name of Representative: Justin Michaels

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: Richard Truesdell

Partner(s): Will Kemp

APN: 162-03-410-007

Signature of Property Owner: Will Kemp, Pres.

Print Name: Chetak Development Corp, by Will Kemp, President

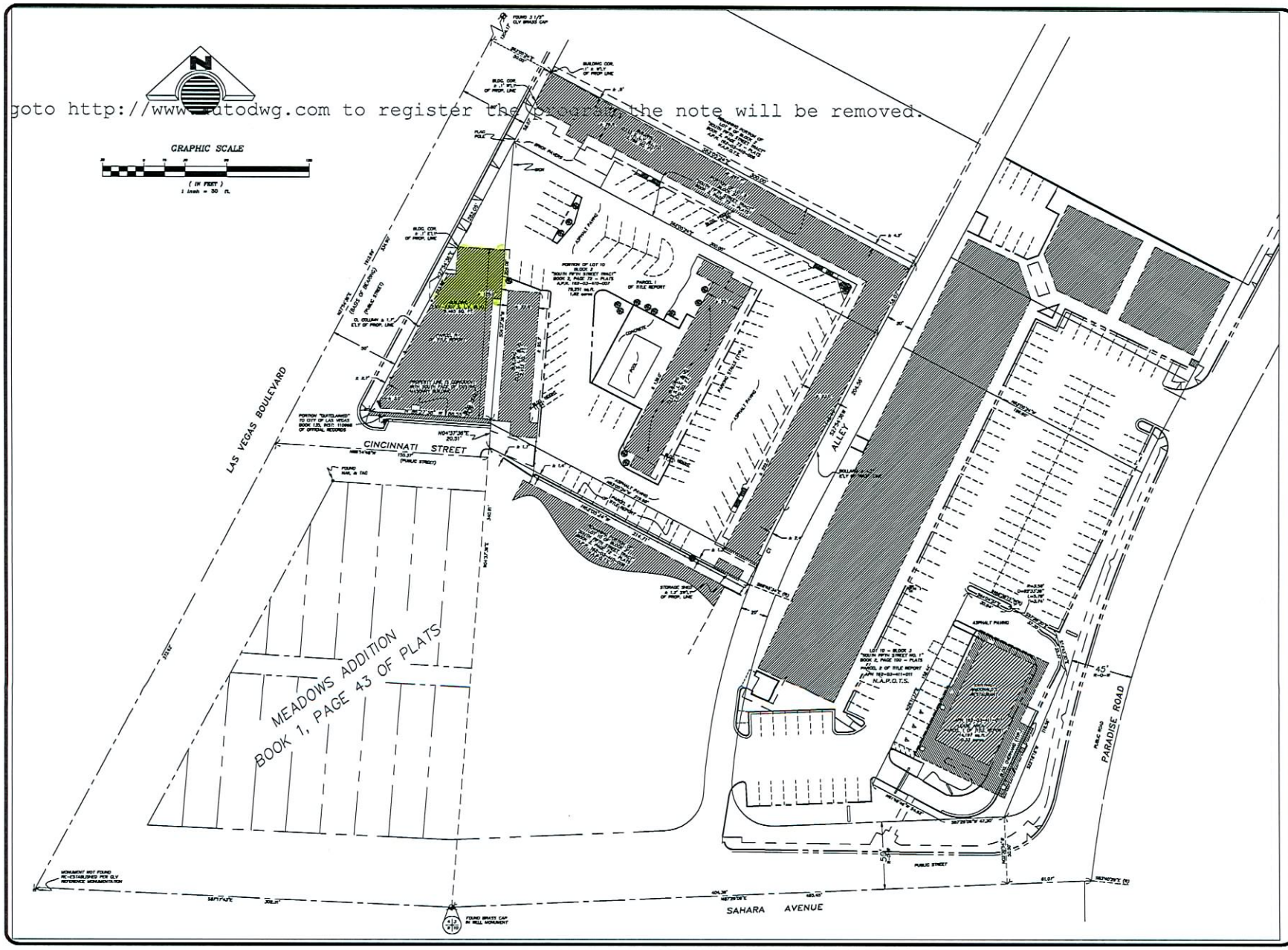
Subscribed and sworn before me

This 10th day of Nov., 20 08

Melody Howard

Notary Public in and for said County and State

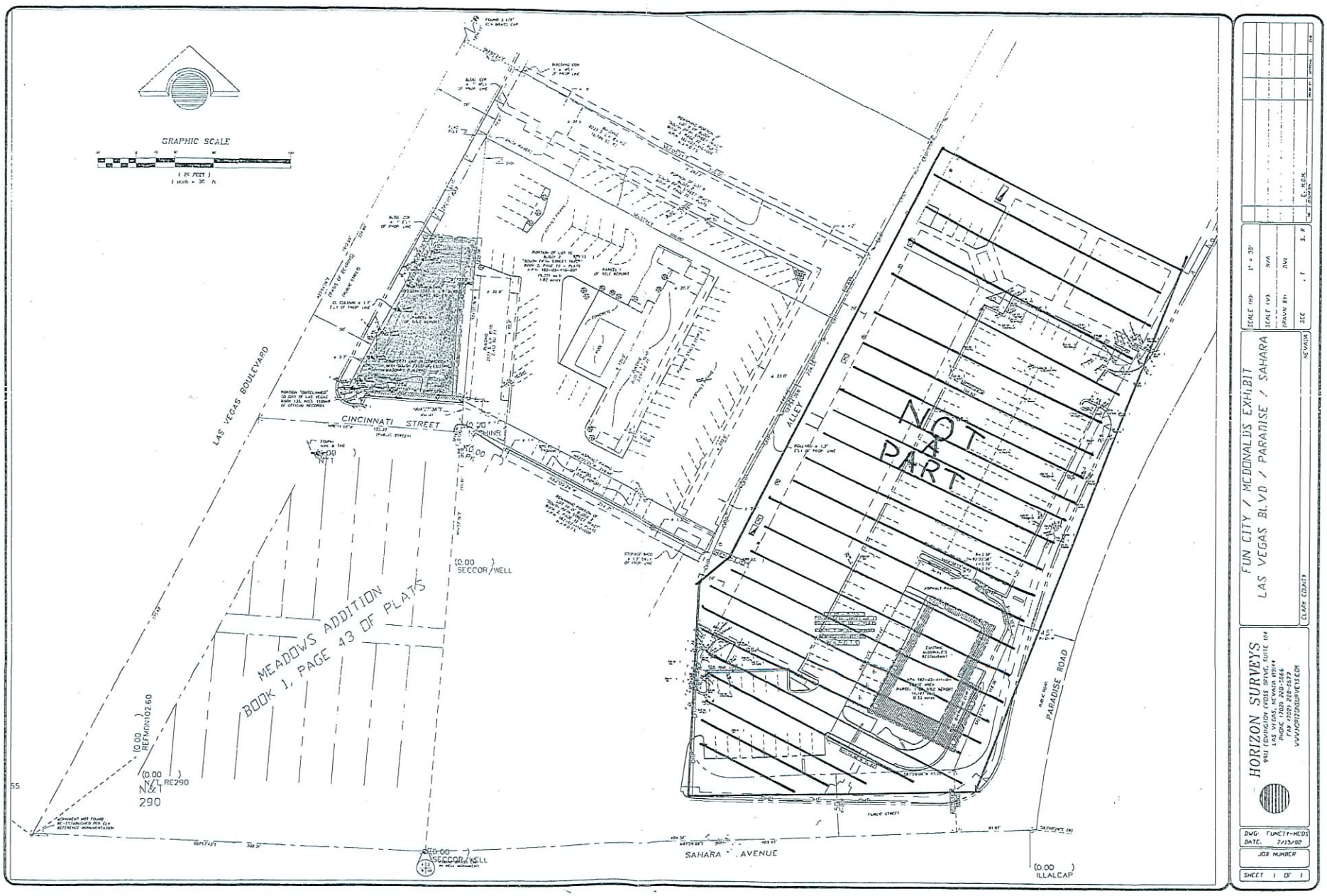
MELODY HOWARD
Notary Public State of Nevada
No. 99-37014-1
My appt. exp. Jan. 15, 2012



RECEIVED

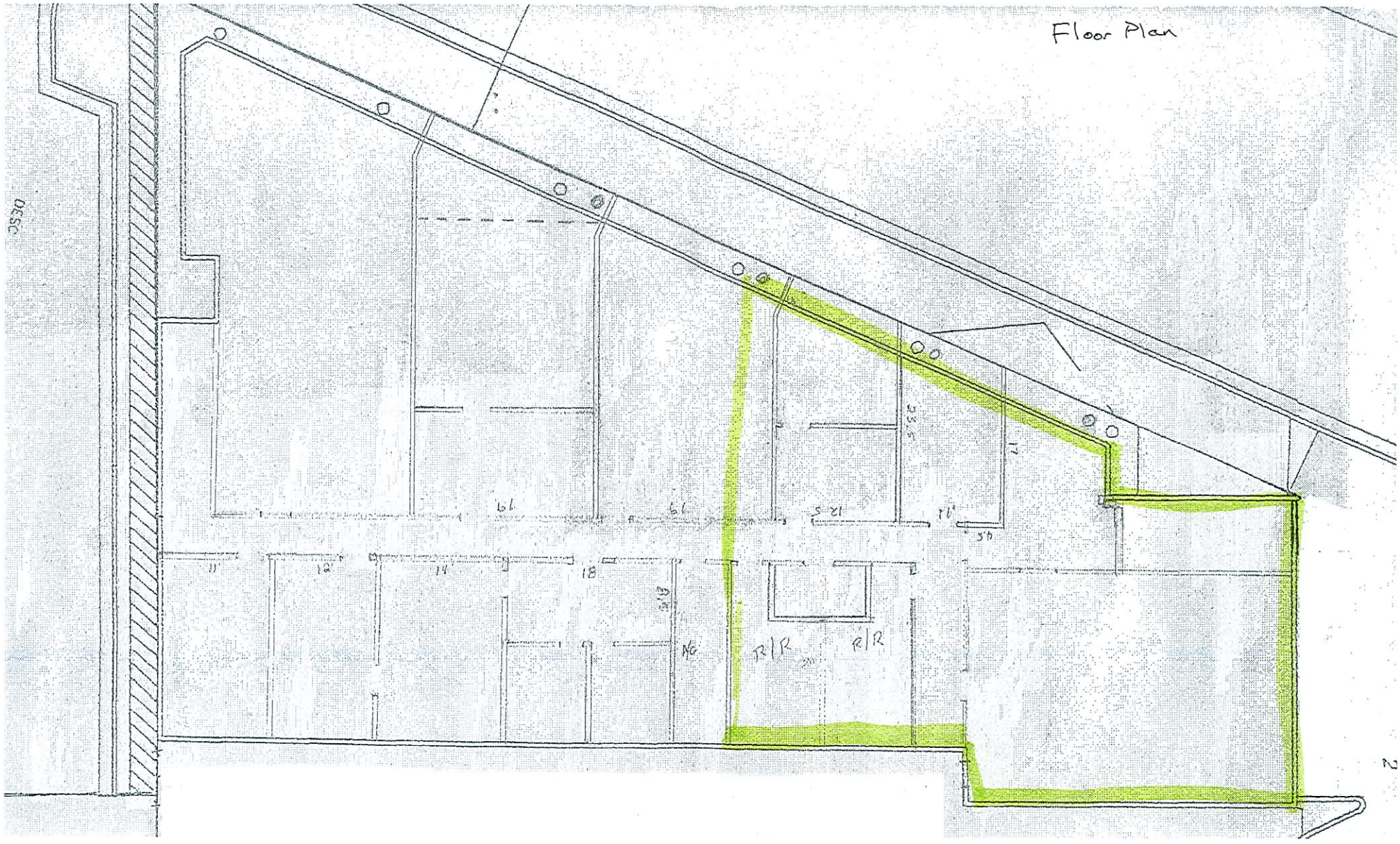
NOV 18 2008

EOT-31998
01-07-09 CC



EOT-31998
01-07-09 CC

RECEIVED
NOV 18 2008



RECEIVED
NOV 18 2008

EOT-31998
01-07-09 CC

Cornerstone Company

Commercial Real Estate Services

September 25, 2007

Justification Letter

Re: Special Use Permit-2309 Las Vegas Blvd south, Las Vegas, Nevada

I am requesting on behalf the property owner of Clark county assessors parcel number 162-03-410-007 located at the NEC of Cincinnati Avenue and Las Vegas Blvd., that the City of Las Vegas grant a Special Use Permit for the operation of a Liquor store. The Liquor Store, which in addition to packaged liquor and fine wine would sell miscellaneous grocery and sundry products. This property located on Las Vegas Blvd. South and is zoned C-2. It is our desire to provide a first quality retail operation to serve the tourist and businesses in the area.

Thank you.

Justin Michaels/SHS

Justin Michaels
Cornerstone Company

JMM:shs

RECEIVED
NOV 18 2008

EOT-31998
01-07-09 CC

Phone: (702) 383-3033 • Fax: (702) 383-8576 • 9901 Covington Cross Drive, Suite 170, Las Vegas, NV 89144

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

CORRECTED LETTER

October 3, 2008

RECEIVED
NOV 18 2008

Cornerstone Company
Chetak Development Corporation
9901 Covington Cross Drive, Suite #170
Las Vegas, Nevada 89144

RE: SUP-25068 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF JANUARY 9, 2008

Dear Applicant:

The City Council at a regular meeting held January 9, 2008 APPROVED the request for a Special Use Permit FOR A PROPOSED PACKAGED LIQUOR OFF-SALE ESTABLISHMENT at 2301 South Las Vegas Boulevard (APN 162-03-410-007), C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on January 10, 2008. This approval is subject to:

Added Condition

A. The hours of operation shall be from 8:00 a.m. to 12:00 a.m.

Planning & Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for the Package Liquor Off-sale Establishment use.

2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit or business license, to reflect the changes herein. The site plan shall be revised to depict four handicap accessible spaces as required for 79 parking spaces pursuant to Title 19.10.010 (G). The handicap accessible spaces, including a van accessible space, must be configured to comply with Title 19.10.010 (K) Figure 4.

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

EOT-31998
01-07-09 CC

5. The sale of individual containers of any size of beer, wine coolers or screw cap wine is prohibited. All such products shall remain in their original configurations as shipped by the manufacturer. Further, no repackaging of containers into groups smaller than the original shipping container size shall be permitted.

6. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

7. Conformance to LVMC Title 19.06.140, Las Vegas Boulevard Scenic Byway Overlay District regarding illumination standards and the City of Las Vegas Sign Code, Title 19.14.140, regarding abandoned signs shall be required. Existing signage that is abandoned must be removed, covered with a blank sign face, or replaced with appropriate signage for an on-premise, licensed business. Future or replacement signage, including blank sign face, is subject to Planning and Development staff review prior to issuance of a Building and Safety Department sign permit.

8. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Beverly K. Bridges, CMC, City Clerk

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

Mr. Justin Michaels
Fun City Motel
2233 Las Vegas Boulevard South
Las Vegas, Nevada 89104

EOT-31998
01-07-09 CC

City of Las Vegas Agenda Item No.: **80.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

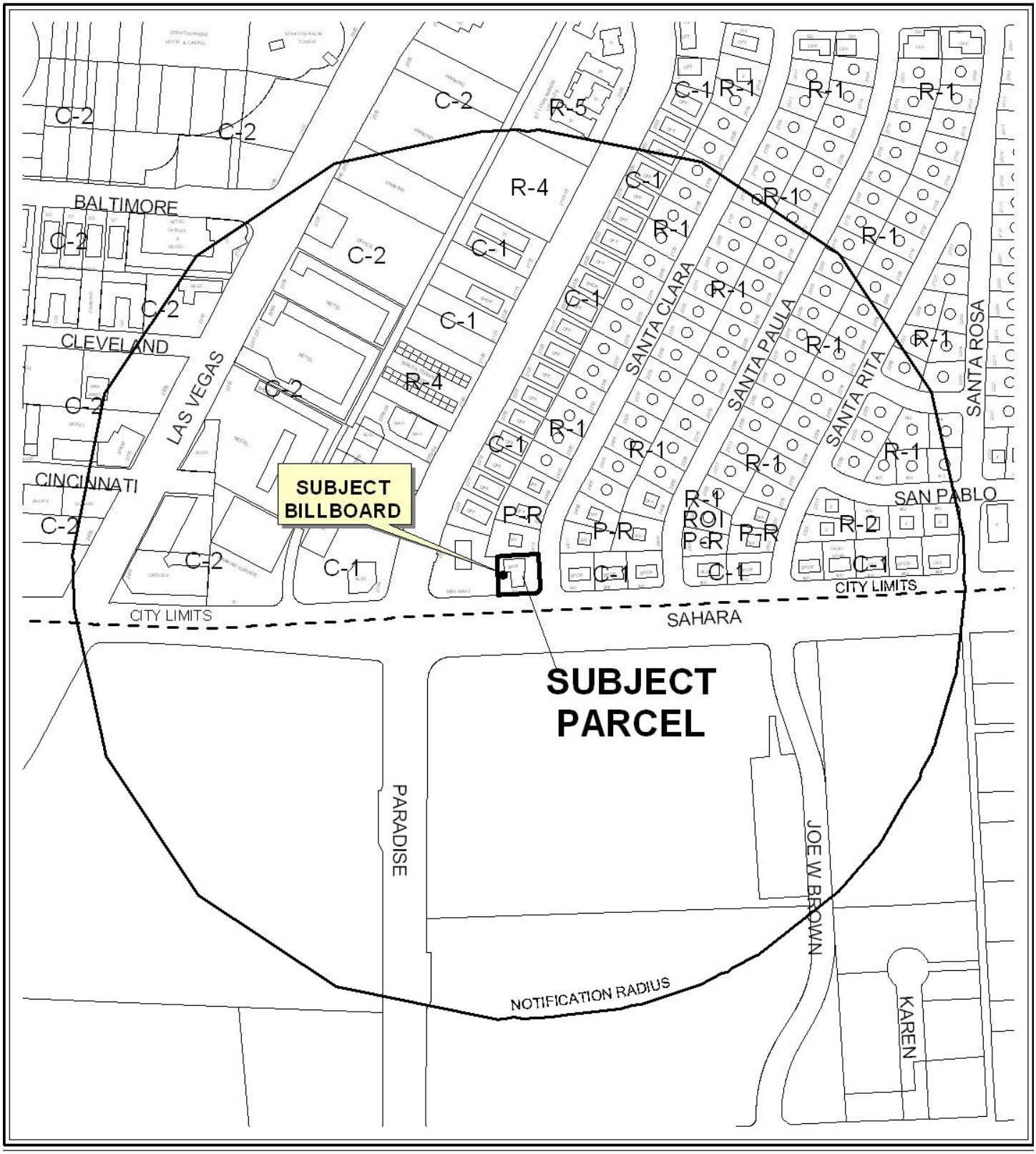
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
RQR-30447 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: W.H. BAILEY FAMILY TRUST - Required Review of an approved Special Use Permit (SUP-2467) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) at 208 East Sahara Avenue (APN 162-03-413-023), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**2**	**Planning Commission Mtg.**	**0**
City Council Meeting	**1**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (5-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for RQR-6777
6. Protest Postcard
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 9



CASE: **RQR-30447**

RADIUS: 1000 FT

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

0 500 Feet

N

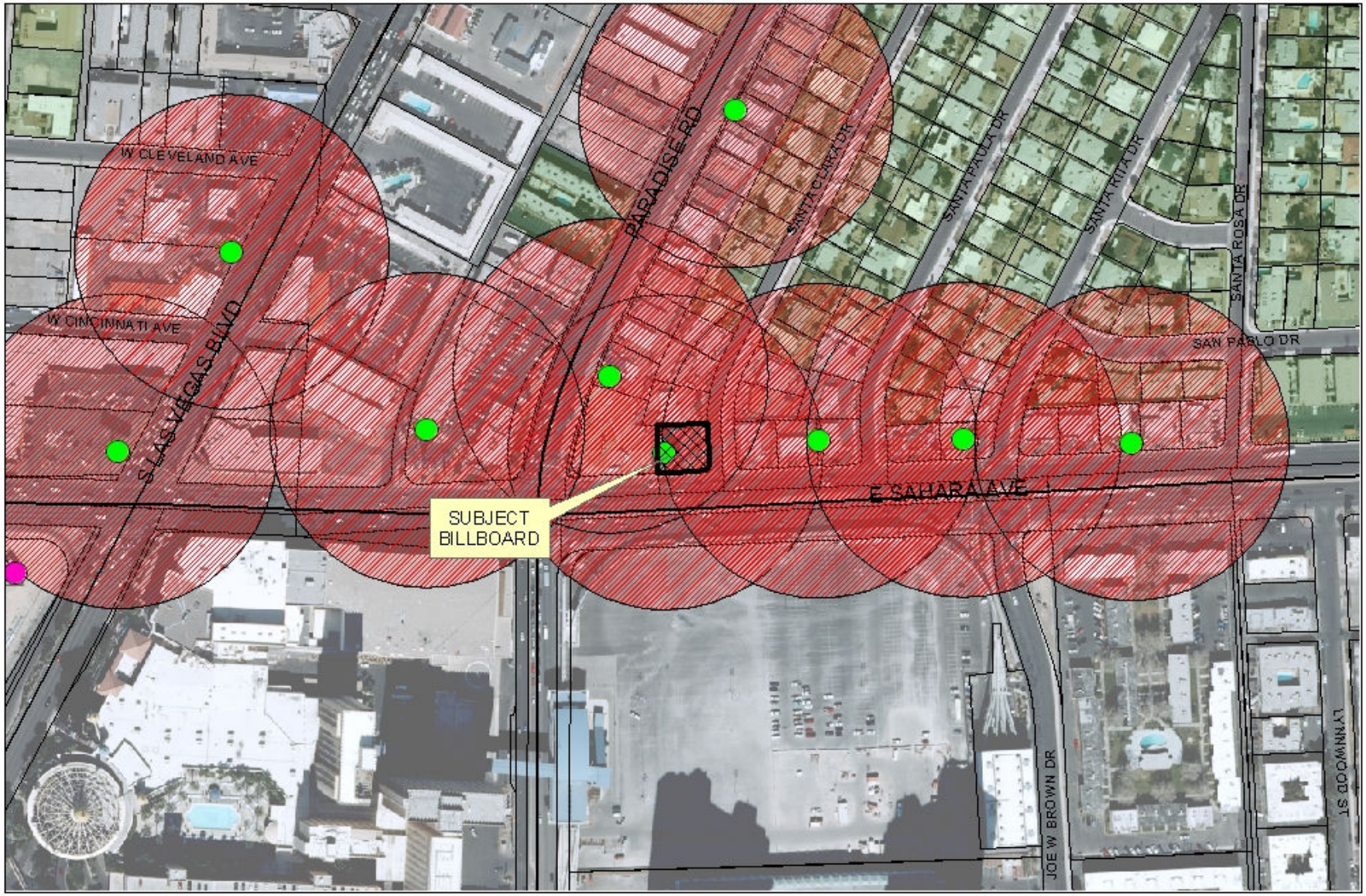
CASE: **RQR-30447**

RADIUS: 1000 FT

0 500 Feet

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

N



RQR-30447

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-30447 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: W.H. BAILEY FAMILY TRUST

** CONDITIONS **

The Planning Commission (5-0-2/gt/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-2467), if approved.

2. This Special Use Permit shall be placed on an agenda closest to 12/01/11 at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. Only one advertising sign is permitted per sign face.

5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (SUP-2467) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a required review of an approved Special Use Permit (SUP-2467) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (billboard) at 208 East Sahara Avenue.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
12/16/70	The Board of City Commissioners approved a Rezoning (Z-0070-70) from P-R (Professional Office and Parking) to C-1 (Limited Commercial) on this site. The Planning Commission recommended approval on 12/10/70.
09/06/78	The Board of City Commissioners approved a Review of Condition Number 6 of the approved Rezoning and Plot Plan Review [Z-0070-70(1)] to allow a 14-foot by 48-foot Off-premise Sign (Billboard) on this site. Condition Number 6 stipulated that no off-premise signs shall be constructed on the property. The Planning Commission recommended approval on 08/10/78.
03/21/79	The City Council approved a Plot Plan review [Z-0070-70(2)] to allow modifications to the approved Off-Premise Sign (Billboard). The Planning Commission recommended approval on 02/27/79.
03/24/92	The Board of Zoning Adjustment approved a Variance (V-0026-92) to allow 30 parking spaces where 35 is the minimum required on the subject property.
03/27/93	The Board of Zoning Adjustment approved a One Year Required Review [V-0026-92(1)] of the approved parking Variance.
04/19/95	The City Council adopted a minimum distance separation of 300 feet from the nearest property line of any parcel having a zoning classification with an "R" prefix for any Off-premise Sign (billboard) through Ordinance No. 3884.
03/24/97	The City Council adopted Ordinance No. 4073, which adopted a new Zoning Code (Title 19A) that disallowed the ability to vary from any distance separation requirement.
07/17/02	The City Council approval the appeal of the denial of the Planning Commission of a Special Use Permit (U-0057-02) for a proposed 60-foot tall Wireless Communication Facility, Non-Stealth Design (monopole) at 2412 Santa Clara Drive. The Planning Commission recommended denial on 02/13/02.
08/06/03	The City Council approved a request for a Variance (VAR-2468) to allow a proposed Off-Premise Sign (Billboard) 253 feet from residentially zoned property, 160 feet from another Off-Premise Sign (billboard) to the west, and 276 feet from an Off-Premise Sign to the east, where a minimum of 300 feet is required. The Planning Commission recommended approval on 07/10/03.

08/06/03	The City Council approved a request for a Special Use Permit (SUP-2467) for a 40-foot tall, 14-foot by 48-foot Off-premise Sign (Billboard) at 208 East Sahara Avenue. The Planning Commission recommended approval on 07/10/03.
09/07/05	The City Council approved a request for a Two-Year Required Review (RQR-6777) for a 40-foot tall, 14-foot by 48-foot Off-premise Sign (Billboard) at 208 East Sahara Avenue. The Planning Commission recommended approval on 8/11/05.
12/04/08	The Planning Commission voted 5-0-2/gt/rt to recommend APPROVAL (PC Agenda Item #9/ds).
Related Building Permits/Business Licenses	
09/11/03	A building permit (3019648) was issued to demolish an existing Off-premise Sign at 208 east Sahara Avenue. The permit expired on 03/13/04 without a final inspection.
09/15/03	A building permit (3019895) was issued for an Off-Premise Sign (Billboard) at 208 East Sahara Avenue. The permit was finalized on 10/10/05.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
10/29/08	Staff conducted a field check of the site with the following observations: • The sign had only one face, which appeared in good condition. • The structure was free of graffiti, and did not require any repainting or bird deterrents. • There were no embellishments, moving parts, or electronic displays located on the signs.

Details of Application Request	
Site Area	
Gross Acres	0.203

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Tavern	SC (Service Commercial)	C-1 (Limited Commercial)
North	Offices	L (Low Density Residential)	P-R (Professional Office and Parking)
South	Casino/Hotel	CT (Commercial Tourist- Clark County)	H-1 (Limited Resort and Apartments- Clark County)
East	Retail Establishments	SC (Service Commercial)	C-1 (Limited Commercial)
West	Restaurant	C (Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	N/A
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		Y
G-O Gaming Enterprise Overlay District	X		Y
A-O Airport Overlay District (175 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising Sign (Billboard) may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	Sign is not located in public right-of-way nor is it in the Off-Premise Sign Exclusionary Zone	Y
Zoning	Off-Premise (Billboard) Signs are permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only.	Sign is located in a C-1 (Limited Commercial) zoning district	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Surface area of each sign face does not exceed 672 square feet; the signs do not have embellishments	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to maximum of 55 feet with approval of City Council if significantly obscured from view of travel lanes.	The sign is 40 feet tall	Y

Screening	All structural elements of an Off-Premise (Billboard) Sign to which the display panels are attached shall be screened from view.	Sign is adequately screened from public view	Y
Off-Premise Sign (Billboard)	The sign and all other off-premise signs not oriented towards US-95 shall be no closer than 300 feet in any direction to any other off-premise sign.	The sign is 160 feet from another sign to the west, and 276 feet to a sign to the east	N*
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	The sign 253 feet to a property line of a lot in any "R" zoned district.	N*
Other	All Off-premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently secured to the ground and is not located on property used for residential purposes	Y

N* The City Council approved a request for a Variance (VAR-2468) to allow an Off-Premise Sign (Billboard) 253 feet from residentially zoned property, 160 feet from another Off-Premise Sign (Billboard) to the west, and 276 feet from an Off-Premise Sign to the east, where a minimum of 300 feet is required.

ANALYSIS

This is the first required review of an approved Special Use Permit (SUP-2467) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 208 East Sahara Avenue. The sign is located 253 feet south of property zoned R-1 (Singe Family Residential). In additional, there is another Off-Premise Sign (Billboard) approximately 160 feet to the northwest, and another sign approximately 276 feet to the east.

During a site inspection the Off-Premise Sign (Billboard), there was only one sign face, which appeared in good condition. The sign had no embellishments, or need for bird deterrence. Research of building permit activity revealed that permit #3019895 was issued for the installation of an Off-Premise Sign, and finalized on 10/10/05.

FINDINGS

The sign is located in a C-1 (Limited Commercial) zoning district and is not within the Off-Premise Sign Exclusionary Zone. Staff finds no adverse impact regarding the continued use of the Off-premise Sign (Billboard), as there have been no significant changes in development or land use in the surrounding area since the initial installation of the sign. Therefore, staff recommends approval, subject to a three-year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 444 by City Clerk

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-30447** APN: 162-03-413-023

Name of Property Owner: W.H. Bailey Family Trust

Name of Applicant: Lamar Outdoor Advertising

Name of Representative: _____

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: William H Bailey

Print Name: William H. Bailey

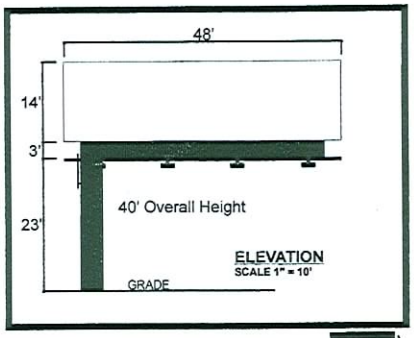
Subscribed and sworn before me

This 8th day of October, 20 08

Linda Ann Thomas

Notary Public in and for said County and State

LINDA ANN THOMAS
Notary Public State of Nevada
No. 94-0382-1
My appt. exp. Nov. 12, 2010



253' TO R-1 ZONE

160' TO EXISTING BILLBOARD

APN#16203413023
REPLACEMENT OF EXISTING SIGN

HANG'N LOOSE

SANTACLARA

25'
HALF ROW
CENTER LINE

276' TO EXISTING BILLBOARD

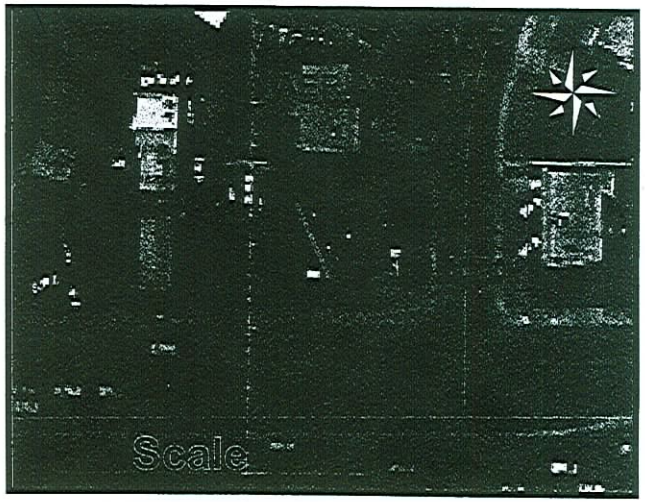
61'
CENTER OF COLUMN

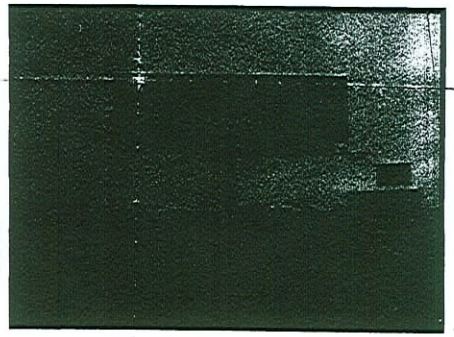
18'
EDGE OF SIGN

22'
EDGE OF BUILDING

208 E. SAHARA AVE-89104

40'
HALF ROW
CENTER LINE





REPLACEMENT OF EXISTING SIGN

RECEIVED
OCT 21 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

RECEIVED
AUG 20 2003
CITY OF LAS VEGAS
PERMITS

SUP-2467 VAR-2468
APPROVED
BY
CURRENT PLANNING DIVISION
CITY OF LAS VEGAS

GENERAL NOTES
APN#16203413023
ZONEING C1
REPLACEMENT OF EXISTING SIGN
14'X48' BILLBOARD
NO PARKING SPACE TAKEN

SAHARA

TOP VIEW
SCALE 1" = 10'
DETAIL

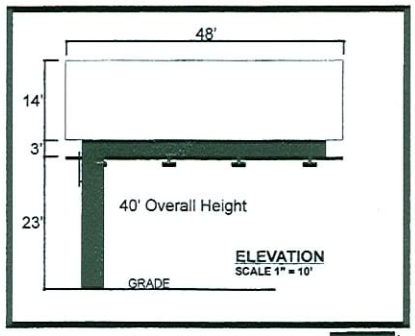
RQR-30447
12/04/08 PC

ORION
OUTDOOR MEDIA
GLENDA LIPPMAN
595-4896

JONES MEDIA
4145 W. TECO AVE./ LAS VEGAS, NV 89118/ 702-645-0092

OWNER: BAILEY W H FAMILY TRUST AND BAILEY WILLIAM H AND ANNA L TRS			
SCALE: NOTED	APPROVED BY:	DRAWN BY: TOM JONES	
DATE: 4-07-03		REVISED:	
LOCATION: 208 E. SAHARA AVE-89104			
APN#16203413023		DRAWING NUMBER: 180	

L-794-03 S.I.



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APN#16203413023
REPLACEMENT OF EXISTING SIGN

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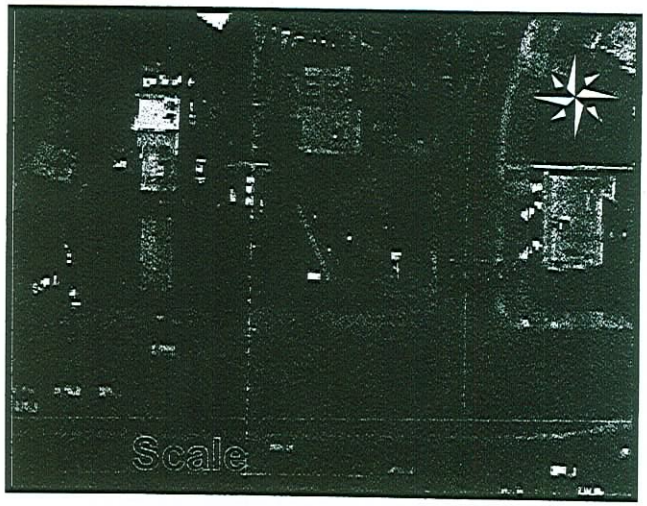

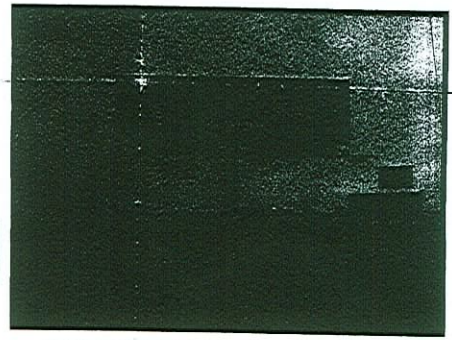

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OCT 21 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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AUG 20 2003
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TOP VIEW
SCALE 1" = 10'

DETAIL

RQR-30447
12/04/08 PC

ORION
OUTDOOR MEDIA
GLENDA LIPPMAN
595-4896

JONES
MEDIA 4145 W. TECO AVE./ LAS VEGAS, NV 89118/ 702-645-0092

OWNER: BAILEY W H FAMILY TRUST AND BAILEY WILLIAM H AND ANNA L TRS		
SCALE: NOTED	APPROVED BY:	DRAWN BY: TOM JONES
DATE: 4-07-03		REVISED:
LOCATION: 208 E. SAHARA AVE-89104		
APN#16203413023		DRAWING NUMBER: 180

L-794-03 S.I.

RQR-30447 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: W.H. BAILEY FAMILY TRUST
208 EAST SAHARA AVENUE
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

RQR-30447 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: W.H. BAILEY FAMILY TRUST
208 EAST SAHARA AVENUE
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

September 12, 2005

W. H. Bailey Family Trust
3045 Water Side Avenue
Las Vegas, Nevada 89117

RE: RQR-6777 - REQUIRED REVIEW
CITY COUNCIL MEETING OF SEPTEMBER 7, 2005

Dear Applicant:

The City Council at a regular meeting held September 7, 2005 APPROVED the Required Two Year Review of an approved Special Use Permit (SUP-2467) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 208 East Sahara Avenue (APN 162-03-413-023), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on September 8, 2005. This approval is subject to:

Planning and Development

1. This Special Use Permit shall be reviewed in one (1) year, at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.

2. Applicant shall obtain a Final Approval for building permits for the Off-Premise Advertising (Billboard) Sign.

3. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

5. Only one advertising sign is permitted per sign face.

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

RQR-30447
12/04/08 PC

6. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

7. All City Code requirements and design standards of all City departments must be satisfied.

Sincerely,

Ydoleena Yturralde
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

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

Orion Outdoor Media
7924 Rockbridge Circle
Las Vegas, Nevada 89128

Mr. Jay Brown
520 South Fourth Street, 2nd Floor
Las Vegas, Nevada 89101

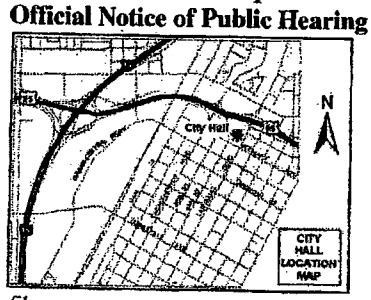
RQR-30447
12/04/08 PC

RECEIVED
CITY CLERK

2008 DEC 29 A 8:10

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30447

City Council Meeting of 1/7/2009

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.39⁴
0004239954 DEC 24 2008
MAILED FROM ZIP CODE 89101

2025 PARADISE L L C
%J WISECUP
3218 ROLLING ACRES CIR
LAS VEGAS NV 89117-3219

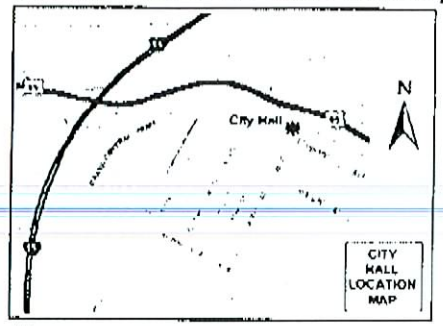
JAVDS11 89117

12/27/2008 SAT 18:46 [TX/RX NO 9648] 001

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



The county should be working to upgrade this neighborhood, not make it even more tacky than it presently is.

RECEIVED
NOV 25 2008

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385 7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30447

Planning Commission Meeting of 12/4/2008

Case RQR-30447
16210114026
POLL FAMILY TRUST
2877 PARADISE RD #3203
LAS VEGAS NV 89109-5268

#9
P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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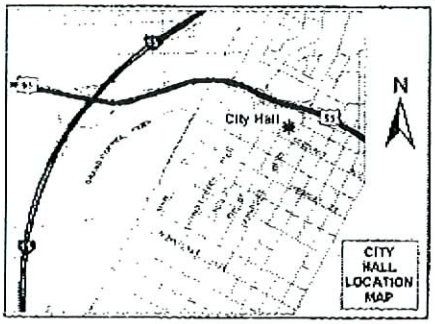
Return Service Requested
Official Notice of Public Hearing



RECEIVED
NOV 25 2008

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30447

Planning Commission Meeting of 12/4/2008

Case: RQR-30447
16210114200
LEE JOHN & LILY
29129 WARNICK RD
RANCHO PALOS VERDES CA 90275-4612

FAU0511 90275

#9
P

CITY OF LAS VEGAS

Planning and Development Department
Case Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: **RQR-30447 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: W.H. BAILEY FAMILY TRUST**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***December 4, 2008*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to Nora Lares at 385-7268. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions.

Signature — 12/2/08 Date

Scott Naftzger
Please print name

Lamar Outdoor Advertising
Company Name

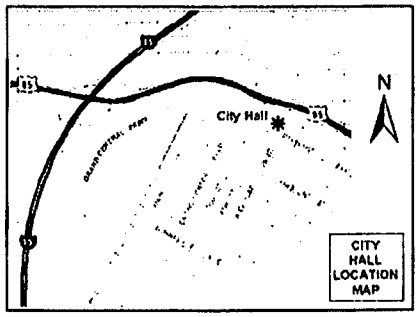
Sincerely,

Peter Lowenstein
Planning Supervisor
Case Planning Division

Submitted after final agenda
Date 12/2/08 Item 9

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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[redacted] SUPPORT this Request

YES I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30447

Planning Commission Meeting of 12/4/2008

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
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MAILED FROM ZIPCODE 89101

RECEIVED
DEC 03 2008

Case: RQR-30447
16203413040
TARANTINO JOSEPH A
4909 WINTER SET DR
LAS VEGAS NV 89130-3615

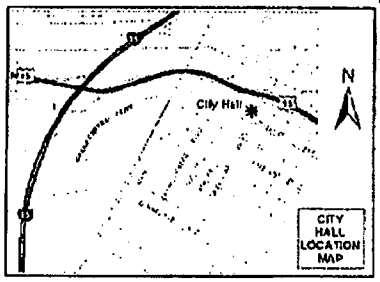
IAVDS11 89130

Submitted after final agenda
Date P Item 9
Submitted after final agenda
Date 12/2/08 Item 9

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30447

Planning Commission Meeting of 12/4/2008

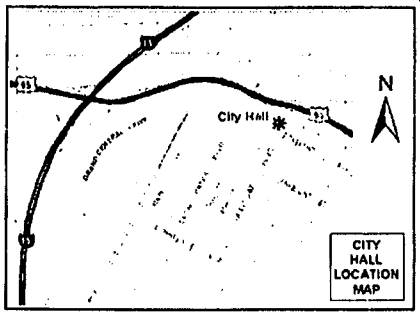
RECEIVED
DEC 01 2008

Case: RQR-30447
162101 14013
JONES MARY J REVOCABLE TRUST
9975 PEACE WY #2136
LAS VEGAS NV 89147-8269

Submitted after final agenda
Date P Item 9

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30447

Planning Commission Meeting of 12/4/2008

PRESORTED FIRST CLASS

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MAILED FROM ZIPCODE 89101

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DEC 02 2008

Case: RQR-30447

16203414009
ROGERS 1989 TRUST
3204 ALTA
LAS VEGAS NV 89107-3206

IAVDS11 89107

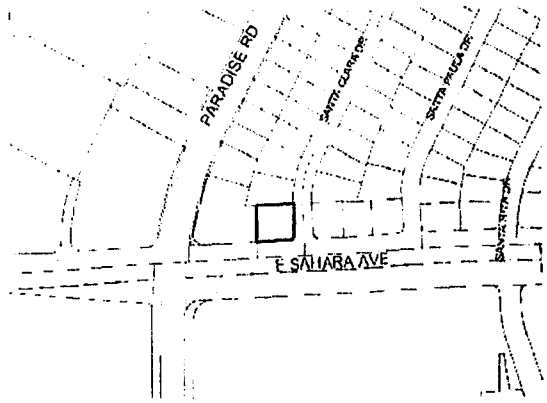
Submitted after final agenda
Date P Item 9

Application Information

RQR-30447 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: W.H. BAILEY FAMILY TRUST - Required Review of an approved Special Use Permit (SUP-2467) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) at 208 East Sahara Avenue (APN 162-03-413-023), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

Not only Are we Apposed, but would like the sign that is there taken Down: People who live From Santa Clara Dr between Sahra + St. Lewis, All the way to Maryland Pky. take pride in our neighborhood, without signs.

Application Location



The proposed project may not pertain to the entire highlighted project site.

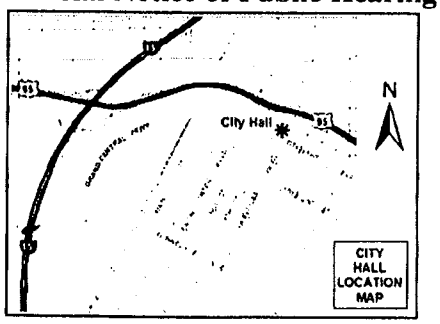
Public Hearing Information

Meeting:	Planning Commission
Date:	***December 04, 2008***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30447
Planning Commission Meeting of 12/4/2008

PRESORTED FIRST CLASS
UNITED STATES POSTAGE
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MAILED FROM ZIP CODE 89101

RECEIVED
DEC 02 2008

Case: RQR-30447
16203414018
GRAY EDITH J & GARY RAYMOND
2401 SANTA CLARA
LAS VEGAS NV 89104-2650

Submitted after final agenda
Date P Item 9

IAVDS11 89104

City of Las Vegas Agenda Item No.: **81.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

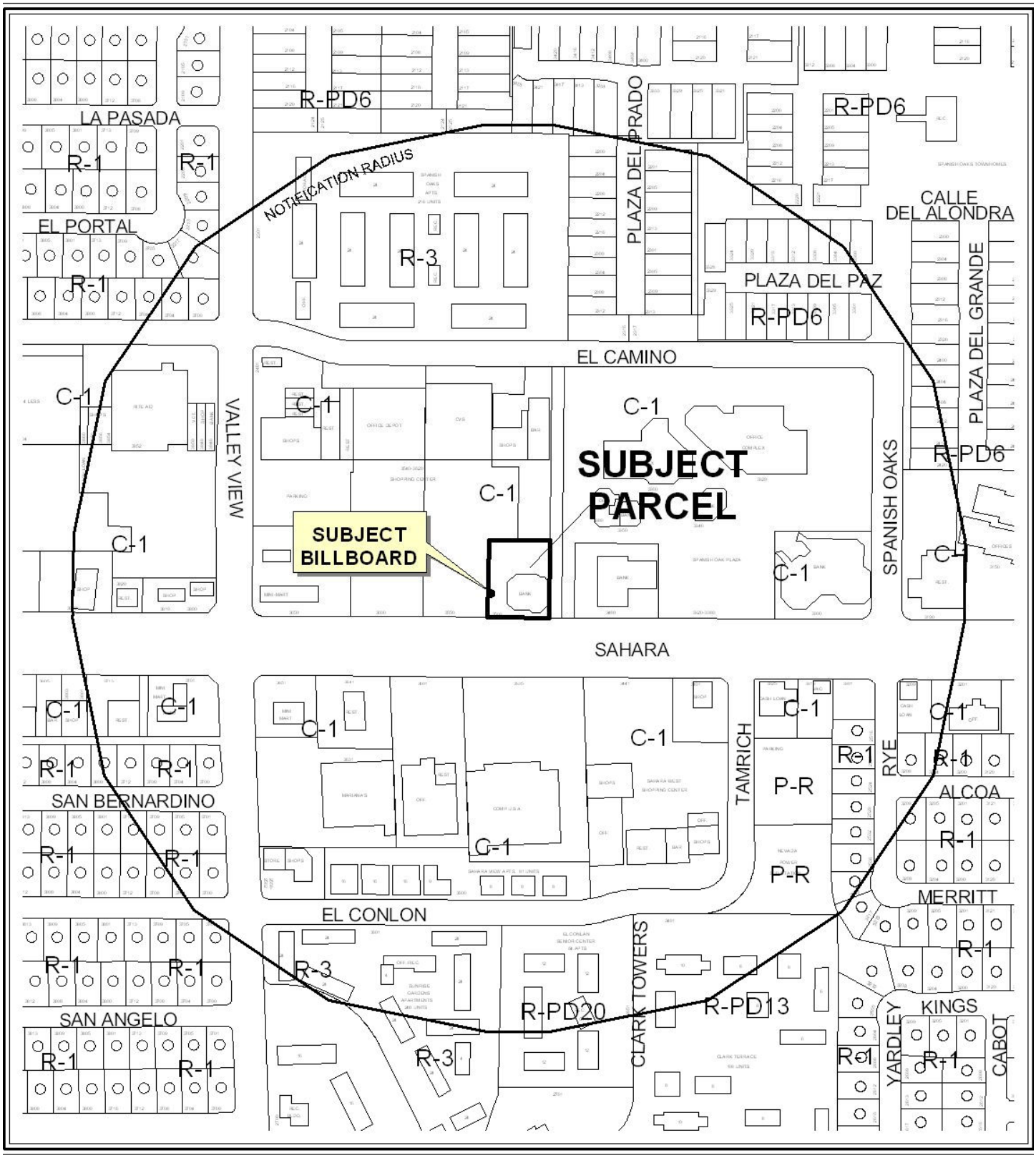
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
RQR-30483 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: VALLEY BANK - Required Review of an approved Special Use Permit (SUP-2537) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF PREMISE SIGN (BILLBOARD) at 3500 West Sahara Avenue (APN 162-05-402-007), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for SUP-2537
6. City Council Approval Letter for RQR-8953
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 10



CASE: **RQR-30483**

RADIUS: 1000 FT

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

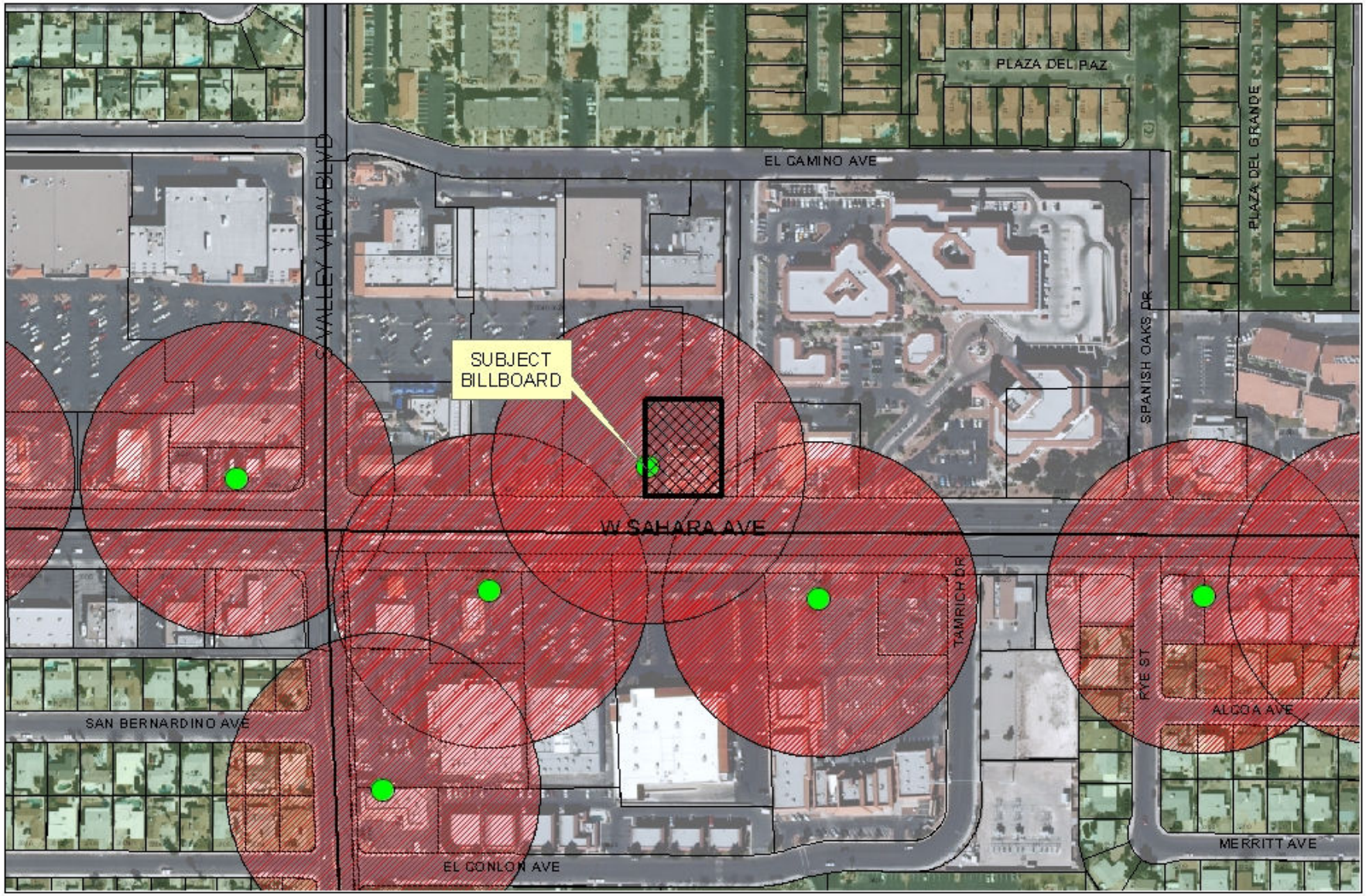
CASE: **RQR-30483**

RADIUS: 1000 FT

0 500 Feet

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

N



RQR-30483

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-30483 - APPLICANT/OWNER: VALLEY BANK

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-2537), if approved.

2. This Special Use Permit shall be placed on an agenda closest to 12/01/11 at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. Only one advertising sign is permitted per sign face.

5. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (SUP-2537) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This application is in response to a required one-year review of an approved Special Use Permit (SUP-2537) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3500 West Sahara Avenue.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
10/29/03	The City Council Struck the Appeal for a request for a Variance (VAR-2538) to allow a 50-foot tall, 14-foot by 48-foot Off-premise Sign (Billboard) where 40 feet is the maximum height permitted at 3500 West Sahara Avenue. The Planning Commission and staff recommended denial on 07/24/03.
10/29/03	The City Council approved a request for an Appeal for a Special Use Permit (SUP-2537) for a proposed 50-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3500 West Sahara Avenue (the City Council restricted the sign to a height of 40 feet). The Planning Commission recommended denial on 07/24/03.
11/16/05	The City Council approved a request for Required Two Year Review (RQR-8953) of an approved Special Use permit (SUP-2537) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3500 West Sahara Avenue. The Planning Commission recommended approval on 10/20/05.
12/04/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #9/ng).
Related Building Permits/Business Licenses	
04/13/04	A building permit (05008420) was issued and later renewed on 12/14/07 for a billboard sign at 3500 West Sahara Avenue. The permit was finalized on 12/20/07.
02/07/07	A business license (B03-00153) was issued for a Bank at 3500 West Sahara Avenue. The license is still active.
10/11/07	A building permit (99700) was issued for electrical work at 3500 West Sahara. The permit was finalized on 04/09/08.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
10/29/08	Staff conducted a field check of the site with the following observations: • The sign and structure were in good condition, free of graffiti, and did not require any repainting or bird deterrents. • There were no embellishments, moving parts, or electronic displays located on the signs.

Details of Application Request	
Site Area	
Gross Acres	0.62

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Bank	SC (Service Commercial)	C-1 (Limited Commercial)
North	Retail Establishment	SC (Service Commercial)	C-1 (Limited Commercial)
South	Retail Establishment	SC (Service Commercial)	C-1 (Limited Commercial)
East	Bank	SC (Service Commercial)	C-1 (Limited Commercial)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan	X		Y
Rancho Charleston Land Use Study	X		Y
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising Sign (Billboard) may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	Sign is not located in public right-of-way nor is it in the Off-Premise Sign Exclusionary Zone	Y
Zoning	Off-Premise (Billboard) Signs are permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only.	Sign is located in a C-1 (Limited Commercial) zoning district	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Surface area of each sign face does not exceed 672 square feet; the signs do not have embellishments	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to maximum of 55 feet with approval of City Council if significantly obscured from view of travel lanes.	The sign is 40 feet tall	Y
Screening	All structural elements of an Off-Premise (Billboard) Sign to which the display panels are attached shall be screened from view.	Sign is adequately screened from public view	Y
Off-Premise Sign (Billboard)	The sign and all other off-premise signs not oriented towards US-95 shall be no closer than 300 feet in any direction to any other off-premise sign.	The sign is at least 300 feet from another Off-premise Sign (Billboard) and is not located along US-95	Y

Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	The sign at more than 400 feet to the nearest property line of a lot in any "R" zoned district	Y
Other	All Off-premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently secured to the ground and is not located on property used for residential purposes	Y

ANALYSIS

This is the second required review of an approved Special Use Permit (SUP-2537) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 3500 West Sahara Avenue. During a field check of the site, staff observed the sign and structure in good condition, with no embellishments, and proper maintenance in regards to graffiti, bird nuisance abatement, and structural screening. A research of building permit activity found that the billboard was constructed under sign permit #04008420, and received final inspection on 12/20/07 under the address of 3500 West Sahara Avenue.

FINDINGS

The sign is located in a C-1 (Limited Commercial) zoning district and is not within the Off-Premise Exclusionary Zone. Staff finds there is no adverse impact regarding the continued use of the Off-Premise Sign (Billboard), as there have been no significant changes in development or land use in the surrounding area since the original approval. Therefore, staff recommends approval, subject to a three-year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 124 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number **RQR-30483** APN: 162 05 402 007

Name of Property Owner: BANK VALLEY

Name of Applicant: Clear Channel Outdoor

Name of Representative: Rod Carter

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 __X__ 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: Susan Selfridge

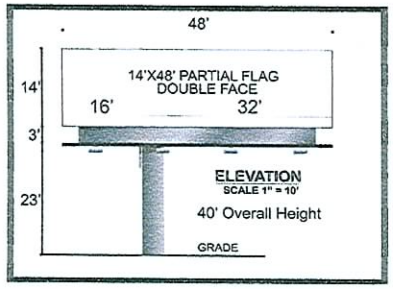
Print Name: SUSAN SELFRIDGE

Subscribed and sworn before me

This 21 day of October, 2008

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
CHARLES ACREE
Appt. No. 06-107817-1
My Appt. Expires June 16, 2010



147'±

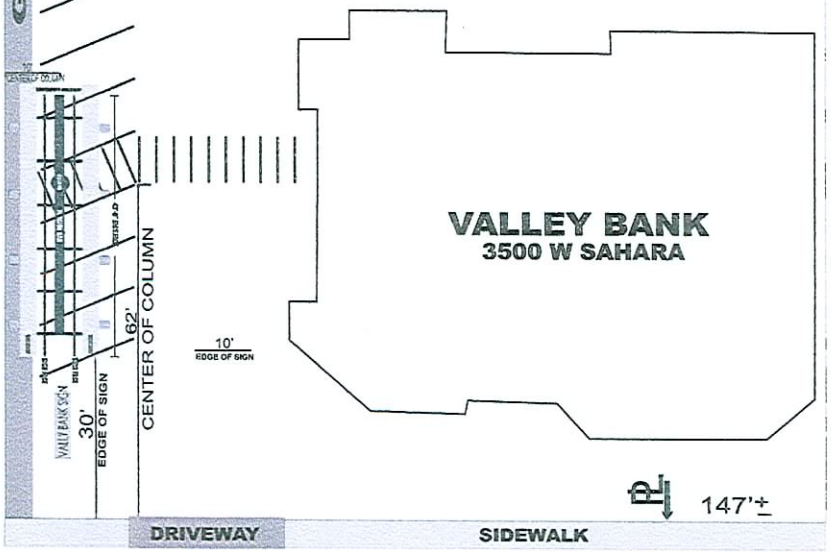
TOP VIEW
SCALE 1" = 10'

DETAIL

180'±

GRAVEL

APN#16205402007
Zoning (C-1)
.61± acres



180'±

147'±

60'
HALF ROW

SAHARA

GENERAL NOTES
1. Not within 300 foot radius of another off-premise billboard.
2. Not within 100 foot of an on-premise sign on adjoining property.
3. Not within 300 foot radius of residential use.
4. No parking spaces will be taken for this location.

RECEIVED
OCT 23 2008

SHOW MEDIA
CHRIS YERGENSEN
303-4688

JONES INCORPORATED 4145 W. TECO AVE./ LAS VEGAS, NV 89118/ 702-645-0092

OWNER: BANK VALLEY			
SCALE: NOTED	APPROVED BY:	DRAWN BY: TOM JONES	
DATE: 4-29-03		REVISED:	
LOCATION: 3500 W SAHARA AVE 89102			
APN#16205402007		DRAWING NUMBER: 190	

RQR-30483
12/04/08 PC

RQR-30483 - APPLICANT/OWNER: VALLEY BANK
3500 WEST SAHARA AVENUE
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

RQR-30483 - APPLICANT/OWNER: VALLEY BANK
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DECEMBER 4, 2008 PLANNING COMMISSION

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10/29/08

RQR-30483 - APPLICANT/OWNER: VALLEY BANK
3500 WEST SAHARA AVENUE
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

MAYOR
OSCAR B. GOODMAN

CITY COUNCIL
GARY REESE
(MAYOR PRO-TEM)
LARRY BROWN
LYNETTE B. McDONALD
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF

CITY MANAGER
DOUGLAS A. SELBY

CORRECTED LETTER

December 2, 2003

Mr. John Blackmon
Valley Bank
3500 West Sahara Avenue
Las Vegas, Nevada 89102

RE: SUP-2537 - SPECIAL USE PERMIT
SPECIAL CITY COUNCIL MEETING OF OCTOBER 29, 2003
RELATED TO VAR-2538

Dear Mr. Blackmon:

The City Council at a special meeting held October 29, 2003 considered the Appeal filed by Show Media from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED 50-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3500 West Sahara Avenue (APN: 162-05-402-007), C-1 (Limited Commercial) Zone.

The City Council granted the Appeal, thereby APPROVING the Special Use Permit. The Notice of Final Action was filed with the Las Vegas City Clerk on October 30, 2003. This approval is subject to:

Planning and Development

1. The maximum height of the off-premise advertising (billboard) sign shall be 40 feet.

2. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements.

3. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign be removed.

4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

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

VOICE 702.229.6011
TTY 702.386.9108
www.ci.las-vegas.nv.us

RQR-30483
12/04/08 PC

5. The off-premise advertising sign (billboard) supporting structure shall be redesigned to include finish materials to complement the existing on-site building (Valley Bank).

6. Only one advertising sign is permitted per sign face.

7. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

8. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

9. All City Code requirements and design standards of all City Departments shall be satisfied.

Sincerely,

Barbara Jo Ronemus
City Clerk

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

Mr. Chris Yergensen
Show Media
4680 South Polaris Avenue, 3rd Floor
Las Vegas, Nevada 89103

RQR-30483
12/04/08 PC

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

November 17, 2005

Mr. Steve Gilbert
Valley Bank, A Nevada Corporation
3500 West Sahara Avenue
Las Vegas, Nevada 89102

RE: RQR-8953 – REQUIRED REVIEW
CITY COUNCIL MEETING OF NOVEMBER 16, 2005

Dear Mr. Gilbert:

The City Council at a regular meeting held November 16, 2005 APPROVED the Required Two-Year Review of an approved Special Use Permit (SUP-2537) WHICH ALLOWED A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 3500 West Sahara Avenue (APN 162-05-402-007), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on November 17, 2005. This approval is subject to:

Planning and Development

1. The illegal embellishment shall be removed within 10 days of final approval.

2. This Special Use Permit shall be reviewed in one (1) year, at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign be removed.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. If the existing Off-Premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-Premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

RQR-30483
12/04/08 PC

5. All City Code requirements and design standards of all City departments must be satisfied.

Sincerely,

Lean Coleman

Lean Coleman
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

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

Mr. Chris Yergensen
Show Media, LLC
4680 South Polaris Avenue, 3rd Floor
Las Vegas, Nevada 89103

RQR-30483
12/04/08 PC

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

Planning and Development Department
Case Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: **RQR-30483 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: VALLEY BANK**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***December 4, 2008*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to Nora Lares at 385-7268. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions.

Signature

12/2/08
Date

ROD CARTER
Please print name

CLEAR CHANNEL OUTDOOR
Company Name

Sincerely,

Peter Lowenstein
Planning Supervisor
Case Planning Division

Submitted after final agenda

Date 12/4/08 Item 10

CITY OF LAS VEGAS

ONE MOTION/ONE VOTE

Planning and Development Department
Case Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: **RQR-30483 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: VALLEY BANK**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***December 4, 2008*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to Nora Lares at 385-7268. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions.

William A. Risley Jr. — Signature

12-2-08 — Date

William A. Risley Jr.
Please print name

Community Bank of Nevada
Company Name

Sincerely,

Peter Lowenstein
Planning Supervisor
Case Planning Division

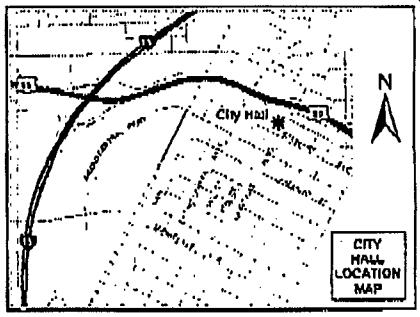
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.39⁴
0004239954 NOV 21 2008
MAILED FROM ZIPCODE 89101

Return Service Requested

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30483

Planning Commission Meeting of 12/4/2008

RECEIVED
DEC 01 2008

Case: RQR-30483
16208111068
SOUTHERN NV RENTAL HOLDINGS LLC
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

Submitted after final agenda
Date A Item 10

Submitted after final agenda
Date 12/3/08 Item 10

City of Las Vegas Agenda Item No.: **82.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

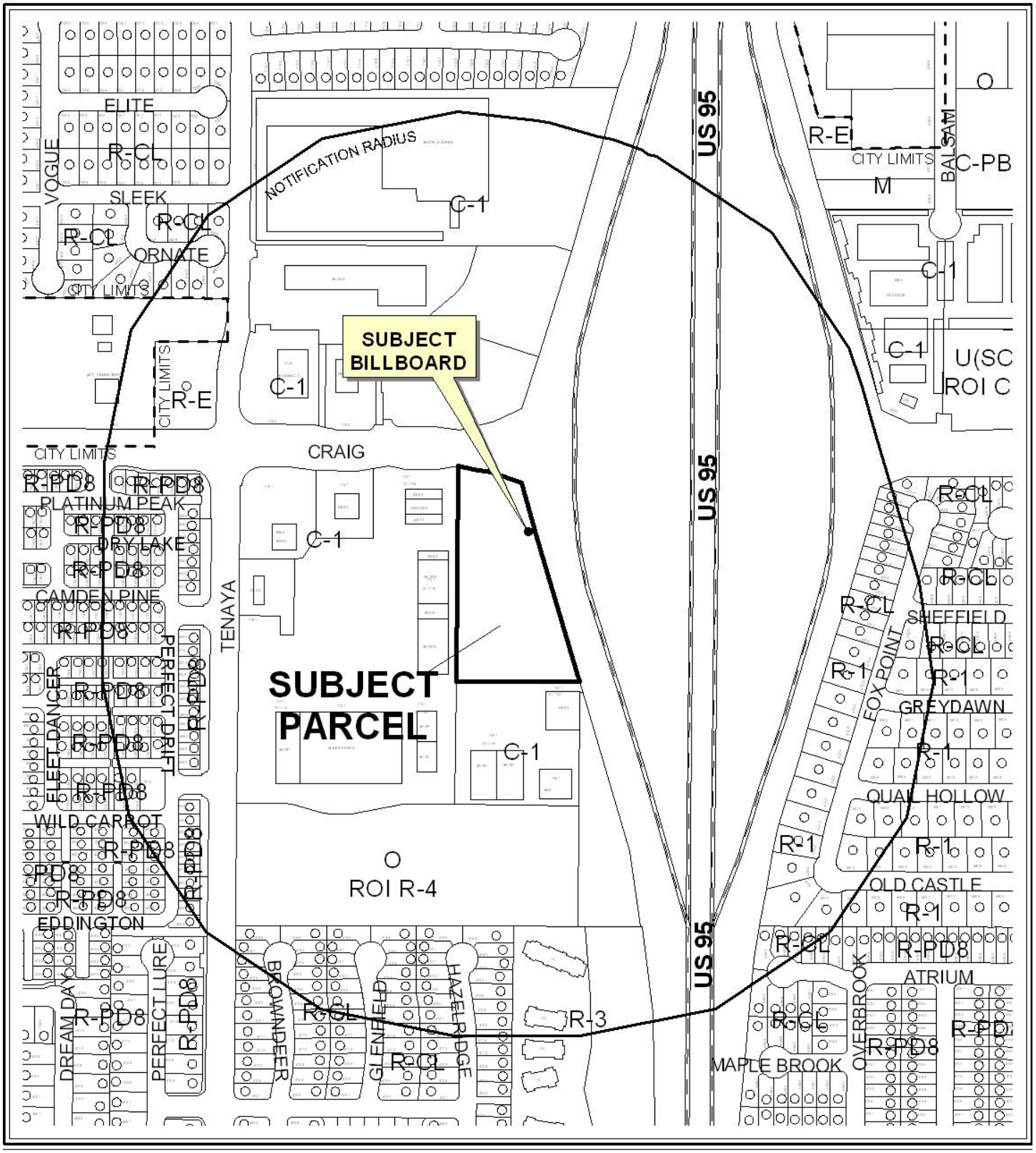
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
RQR-30484 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: CRAIG 95 LLC - Required Review of an approved Special Use Permit (SUP-4694) FOR A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) at 7075 West Craig Road (APN 138-03-701-003), C-1 (Limited Commercial) Zone Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**1**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for SUP-4694
6. Protest Postcard
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 11



CASE: **RQR-30484**

RADIUS: 1000 FT

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

0 500 Feet

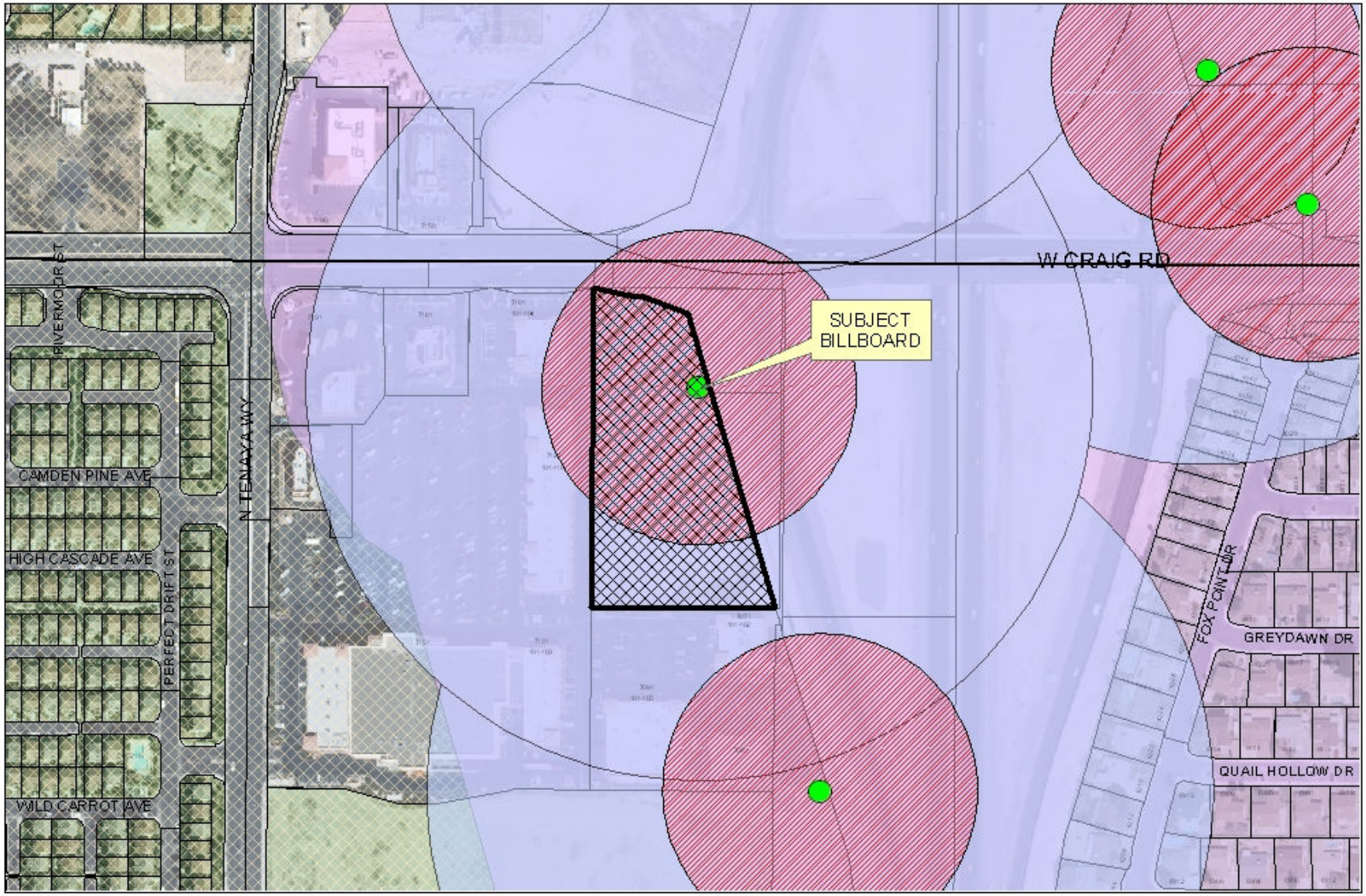
CASE: **RQR-30484**

RADIUS: 1000 FT

0 500 Feet

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

N



RQR-30484

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-30484 - APPLICANT/OWNER: CRAIG 95 LLC

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Special Use Permit (SUP-4694), if approved.

2. This Special Use Permit shall be placed on an agenda closest to 12/01/13 at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. If the existing off-premise sign is voluntarily demolished, this Special Use Permit (SUP-4694) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

5. Only one advertising sign is permitted per sign face.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a Required Review of an approved Special Use Permit (SUP-4694) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 7075 West Craig Road.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
01/12/98	The City Council accepted the Withdrawal Without Prejudice a request for Rezoning (Z-0115-97) on property located on the southeast corner of Craig Road and Tenaya Way from U (Undeveloped) [SC (Service Commercial) General Plan designation] to PD (Planned Development) for a proposed Retail Center and Office development. The Planning Commission recommended denial on 12/04/97.
12/26/00	The Planning Commission approved a request for a Final Map (FM-0073-00) for two lots on 16.31 acres on the southeast corner of the intersection of Craig Road and Tenaya Way.
11/20/03	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a request for Rezoning (Z-0074-01) from U (Undeveloped) [SC (Service Commercial) General Plan designation] to C-1 (Limited Commercial) on 3.53 acres at 7075 West Craig Road.
01/21/04	The City Council approved a request for a Rezoning (ZON-3197) from U (Undeveloped) [SC (Service Commercial) General Plan designation] to C-1 (Limited Commercial) on 3.53 acres adjacent to the southwest corner Craig Road and US-95. The Planning Commission recommended approval on 12/18/03.
04/09/04	A Code Enforcement case (12442) was processed for a home having three trailers in the backyard with three separation families living there at 7075 West Craig Road. The case was closed on 05/19/05.
11/17/04	The City Council approved a request for a Special Use Permit (SUP-4694) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 7075 West Craig Road. The Planning Commission recommended approval on 09/23/04.
10/19/05	A Code Enforcement case (35472) was processed for a vacant dangerous building at 7075 West Craig Road. The case was closed on 03/23/06.
11/24/05	A Temporary Commercial Permit (TCP-10580) was issued for a Christmas Tree Lot at 7075 West Craig Road. The permit was valid until 12/23/05.
02/08/06	A Temporary Commercial Permit (TCP-11627) was issued for Valentines Day Flower Sales at 7075 West Craig Road. The permit was valid until 02/14/06.

10/14/06	A Temporary Commercial Permit (TCP-17482) was issued for a Halloween Pumpkin Patch at 7075 West Craig Road. The permit was valid until 10/31/06.
11/24/06	A Temporary Sign Permit (TSP-18379) was issued for a Christmas Tree Sales Sign at 7075 West Craig Road. The permit was valid until 12/24/06.
11/25/06	A Temporary Commercial Permit (TCP-18380) was issued for Christmas Tree Sales at 7075 West Craig Road. The permit was valid until 12/24/06.
03/22/07	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a request for a Variance (VAR-19646) to allow 150 Parking Spaces where 152 required on 3.53 acres on the south side of Craig Road, west of US-95.
08/01/07	The City Council approved a request for a Rezoning (ZON-19647) from U (Undeveloped) [SC (Service Commercial) General Plan designation] to C-1 (Limited Commercial) on 3.53 acres on the south side of Craig Road, west of US-95. The Planning Commission recommended approval on 04/12/07.
08/01/07	The City Council approved a request for a Site Development Plan Review (SDR-19643) for a 37,925 square-foot Commercial Center and Waivers of perimeter landscape buffer standard to allow no landscaping along the south and east property lines where an 8-foot wide buffer is required, and a 2-foot wide buffer along a portion of the north property line where an 8-foot wide buffer is required on 3.53 acres on the south side of Craig Road, west of US-95. The Planning Commission recommended approval on 04/12/07.
11/24/07	A Temporary Sign Permit (TSP-25620) was issued for a Christmas Tree Sales Sign at 7075 west Craig Road. The permit was valid until 12/23/07.
11/24/07	A Temporary Commercial Permit (TCP-25621) was issued for Christmas Tree sales at 7075 West Craig Road. The permit was valid until 12/23/07.
02/28/08	The Planning Commission approved a request for a Major Amendment to an approved Site Development Plan Review (SDR-25484) for a proposed 41,097 square-foot Shopping Center on 3.53 acres adjacent to the south side of Craig Road, west of US-95.
10/01/08	The City Council approved a request for a Special Use Permit (SUP-29027) for a proposed Pawn Shop with a Waiver to allow a zero-foot distance separation to another Financial Institution, Specified where 1,000 feet is required at he southwest corner of US-95 and Craig Road. The Planning Commission recommended approval on 08/28/08
10/17/08	A Temporary Commercial Permit (TCP-30920) was issued for a Halloween Pumpkin Patch at 7075 West Craig Road. The permit was valid until 10/31/08.
10/20/08	A Code Enforcement case (70784) was processed for a carnival setup at 7075 West Craig Road without permits. The case was closed on 10/22/08.
12/04/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #11/ds).

Related Building Permits/Business Licenses	
07/18/05	A building permit (05004899) was issued for the installation of a billboard sign at 7075 West Craig Road. The permit was finalized on 08/01/06.
10/27/08	A business license (C03-00075) was issued for a carnival at 7075 West Craig Road. The license is valid until 11/02/08.
10/17/08	A business license (T24-95132) was issued for a Halloween Pumpkin Patch at 7075 West Craig Road. The license is valid until 10/31/08.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
10/29/08	Staff conducted a field check of the site with the following observations: • All signs and supporting structure appeared in good condition, were free of graffiti, and did not require any repainting or bird deterrents. • There were no embellishments, moving parts, or electronic displays located on the signs. • There were canvas bags and trash bags that appeared to be from the carnival stacked at the base of the sign.

Details of Application Request	
Site Area	
Gross Acres	3.53

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Vacant Land-Proposed Commercial Center	SC (Service Commercial)	U (Undeveloped) [SC (Service Commercial) General Plan designation] with a Resolution of Intent to C-1 (Limited Commercial)
North	ROW (Right-of-Way)	ROW (Right-of-Way)	ROW (Right-of-Way)
	Vacant Land	SC (Service Commercial)	C-1 (limited Commercial)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	ROW (Right-of-Way)	ROW (Right-of-Way)	ROW (Right-of-Way)
West	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	N/A
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District (175 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising Sign (Billboard) may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	Sign is not located in public right-of-way nor is it in the Off-Premise Sign Exclusionary Zone, but is an exempted area.	Y
Zoning	Off-Premise (Billboard) Signs are permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only.	Sign is located in a C-1 (Limited Commercial) zoning district	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	Surface area of each sign face does not exceed 672 square feet; the signs do not have embellishments	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to maximum of 55 feet with approval of City Council if significantly obscured from view of travel lanes.	The sign is 40 feet tall	Y

Screening	All structural elements of an Off-Premise (Billboard) Sign to which the display panels are attached shall be screened from view.	Sign is adequately screened from public view	Y
Off-Premise Sign (Billboard)	At least 750 feet to another Off-Premise Sign along US-95.	The sign is more than 750 feet to another sign along US-95	Y
Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	The sign is more than at least 300 feet to the nearest property line of a lot in any "R" zoned district.	Y
Other	All Off-premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently secured to the ground and is not located on property used for residential purposes	Y

ANALYSIS

This is the first required review since the initial approval of the Special Use Permit (SUP-4694) for a 40-foot tall, 14-foot by 48-foot Off-premise Sign (Billboard) at 7075 West Craig Road. A site inspection by staff revealed that the sign and structure appeared in good condition, but there were bags of trash surrounding the base of the structure. A research of building permit activity found that the billboard was constructed under sign permit #05004899, and received final inspection on 08/01/06 under the address of 7075 West Craig Road.

Since the approval of the Special Use Permit (SUP-4694), there have been recent approvals for entitlements (SDR-19643; SDR-25484; SUP-29027) for a proposed 41,097 square-foot Commercial Shopping Center, including a Pawn Shop. The Off-Premise Sign (Billboard) is depicted on the site plan for the Site Development Plan Review (SDR-25484).

FINDINGS

The sign is located in a U (Undeveloped) [SC (Service Commercial) General Plan designation] with a Resolution of Intent to C-1 (Limited Commercial), and is not within the Off-Premise Sign Exclusionary Zone, but is within the Exempt Zone. The property owner has been notified to address the trash bags placed at the base of the sign, which appeared to be from the previously approved carnival on the subject property.

Since the Site Development Plan Review (SDR-25484) incorporated the sign into their plans, staff does not see an adverse impact regarding the continued use of this sign; therefore, staff recommends approval of this request, subject to a five-year review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

ASSEMBLY DISTRICT 37

SENATE DISTRICT 4

NOTICES MAILED 203 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **RQR-30484** APN: 138-03-701-003

Name of Property Owner: Craig 95, LLC

Name of Applicant: Lamar Outdoor Advertising

Name of Representative: _____

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Alirezai Kaveh

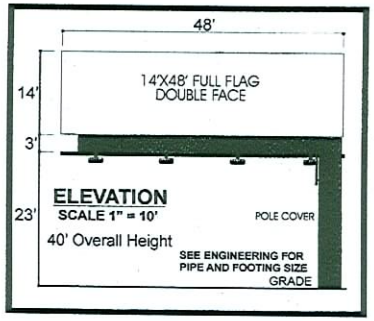
Subscribed and sworn before me

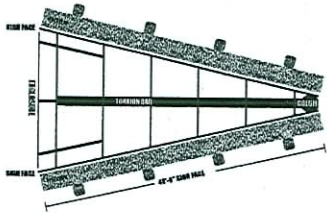
This 10th day of October, 2009

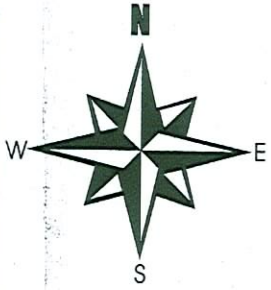
_____,

Notary Public in and for said County and State

ANDREA TOUSSAINT
NOTARY PUBLIC
STATE OF NEVADA
Date Appointment Exp: 06-29-2011
Certificate No: 07-3795-1

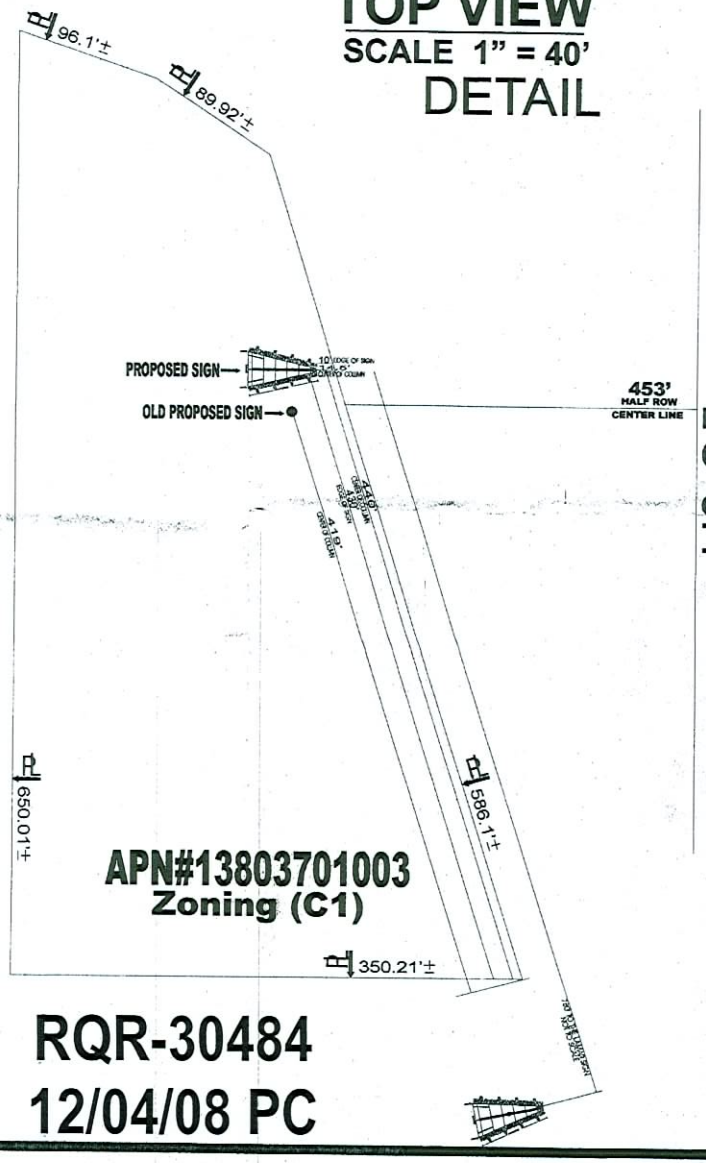


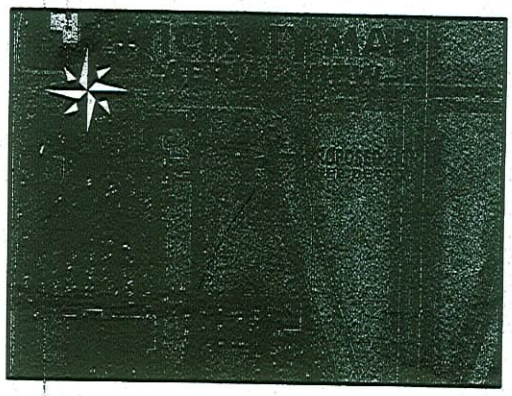




CRAIG ROAD

TOP VIEW
SCALE 1" = 40'
DETAIL





GENERAL NOTES
1. Not within 750 foot radius of another off-premise billboard.
2. Not within 300 foot radius of residential use.
3 No parking spaces will be taken for this location.

L-337-05

ORION JOB
OUTDOOR MEDIA
GLENDA LIPPMAN
595-4896

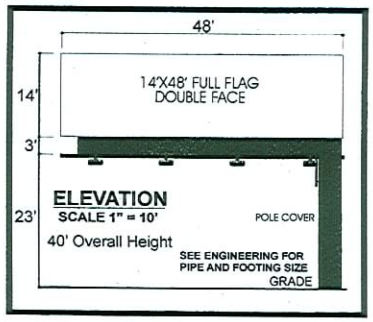
RECEIVED
JUN 03 2005

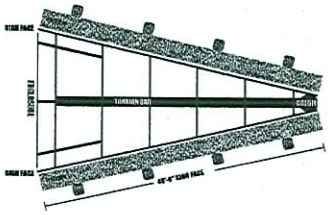
JONES MEDIA 4145 W. TECO AVE./ LAS VEGAS, NV 89118/ 702-645-0092

OWNER: STIMAC RICHARD A		
SCALE: NOTED	APPROVED BY:	DRAWN BY: TOM JONES
DATE: 5-25-04		REVISED:
LOCATION: 7075 W CRAIG RD		
APN#13803701003		DRAWING NUMBER: 355

RECEIVED
OCT 21 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

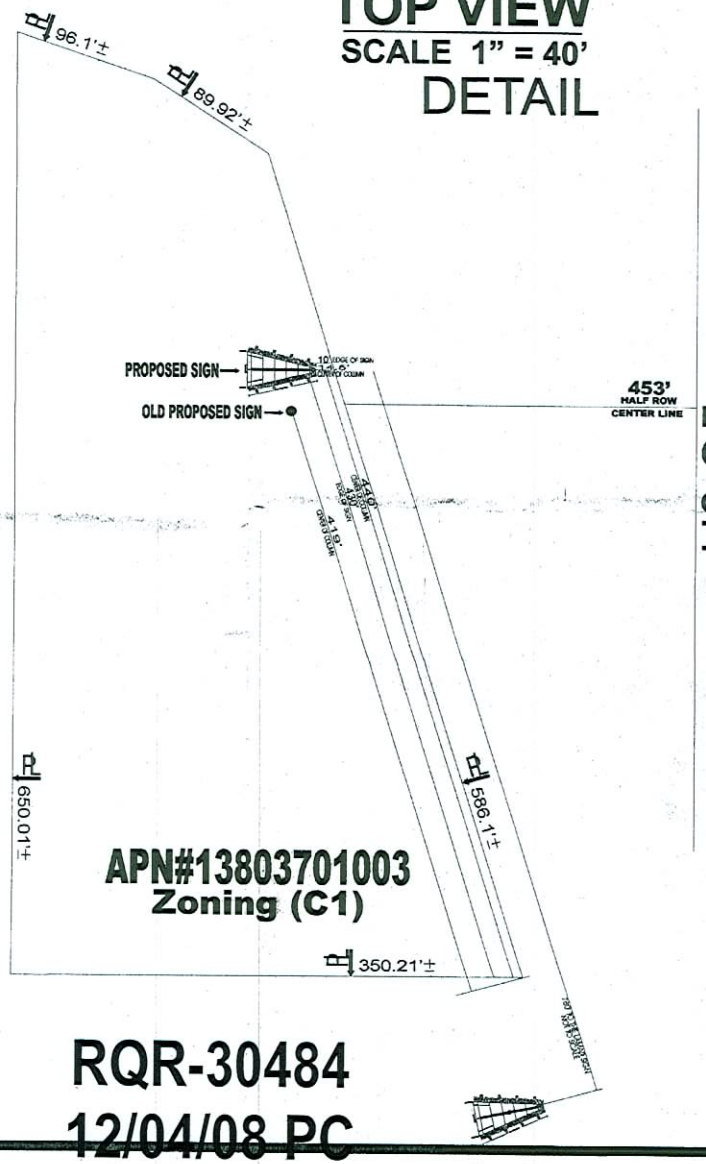
RQR-30484
12/04/08 PC

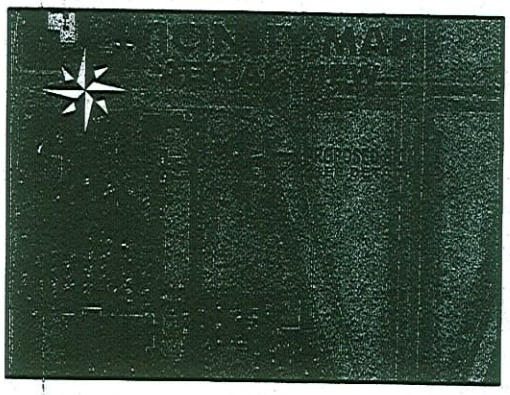




CRAIG ROAD

TOP VIEW
SCALE 1" = 40'
DETAIL





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L.337.05

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RECEIVED
OCT 21 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

RQR-30484
12/04/08 PC

RQR-30484 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: CRAIG 95 LLC
7075 WEST CRAIG ROAD
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

RQR-30484 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: CRAIG 95 LLC
7075 WEST CRAIG ROAD
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

RQR-30484 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: CRAIG 95 LLC
7075 WEST CRAIG ROAD
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

RQR-30484 - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: CRAIG 95 LLC
7075 WEST CRAIG ROAD
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
JANET MONCRIEF
STEVE WOLFSON

DOUGLAS A. SELBY
CITY MANAGER

January 24, 2005

Ms. Kay Rodriguez
2007 Paradise Road
Las Vegas, Nevada 89104

RE: SUP-4694 - SPECIAL USE PERMIT
CITY COUNCIL MEETING OF NOVEMBER 17, 2004

Dear Ms. Rodriguez:

The City Council at a regular meeting held November 17, 2004 APPROVED the request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 7075 West Craig Road (APN 138-03-701-003), C-1 (Limited Commercial). The Notice of Final Action was filed with the Las Vegas City Clerk on November 18, 2004. This approval is subject to:

Planning and Development

1. The applicant shall locate the billboard as far north on the site as possible and acceptable to Flood Control and the City Traffic Engineering Department.

2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

3. The Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premises sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premises advertising (billboard) sign be removed.

4. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premises Sign use and other applicable sign requirements.

5. The off-premises advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premises advertising (billboard) sign.

6. Only one advertising sign is permitted per sign face.

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov
18112-001-6/04

RQR-30484
12/04/08 PC

7. The entire face-area of both sides of the off-premises advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

8. If the off-premises advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premises advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

9. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

10. Meet with the Flood Control Section of the Department of Public Works to determine impacts, if any, to adjacent flood control facilities from the proposed sign prior to the issuance of any permits. Provide and improve all drainageways as recommended. This site is located within a FEMA Flood Zone "AE" designation.

11. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

Sincerely,

Vicky Darling
Assistant Deputy City Clerk for
Barbara Jo Ronemus, City Clerk

M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Ms. Glenda Lippman
Orion Outdoor Media
7924 Rockbridge Circle
Las Vegas, Nevada 89128

Mr. Jay Brown
520 South Fourth Street
Las Vegas, Nevada 89101

RQR-30484
12/04/08 PC

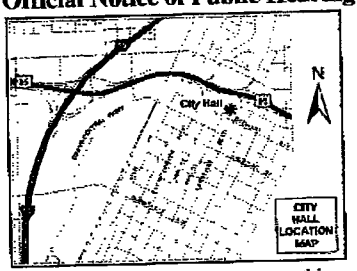
12/29/2008 01:18 3102757218 PWD PAGE 01

RECEIVED
CITY CLERK

2008 DEC 29 P 1:02

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30484

City Council Meeting of 1/72009

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.39⁴
0004239954 DEC 24 2008
MAILED FROM ZIP CODE 89101

CRAIG I-95 L L C
%B GALLOWAY
9440 SANTA MONICA BLVD
BEVERLY HILLS CA 90210-4610

JAVDS11 90210

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

CITY OF LAS VEGAS

Planning and Development Department
Case Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: **RQR-30484 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: LAMAR OUTDOOR ADVERTISING - OWNER: CRAIG 95 LLC**

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the ***December 4, 2008*** Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to Nora Lares at 385-7268. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions.

Signature — Date: 12/2/08

Scott Naftzger
Please print name

Lamar Outdoor Advertising
Company Name

Sincerely,

Peter Lowenstein
Planning Supervisor
Case Planning Division

Submitted after final agenda
Date 12/2/08 Item 11

City of Las Vegas Agenda Item No.: **83.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

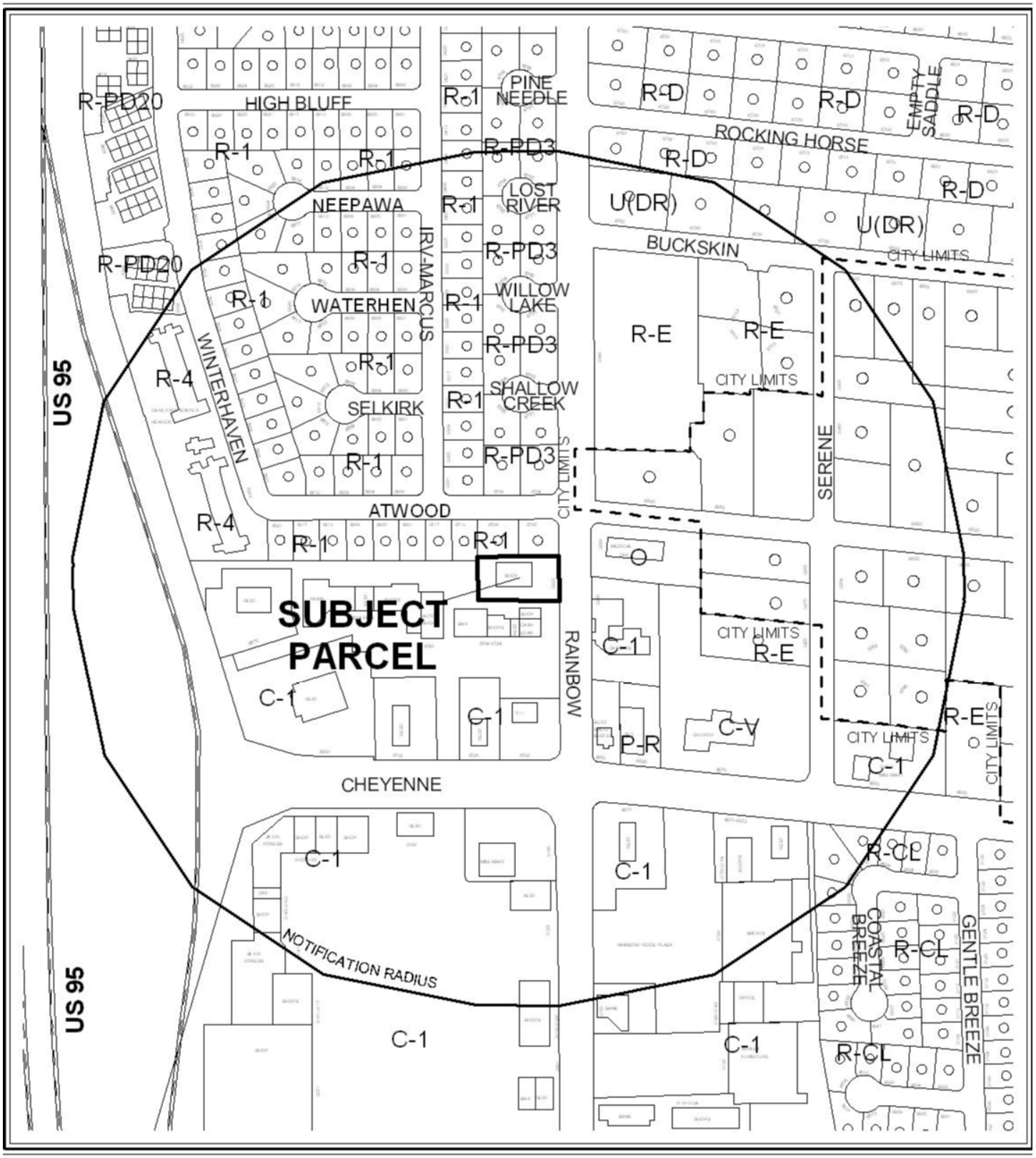
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
RQR-30575 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: PUPPY PLAYHOUSE LLC - Required Review of an approved Special Use Permit (SUP-13541) FOR A PET BOARDING ESTABLISHMENT at 3223 North Rainbow Boulevard (APN: 138-10-804-003), C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for SUP-13541



CASE: **RQR-30575**

RADIUS: 1000 FT

0 500 Feet

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

N

CASE: **RQR-30575**

RADIUS: 1000 FT

0 500 Feet

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-30575 - APPLICANT/OWNER: PUPPY PLAYHOUSE LLC

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions of Special Use Permit (SUP-13541), if approved.

2. Payment of the required notification costs of $800.00 within 10 days of City Council.

3. The applicant shall provide the completed application form, a Statement of Financial Interest (SOFI), and the Grant Deed and Legal Description of the subject site to the Planning and Development Department within ten (10) days of City Council.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a required one-year review of an approved Special Use Permit (SUP-13541) for a Pet Boarding Establishment at 3223 North Rainbow Boulevard.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
12/30/05	A Code Enforcement case (#37280) was processed for the building being vacant with abandoned vehicles parked outside. The case was closed on 02/28/06.
07/19/06	The City Council approved a request for a Special Use Permit (SUP-13541) for a proposed Pet Boarding Establishment at 3223 North Rainbow Boulevard. The Planning Commission recommended approval.
07/10/07	A Code Enforcement case (#55256) was processed for an illegal banner sign. The case was closed on 07/30/07.
12/04/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #12/ne).
Related Building Permits/Business Licenses	
08/22/06	A business license (#P05-80403) was issued for Pet Boarding/Supplies at 3223 North Rainbow Boulevard. The license is still active.
08/23/06	A building permit (#06005471) was issued for a tenant improvement remodel for a Certificate of Occupancy at 3223 North Rainbow Boulevard. The permit was finalized on 11/6/06.
Pre-Application Meeting	
A pre-application meeting was not required for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
10/29/08	Staff conducted a field check of the site with the following observations: • The outside of the building and surrounding areas were clean and properly maintained. • The parking spaces appeared to have been re-striped recently.

Details of Application Request	
Site Area	
Gross Acres	0.49

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Pet Boarding Establishment	SC (Service Commercial)	C-1 (Limited Commercial)
North	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
South	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Offices	SC (Service Commercial)	O (Offices)
	Preschool	SC (Service Commercial)	C-1 (Limited Commercial)
West	Retail Establishments	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District (140 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the first required review since the original approval of the Special Use Permit (SUP-13541) that allowed a Pet Board Establishment at 3223 North Rainbow Boulevard. During a field inspection of the site, the establishment appeared neat, clean, and well maintained. A research of the business license activity revealed a license was issued on 08/22/06, and is still active. The establishment did receive a Certificate of Occupancy on 11/06/06. Below are the conditions of approval for Special Use Permit (SUP-13541):

1. The parking area shall be re-striped to meet Title 19 requirements prior to the issuance of a Certificate of Occupancy for the building on this site.

2. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for the Pet Boarding use.

3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. The business shall be reviewed one-year after the issuance of a business license in a public hearing before Planning Commission.

5. All dogs shall be kept indoors after 8:00 pm daily.

FINDINGS

Staff has confirmed compliance with all conditions of approval imposed by Special Use Permit (SUP-13541) during a field check on 10/29/08. The outside of the building and surrounding areas were clean and properly maintained, and the parking spaces appeared to have been recently re-striped. The Special Use Permit was exercised on 08/22/06 with the issuance of business license # P05-80403. Staff finds that the applicant has met the conditions of approval of Special Use Permit (SUP-13541); therefore staff recommends final approval of this review.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

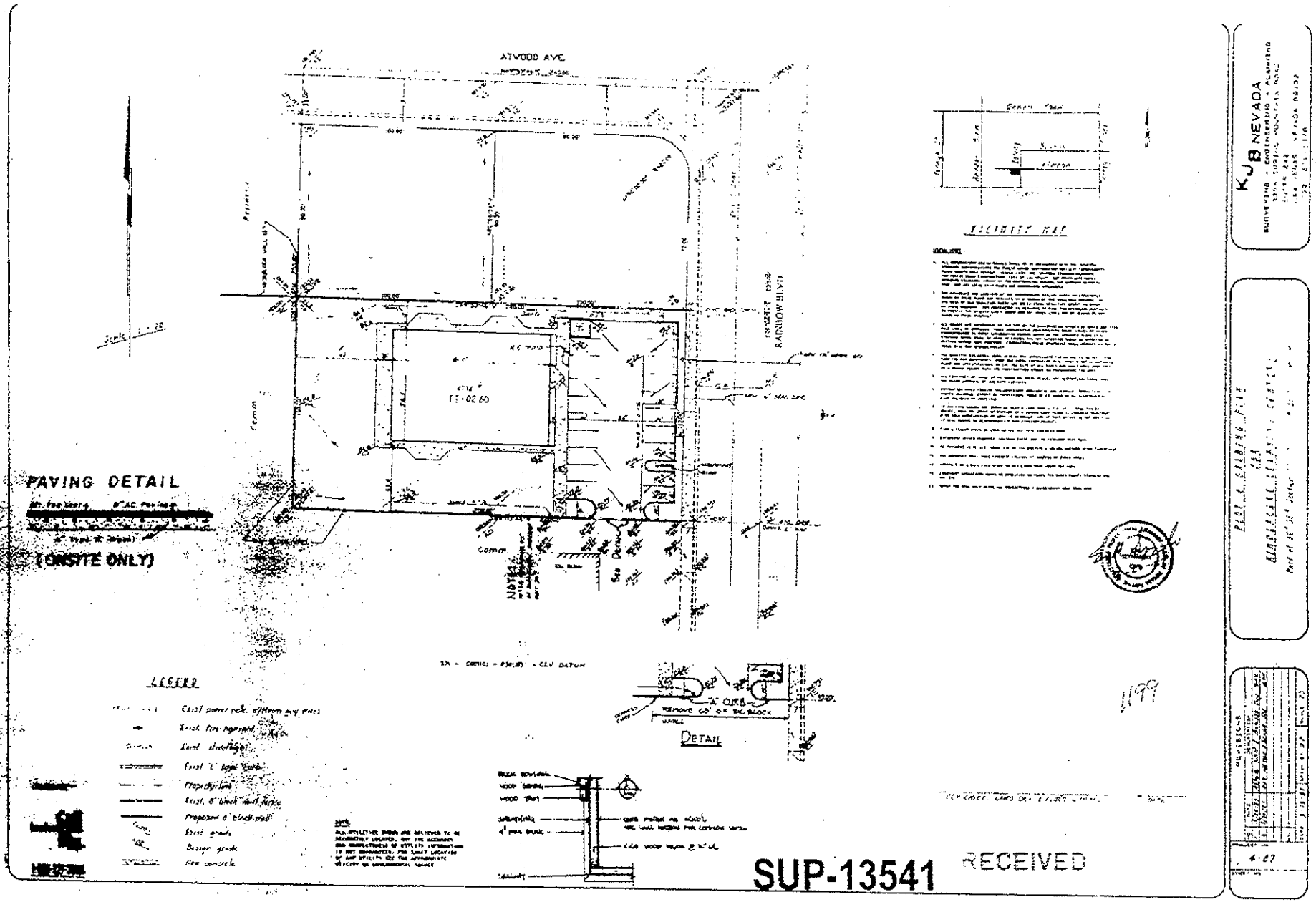
ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 157 by City Clerk

APPROVALS 0

PROTESTS 0



SUP-13541
06/22/06 PC

RECEIVED
MAY 0 9 2006

RQR-30575
12/04/08 PC

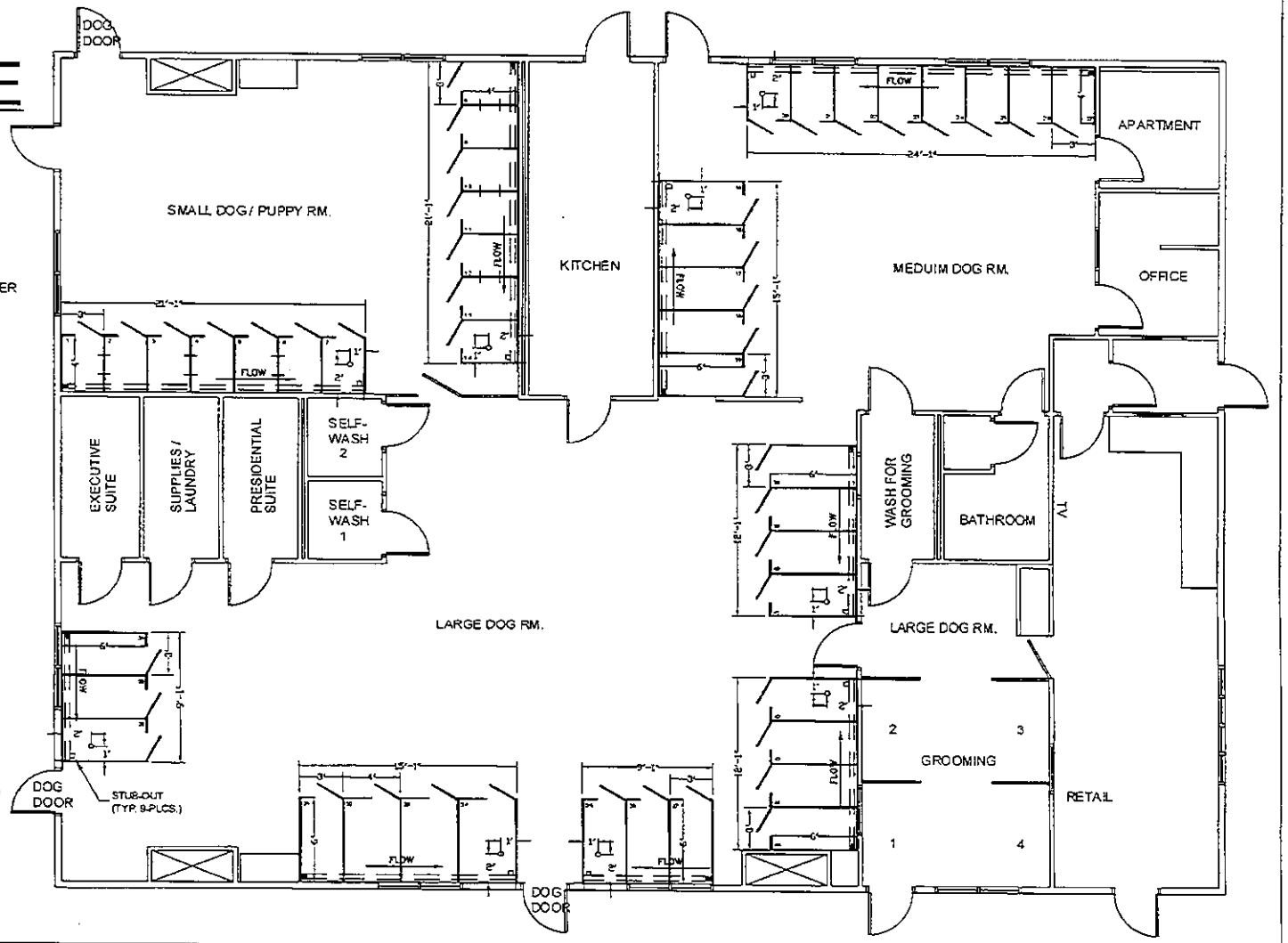
T KENNEL SYSTEMS, INC. KANSAS CITY, KS 913-281-0722

T KENNEL SYSTEMS, INC.
KENNEL DRAINAGE SYSTEM
US PATENT 4,794,879

REV: 06/21/06
ADDED TEXT: MINOR LAYOUT UPDATE:

DOG DAYCARE

Las Vegas, NV



SMALL DOG/PUPPY RM.

DOUBLE-DECKERS
ON RAISED FLOOR

(14) 3'W X 4'L X 6'-10"H
w/ SIDE TRANSFER DOORS-EVERY OTHER

MEDIUM DOG RM.

SINGLE KENNELS
ON RAISED FLOOR

(8) 3'W X 4'L X 6'-10"H
(5) 3'W X 6'L X 6'-10"H

LARGE DOG RM.

SINGLE KENNELS
ON RAISED FLOOR

(15) 3'W X 6'L X 6'-10"H
(3) 4'W X 6'L X 6'-10"H

NOTES:

* VERIFY ALL KENNEL RUN LOCATIONS.
* VERIFY FLOW DIRECTIONS & DRAIN LOCATIONS.
* LAYOUT SHOWING (59) OPENINGS TOTAL.

I HAVE REVIEWED THIS DRAWING AND APPROVE THIS LAYOUT AS SHOWN WITH MY WRITTEN EXCEPTIONS, IF ANY. I ATTEST THAT THERE ARE NO COLUMNS, LIGHT SWITCHES, OR ELECTRICAL IMPEDIMENTS THAT INTRUDE INTO THE KENNELS.

NAME (PLEASE PRINT)

SIGNATURE DATE

This document(s) contains information proprietary to T-KENNEL SYSTEMS, INC. Any reproduction, disclosure, or use of this document(s) is expressly prohibited unless written consent has been received by T-KENNEL SYSTEMS, INC.

LEGEND
- HOSE BIB
- VALVE
- 1/2" WATER FLOW
- 3" DRAIN OUTLET
- SIDE TRANSFER DOOR
- TRENCH DRAIN

COLOR CHOICE AND # FOR PANELING
- BEIGE - 3530
- DARK BLUE - 8321
- LIGHT GRAY - 2537
- LIGHT PURPLE - 8343
- DARK GRAY - 7354

METAL CHOICES
2" H MESH ON SIDE PANEL
- STAINLESS
- GALVANIZED

RQR-30575
12/04/08 PC

SUP-13541
07-19-06 CC

RECEIVED
JUL 06 2006

RQR-30575 - APPLICANT/OWNER: PUPPY PLAYHOUSE LLC
3223 NORTH RAINBOW BOULEVARD
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

RQR-30575 - APPLICANT/OWNER: PUPPY PLAYHOUSE LLC
3223 NORTH RAINBOW BOULEVARD
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

RQR-30575 - APPLICANT/OWNER: PUPPY PLAYHOUSE LLC
3223 NORTH RAINBOW BOULEVARD
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

RQR-30575 - APPLICANT/OWNER: PUPPY PLAYHOUSE LLC
3223 NORTH RAINBOW BOULEVARD
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

August 23, 2006

KC Propca Holding II, LLC
650 Northeast Holladay Street, Suite #1400
Portland, Oregon 97232

RE: SUP-13541 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF JULY 19, 2006

Dear Applicant:

The City Council at a regular meeting held July 19, 2006 APPROVED the request for a Special Use Permit FOR A PROPOSED PET BOARDING ESTABLISHMENT at 3223 North Rainbow Boulevard (APN 138-10-804-003), C-1 (Limited Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on July 20, 2006. This approval is subject to:

Planning and Development

1. The parking area shall be re-striped to meet Title 19 requirements prior to the issuance of a Certificate of Occupancy for the building on this site.

2. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for the Pet Boarding use.

3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. The business shall be reviewed one-year after the issuance of a business license in a public hearing before Planning Commission.

5. All dogs shall be kept indoors after 8:00pm daily.

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

RQR-30575
12/04/08 PC

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Sincerely,

Ydoleena Yturralde
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk

M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr.Jeff Lewis
Nellis Owens 48, LLC
6025 South Bronco Street
Las Vegas, Nevada 89118

Mr. Nelson Tressler
3930 Howard Hughes Parkway, Suite #180
Las Vegas, Nevada 89109

RQR-30575
12/04/08 PC

City of Las Vegas Agenda Item No.: **84.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

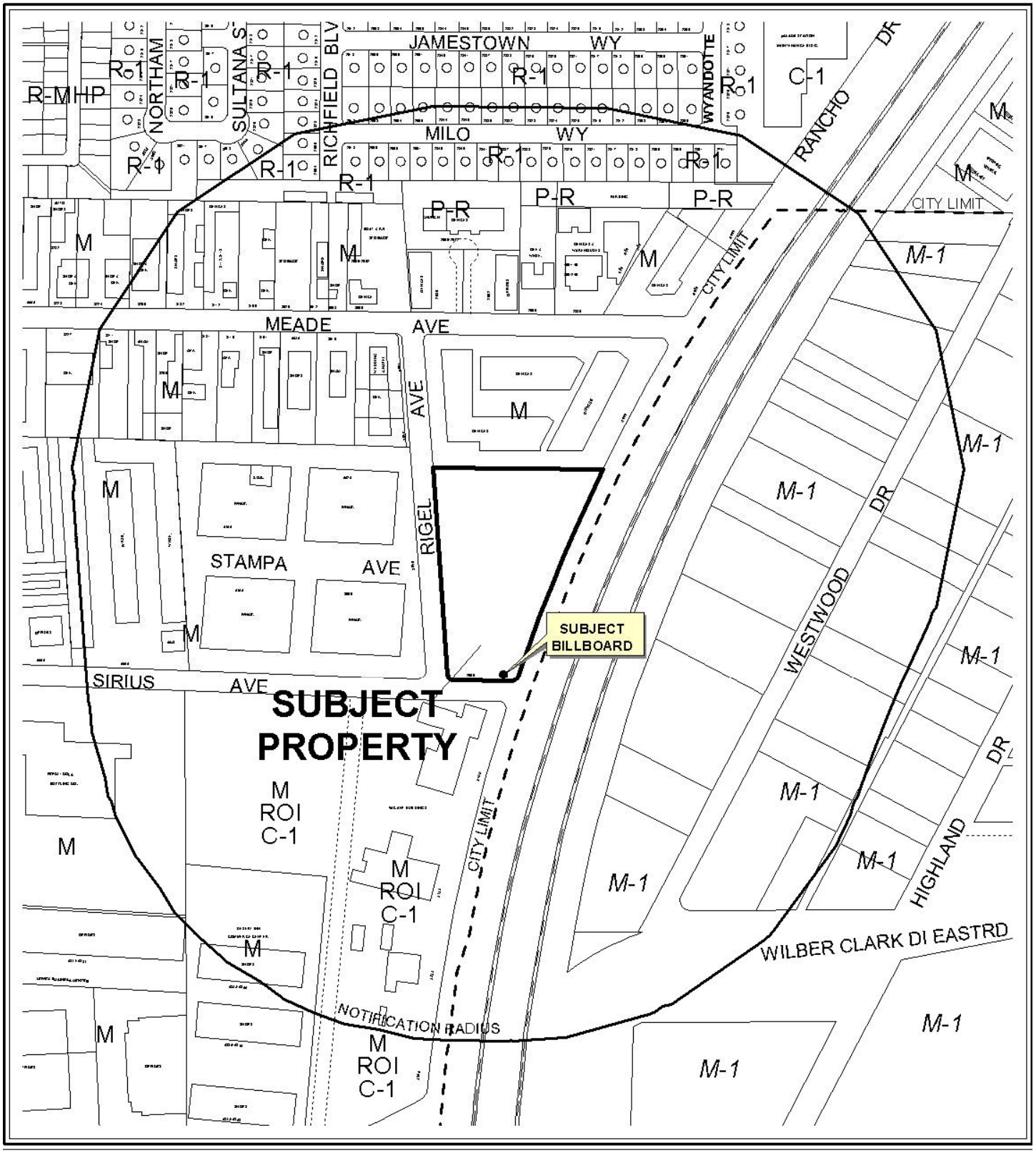
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
RQR-30584 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC - Required Review of an approved Variance (V-0058-94) TO ALLOW A 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN (BILLBOARD) 600 FEET FROM ANOTHER OFF-PREMISE SIGN WHERE 750 FEET IS THE MINIMUM SEPARATION REQUIRED at 2900 Sirius Avenue (APN 162-08-702-002), M (Industrial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for V-0058-94
6. Condition Confirmation Memo submitted by Winston Fisher
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 18

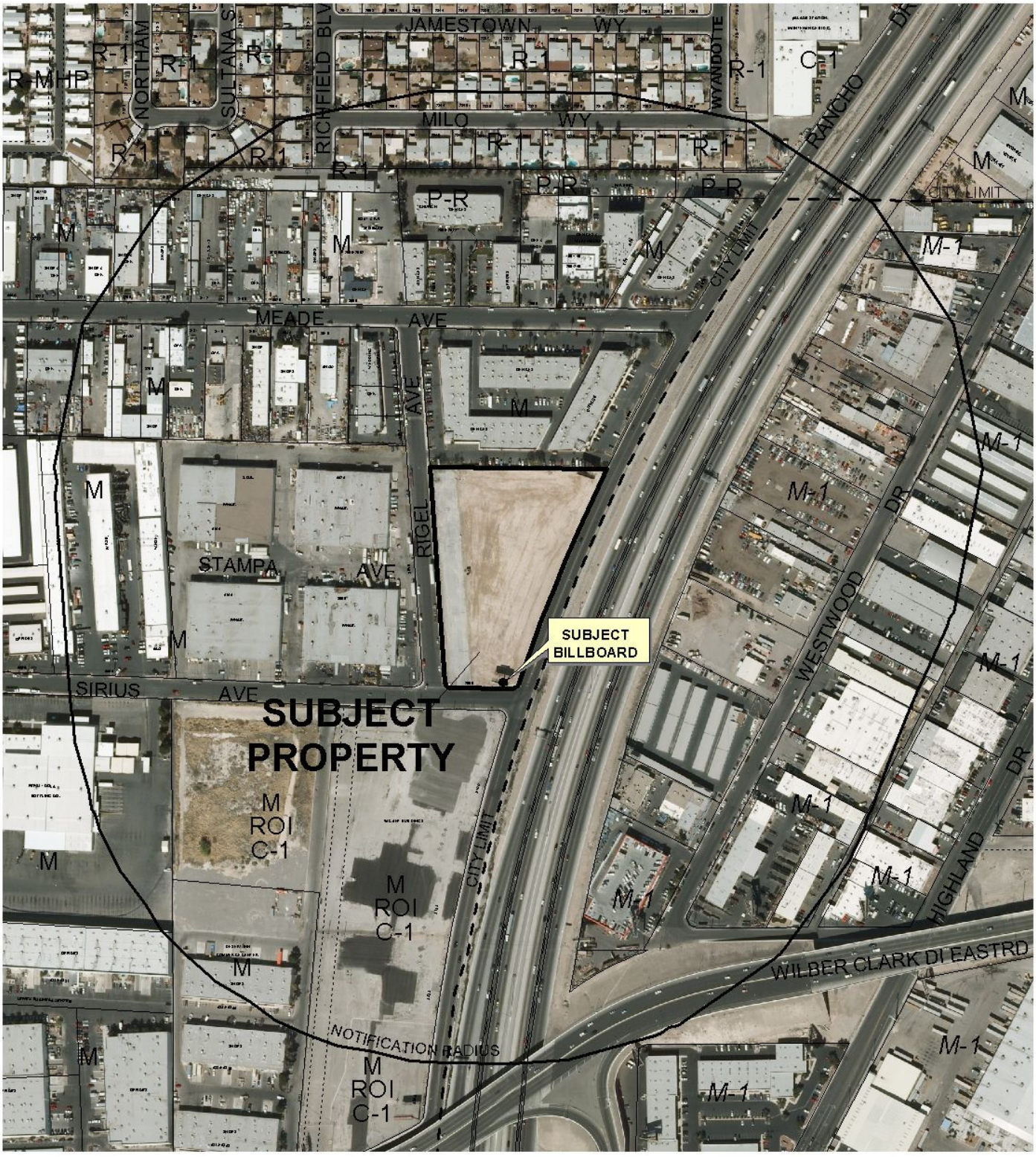


0 500 Feet

CASE: **RQR-30584**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)



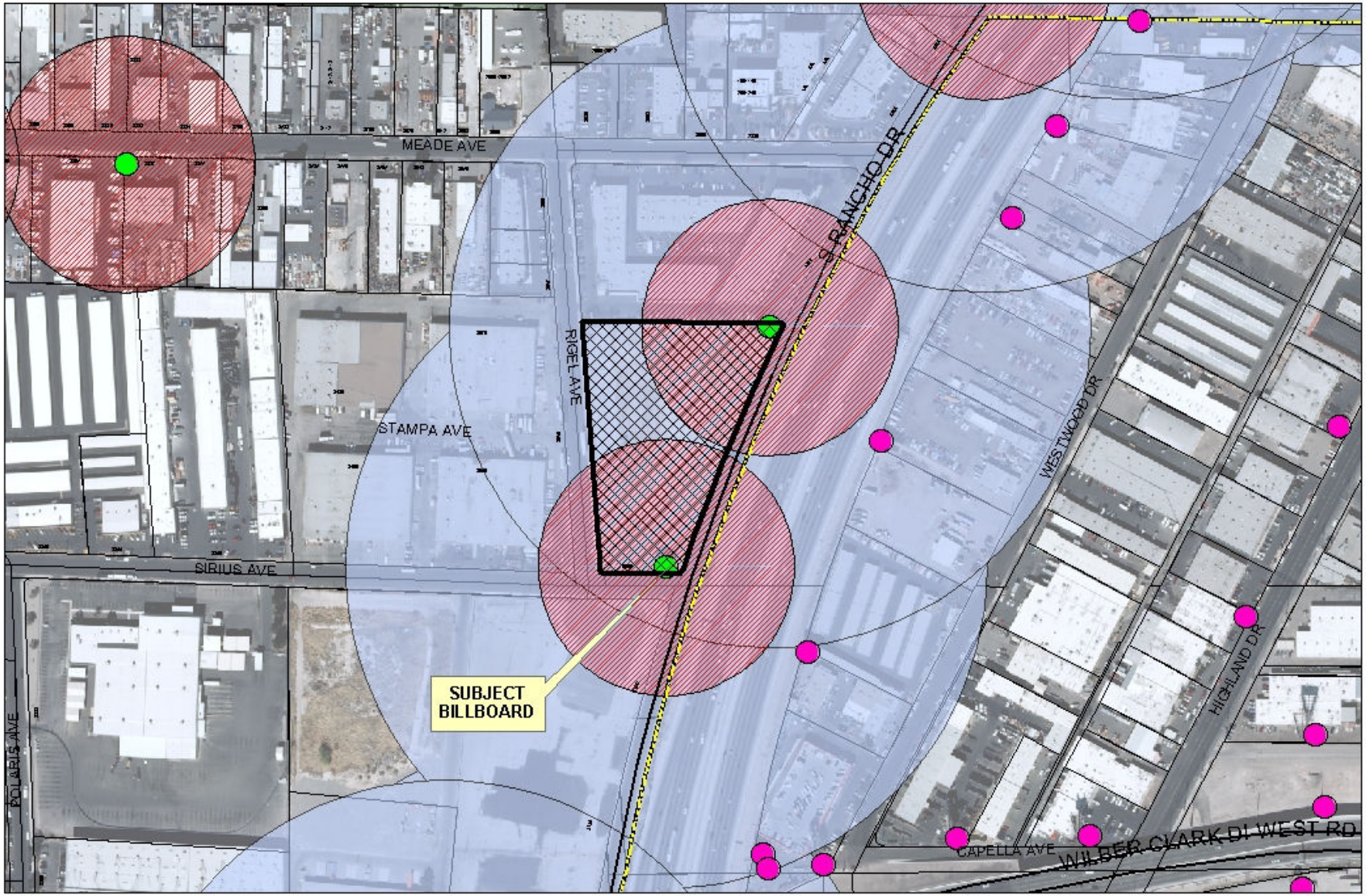
0 500 Feet

CASE: **RQR-30584**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: M (INDUSTRIAL)

N



RQR-30584

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-30584 - APPLICANT/OWNER: FISHER BROTHERS LAS VEGAS, LLC

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Variance (V-0058-94), if approved.

2. This Variance shall be placed on an agenda closest to 12/01/11 at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

3. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

4. If the existing off-premise sign is voluntarily demolished, this Variance (V-0058-94) shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This application is in response to a required review of an approved Variance (V-0058-94) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) 600 feet from another Off-Premise Sign where 750 feet is the minimum separation required at 2900 Sirius Avenue.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
12/22/83	The Board of Zoning Adjustment approved a request for a Variance (V-0119-83) to allow an air-supported vinyl roofed structure (enclosing a miniature golf course) to be considered an Open Recreation Facility for the purposes of parking requirements.
10/09/86	The Planning Commission approved a request for a Plot Plan Review (Z-0056-74) regarding proposed retail/wholesale shops and offices on property located on the southwest corner of Rancho Drive and Meade Avenue.
09/16/92	The City Council approved a request for a Special Use Permit (U-0168-92) to allow a 14-foot by 48-foot Off-Premise Sign (Billboard) at 2900 Sirius Avenue. The Board of Zoning Adjustment recommended approval on 07/28/92.
06/15/94	The City Council approved a request for a Variance (V-0058-94) to allow a proposed 14-foot by 48-foot Off-Premise Sign (billboard); and to allow the sign 600 feet from another Off-Premise Sign where a 750-foot distance separation is required. The Board of Zoning Adjustment recommended approval on 05/24/94.
02/19/03	The City Council approved a request for a Required Review (RQR-1143) of an approved Special Use Permit (U-0168-92) for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 2900 Sirius Avenue. The Planning Commission recommended approval on 11/21/02.
11/03/04	The City Council approved a request to Amend a portion of the Southeast Sector Plan of the General Plan (GPA-5097) from LI/R (Light Research/Industry) to SC (Service Commercial) on 5.25 acres adjacent to the northwest corner of rancho Drive and Sirius Avenue. The Planning Commission recommended approval on 10/07/04.
11/03/04	The City Council approved a request for a Rezoning (ZON-5103) from M (Industrial) to C-1 (Limited Commercial) on 5.24 acres adjacent to the northwest corner of Rancho Drive and Sirius Avenue. The Planning Commission recommended approval on 10/07/04.

11/03/04	The City Council approved a request for a Special Use permit (SUP-5107) for a proposed 50-story, 560-foot tall Mixed-Use Development adjacent to the northwest corner of Rancho Drive and Sirius Avenue. The Planning Commission recommended approval on 10/07/04.
11/03/04	The City Council approved a request for a Site Development Plan Review (SDR-5104) and a Waiver to allow 75 percent lot coverage area where 50 percent is the maximum allowed for a proposed 50-story, 560-foot tall Mixed Use Development containing 700 residential units and 20,000 square feet of retail uses adjacent to the northwest corner of Rancho Drive and Sirius Avenue. The Planning Commission recommended approval on 10/07/04.
03/24/05	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a request for a Variance (VAR-5945) to allow tandem parking spaces in excess of 30 percent of the overall required parking for a 50-story mixed-use project adjacent to the northwest corner of Rancho Drive and Sirius Avenue.
06/09/05	The Planning Commission approved a request for a Tentative Map (TMP-6580) for a mixed-use subdivision with 703 residential units and one commercial unit on 5.32 acres located at 2900 Sirius Avenue.
05/17/06	The City Council approved a request to change the Future Land Use designation (GPA-9219) to Commercial, Mixed Use, Industrial, or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan Area and within the proposed Redevelopment Plan Expansion Area. The Planning Commission Tabled the request on 01/26/06.
10/04/06	The City Council approved a request for an Extension of Time (EOT-16026) of an approved Special Use Permit (SUP-5107) that allowed a 50-story, 560-foot tall Mixed Use Development on 5.25 acres adjacent to the northwest corner of Rancho Drive and Sirius Avenue.
10/04/06	The City Council approved a request for an Extension of Time (EOT-16027) of an approved Site Development Plan Review (SDR-5104) that allowed a 50-story, 560-foot tall Mixed Use Development containing 700 residential units and 20,000 square feet of retail uses on 5.25 acres adjacent to the northwest corner of Rancho Drive and Sirius Avenue.
05/07/08	The City Council approved a request for a Require Review (RQR-26324) of an approved Special Use Permit (U-0168-92), for a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) at 2900 Sirius Avenue. The Planning Commission recommended approval on 03/27/08.
12/04/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #18/ds).
Related Building Permits/Business Licenses	
08/04/94	A building permit (94342863) was issued to relocate an existing sign to the northeast corner on the property at 2900 Sirius Avenue (case: U-0168-92). The permit was finalized on 03/06/95.
08/11/94	A building permit (94343626) was issued for a billboard sign located at the southeast corner on the property at 2900 Sirius Avenue (case V-0058-94). The permit was finalized on 09/21/94.

Pre-Application Meeting	
A pre-application meeting is not required for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
10/29/08	Staff conducted a field inspection of the site with the following observations: • The sign and structure were in good condition, free of graffiti, and did not require any repainting. • All structural elements were properly screened • The subject billboard has an embellishment, which meets Title 19.14.100 requirements

Details of Application Request	
Site Area	
Gross Acres	4.39

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Vacant Land-proposed Mixed Use Development	C (Commercial)	M (Industrial) with a Resolution of Intent to C-1 (Limited Commercial)
North	Offices	C (Commercial)	M (Industrial)
South	Vacant Land	C (Commercial)	M (Industrial)
East	ROW (Right-of-Way)	ROW (Right-of-Way)	ROW (Right-of-Way)
West	Warehouses	LI/R(Light Research/Industrial)	M (Industrial)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District (175 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising Sign (Billboard) may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	Sign is not located in public right-of-way nor is it in the Off-Premise Sign Exclusionary Zone	Y
Zoning	Off-Premise (Billboard) Signs are permitted in the C-1, C-2, C-V, C-M, and M Zoning Districts only.	Sign is located in a M (Industrial) zoning district with a Resolution of Intent to C-1 (Limited Commercial)	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The surface area of each sign face does not exceed 672 square feet; the embellishment does not exceed five feet above the rectangular surface of the sign and is 116.25 square feet.	Y
Height	No higher than 40 feet from grade at the point of construction: may be raised to maximum of 55 feet with approval of City Council if significantly obscured from view of travel lanes.	The sign is 40 feet tall	Y
Screening	All structural elements of an Off-Premise (Billboard) Sign to which the display panels are attached shall be screened from view.	Sign is adequately screened from public view	Y
Off-Premise Sign (Billboard)	The sign and all other off-premise signs not oriented towards US-95 shall be no closer than 300 feet in any direction to any other off-premise sign.	The sign is 600 feet from another Off-premise Sign (Billboard) and is located along I-15	N*

Off-Premise Sign (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	The sign at more than 300 feet to the nearest property line of a lot in any "R" zoned district	Y
Other	All Off-premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently secured to the ground and is not located on property used for residential purposes	Y

*N The City Council approved a Variance (V-0058-94) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) to be 600 feet from another Off-Premise Sign where 750 feet is the minimum required.

ANALYSIS

This is the first required review since the initial approval of a Variance (V-0058-94) to allow a 40-foot tall, 14-foot by 48-foot Off-Premise Sign (Billboard) 600 feet from another Off-Premise Sign where 750 feet is the minimum separation required at 2900 Sirius Avenue. During a site inspection, staff found the sign and structure in good condition with no bird nuisance problems. A research of building permit activity found that the billboard was constructed under sign permit #94343626, and received final inspection on 03/06/95 under the address of 2900 Sirius Avenue.

The subject sign does have an embellishment. Title 19.14.100(C) (4) states an embellishment is permitted on a sign if it does not exceed five feet above the rectangular surface of the sign and is not more than 128 square feet in size. The subject embellishment is five feet above the surface of the sign and 116.25 square feet in size, therefore meets Title 19.14.100 requirements.

Since the initial approval of the Variance, there has been no tangible redevelopment within the surrounding area. However, there has been a recent approval of entitlements (SDR-5104 and SUP-5107) for a proposed 50-story, 560-foot tall Mixed Use development consisting of 700 residential units and 20,000 square feet of retail space on 5.25 acres adjacent to the northwest corner of Rancho Drive and Sirius Avenue.

FINDINGS

The sign is located in an M (Industrial) zoning district with a Resolution of Intent to C-1 (Limited Commercial), and is not within the Off-Premise Sign Exclusionary Zone. The embellishment above the sign meets Title 19.14.100 requirements.

Although no construction has begun on the proposed Mixed Use development, staff finds that the continuation of this Off-Premise Sign at this location is not encouraged over the long term, as it is not conducive to the proposed redevelopment. Staff recommends approval of this review, subject to another review of the Variance (V-0058-94) to be completed in three (3) years.

PLANNING COMMISSION ACTION

The applicant agreed to all conditions on the record at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 10

SENATE DISTRICT 7

NOTICES MAILED 62 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: BQR - 30584 APN: 162-08-702-002

Name of Property Owner: Fisher Brothers Las Vegas LLC

Name of Applicant: Fisher Brothers Las Vegas LLC

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

☐ **Yes** ☒ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: WINSTON FISHER

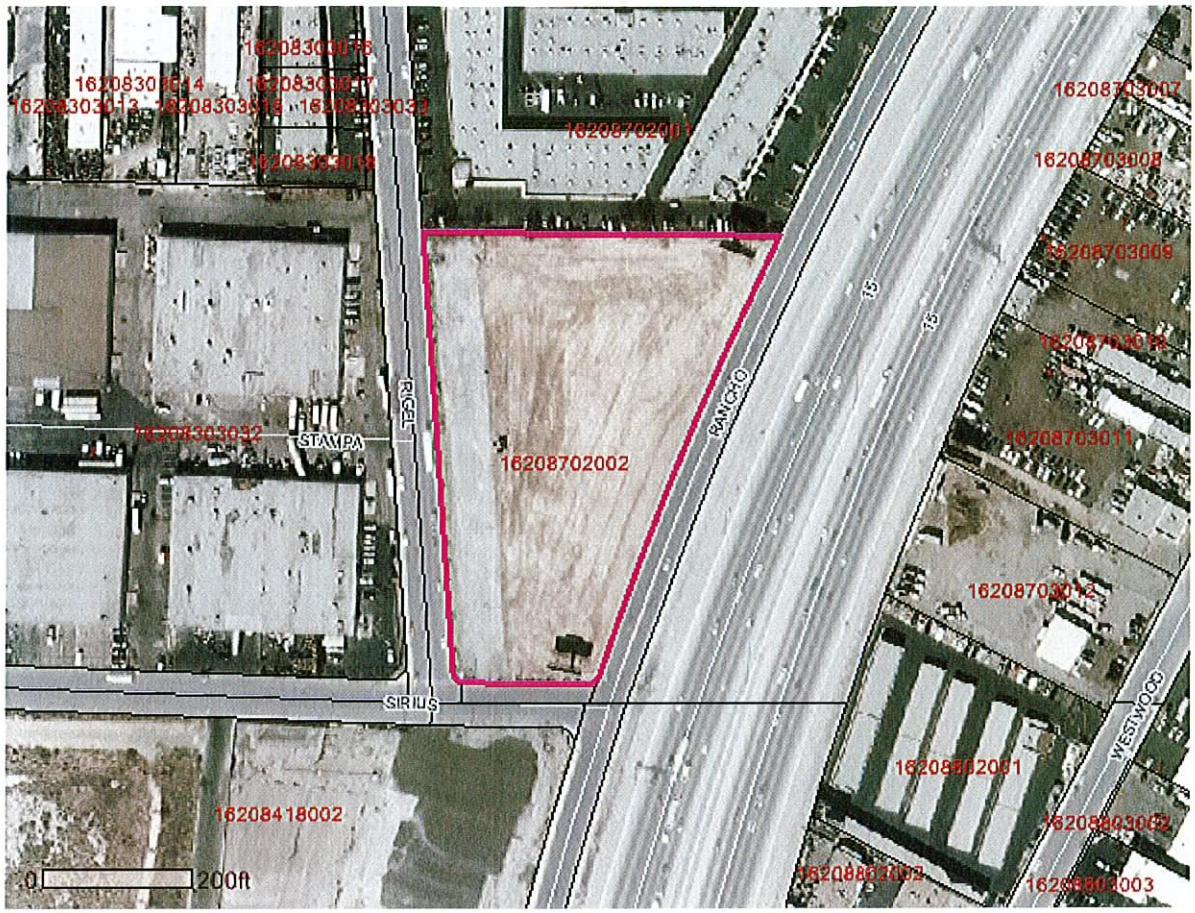
Subscribed and sworn before me

This 16TH day of OCTOBER, 2008

Donald Waldauer

Notary Public in and for said County and State

DONALD WALDAUER
Notary Public, State of New York
No. 01WA9502160
Qualified in New York County
Commission Expires June 30, 2010



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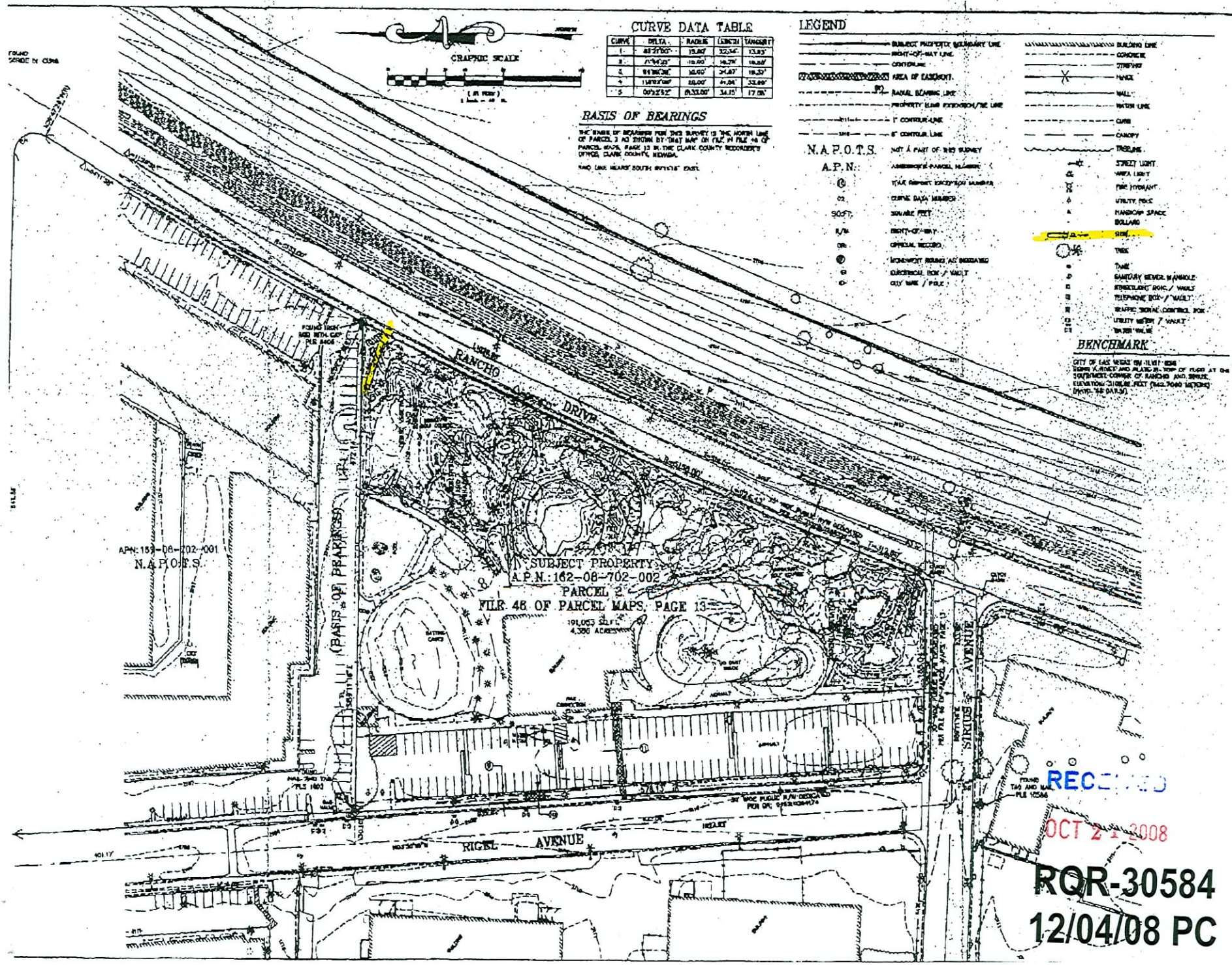
OCT 21 2008

RQR-30584
12/04/08 PC



RECEIVED
OCT 21 2008
ROR-30584
12/04/08 PC

RENAISSANCE MEDIA GROUP, INC.
3101 North Central Avenue, Suite 1030
Phoenix, Arizona 85012
602-330-9631 • 800-525-8509
FAX 602-330-9031

TITLE: CUBE FOOTING - 14'x48' FF V

REF. JOB #:

CALC #:
DATE: 5/9/90
BY:
SHT #: 16 OF 18

SIGN FACE SIZE - 14'x48'

FOOTING DESIGNED PER UBC FORMULA

DEPTH OF FOOTING $d = \frac{A}{2}\left(1 + \sqrt{1 + \frac{4.36h}{A}}\right)$

WHERE: $h = M/P$

M - bending moment on the ground level (ft-k)

P - horizontal force (k)

$A = \frac{2.34P}{S_1 \times b}$

b - diagonal dimension of footing (ft)

$S_1 = \frac{d}{3} \times P_{ALL} \times 1.33$

d - footing depth (max 12'-0" for computing S_1)

P_{ALL} - allowable lateral soil bearing (ksf/ft) - for sandy gravel $P_{ALL} = 0.4$ ksf

HAGL	FOOTING DIMENSIONS		
	LENGTH	WIDTH	DEPTH
5'-0"	8'-0"	8'-0"	10'-6"
10'-0"	8'-0"	8'-0"	11'-0"
15'-0"	8'-0"	8'-0"	11'-0"
20'-0"	8'-0"	8'-0"	11'-6"
25'-0"	8'-0"	8'-0"	12'-0"
30'-0"	8'-0"	8'-0"	12'-6"
35'-0"	8'-0"	8'-0"	13'-0"
40'-0"	8'-0"	8'-0"	13'-6"
45'-0"	8'-0"	8'-0"	14'-6"
50'-0"	8'-0"	8'-0"	15'-0"
55'-0"	8'-0"	8'-0"	15'-6"
60'-0"	8'-0"	8'-0"	16'-0"

REINFORCEMENT: WELDED WIRE FABRIC 4x4-W4xW4 ALL AROUND THE FOOTING

RQR-30584
12/04/08 PC

Feb 12 2008 9:34AM HP LASERJET FAX 702-259-1041 p.19

RENAISSANCE MEDIA GROUP, INC. 5101 North Central Avenue, Suite 1030 Phoenix, Arizona 85012 602-230-5634 • 800-515-1503 Fax 602-230-9071	TITLE: CUBE FOOTING FF B/B REF. JOB#:	CALC #: DATE: 5/4/90 BY: SHT #: 17 OF 18

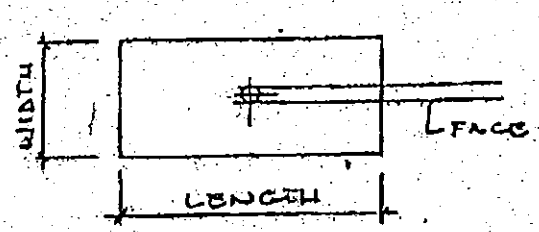
SIGN FACE SIZE – 14' x 48'
FOOTING DESIGNED PER UBC FORMULA

DEPTH OF FOOTING $d = \frac{A}{2}\left(1 + \sqrt{1 + \frac{4.36h}{A}}\right)$

WHERE: $h = M/P$

M – bending moment on the ground level (ft-k)

P – horizontal force (k)



$A = \frac{2.34P}{S_1 \times b}$

b – diagonal dimension of footing (ft)

$S_1 = \frac{d}{3} \times P_{ALL} \times 1.33$

d – footing depth (max 12'-0" for computing S_1)

P_{ALL} – allowable lateral soil bearing (ksf/ft) – for sandy gravel $P_{ALL} = 0.4$ ksf

HAGL	FOOTING DIMENSIONS		
	LENGTH	WIDTH	DEPTH
5'-0"	8'-0"	5'-0"	12'-6"
10'-0"	8'-0"	5'-0"	12'-6"
15'-0"	8'-0"	5'-0"	12'-6"
20'-0"	8'-0"	5'-0"	12'-6"
25'-0"	9'-0"	5'-0"	12'-6"
30'-0"	10'-0"	5'-0"	12'-6"
35'-0"	10'-0"	5'-0"	13'-0"
40'-0"	10'-6"	5'-3"	13'-6"
45'-0"	10'-6"	5'-3"	14'-0"
50'-0"	10'-6"	5'-3"	14'-6"
55'-0"	11'-0"	5'-6"	14'-6"
60'-0"	11'-0"	5'-6"	15'-6"

RQR-30584
12/04/08 PC

REINFORCEMENT: WELDED WIRE FABRIC 4 x 4 – W4 x W4 ON LOWER SIDES ONLY

LIONEL SAWYER & COLLINS
ATTORNEYS AT LAW
1700 BANK OF AMERICA PLAZA
300 SOUTH FOURTH STREET
LAS VEGAS, NEVADA 89101
(702) 383-8888

FAX (702) 383-8845
lsc@lionelsawyer.com
www.lionelsawyer.com

SAMUEL S. LIONEL (1918-1996)
GRANT SAWYER (1918-1996)
JON R. COLLINS (1923-1987)
RICHARD H. BRYAN
JEFFREY P. ZUCKER
PAUL R. HEJMANOWSKI
ROBERT D. FAISS
DAVID N. FREDERICK
RODNEY M. JEAN
HARVEY WHITTEMORE
TODD TOUTON
CAM FERENBACH
LYNDA S. MABRY
MARK H. GOLDSTEIN
KIRBY J. SMITH
COLLEEN A. DOLAN
JENNIFER A. SMITH
DAN R. REASER
PAUL E. LARSEN
ALLEN J. WILT
LYNN S. FULSTONE
RORY J. REID
DAN C. McGUIRE
JOHN E. DAWSON
FRED D. "PETE" GIBSON, III
CHARLES H. McCREA JR.
GREGORY E. SMITH
MALANI L. KOTCHKA
LESLIE BRYAN HART
CRAIG E. ETEM
TODD E. KENNEDY
MATTHEW E. WATSON
SHAWN M. ELICEGUI
JOHN M. NAYLOR
WILLIAM J. McKEAN
ELIZABETH BRICKFIELD
GREGORY R. GEMIGNANI
LINDA M. BULLEN
BRENT HEBERLEE
LAURA J. THALACKER
DOREEN SPEARS HARTWELL
LAURA K. GRANIER
MAXIMILIANO D. COUVILLIER III
MICHAEL D. KNOX
ERIN FLYNN
JENNIFER ROBERTS
MEREDITH L. STOW
DOUGLAS A. CANNON
RICHARD T. CUNNINGHAM
MATTHEW R. POLICASTRO
TREVOR HAYES
JENNIFER J. DiMARZIO
PEARL L. GALLAGHER
CHRISTINE D. SMITH
SUSAN L. MYERS
BRIAN S. PICK
JENNIFER L. BRASTER
LUCAS J. TUCKER
CHRISTOPHER WALTHER
JULIANA M. ANDERSON
KEVIN J. HEJMANOWSKI
KETAN D. BHIRUD
LAUREN D. CALVERT-ARNOLD
ROBERT W. HERNQUIST
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TIMOTHY R. MULLINER
COURTNEY L. MILLER
MOHAMED A. IQBAL JR.
BRIAN H. SCHUSTERMAN
KELLY R. KICHLINE
MARK J. GARDBERG

OF COUNSEL
RICHARD J. MORGAN*
ELLEN WHITTEMORE
BRIAN HARRIS
NOEL WATERS
CHRISTOPHER MATHEWS
*ADMITTED IN CA ONLY

October 21, 2008

Via Hand Delivery

WRITER'S DIRECT DIAL NUMBER:

(702) 383-8872
ltucker@lionelsawyer.com

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

Re: Required Review RQR-30584 re: A.P.N. 162-08-702-002 (the "Property")

Dear Sir / Madam:

On behalf of Fisher Brothers Las Vegas LLC ("Fisher LV"), we are submitting the documents necessary for the application referenced above in connection with the review of an approved off-premise advertising sign on the Property. Enclosed, please find the executed application form, statement of interest form, all required plans, and our client's check payable to the City of Las Vegas in the amount of $800.

In addition, we are submitting a copy of the original building permit issued for this advertising sign, and a copy of a letter from a certified engineer confirming that the structure remains structurally sound. This letter is dated May 23, 2008 and has the following errors; (i) lists Lucas Tucker instead of Fisher LV as the owner, and (ii) references the wrong application number. However, the certification is specific to this advertising sign, as evidenced by its reference to the permit number. As evidenced by the date stamp, this letter has already been received and reviewed by the City of Las Vegas Building Department.

We understand this application will be placed on the agenda for the December 4, 2008 Planning Commission meeting. Please contact me at (702) 383-8872 with any questions.

Sincerely,

Lucas J. Tucker

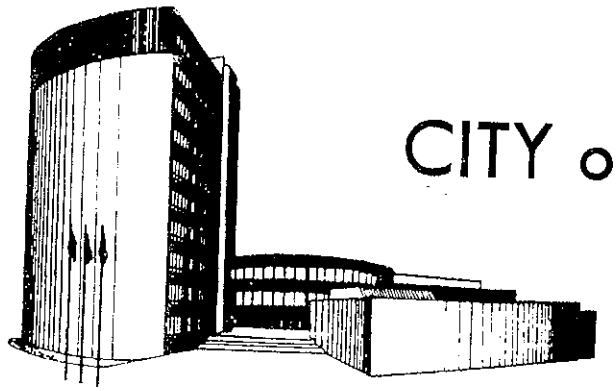
Enclosures

RQR-30584
12/04/08 PC

MAYOR
JAN LAVERTY JONES

COUNCILMEN
ARNIE ADAMSEN
SCOTT HIGGINSON
FRANK HAWKINS JR.
KEN BRASS

CITY MANAGER
LARRY K. BARTON



CITY of LAS VEGAS

July 5, 1994

Mr. Wayne A. Larson
Scandia Family Fun Centers
2900 Sirius Avenue
Las Vegas, Nevada 89102

RE: V-58-94 - VARIANCE

Dear Mr. Larson:

The City Council at a regular meeting held June 15, 1994 APPROVED the application of SCANDIA FAMILY FUN CENTERS for a Variance to allow a proposed 14 foot x 48 foot off-premise advertising (billboard) sign; and to allow the sign 600 feet from another off-premise sign where a 750 foot distance separation is required on property located at 2900 Sirius Avenue, M Zone, subject to:

1. The height of the sign shall not exceed 30 feet above the elevation of the elevated roadway surface of Interstate 15 nearest the sign location. The applicant shall provide documentation indicating the elevation of the roadway, if the sign is to exceed 40 in height, at the time application is made for a building permit.

2. This use shall be reviewed in five years at which time the Board may require that the sign be removed.

3. Conformance to the sign elevation as amended by the above condition.

4. Conformance to the plot plan.

An approved Variance or Special Use Permit must be exercised within one year or it becomes null and void, unless a request for an Extension of Time is duly filed with the Department of Community Planning and Development for consideration and approval by the appropriate board.

Sincerely,

Kathleen M. Tighe

KATHLEEN M. TIGHE
City Clerk JBS

/cmp

cc: (See Attached)

RQR-30584
12/04/08 PC

400 E. STEWART AVENUE • LAS VEGAS, NEVADA 89101-2986
(702) 229-6011 (VOICE) • (702) 386-9108 (TDD)

cc: Dept. of Community Planning & Development
Dept. of Public Works
Dept. of Fire Services
Dept. of Building & Safety
Land Development Services

RQR-30584
12/04/08 PC

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

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

SUBJECT: RQR-30584

The above item has been placed on the One Motion/One Vote portion of the City Council Agenda for the ***January 7, 2009*** City Council meeting. All of these items will be placed at the beginning of the agenda. The Mayor will open them at the same time.

If you agree to these conditions, please sign this form and fax it to 385-7268. If there is no one present at the City Council meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any City Council member or member of the public wants to discuss the item. If you have any questions, please contact (702) 229-6301.

Please sign and date that you have read and agree to the conditions.

Signature

12-22-08
Date

WINSTON FISHER
Please print name

FISHER BROTHERS Las Vegas LLC
Company Name

Sincerely,

Debbie Sullivan
Current Planning Division

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE

$ 00.39⁴

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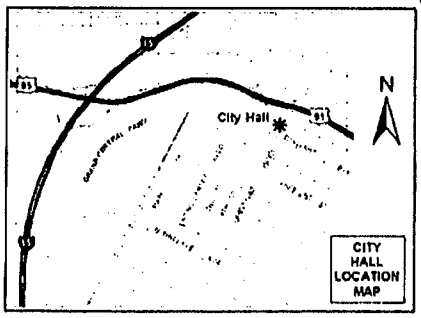

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30584

Planning Commission Meeting of 12/4/2008

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DEC 02 2008

Case: RQR-30584
16208703001
MARTIN ROBERT E & KAYE
7045 LAREDO ST
LAS VEGAS NV 89117-3021

Submitted after final agenda
Date P Item 18

Submitted after final agenda
Date 12/2/08 Item 18

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE

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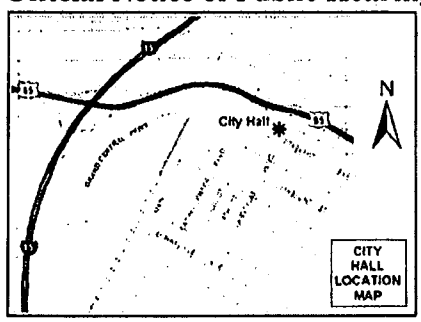

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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RQR-30584
Planning Commission Meeting of 12/4/2008

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Case: RQR-30584
16208303008
MARTIN ROBERT E & KAYE B
7045 LAREDO
LAS VEGAS NV 89117-3021

Submitted after final agenda
Date 12/4 Item 18

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE PITNEY BOWES $ 00.39⁴ MAILED FROM ZIPCODE 89101

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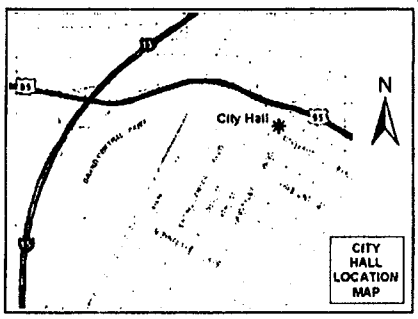

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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RQR-30584
Planning Commission Meeting of 12/4/2008

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Case: RQR-30584
16208301017
MARTIN ROBERT E & KAYE
7045 LAREDO
LAS VEGAS NV 89117-3021

Submitted after final agenda
Date P Item 18

Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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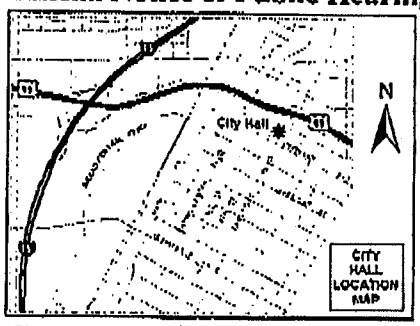

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DEC 01 2008

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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30584

Planning Commission Meeting of 12/4/2008

Case: RQR-30584

16208610060
SOUTHERN NV RENTAL HOLDINGS
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

Submitted after final agenda
Date A Item 18

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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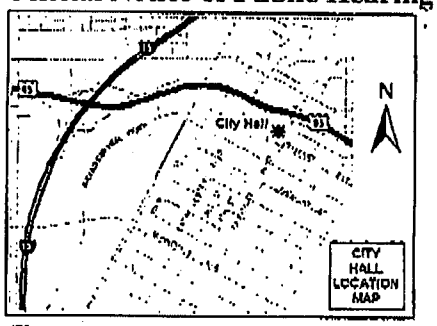

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[X] I SUPPORT this Request [ ] I OPPOSE this Request

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RQR-30584

Planning Commission Meeting of 12/4/2008

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Case: RQR-30584
16208610061
SOUTHERN NV RENTAL HOLDINGS LLC
299 PARK AVE 42ND FLOOR
NEW YORK NY 10171-4299

Submitted after final agenda
Date A Item 18

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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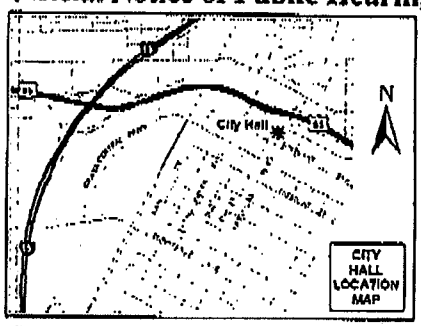
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30584

Planning Commission Meeting of 12/4/2008

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Case: RQR-30584

16208610050
SOUTHERN NV RENTAL HOLDINGS
299 PARK AVE
42ND FLR
NEW YORK NY 10171-0002

Submitted after final agenda
Date A Item 18

Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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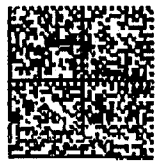

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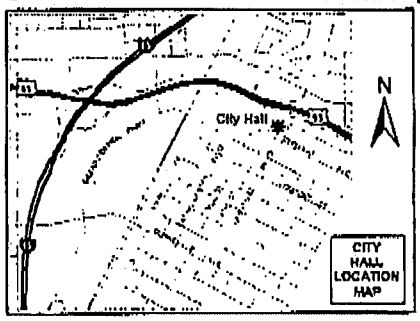
Official Notice of Public Hearing



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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30584 --

Planning Commission Meeting of 12/4/2008

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DEC 01 2008

Case: RQR-30584
16208610068
SOUTHERN NV RENTAL HOLDINGS LLC
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

Submitted after final agenda
Date A Item 18

Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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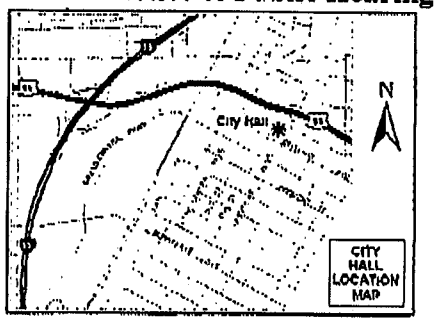

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Case: RQR-3

16208701005
EDEN LAS VEGAS L L C
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30584

Planning Commission Meeting of 12/4/2008

Submitted after final agenda
Date A Item 18

Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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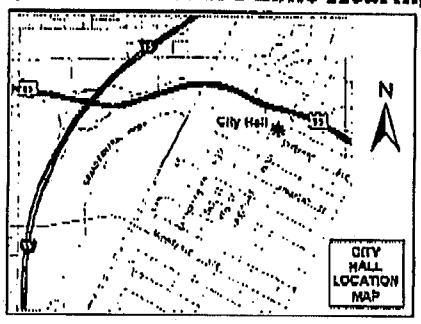
Official Notice of Public Hearing



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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30584

Planning Commission Meeting of 12/4/2008

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DEC 01 2008

Case: RQR-30

16208610074
L V RESIDENTIAL HOLDINGS L L C
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

Submitted after final agenda
Date A Item 18

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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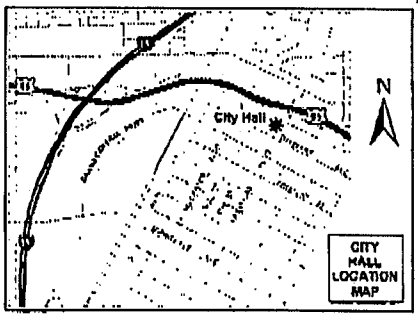

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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30584

Planning Commission Meeting of 12/4/2008

Case: RQR-305

16208603003
PARADISE LAS VEGAS L L C
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

Submitted after final agenda
Date A Item 18

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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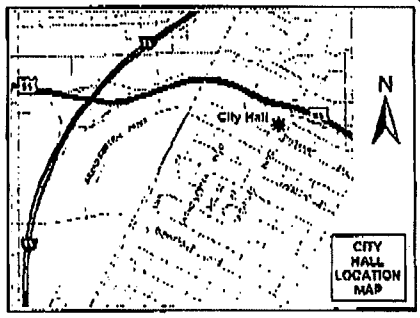
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30584

Planning Commission Meeting of 12/4/2008

Case: RQR-30584
16208418002
INTEGRAL PTNRS PARK PL L V LLC
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

Submitted after final agenda
Date A Item 18

Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

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0004229954 NOV 21 2008
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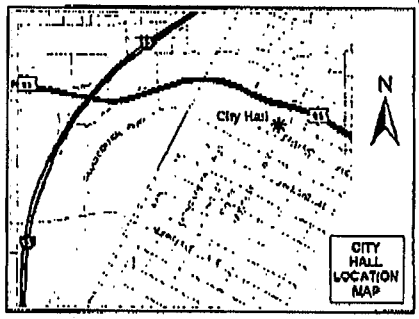

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Case: RQR-30584
16208610104
WYANDOTTE HOLDINGS L L C
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

[X] I SUPPORT this Request [ ] I OPPOSE this Request

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RQR-30584

Planning Commission Meeting of 12/4/2008

Submitted after final agenda
Date A Item 18

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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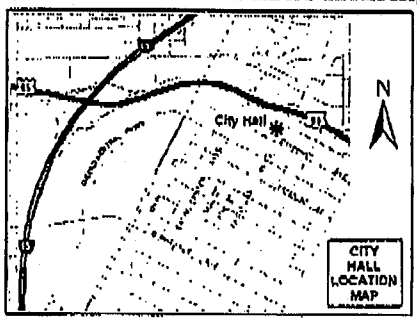

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RQR-30584

Planning Commission Meeting of 12/4/2008

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DEC 01 2008

Case: RQR-30584

16208701008
TAOS LAND COMPANY LLC
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

Submitted after final agenda
Date A Item 18

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

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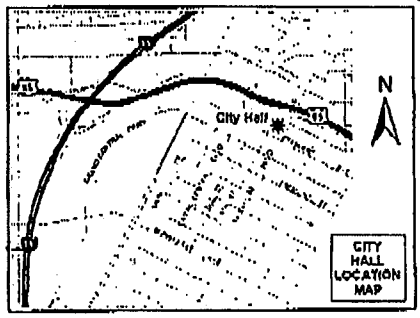
MAILED FROM ZIPCODE 89101

Return Service Requested

Official Notice of Public Hearing



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RQR-30584

Planning Commission Meeting of 12/4/2008

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DEC 01 2008

Case: RQR-30584

16208303016
FISHER BROTHERS LAS VEGAS L L C
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

Submitted after final agenda
Date A Item 18

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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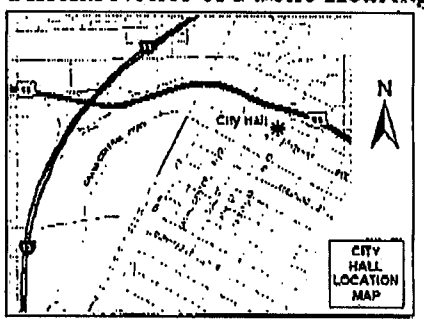

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RQR-30584

Planning Commission Meeting of 12/4/2008

Case: RQR-30

16208610075
L V ASSET HOLDINGS L L C
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

Submitted after final agenda
Date A Item 18

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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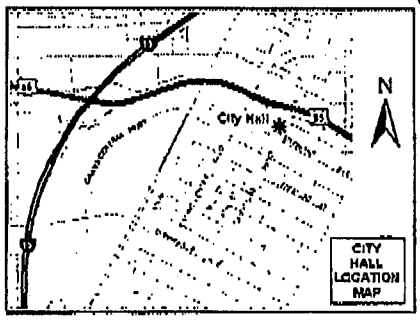

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Case: RQR-30584

16208610058
SOUTHERN NV RENTAL HOLDINGS LLC
%FISHER BROTHERS
299 PARK AVE 42ND FL
NEW YORK NY 10171-4299

[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30584

Planning Commission Meeting of 12/4/2008

Submitted after final agenda
Date A Item 18

Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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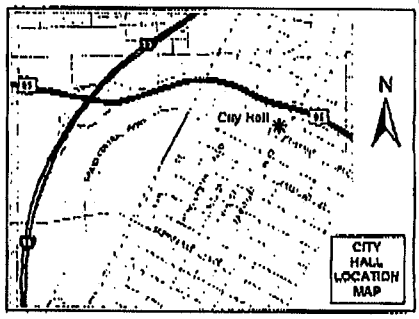
Return Service Requested
Official Notice of Public Hearing



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Case: RQR-30584

16208610051
SOUTHERN NV RENTAL HOLDINGS LLC
299 PARK AVE 42ND FLR
NEW YORK NY 10171-4299

[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30584

Planning Commission Meeting of 12/4/2008

Submitted after final agenda
Date A Item 18

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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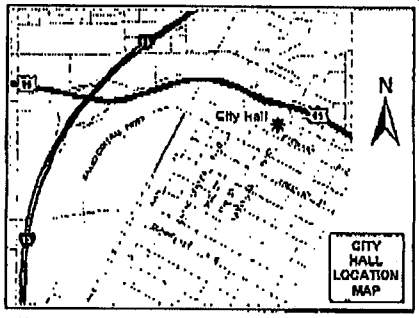

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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RQR-30584

Planning Commission Meeting of 12/4/2008

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DEC 01 2008

Case: RQR-30584
16208418003
PARADISE LAS VEGAS L L C
299 PARK AVE
NEW YORK NY 10171-0002

Submitted after final agenda
Date A Item 18

City of Las Vegas Agenda Item No.: **85.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

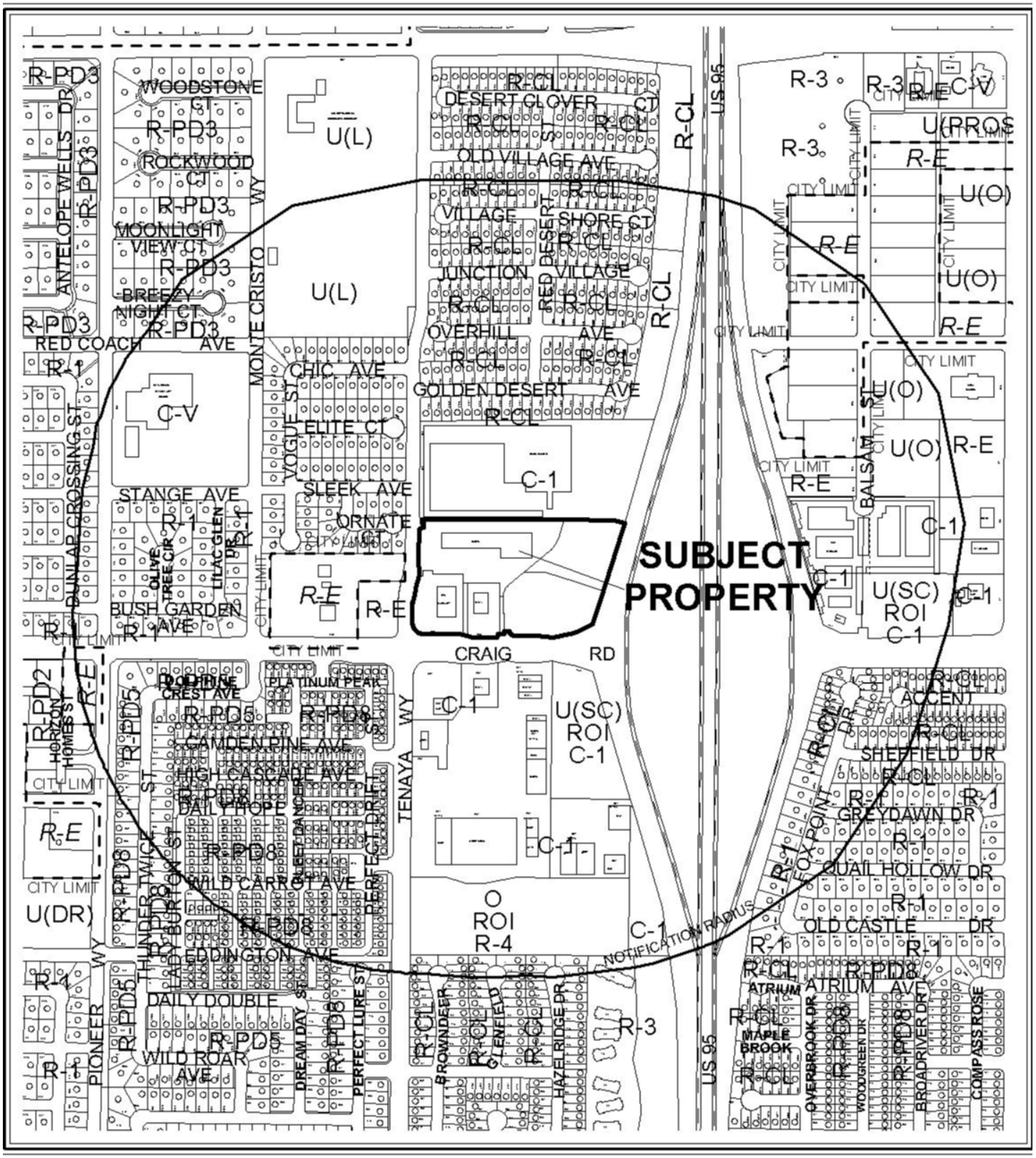
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-29017 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: SHREE GANESHA, INC. - Request for a Special Use Permit FOR A PROPOSED 3,312 SQUARE-FOOT SUPPER CLUB at 4450 North Tenaya Way (APN 138-03-611-011), C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**3**	**Planning Commission Mtg.**	**1**
City Council Meeting	**2**	**City Council Meeting**	**2**

RECOMMENDATION:
The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

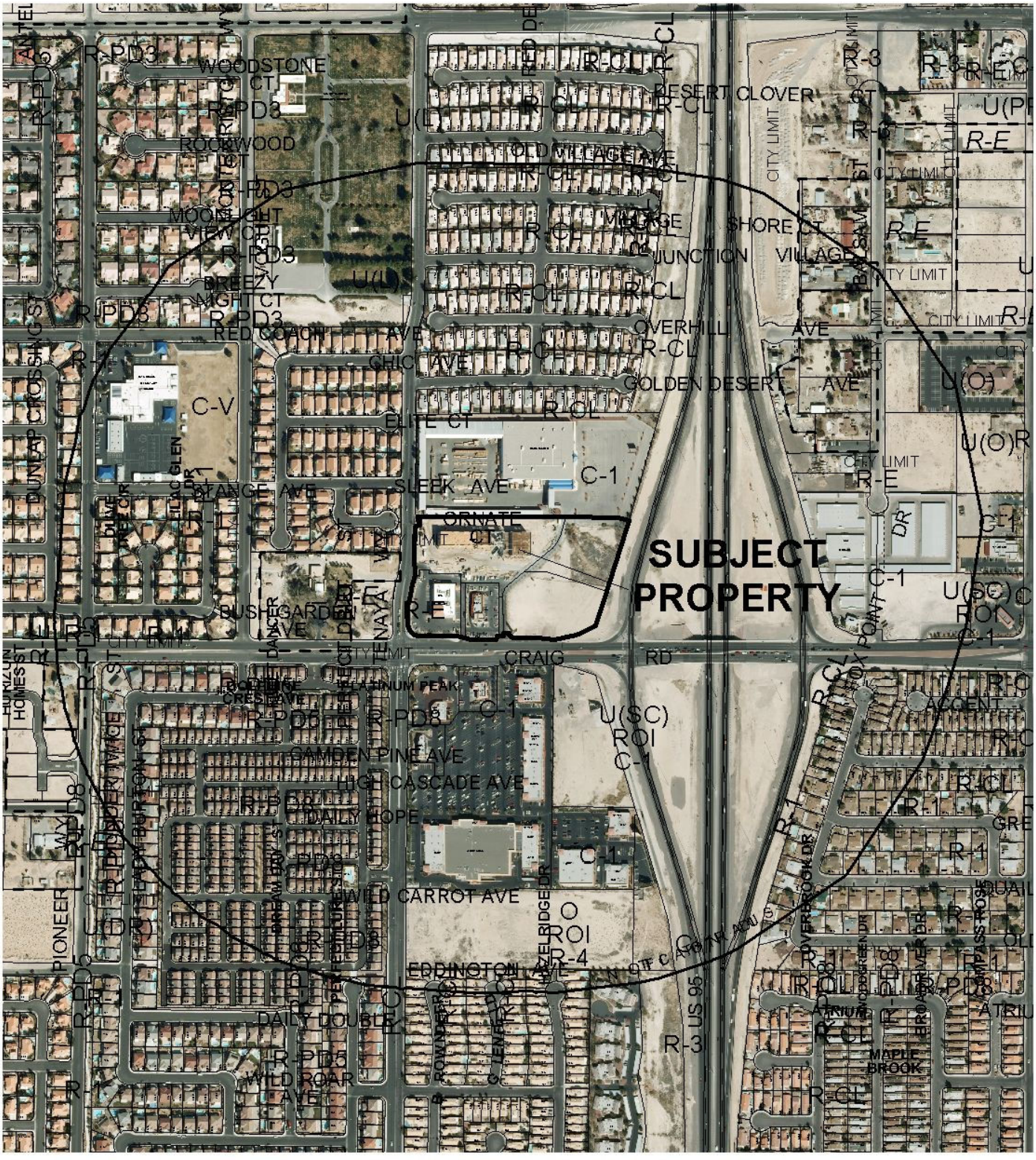
BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 19



CASE: **SUP-29017**

RADIUS: 1500 FT

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

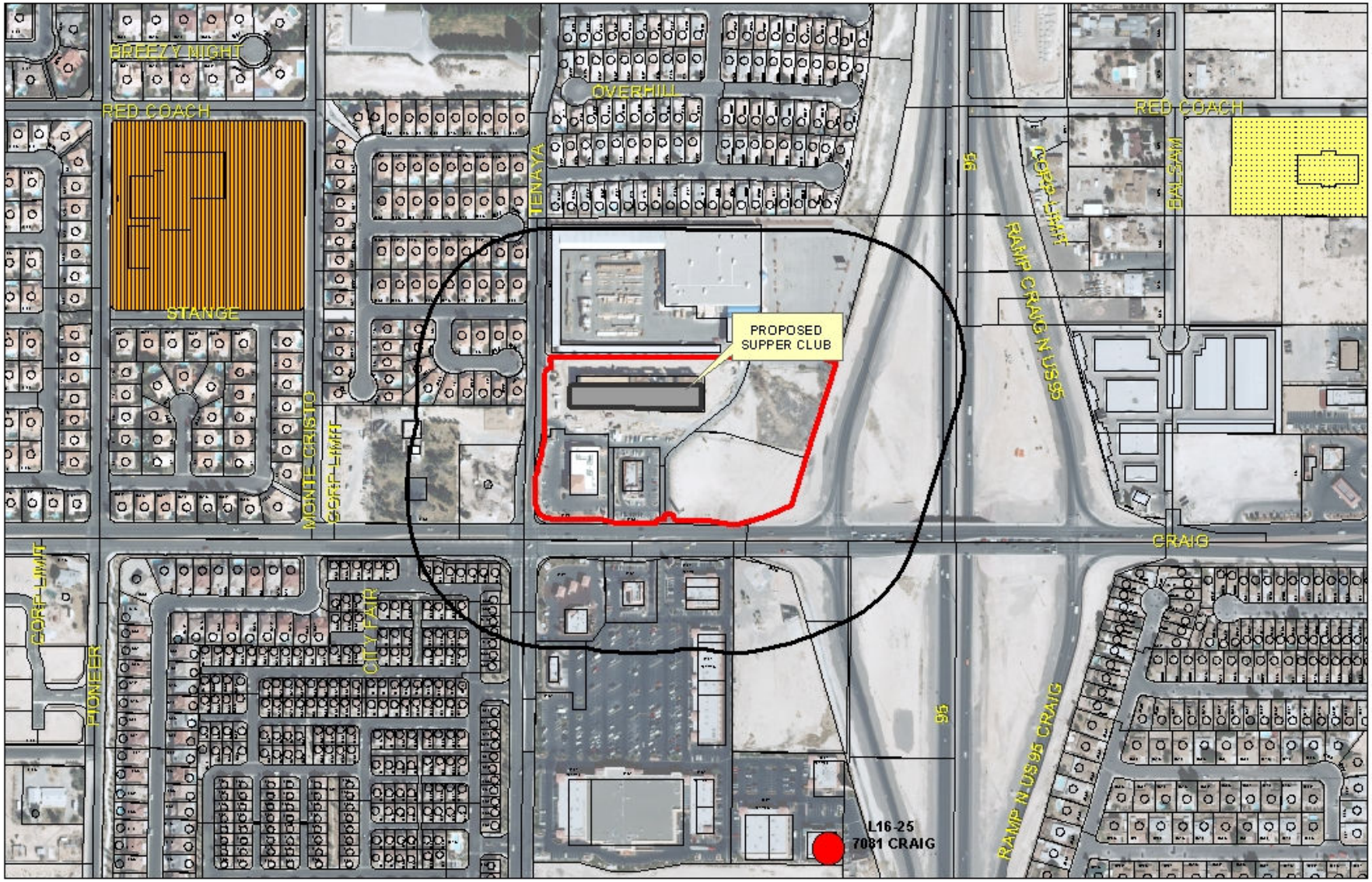


CASE: **SUP-29017**

RADIUS: 1500 FT

0 500 Feet

C-1 (LIMITED COMMERCI



SUP-29017

Business Licenses

- Tavern
- Supper Club/ Restaurant Service Bar
- Child Care/ Children Facility

- RELIGIOUS
- CITY PARKS
- SCHOOLS

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-29017 - APPLICANT/OWNER: SHREE GANESHA, INC.

** CONDITIONS **

The Planning Commission (6-0-1/rt vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for Supper Club use, including parking requirements.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Approval of this Special Use Permit does not constitute approval of a liquor license.

4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

5. Prior to obtaining a Certificate of Occupancy, a barrier sufficient to prevent access to the bar area by minors shall be constructed between the bar area and the restaurant.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow for a 3,312 square-foot Supper Club at 4450 North Tenaya Way within the Patel Office Building. The subject site has an office and retail/commercial building capable of accommodating a variety of uses including: retail sales, medical and professional offices, personal services, and restaurants. The addition of a Supper Club within this office/commercial building is compatible with the existing and future land uses. Therefore, staff recommends approval.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/15/93	The City Council approved a request for a Zoning Reclassification (Z-0105-93) of property (22 acres) generally located at the northwest corner of Craig Road and Tenaya Way from N-U (Non-Urban) to C-2 (General Commercial) zone for a proposed retail shopping center. [Application was amended to C-1 (Limited Commercial) by condition]. The Planning Commission recommended approval.
07/14/94	The Planning Commission approved (final action) a request for a Plot Plan and Building Elevation Review [Z-0105-93(1)] for a proposed 146,600 square-foot retail shopping center on the northeast corner of Craig Road and Tenaya Way.
10/02/96	The City Council approved a request for a Reinstatement and Extension of Time [Z-0105-93(2)] on property located on the northeast corner of Craig Road and Tenaya Way for an approved 146,600 square-foot commercial center. The Planning Commission recommended approval.
05/11/98	The City Council approved a request for a Special Use Permit (U-0136-97) for a car wash and the off-premise sale of alcohol in conjunction with a proposed convenience store and a request for a Site Development Plan Review [Z-0105-93(3)] for a proposed 84,279 square-foot commercial shopping center on the northeast corner of Craig Road and Tenaya Way. The Planning Commission recommended approval.
10/08/98	The Planning Commission approved (final action) a request for a Site Development Plan Review [Z-0105-93(4)] for a proposed 2,862 square-foot restaurant on the northeast corner of Tenaya Way and Craig Road.
05/24/99	The City Council approved a request for a Required One-Year Review [Z-0105-93(5)] for a Site Development Plan Review for a proposed 84,279 square-foot commercial shopping center on the northeast corner of Tenaya Way and Craig Road.

09/09/99	The Planning Commission approved (final action) a request for a Site Development Plan Review [Z-0105-93(6)] for a proposed 26,378 square-foot retail center on the northeast corner of Craig Road and Tenaya Way.
08/16/00	The City Council approved a request for an Extension of Time [U-0136-97(1)] for a Special Use Permit for the off-premise sale of beer and wine in conjunction with a proposed convenience store and a request for a Site Development Plan Review [Z-0105-93(7)] for a proposed 3,200 square-foot convenience store on the northeast corner of Craig Raod and Tenaya Way. The Planning Commission recommended approval.
12/21/00	The Planning Commission approved (final action) a request for a Site Development Plan Review [Z-0105-93(8)] for a proposed 13,903 square-foot drug store on the northeast corner of the intersection of Craig Road and Tenaya Way.
02/15/06	The City Council approved a request for a Site Development Plan Review (SDR-10259) for a 53,531 square-foot commercial development and a Waiver of the parking lot landscape requirements on 3.67 acres adjacent to the northwest corner of Craig Road and Interstate 95. The Planning Commission recommended approval.
Related Building Permits/Business Licenses	
10/01/07	A building permit (#07002797) was issued for onsite improvements/hardscape at 4450 North Tenaya Way. The permit expired on 03/29/08.
10/01/07	A building permit (#07002796) was issued for an office/retail shell building #1 at 4450 North Tenaya Way. The building is currently under construction.
10/01/07	A building permit (#07002795) was issued for an office/retail shell building #2 at 4450 North Tenaya Way. The building is currently under construction.
10/01/07	A building permit (#07002798) was issued for two (2) trash enclosures at 4450 North Tenaya Way. The permit was completed on 10/23/08.
01/22/08	A building permit (#106359) was issued for a masonry wall – rear only at 4450 North Tenaya Way. The permit was completed on 08/13/08.
Pre-Application Meeting	
06/27/08	A pre-application meeting was held where the submittal requirements for a Special Use Permit were discussed.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
10/29/08	A routine field check performed by staff revealed an office/retail complex currently under construction. No concerns were noted by staff.

Details of Application Request	
Site Area	
Net Acres	3.42

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	Lumber Yard	SC (Service Commercial)	C-1 (Limited Commercial)
South	Drug Store & Pharmacy / Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
East	Vacant Lot	SC (Service Commercial)	C-1 (Limited Commercial)
West	Vacant Lot / Pet Cemetery	L (Low Density Residential) & DR [(Desert Rural) Clark County]	R-E (Residence Estates) & R-E [(Rural Estates) Clark County]

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan	X		Y
Centennial Hills Sector Plan	X		Y
Northwest Open Space Plan	X		Y
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District – 175 Feet	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		N/A

A-O Airport Overlay District – 175 feet

No structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations defined by the McCarran Airport Overlay Map and the North Las Vegas Airport Overlay Map. The subject site is within the 175-foot contour limitations and does not violate the height limitations set forth by the Airport Overlay District as the subject building does not exceed the height limitation of 175 feet, and the proposed Special Use Permit does not alter the building height in any way.

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	49,647 sq. ft.	1:250	193	6	553	12	Y*
SubTotal			193	6	553	12	
TOTAL			199		565		
Loading Spaces	49,647 sq. ft.	3			4		Y

**The proposed Supper Club will be located within the Patel Office Building which is part of a commercial subdivision that has a shared parking agreement.*

ANALYSIS

This request is for a Special Use Permit for a proposed Supper Club at 4450 North Tenaya Way. The proposed Supper Club is comprised of 3,312 square-feet, with seating for 155. The proposed floor plan includes a lounge and bar area with five gaming machines, multiple dining areas with a centrally located kitchen, and a customer waiting area with hostess counter within each proposed dining area. The two dining areas, the Thai Lotus and the Jaipur each have their own entrance, as well as the lounge and bar area, the Bombay Club.

- **Zoning**

  The subject site is currently designated SC (Service Commercial), which is within the northwest Sector of the Las Vegas Master Plan 2020. The site's C-1 (Limited Commercial) zoning district is in conformance with the Las Vegas Master Plan 2020, and the Supper Club use is permitted in that district with the approval of a Special Use Permit.

  The C-1 (Limited Commercial) district is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This proposed site is located on the northeast corner of Craig Road (a 100-foot Primary Arterial) and Tenaya Way (a 60-foot Collector Street) and is part of a commercial subdivision.

- **Use**

A Supper Club is defined by Title 19 as a restaurant and bar operation with alcoholic beverage sales in which:

1. The bar area is separated from the restaurant area by a barrier sufficient to prevent access to the bar by minors;
2. The actual seating available at all times within the restaurant area will accommodate at least one hundred twenty-five persons;
3. Alcoholic beverages are served in the restaurant area only in conjunction with the service of food;
4. Full-course meals are available during all hours the bar area is open to the public;
5. A cook and food server, other than a bartender, are available at all times the bar area is open to the public; and
6. The restaurant operation is the principal portion of the business.

The bar and lounge area is separated from both restaurant areas by a wall with access doorways from both the Thai Lotus Room and the Jaipur Room, preventing access to the bar area by minors. The actual seating available within the restaurant is 136. The remaining 19 seats account for 9 seats at the bar and 10 seats within the lounge area. The proposed Supper Club complies with conditions one and two. The City of Las Vegas Business Services - Licensing will do annual inspections to ensure compliance with the remaining conditions, three through six.

- **Minimum Special Use Requirements**

Title 19.04.010 lists the following Minimum Special Use Requirements for the Supper Club use:

1. No supper club use shall be located within 400-feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City Park.
2. Except as otherwise provided in Requirement 3 below, the minimum distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed Supper Club which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed Supper Club. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term “property line” refers to property lines of fee interest parcels and does not include the property line of:
   a. Any leasehold parcel; or

b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

3. In the case of a Supper Club proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:
   a. From the nearest property line of the existing use to the nearest portion of the structure in which the Supper Club will be located, without regard to intervening obstacles, or nearest property line of a leasehold or occupancy parcel in which the Supper Club will be located, without regard to intervening obstacles.
   b. In the case of a proposed Supper Club which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the Supper Club will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for a Supper Club which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

*5. In the O District, a Supper Club is permitted only as an accessory use.

*6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

*Any condition with an asterisk cannot be waived.

The proposed use meets the minimum requirements of a Supper Club use, and staff finds that public health, safety, and welfare will not be compromised.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Supper Club is located within an office and retail/commercial building that can accommodate a variety of uses including retail sales, medical and professional offices, personal services, and restaurants. The addition of a Supper Club within this commercial subdivision is compatible with the existing and future land uses as specified by the SC (Service Commercial) General Plan designation.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The proposed site is within an office and retail/commercial building that was designed to accommodate a variety of uses, including a Supper Club use, and conforms to both the General Plan and Title 19 land use designations of the site with the approval of a Special Use Permit.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

   The proposed Supper Club is located within the Patel Office Building that is adequately served by Craig Road, a 100-foot Primary Arterial, and Tenaya Way, a 60-foot Collector Street, as defined by the Master Plan Streets and Highways.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   The proposed site is located within the Centennial Hills Sector of the Las Vegas 2020 Master Plan and is designated SC (Service Commercial). The site is in the C-1 (Limited Commercial) zoning district and is in conformance with the SC (Service Commercial) General Plan designation. The Supper Club use is permitted in that district with the approval of a Special Use Permit and will not compromise the public health, safety, and welfare or overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed Supper Club use meets all of the applicable conditions per Title 19.04.

PLANNING COMMISSION ACTION

The applicant agreed to all conditions imposed at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 9

ASSEMBLY DISTRICT 37

SENATE DISTRICT 6

NOTICES MAILED 780 by City Clerk

APPROVALS 1

PROTESTS 3

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-29017** APN: 138-03-611-011

Name of Property Owner: SHREE Ganesha, Inc.

Name of Applicant: Rajesh Patel

Name of Representative: _____

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 _____X_____ 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: Rajesh Patel

Print Name: Rajesh Patel

Subscribed and sworn before me

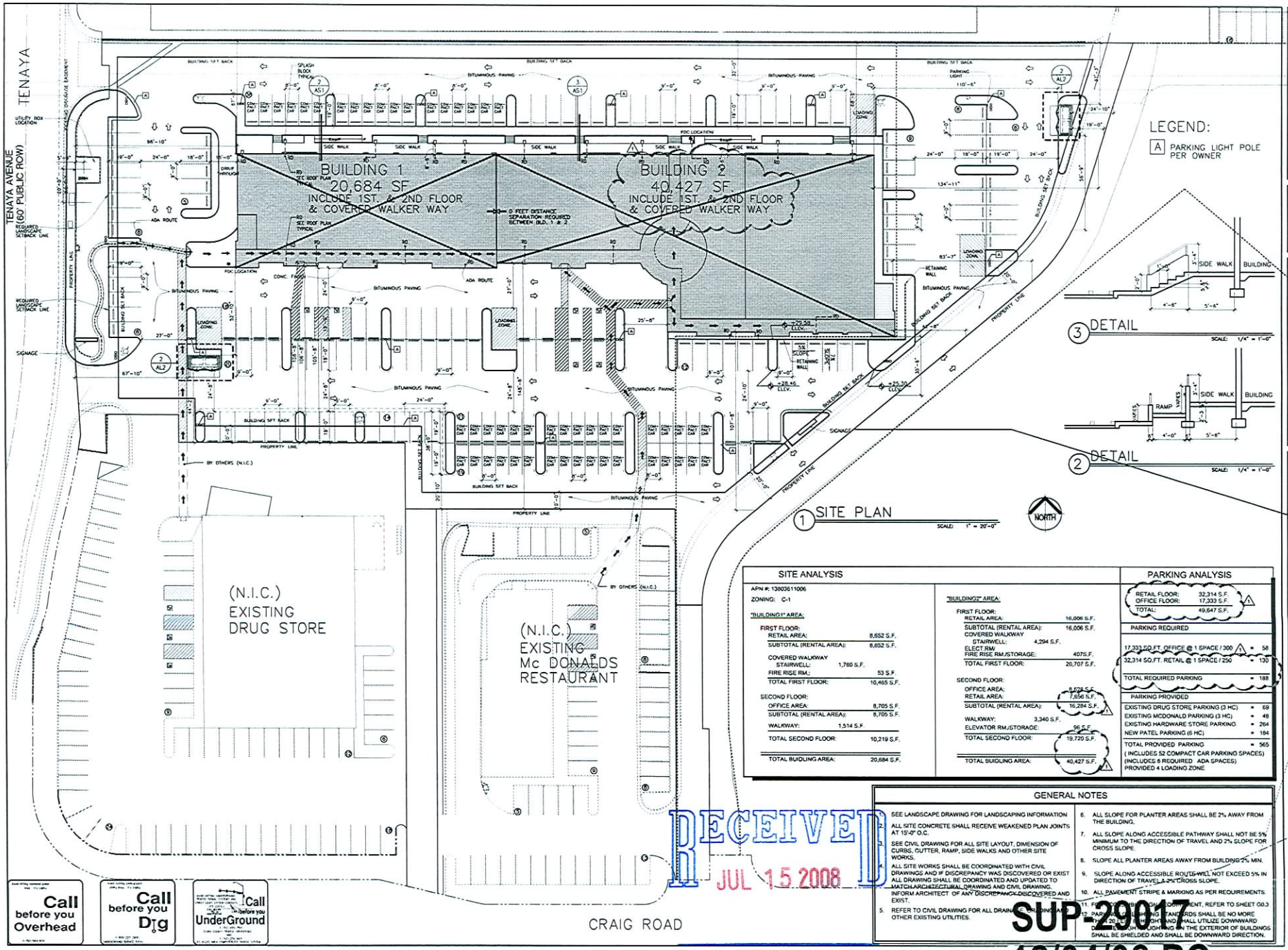
This 15th day of July, 2008

Lisa Gardner

Notary Public in and for said County and State

County-Clark
State-Nevada

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
LISA GARDNER
Appt. No. 05-99222-1
My Appl. Expires Aug. 5, 2009



SITE ANALYSIS

APN #: 13803611006

ZONING: C-1

"BUILDING1" AREA:

FIRST FLOOR:		
RETAIL AREA:		8,652 S.F.
SUBTOTAL (RENTAL AREA):		8,652 S.F.
COVERED WALKWAY		
STAIRWELL:	1,760 S.F.	
FIRE RISE RM.:	53 S.F.	
TOTAL FIRST FLOOR:		10,465 S.F.
SECOND FLOOR:		
OFFICE AREA:		8,705 S.F.
SUBTOTAL (RENTAL AREA):		8,705 S.F.
WALKWAY:	1,514 S.F.	
TOTAL SECOND FLOOR:		10,219 S.F.
TOTAL BUILDING AREA:		20,684 S.F.

"BUILDING2" AREA:

FIRST FLOOR:		
RETAIL AREA:		16,006 S.F.
SUBTOTAL (RENTAL AREA):		16,006 S.F.
COVERED WALKWAY		
STAIRWELL:	4,294 S.F.	
ELECT RM/		
FIRE RISE RM./STORAGE:	407S.F.	
TOTAL FIRST FLOOR:		20,707 S.F.
SECOND FLOOR:		
OFFICE AREA:		8,628 S.F.
RETAIL AREA:		7,656 S.F.
SUBTOTAL (RENTAL AREA):		16,284 S.F.
WALKWAY:	3,340 S.F.	
ELEVATOR RM./STORAGE:	96 S.F.	
TOTAL SECOND FLOOR:		19,720 S.F.
TOTAL BUILDING AREA:		40,427 S.F.

PARKING ANALYSIS

RETAIL FLOOR:	32,314 S.F.
OFFICE FLOOR:	17,333 S.F.
TOTAL:	49,647 S.F.

PARKING REQUIRED

17,333 SQ.FT. OFFICE @ 1 SPACE / 300	= 58
32,314 SQ.FT. RETAIL @ 1 SPACE / 250	= 130
TOTAL REQUIRED PARKING	= 188

PARKING PROVIDED

EXISTING DRUG STORE PARKING (3 HC)	= 69
EXISTING MCDONALD PARKING (3 HC)	= 48
EXISTING HARDWARE STORE PARKING	= 264
NEW PATEL PARKING (6 HC)	= 184
TOTAL PROVIDED PARKING	= 565

(INCLUDES 52 COMPACT CAR PARKING SPACES)
(INCLUDES 6 REQUIRED ADA SPACES)
PROVIDED 4 LOADING ZONE.

GENERAL NOTES

1. SEE LANDSCAPE DRAWING FOR LANDSCAPING INFORMATION
2. ALL SITE CONCRETE SHALL RECEIVE WEAKENED PLAN JOINTS AT 15'-0" O.C.
3. SEE CIVIL DRAWING FOR ALL SITE LAYOUT, DIMENSION OF CURBS, GUTTER, RAMP, SIDE WALKS AND OTHER SITE WORKS.
4. ALL SITE WORKS SHALL BE COORDINATED WITH CIVIL DRAWINGS AND IF DISCREPANCY WAS DISCOVERED OR EXIST ALL DRAWING SHALL BE COORDINATED AND UPDATED TO MATCH ARCHITECTURAL DRAWING AND CIVIL DRAWING. INFORM ARCHITECT OF ANY DISCREPANCY DISCOVERED AND EXIST.
5. REFER TO CIVIL DRAWING FOR ALL DRAINAGE AND GRADING AND OTHER EXISTING UTILITIES.
6. ALL SLOPE FOR PLANTER AREAS SHALL BE 2% AWAY FROM THE BUILDING.
7. ALL SLOPE ALONG ACCESSIBLE PATHWAY SHALL NOT BE 5% MINIMUM TO THE DIRECTION OF TRAVEL AND 2% SLOPE FOR CROSS SLOPE.
8. SLOPE ALL PLANTER AREAS AWAY FROM BUILDING 2% MIN.
9. SLOPE ALONG ACCESSIBLE ROUTES WILL NOT EXCEED 5% IN DIRECTION OF TRAVEL & 2% CROSS SLOPE.
10. ALL PAVEMENT STRIPE & MARKING AS PER REQUIREMENTS.
11. FOR [illegible] EQUIPMENT, REFER TO SHEET G0.3
12. PARKING LOT LIGHTING STANDARDS SHALL BE NO MORE THAN 20 FEET IN HEIGHT AND SHALL UTILIZE DOWNWARD DIRECTIONAL LIGHTING. LIGHTING ON THE EXTERIOR OF BUILDINGS SHALL BE SHIELDED AND SHALL BE DOWNWARD DIRECTION.

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12/04/08 PC

Call before you Overhead
Call before you Dig
Call before you UnderGround

Rev	Date	Remarks
1	07/09/08	ARCHITECTURAL UPDATE

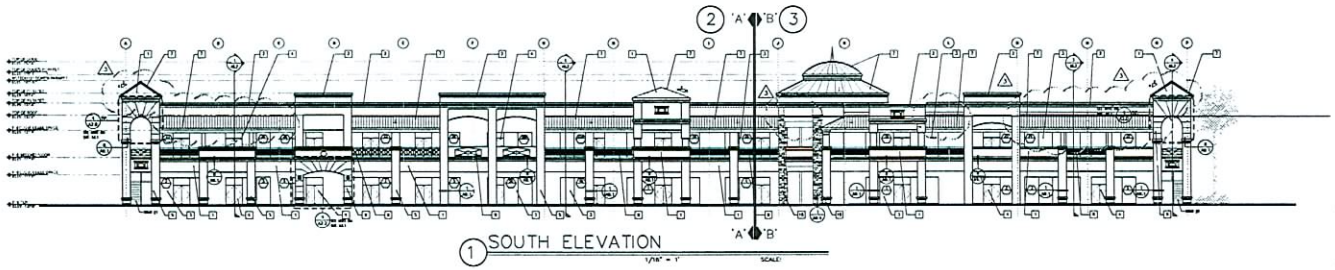
WINSTON H. HENDERSON ARCHITECTS
1555 EAST FLAMINGO ROAD STE. #350 LAS VEGAS, NV 89119
OFFICE (702) 893-9700 FAX (702) 893-9797

PATEL OFFICE BUILDING
CRAIG ROAD & TENAYA WAY
LAS VEGAS, NEVADA

ARCHITECTURAL SITE PLAN

Date: 06-27-08
Job No.: 06-26
Designed: W.M/H.
Drawn: R.R.
Update: 07-01-08
Checked: W.M/H.

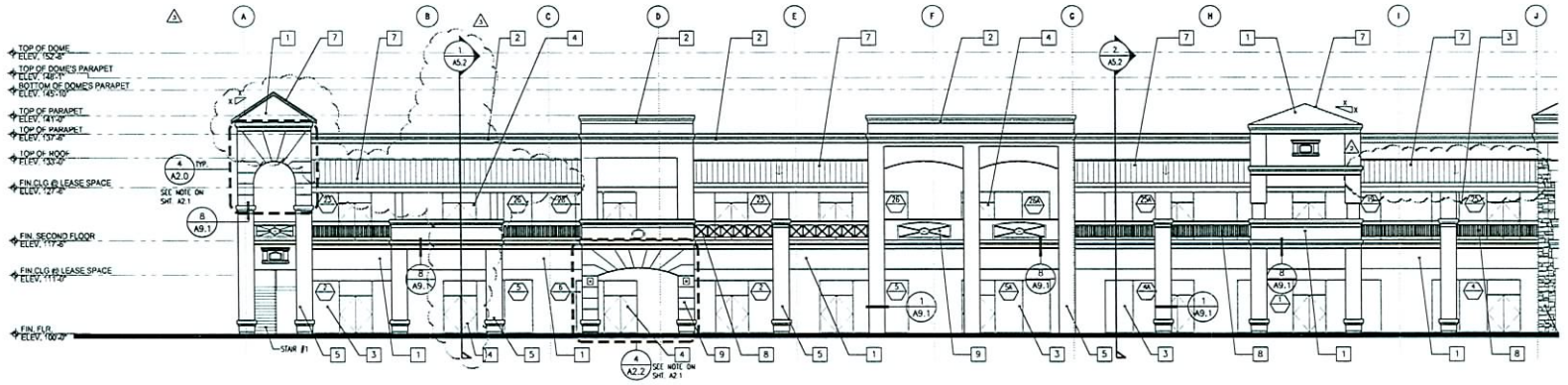
Sheet
AS1



1 SOUTH ELEVATION

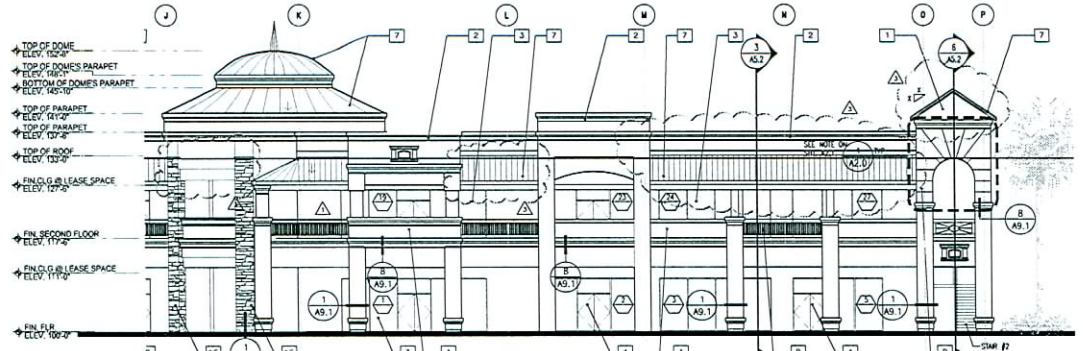
SCALE: 1/16" = 1'

ELEVATION KEYNOTES	
#	DESCRIPTION
1	3 COAT STUCCO
2	POPOUT STUCCO FINISH
3	STOREFRONT ALUMINUM FRAME WINDOWS
4	ALUMINUM STOREFRONT DOORS
5	3 COAT STUCCO OVER FRAMED BOX COLUMN
6	SHADING CANOPY - LIGHT GAUGE TUBE STEEL FRAMED AROUND EXPANDED METAL MESH (TYP. FOR ALL)
7	STANDING SEAM METAL ROOFING
8	42" HIGH WROUGHT IRON RAILING
9	2" WIDE STUCCO ACCENT JOINTS
10	PAINTED CORRUGATED METAL SIDING
11	EXTERIOR LIGHTING FIXTURE MOUNTED 19' A.F.F.
12	ENTRY SHADE STRUCTURE (PHOTO SIMULATION)
13	STORE FRONT SYSTEM (PART OF STOREFRONT GLAZING SYSTEM)
14	METAL TIE ROD TO SUPPORT CANOPY
15	EXTERIOR LIGHT FIXTURE (SEE ELECTRICAL)
16	STONE VENEER (SEE DETAIL 1/A6.5)
17	4" STONE CAP ABOVE VENEER



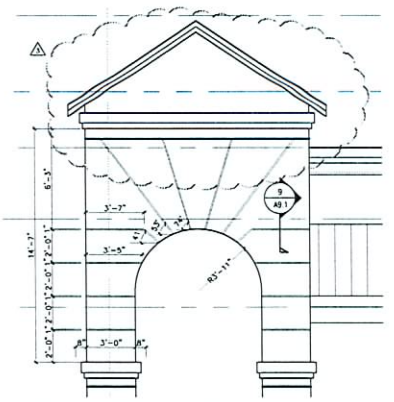
2 ENLARGED SOUTH ELEVATION 'A'

SCALE: 1/8" = 1'



3 ENLARGED SOUTH ELEVATION 'B'

SCALE: 1/8" = 1'



4 DETAIL ELEVATION

SCALE: 3/8" = 1'-0"

WINSTON H. HENDERSON ARCHITECTS
1555 EAST FLAMINGO ROAD STE #300 LAS VEGAS, NV 89119
OFFICE (702) 893-9700 FAX (702) 893-9797

PATEL OFFICE BUILDING
CRAIG ROAD & TENAYA WAY
LAS VEGAS, NEVADA

EXTERIOR ELEVATIONS

Sheet
A2.0

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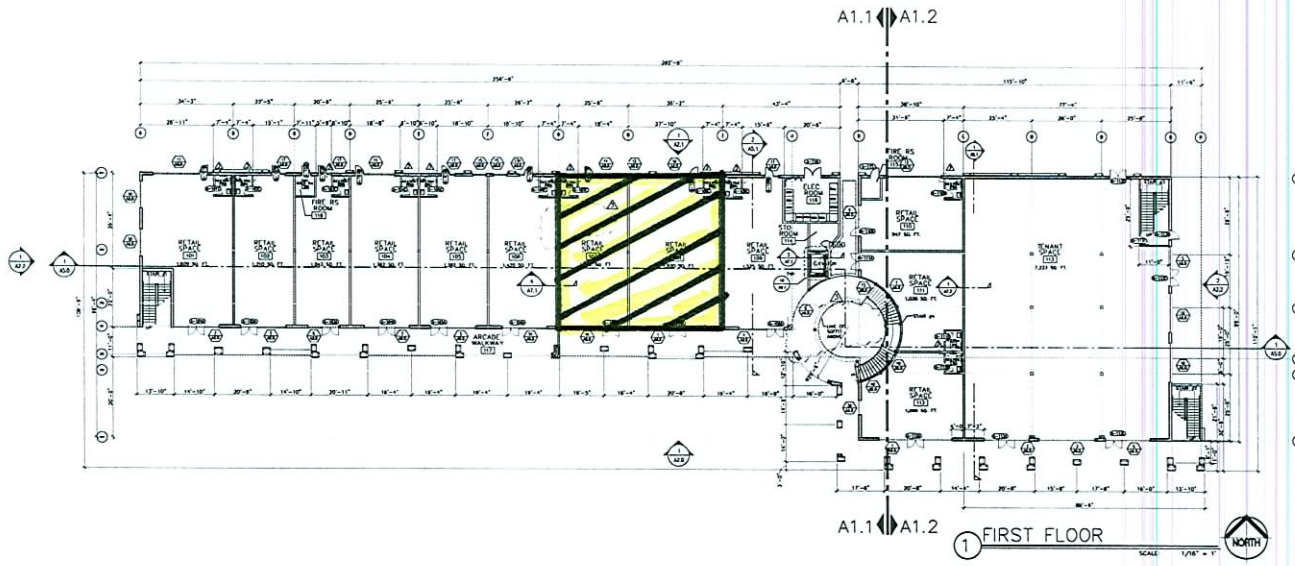

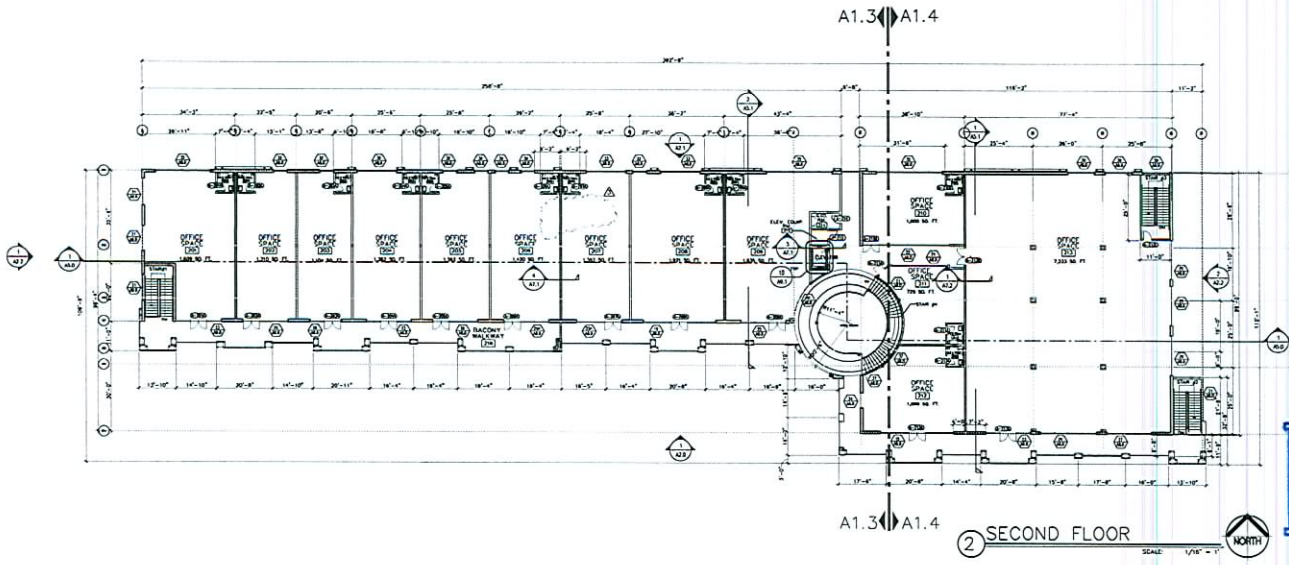

GENERAL NOTES:

1. REFER TO STRUCTURAL DRAWINGS FOR ADDITIONAL INFORMATION ON FLOOR SLAB, TILT-UP PANELS, COLUMNS, & OTHER RELATED INFORMATION.
2. SEE THE ELECTRICAL PLANS (BY OTHERS) FOR ALL FIXTURES, WIRING, AND OTHER RELATED EQUIPMENTS AND INFORMATION.
3. PROVIDE A LEVEL LANDING AT ALL EXTERIOR DOORS.
4. FIRE SPRINKLER DRAWINGS SHALL BE PREPARED AND SUBMITTED BY OTHERS FOR REVIEW AND APPROVAL BY THE CCFD.
5. FOR DOOR TYPES AND SCHEDULE, REFER TO SHEET A8.0.
6. ALL DIMENSIONS ARE FACE TO FACE OF STUD, FACE OF CONCRETE MASONRY UNIT, UNLESS OTHERWISE NOTED.
7. ALL INTERIOR WALL FINISHES @ RESTROOM SHALL BE 5/8" MOISTURE RESISTIVE GYPSUM BOARD, TAPED AND PRIME W/ ORANGE PEEL TEXTURE, REFER TO SHEET A7.0

Rev	Date	Purpose
1	01/08/08	ARCHITECTURAL UPDATE
2	04/15/08	ARCHITECTURAL UPDATE
3	05/09/08	ARCHITECTURAL UPDATE

WINSTON H. HENDERSON
ARCHITECTS
1555 EAST FLAMINGO ROAD STE. #300 LAS VEGAS, NV 89119
OFFICE (702) 853-9100 FAX (702) 853-9707

PATEL OFFICE BUILDING
CRAIG ROAD & TENAYA WAY
LAS VEGAS, NEVADA

OVERALL FLOOR PLAN

Date: 09-27-05
Job No.: 05-764
Designed: W.Wells
Drawn: R.S.
Update: 01-01-08
Checked: W.Wells

Sheet
A1.0

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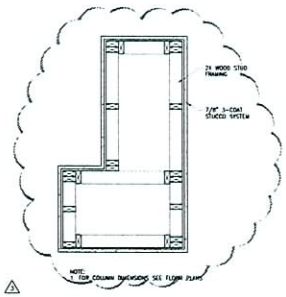
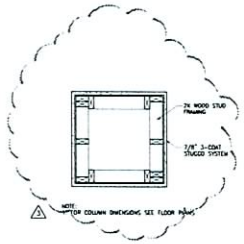
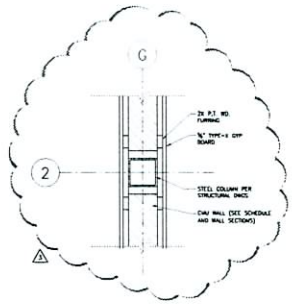
12/04/08 PC



2 COLUMN DETAIL
SCALE: 1" = 1'-0"



3 COLUMN DETAIL
SCALE: 1" = 1'-0"



4 COLUMN DETAIL
SCALE: 1" = 1'-0"

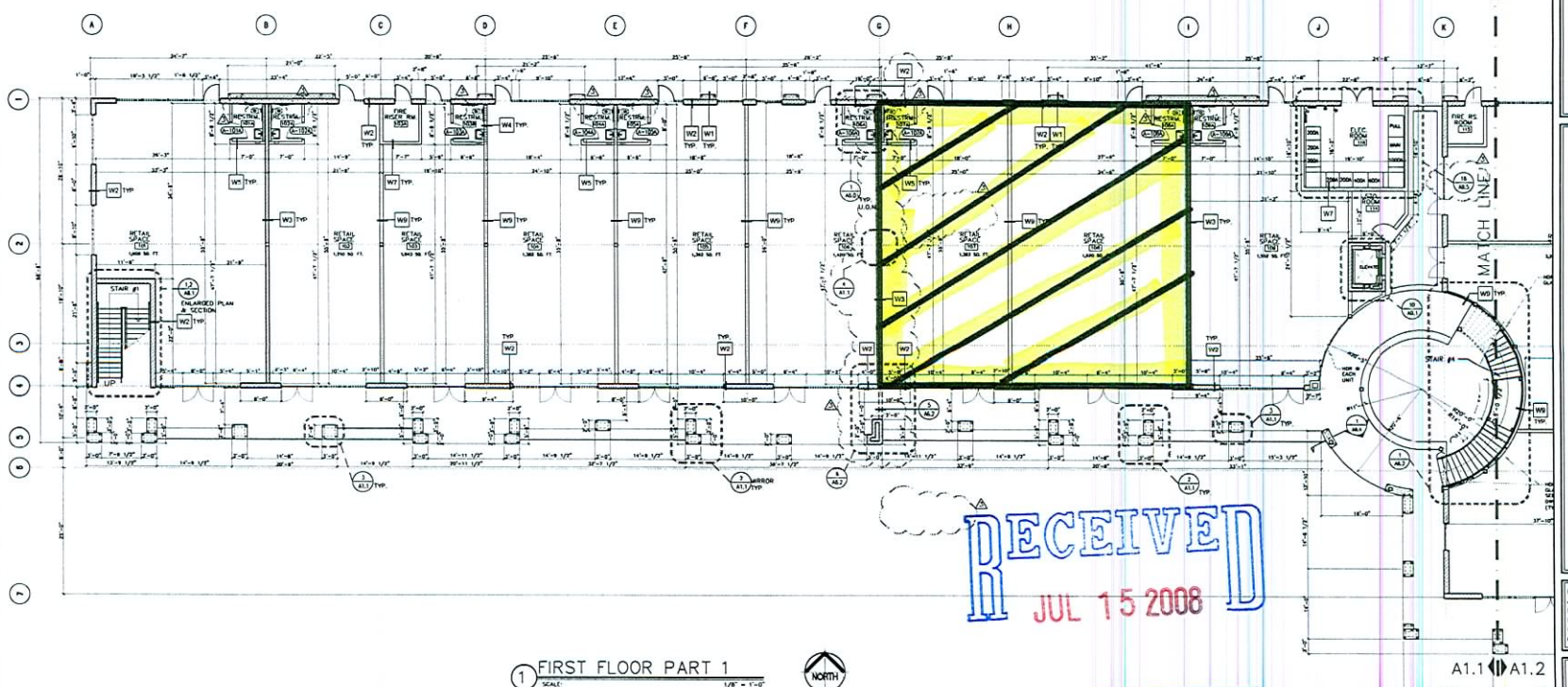
GENERAL NOTES:

1. REFER TO STRUCTURAL DRAWINGS FOR ADDITIONAL INFORMATION ON FLOOR SLAB, TILT-UP PANELS, COLUMNS, & OTHER RELATED INFORMATION.
2. SEE THE ELECTRICAL PLANS (BY OTHERS) FOR ALL FIXTURES, WIRING, AND OTHER RELATED EQUIPMENTS AND INFORMATION.
3. PROVIDE A LEVEL LANDING AT ALL EXTERIOR DOORS.
4. FIRE SPRINKLER DRAWINGS SHALL BE PREPARED AND SUBMITTED BY OTHERS FOR REVIEW AND APPROVAL BY THE CCBD.
5. FOR DOOR TYPES AND SCHEDULE, REFER TO SHEET A6.0.
6. ALL DIMENSIONS ARE FACE TO FACE OF STUD, FACE OF CONCRETE MASONRY UNIT, UNLESS OTHERWISE NOTED.
7. ALL INTERIOR WALL FINISHES IN RESTROOM SHALL BE 5/8" MOISTURE RESISTIVE GYPSUM BOARD, TAPED AND PRIME W/ ORANGE PEEL TEXTURE. REFER TO SHEET A7.0.

WALL LEGEND

W1	EXTERIOR STUD WALLS: 3/8" O.S.B. SHEATHING ON 2x6 WOOD STUDS @16" O.C. W/ 7/8" EXTERIOR CEMENT PLASTER OVER PUNCH-BACKED METAL LATH EXTERIOR SIDE @ 5/8" TYPE 'X' GYP. BD. INTERIOR SIDE W/ R-19 BATT INSULATION BETWEEN STUDS (USE 2X8 STUDS AT UNSUPPORTED DOUBLE-HEIGHT WALLS).
W2	12" x 8" x 16" CMU MASONRY EXT. WALL W/ 7/8" EXT. CEMENT PLASTER (3 COATS) WHERE EXPOSED TO EXT. SIDE & 5/8" TYPE-'X' GYP. BD. ON PRESSURE TREATED 2x WD. FURRING INTERIOR SIDE.
W2A	NOT USED
W3	8"x4"x16" CMU MASONRY INTERIOR WALL W/ 5/8" TYPE-X GYP. BD. ON PRESSURE TREATED 2x WD. FURRING INTERIOR SIDE.
W4	PLUMBING WALL: 2x 6, @ WD. STUDS AT 16" O.C. W/ R-19 BATT INSULATION TO BE 5/8" MOISTURE RESISTANT GYP. BOARD AT ALL BATHROOM EXPOSURES AND TYPE-X AT OTHER EXPOSURES.
W5	INTERIOR WALLS: 2x6 WOOD STUDS AT 16" O.C. W/ (1) LAYER 5/8" TYPE 'X' GYP. BD. EACH SIDE. (R-19 BATT INSULATION @2x6)
W6	INTERIOR WALLS LAMINATED 2x6 RESILIENT AT 16" O.C. WITH (2) LAYERS 5/8" TYPE 'X' GYP. BOARD EACH SIDE. R-19 BATT INSULATION PER SHEET ASSEMBLY 15-1.1A.
W7	1 HR. FIRE WALL (REFER TO 3/A4.1) TO BE 2x6, @ WOOD STUDS AT 16"O.C. W/ R-19 BATT INSULATION AT CENTER & 5/8" MOISTURE RESISTANT GYP. BOARD WITH SHEET ATTACHED PER 3/A6.3 TABLE 720.1(2)1A-1.3
W8	1 HR-RATED 8" x 8" x 16" CMU MASONRY FIRE BARRIER W/ 5/8" TYP 'X' GYP. BD. ON PRESSURE TREATED 2X WD. FURRING EACH SIDE PER 6/A6.3 TABLE 720.1(2) ITEM 3-1.3
W9	INTERIOR WALLS: 2x6 WOOD STUDS @ 16" O.C. W/ R-19 BATT INSULATION BETWEEN STUDS & 5/8" TYPE 'X' GYP. BOARD EACH SIDE U.O.N.

A1.1 A1.2



A1.1 A1.2

1 FIRST FLOOR PART 1
SCALE: 1/8" = 1'-0"

NORTH

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JUL 15 2008

No.	Date	Remarks
1	12/03/08	ARCHITECTURAL SUPPLY
2	11/13/08	ARCHITECTURAL SUPPLY
3	09/29/08	ARCHITECTURAL SUPPLY

WINSTON H. HENDERSON
ARCHITECTS
1555 EAST FLAMINGO ROAD SITE #200 LAS VEGAS, NV 89119
OFFICE (702) 893-3100 FAX (702) 893-3101

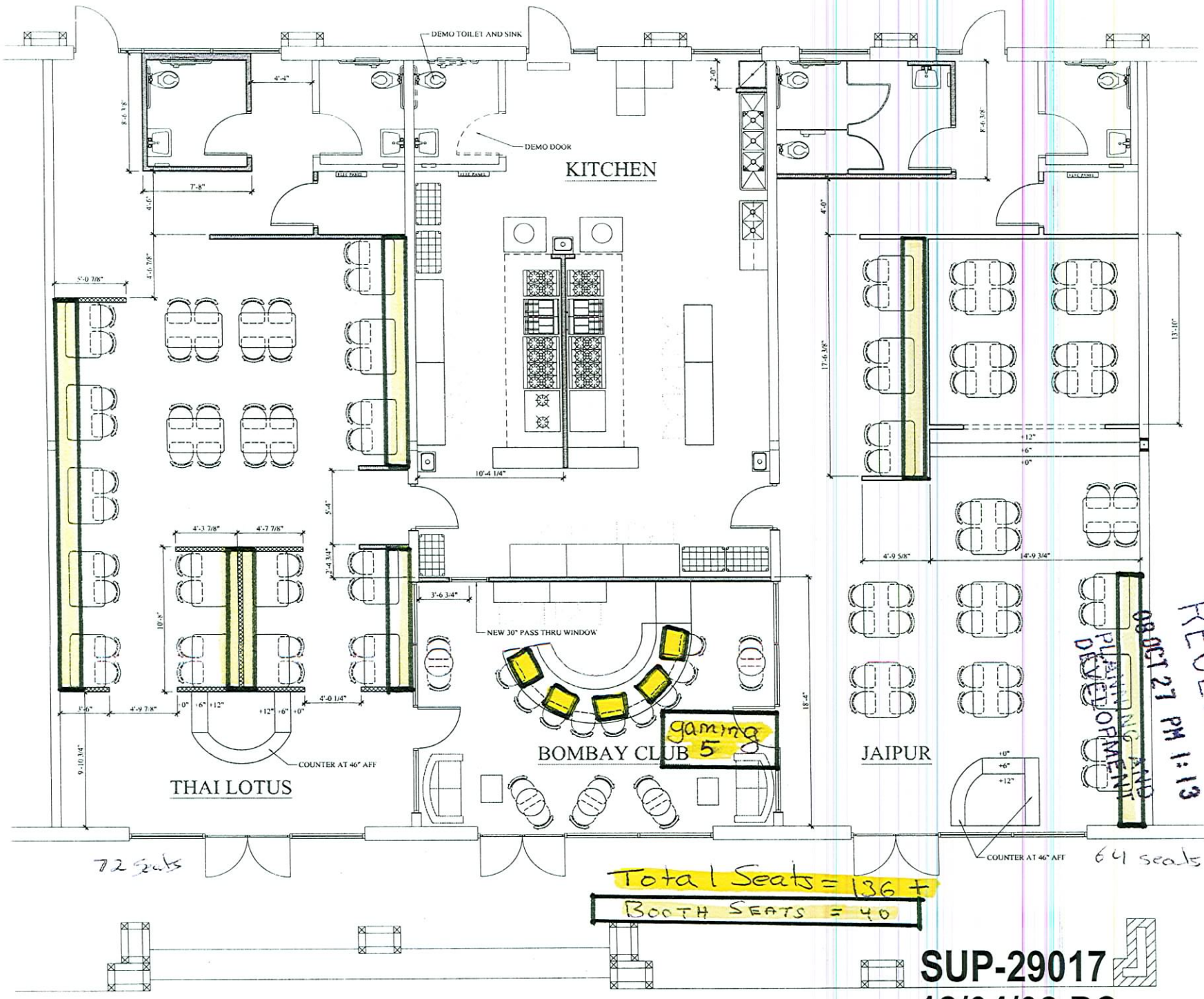
PATEL OFFICE BUILDING
CRAIG ROAD & TENAYA WAY
LAS VEGAS, NEVADA

ENLARGED FIRST FLOOR PLAN

Date: 09-27-07
Job No.: 08-291
Designed: W. H. H.
Drawn: R. S.
Update: 07-01-08
Checked: W. H. H.

Sheet
A1.1

SUP-29017
12/04/08 PC



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08 OCT 27 PM 1:13
PLANNING & DEVELOPMENT
CITY OF PHOENIX

SUP-29017
12/04/08 PC

SUP-29017 - APPLICANT/OWNER: SHREE GANESHA, INC.
4450 NORTH TENAYA WAY
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

SUP-29017 - APPLICANT/OWNER: SHREE GANESHA, INC.
4450 NORTH TENAYA WAY
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

SUP-29017 - APPLICANT/OWNER: SHREE GANESHA, INC.
4450 NORTH TENAYA WAY
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

SUP-29017 - APPLICANT/OWNER: SHREE GANESHA, INC.
4450 NORTH TENAYA WAY
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

Justification Letter for a Supper Club License Request

Dear Sir or Madam:

I would like to bring two nice ethnic dining concepts under one restaurant in the Northwest part of Las Vegas. It is our intention to open a Indian and Thai dining at the Craig and Tenaya Center. We plan to offer two different dining rooms under one restaurant, with the kitchen and bar in between. The location of the restaurant will be 4550 N. Tenaya Way, Las Vegas, NV 89129.

The restaurant will be approximately 3000 square feet. We plan to apply for a supper club license with a bar. There are no restrictive uses in the 400 feet separation.

We have spoken with many people and they are very much interested in a high quality restaurant in the neighborhood. There are a lot of fast food, and diner concepts in the area, but lacking is a good sit down ethnic restaurant.

Your help in opening this restaurant is very much appreciated.

Sincerely,

Rajesh Patel

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JUL 15 2008

SUP-29017
12/04/08 PC

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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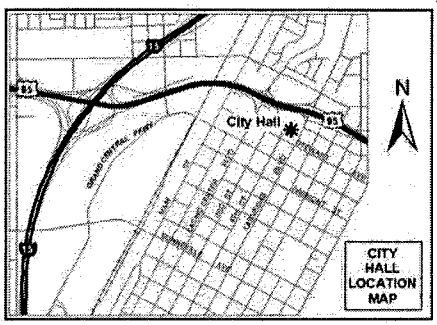
UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004239954
$ 00.39⁴
DEC 24 2008
MAILED FROM ZIP CODE 89101

2008 DEC 29 A 11:16

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

definately not !

SUP-29017
City Council Meeting of 1/7/2009

LIBERTY RALPH G & LINDA M
7129 JUNCTION VILLAGE
LAS VEGAS NV 89129-7109

JAV0511 89129

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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2008 DEC 29 A 8:10

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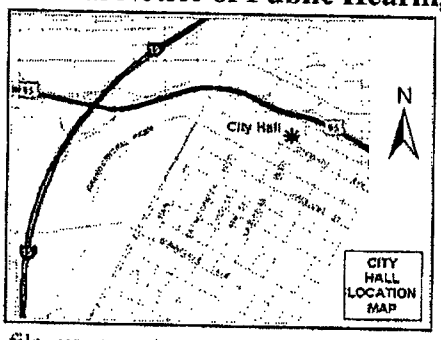

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-29017

City Council Meeting of 1/7/2009

NARGIE REVOCABLE TRUST
NARGIE FRANK L & GLORIA J TRS
7300 MOONLIGHT VIEW CT
LAS VEGAS NV 89129-5944

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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2008 DEC 29 A 8:10

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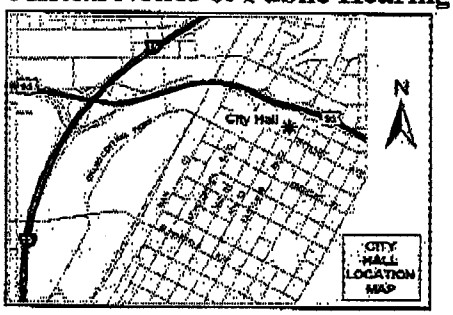
0004239954
$ 00.39⁴
DEC 24 2008
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

[X] I SUPPORT this Request
[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-29017
City Council Meeting of 1/7/2009

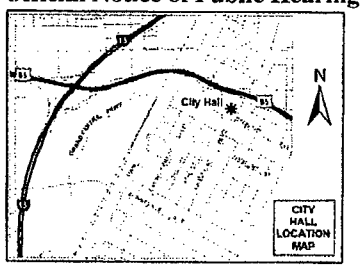
ZURKO DIANE C
7415 W CRAIG RD
LAS VEGAS NV 89129-6025

RECEIVED
CITY CLERK

2008 DEC 29 A 8:10

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-29017
City Council Meeting of 1/7/2009

BACA LIVING TRUST
BACA RONALD & CATHERINE TRS
4409 LILAC GLEN DR
LAS VEGAS NV 89129-5948

Dec 27 08 12:17p p.1

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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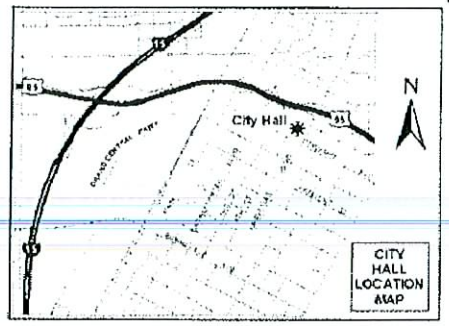
Official Notice of Public Hearing



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NOV 25 2008

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-29017
Planning Commission Meeting of 12/4/2008

Case: SUP-29017
13803513033
SHERRELL TRENT
7009 OLD VILLAGE AVE
LAS VEGAS NV 89129-5761

#19
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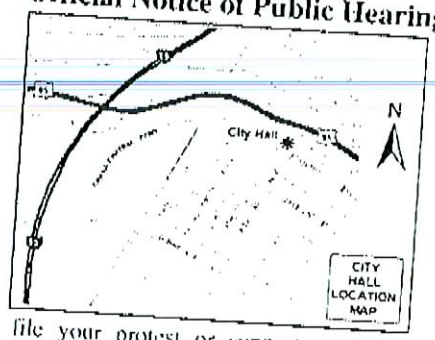
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-29017

Planning Commission Meeting of 12/4/2008

13803215004 Case: SUP-29017
LANG FLORENCE
4412 LILAC GLEN DR
LAS VEGAS NV 89129-5947

#19
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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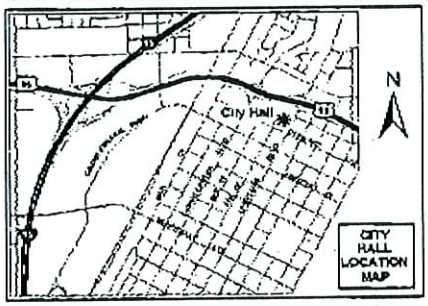

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SUP-29017
Planning Commission Meeting of 12/4/2008

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NOV 25 2008

Case: SUP-29017
13803610039
CAIN THOMAS P
7136 GOLDEN DESERT AVE
LAS VEGAS NV 89129-7119

IAUDS1 1 89129

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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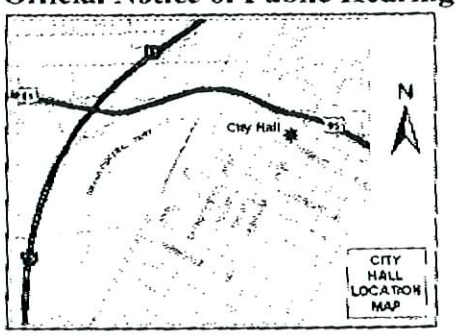

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SUP-29017
Planning Commission Meeting of 12/4/2008

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NOV 25 2008

Case: SUP-29017
13803713012
BOATWRIGHT MARILYNN J
6812 GREYDAWN DR
LAS VEGAS NV 89108-5437

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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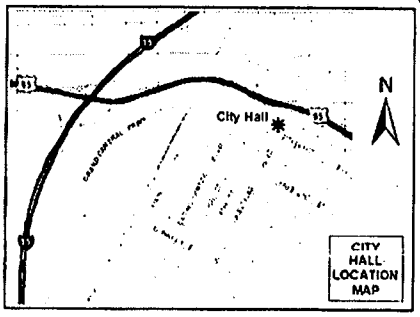
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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SUP-29017

Planning Commission Meeting of 12/4/2008

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DEC 03 2008

Case: SUP-29017

13803313064
BUSTOS EDWIN C & ANA GUINTO
2331 MEGAN DR
OAKLEY CA 94561-3987

IAVDS11 94561

Submitted after final agenda
Date P Item 19

Submitted after final agenda

Date 12/3/08 Item 19

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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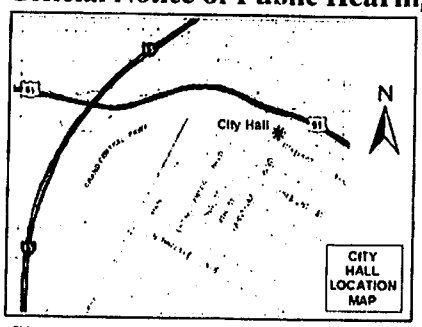
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-29017

Planning Commission Meeting of 12/4/2008

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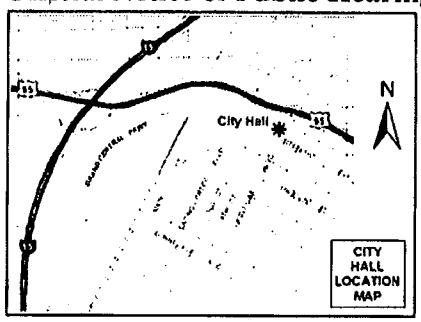
13803511052 Case: SUP-29017
MARTIN RUTHIE N
7124 VILLAGE SHORE CT
LAS VEGAS NV 89129-5756

IAVDS11 89129

Submitted after final agenda
Date P Item 19

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-29017

Planning Commission Meeting of 12/4/2008

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Case: SUP-29017

13803514003
GIOIA FAMILY TRUST
7128 JUNCTION VILLAGE AVE
LAS VEGAS NV 89129-7108

Submitted after final agenda
Date P Item 19

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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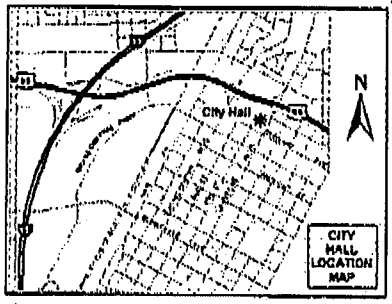

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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SUP-29017

Planning Commission Meeting of 12/4/2008

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NOV 26 2008

Case: SUP-29017

13803511049
GOODPASTER BETTY J & LYNDA J
7112 VILLAGE SHORE CT
LAS VEGAS NV 89129-5754

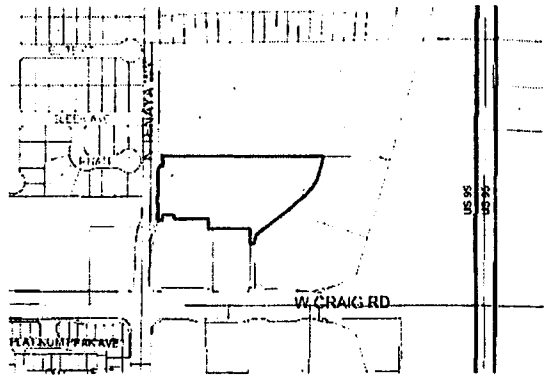
Submitted after final agenda
Date P Item 19

Application Information

SUP-29017 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: SHREE GANESHA, INC. - Request for a Special Use Permit FOR A PROPOSED 3,312 SQUARE-FOOT SUPPER CLUB at 4450 North Tenaya Way (APN 138-03-611-011), C-1 (Limited Commercial) Zone, Ward 4 (Brown)

ALREADY TOO MUCH GARBAGE THROWN AROUND AND TOO MUCH TRAFFIC! Strongly Oppose

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***December 04, 2008***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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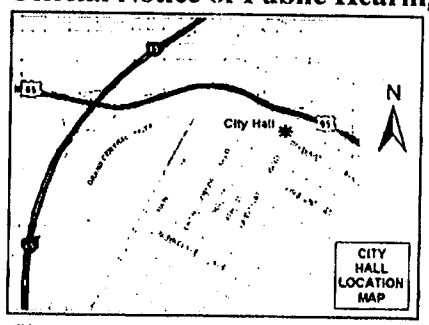

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-29017
Planning Commission Meeting of 12/4/2008

STRONGLY OPPOSE. There's enough garbage blowing around from those - Store already there.

Case: SUP-29017

13803511041
CANDLER WILLIE B
7121 OLD VILLAGE
LAS VEGAS NV 89129-5752

Also, there's too much traffic already

Submitted after final agenda
Date 12/4 Item 19

1000111 A8163

City of Las Vegas Agenda Item No.: **86.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

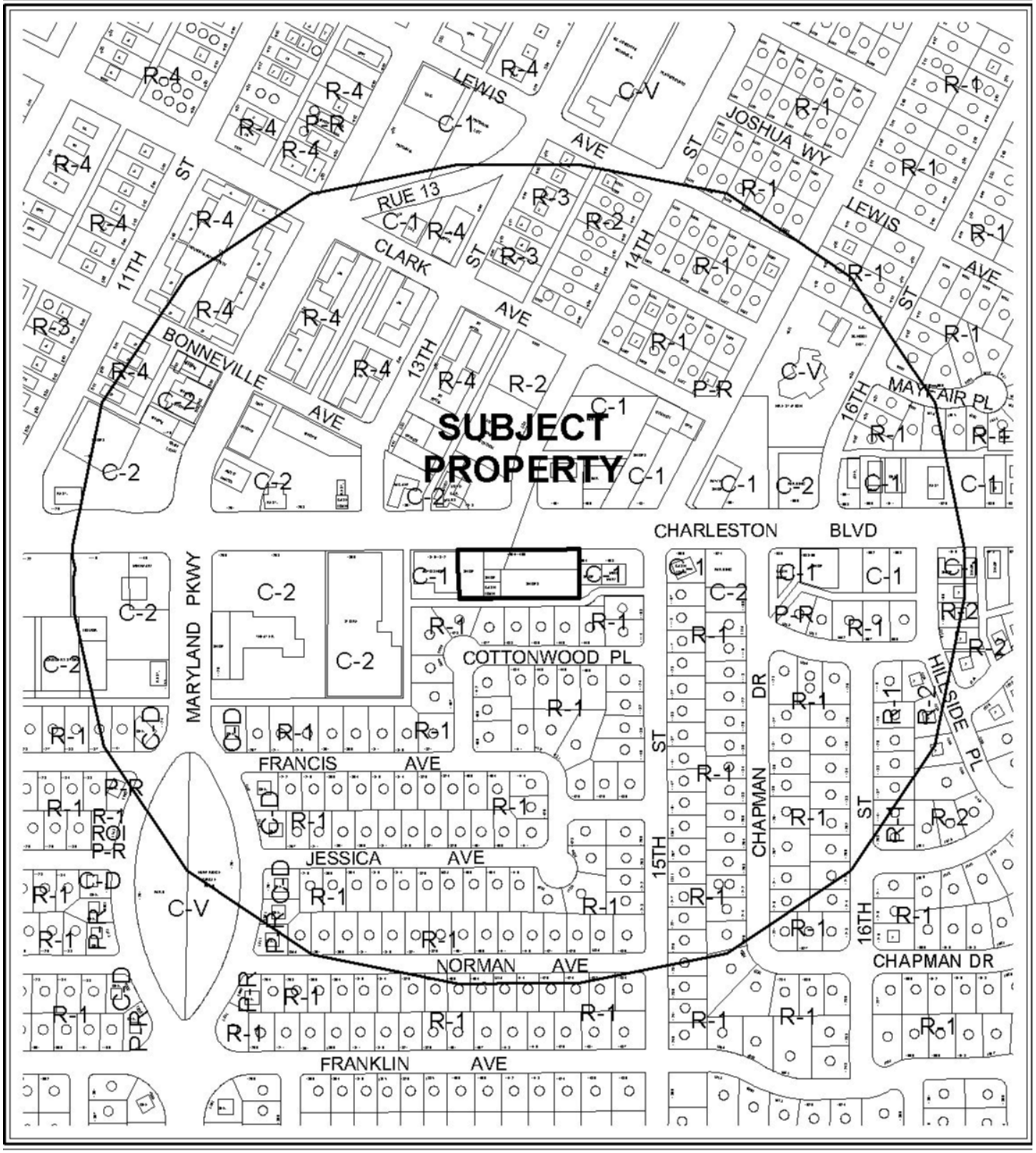
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-31303 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLAUDIA BELTRAN - OWNER: NERCES HIMIDIAN - Request for a Special Use Permit FOR A PROPOSED BAILBOND SERVICE at 1440 East Charleston Boulevard (APN 162-02-110-007), C-1 (Limited Commercial), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**2**	**Planning Commission Mtg.**	**0**
City Council Meeting	**1**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Condition Confirmation Memo submitted by Nerces Himidian
7. Protest Postcard
8. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 21



CASE: **SUP-31303**

RADIUS: 1000 FT

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

0 300 600 Feet

CASE: **SUP-31303**

RADIUS: 1000 FT

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-31303 - APPLICANT: CLAUDIA BELTRAN - OWNER: NERCES HIMIDIAN

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for Bailbond Service use, including parking requirements.

2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

4. No temporary signs such as banners, pennants, inflatable objects, streamers, flags, or other similar attention gaining item or devices shall be displayed upon the subject property without the appropriate permits.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a 992 square-foot Bailbond Service at 1440 East Charleston Boulevard, Suite B. Staff finds the proposed Bail Bond Service to be in compliance with the General Plan, Title 19, and all other applicable plans. Staff also finds that this proposed use will not increase the parking requirement for the subject Shopping Center, therefore staff recommends approval.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
c. 1964	Subject Shopping Center constructed.
04/21/04	The City Council approved a request for a Special Use Permit (SUP-3747) for a Financial Institution, Specified at 1426 East Charleston Boulevard, Suite #110. The Planning Commission and staff recommended denial.
10/20/04	The City Council approved a six month Required Review (RQR-5234) on an approved Special Use Permit (SUP-3747) for a Financial Institution, Specified at 1426 East Charleston Boulevard, Suite #110. Staff recommended denial.
12/04/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #21/leh).
Related Building Permits/Business Licenses	
08/14/97	A business license (#W10-00002) was issued for a Wire Service at 1440 East Charleston Boulevard. This license ceased on 11/28/07.
03/26/02	A business license (#G04-03553) was issued for Gifts and Novelties at 1440 East Charleston Boulevard, Suite B. This business license ceased on 02/29/08.
07/30/07	A business license (#G04-06558) was issued for Gifts and Novelties at 1440 East Charleston Boulevard, Suite B. This business license ceased on 12/27/07.
11/07/07	A business license (#A24-00072) was issued for Psychic Arts – Science at 1440 East Charleston Boulevard, Suite A.
03/12/08	A business license (#C05-02597) was issued for a Tobacco Dealer at 1440 East Charleston Boulevard, Suite B. This business license ceased on 07/30/08.
03/12/08	A business license (#G04-06735) was issued for Gifts and Novelties at 1440 East Charleston Boulevard, Suite B. This business license ceased on 08/07/08.
08/26/08	An application for a business license (#B01-93886) was issued for a Bailbond Agency at 1440 East Charleston Boulevard, Suite B. This application was denied by the Planning Department on 08/27/08 pending the approval of a Special Use Permit. The application has been marked out of business by Business Licensing on 10/29/08.

11/04/08	An application for a business license (#B18-93887) was issued for a Bailbond Agency/Enforcement Agent at 1440 East Charleston Boulevard, Suite B. This application was denied by the Planning Department on 08/27/08 pending the approval of a Special Use Permit. The application was marked out of business by Business Licensing on 11/04/08.
Pre-Application Meeting	
09/23/08	Staff discussed the requirements for a Special Use Permit applicantion for a Bailbond Service with the applicant.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
11/06/08	Staff conducted a site visit of the subject site and noted the subject commercial pad to have signage in place for the proposed Bail Bond Service, however not open for business.

Details of Application Request	
Site Area	
Gross Acres	.91

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
North	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
	Motor Vehicle Sales, Used	C (Commercial)	C-2 (General Commercial)
South	Single-Family Homes	L (Low Density Residential)	R-1 (Single Family Residential)
East	Shopping Center	C (Commercial)	C-1 (Limited Commercial)
West	Shopping Center	C (Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Bail Bond Service	992 SF	1:300 SF	4	1	4	1	Y*
Psychic Arts	1,250 SF	1:250 SF	5	1	5	1	Y*
Financial Institution, Specified	900 SF	1:250 SF	4		4		Y*
Restaurant (without Drive Through)	2,200 SF	1:50 SF of seating area and 1:200 SF of Gross Floor Area	29		18		Y*
General Retail Store, Other than Listed (Less than 3,500 Square Feet)	9,958 SF	1:175 Gross Floor Area	57				Y*
Sub Total	15,300 SF		95	4	31	1	Y*
Total	15,300 SF		99		33		Y*

** The subject shopping center was constructed in 1964 and meets the Title 19.10.010 (c) Standard to be considered a Parking Impaired Development. Per Title 19.10.010 (c) Standards, as the subject site is considered parking impaired a Variance for parking is not required.*

ANALYSIS

This is a request for a Special Use Permit for a 992 square-foot Bail Bond Service at 1440 East Charleston Boulevard Suite B. The subject Shopping Center was constructed in 1964 and is considered a Parking Impaired development.

- **Zoning**

  The subject property is zoned C-1 (Limited Commercial). The C-1 (Limited Commercial) district is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) district is consistent with the C (Commercial) category of the General Plan.

- **Use**

  The proposed use as a Bail Bond Service requires a Special Use Permit within the C-1 (Limited Commercial) zone. If approved, this application for a Special Use Permit would fulfill that requirement.

- **Parking**

  The subject shopping center was constructed in 1964 and meets the Title 19.10.010 (c) Standard to be considered a Parking Impaired Development. Title 19.10.010 (c) sets forth the following guidelines for a Parking Impaired Development:

  "A land use or building which is existing on the effective date of this Title and which complied with the applicable parking standards at the time the use or building was established, but which does not comply with the requirements of this section, shall not be considered a nonconforming use or a non-conforming building; but rather, it shall be considered a "parking-impaired development." The following rules shall apply to the remodeling, alteration, expansion or reuse of parking-impaired developments:

  1. Building permits and certificates of occupancy may be issued for remodeling or structural alterations of parking-impaired developments without requiring compliance with this Chapter, providing that such work does not increase in the number of required parking spaces.

  2. For any remodeling, alteration, or expansion of a parking-impaired development that requires an increase in the number of parking spaces, including the expansion of existing buildings or the construction of new buildings, only the increased number of parking spaces shall be required.

  3. For any change of use that requires an increase in the number of required parking spaces, only the increased number of parking spaces shall be required."

The previous use at 1440 East Charleston, Suite B was General Retail Store, Other than Listed (Less than 3,500 Square Feet) which has a parking requirement of one space per 175 square feet of gross floor area. The proposed use of Bailbond Service requires one space per 300 square feet of gross floor area. The proposed use requires fewer spaces than the previous use, therefore staff finds that this proposal meets the Title 19.10.010 (c) Parking Impaired Development standards and does not require a parking Variance.

- **Minimum Special Use Permit Requirements**

  There are no Special Use Permit Requirements associated with this Special Use Permit request.

  As this application requires no Waivers and does not increase the number of parking spaces in the subject Shopping Center, staff recommends approval.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed use is compatible with neighboring commercial, retail and future land uses projected by the General Plan. The proposed use has a less intense parking requirement than the other uses currently present in the Shopping Center.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The proposed use will be established within an existing shopping center along a Primary Arterial roadway. The subject site is a Parking Impaired development and the proposed use does not increase the parking requirements; therefore, staff finds that the subject site is physically suitable for the proposed use and surrounding area.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

   The site is accessed by Charleston Boulevard, which is designated as a 100-Foot Primary Arterial roadway by the Master Plan of Streets and Highways. The added traffic generated by the proposed use can easily be accommodated by that roadway.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   The proposed use will not negatively affect human health and public safety or be inconsistent with the goals of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed use adequately addresses all Title 19.04 conditions for Bailbond Services.

PLANNING COMMISSION ACTION

The applicant agreed to all conditions on the record at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

ASSEMBLY DISTRICT 12

SENATE DISTRICT 10

NOTICES MAILED 271 by City Clerk

APPROVALS 0

PROTESTS 2

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-31303** APN: _____

Name of Property Owner: Parientes Bail Bonds

Name of Applicant: Claudia J. Beltran

Name of Representative: _____

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

_____ Yes _____✓_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

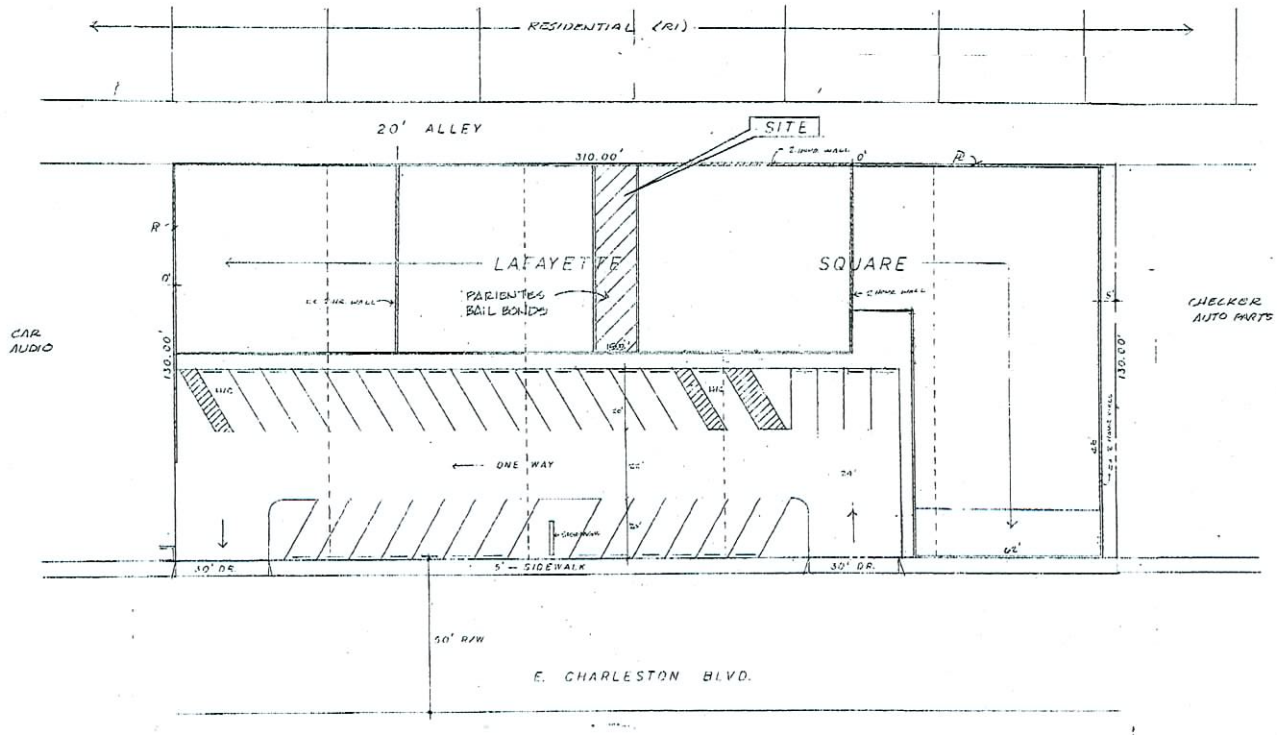
Print Name: NERCES HIMIDIAN

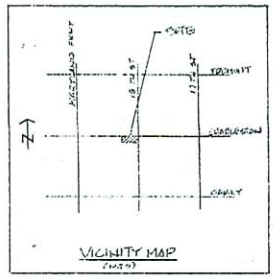
Subscribed and sworn before me

This 20 day of OCT, 2008

Dominador P. Tagacay Jr.
Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
DOMINADOR P. TAGACAY JR.
No: 04-91683-1
My Appointment Expires Sept. 15, 2012





PARKING:
(31) SPACES
(2) HC. SPACES
(33) TOTAL
LOT SIZE - 40300 s.f.
BUILDING SIZE 15300 s.f.

PARKING (VACANT) CAR LOT.

SITE PLAN 1"=20'

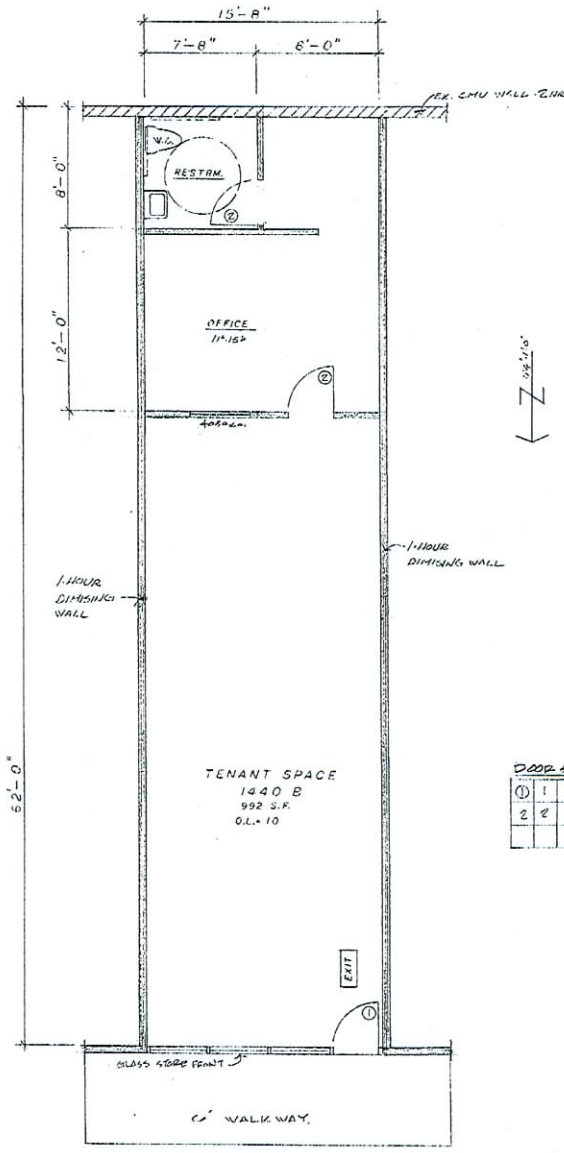
RECEIVED
OCT 21 2008

SUP-31303
12/04/08 PC

REVISIONS	BY

PARIENTES BAILBONDS
LAFAYETTE SQUARE
1140 E. CHARLESTON BLVD. STE. B
LV, NV.

Date 9-15-08
Scale 1"=20'
Drawn W.L.
Job
Sheet S1
Of Sheets



DOOR SCH.

①	1	3068	1¾"	AL. FR. STORE FRONT
②	1	3068	1¾	WD FR. HC

RECEIVED
OCT 21 2008

SUP-31303
12/04/08 PC

FLOOR PLAN 1/4"=1'-0"
1440 B: 992 s.f.
OCCUPANT LOAD = 10

PARIENTES BAILBONDS
1440 E. CHARLESTON STE. B
LV. NV.

1/4"=1'-0"
9.2.08
D.L.

A1.0

SUP-31303 - APPLICANT: CLAUDIA BELTRAN - OWNER: NERCES HIMIDIAN
1440 EAST CHARLESTON BOULEVARD
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

OCTOBER 20, 2008

TO WHOM IT MAY CONCERN,

I CLAUDIA BELTRAN DECLARES THAT I'M LEASING THE PROPERY ON 14140 E. CHARLESTON BL. SUITE B, LAS VEGAS NEVADA 89104, FOR THE ONLY PURPOSE OF A BAIL BONDS.

THANK YOU,

CLAUDIA J. BELTRAN

SUP-31303
12/04/08 PC

CITY OF LAS VEGAS

ONE MOTION/ONE VOTE

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

SUBJECT: SUP-31303

The above item has been placed on the One Motion/One Vote portion of the City Council Agenda for the ***January 7, 2009*** City Council meeting. All of these items will be placed at the beginning of the agenda. The Mayor will open them at the same time.

If you agree to these conditions, please sign this form and fax it to 385-7268. If there is no one present at the City Council meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any City Council member or member of the public wants to discuss the item. If you have any questions, please contact (702) 229-6301.

Please sign and date that you have read and agree to the conditions.

[signature] 12-22-008

Signature Date

HERCES S. HINIOMAN

Please print name

Lafayette Square.

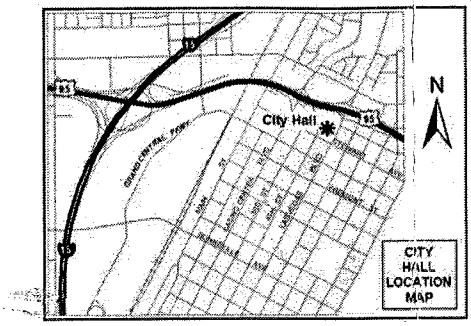
Company Name

Sincerely,

Debbie Sullivan
Current Planning Division

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



RECEIVED
CITY CLERK

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.39⁴
0004239954 DEC 24 2008
MAILED FROM ZIP CODE 89101

2008 DEC 29 A 11: 19

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31303

City Council Meeting of 1/7/2009

AINSWORTH THOMAS J REVOCABLE
%T AINSWORTH
1139 CHAPMAN DR
LAS VEGAS NV 89104-1851

JAVDS11 89104

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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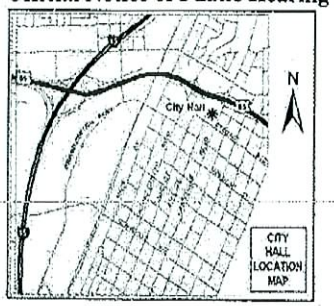
UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.39⁴
0004239954 NOV 21 2008
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



RECEIVED
NOV 25 2008

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31303

Planning Commission Meeting of 12/4/2008

13935411048 Case: SUP-31303

ELLER STEVE WILLIAM
5732 FALLING SUN CT
NO LAS VEGAS NV 89031-1375

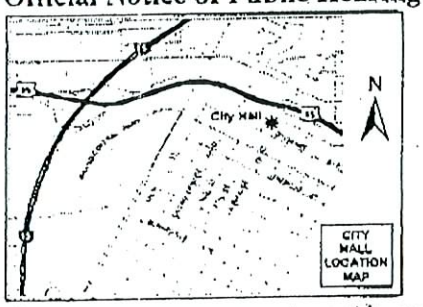
#21
P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.39
0004239954 NOV 21 2008
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31303

Planning Commission Meeting of 12/4/2008

RECEIVED
NOV 25 2008

Case: SUP-31303

16202111037
KIMBROUGH FAMILY TRUST ETAL
1445 DONLON ST #20
VENTURA CA 93003-5640

Co-Owner

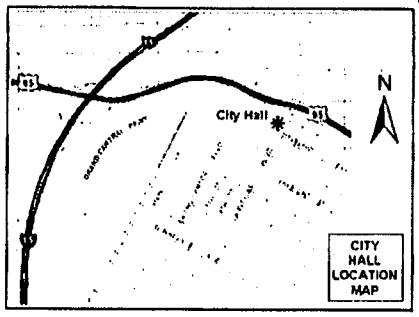
#21
P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

$ 00.394
NOV 21 2008
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31303
Planning Commission Meeting of 12/4/2008

RECEIVED
DEC 03 2008

Case: SUP-31303
16202111061
MALPASS ELIZABETH A
1127 CHAPMAN DR
LAS VEGAS NV 89104-1851

8910431651 0002

Submitted after final agenda
Date P Item 21

Submitted after final agenda
Date 12/3/08 Item 21

City of Las Vegas Agenda Item No.: **87.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

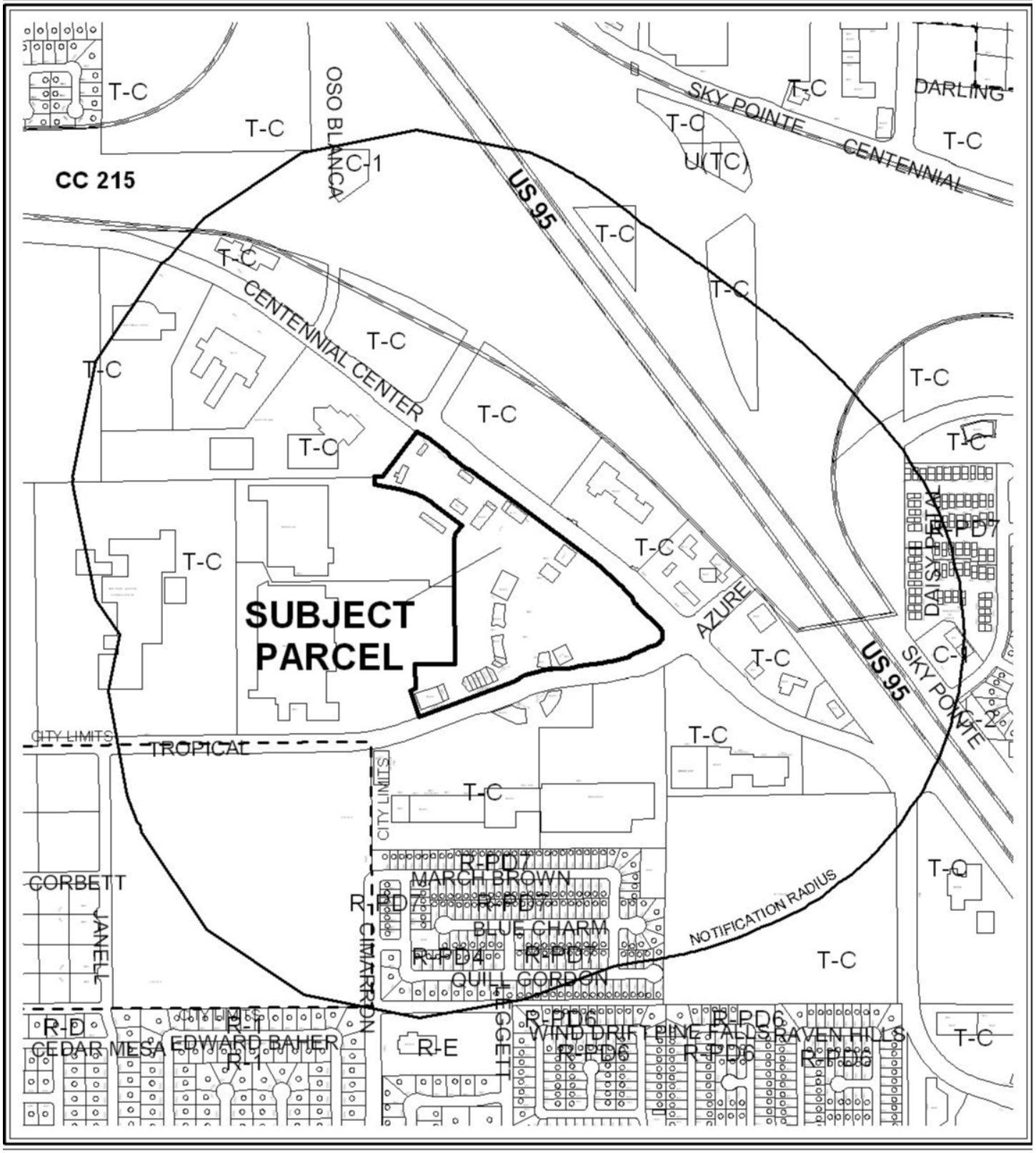
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-31305 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MARK BERRY - OWNER: CENTENNIAL CENTRE, LLC - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB at 7870 West Tropical Parkway (APN 125-28-610-004), T-C (Town Center) Zone [GC-TC (General Commercial - Town Center) Special Land Use Designation], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**1**

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcard
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 22



CASE: **SUP-31305**

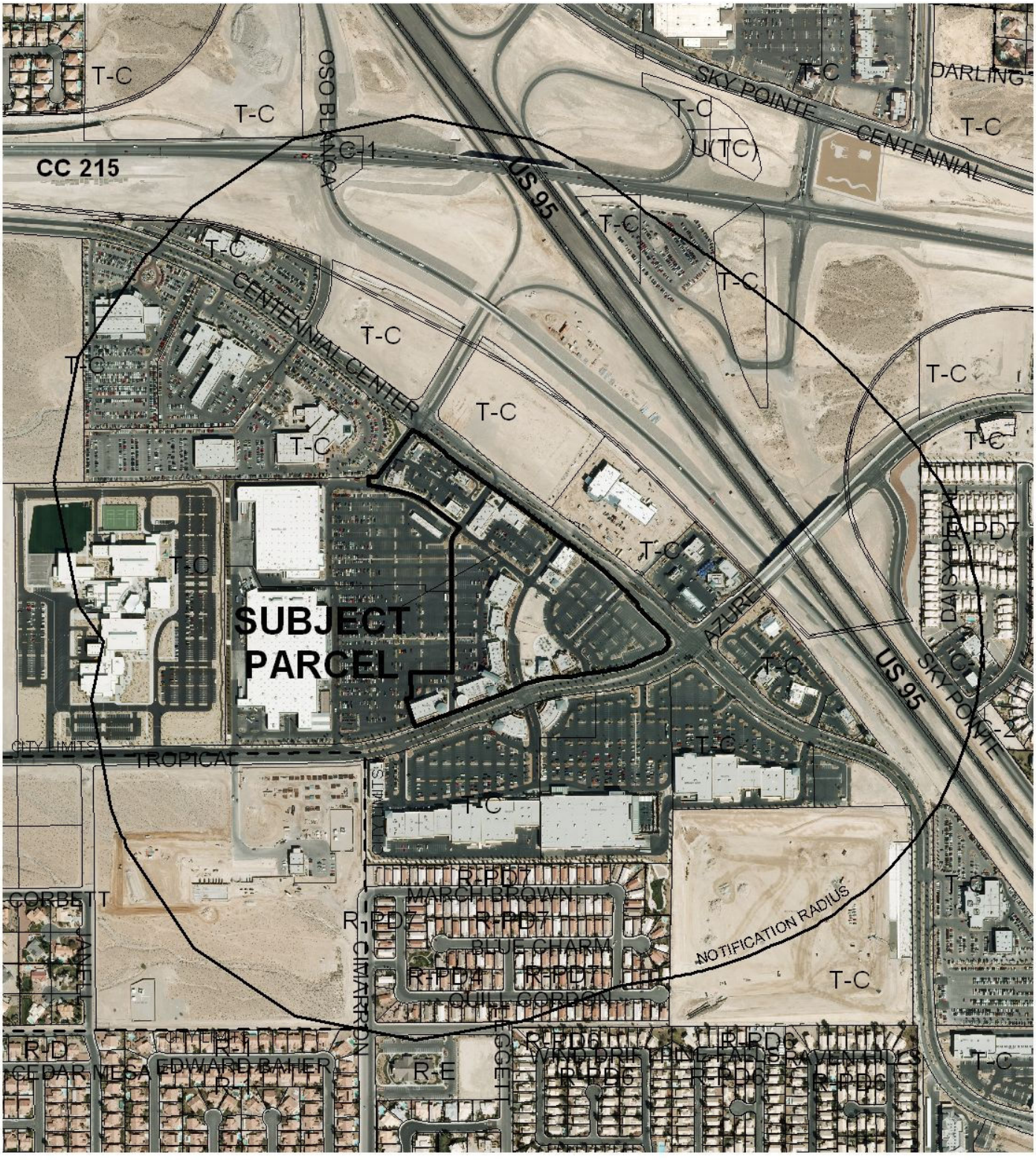
RADIUS: 1500 FT

0 1000 Feet

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [GC-TC (GENERAL COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION]

N

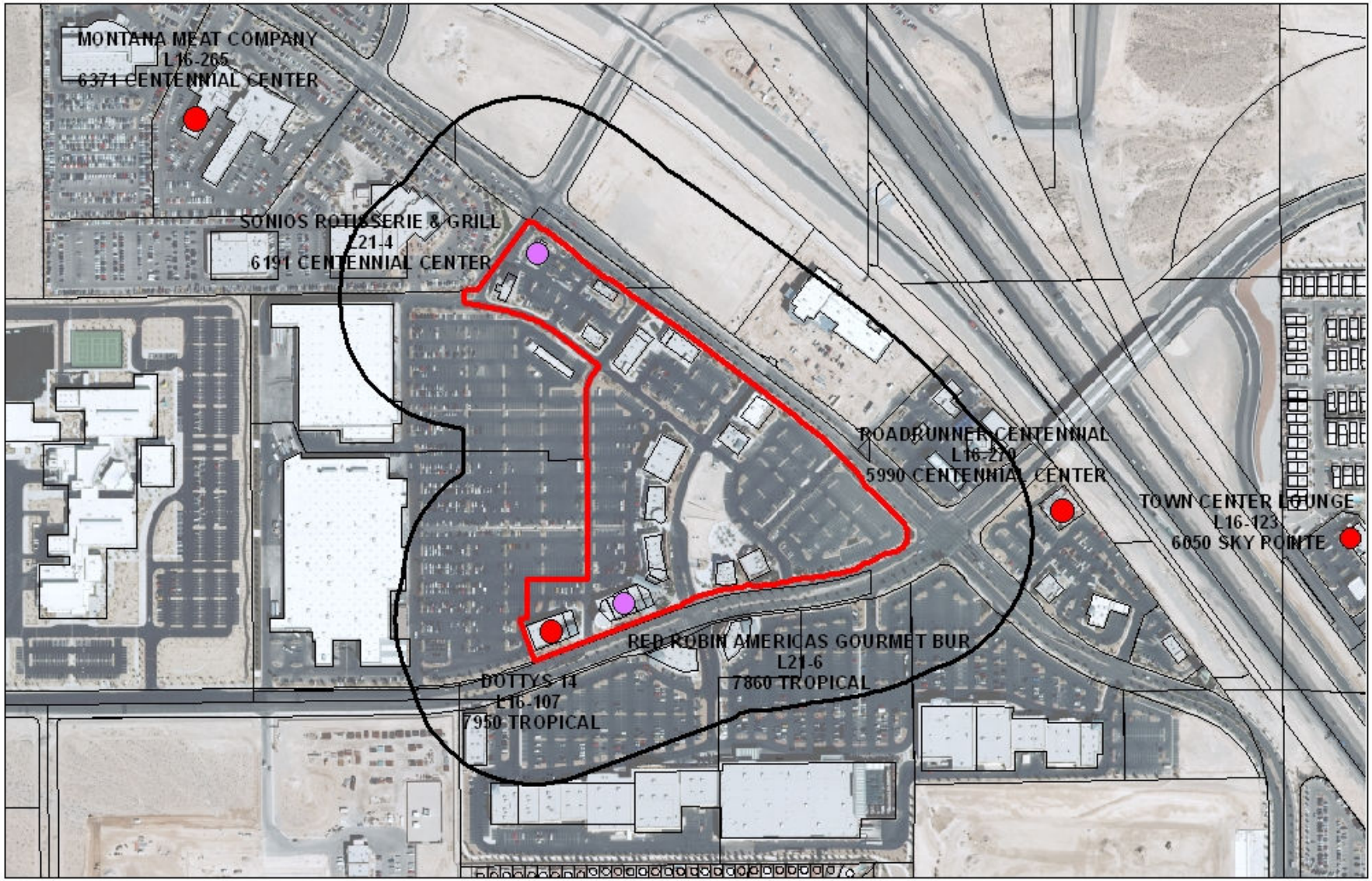


CASE: **SUP-31305**

RADIUS: 1500 FT

ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [GC-TC (GENERAL COMMERCIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION]



SUP-31305

Business Licenses

- Tavern
- Supper Club/ Restaurant Service Bar
- Child Care/ Children Facility
- RELIGIOUS
- CITY PARKS
- SCHOOLS
- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-31305 - APPLICANT: MARK BERRY - OWNER: CENTENNIAL CENTRE, LLC

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for Supper Club use, including parking requirements.

2. Conformance to the conditions for Special Use Permit (U-0078-01) and Site Development Plan Review [Z-0076-98(1)], if approved.

3. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. Approval of this Special Use Permit does not constitute approval of a liquor license.

5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 4,027 square-foot Supper Club on 22.75 acres at 7870 West Tropical Parkway. The subject commercial pad was previously approved as a Supper Club via a Special Use Permit (U-0077-01) and utilized as a Supper Club without major impact to the surrounding area. There are no requested Waivers as part of this application. The proposed use meets the minimum Title 19.04 requirements of a Supper Club use, and staff finds that public health, safety, and welfare will not be compromised. Therefore, staff recommends approval

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
12/07/98	The City Council approved a request to Rezone this site to T-C (Town Center) as part of a larger request (Z-0076-98). The Planning Commission and staff recommended approval.
02/08/99	The City Council approved a request for a Site Development Plan Review [Z-0076-98(1)] for a proposed retail development (Centennial Centre) totaling approximately 827,000 square feet and seven proposed automobile dealerships. The Planning Commission and staff recommended approval.
09/05/01	The City Council approved Special Use Permits for five Supper Clubs (U-007501, U-0076-01, U-0077-01, U-0078-01, and U-0079-01) on the subject parcel, including the subject restaurant. The Planning Commission and staff recommended approval.
06/18/03	The City Council approved a Special Use Permit (SUP-2194) for a Restaurant Service Bar at 7930 West Tropical Parkway. The Planning Commission and staff recommended approval.
09/17/03	The City Council approved a Special Use Permit (SUP-2659) for a proposed Financial Institution, Specified, at 6275 Centennial Center Boulevard, Suite 150. Planning Commission and staff recommended approval.
11/19/03	The City Council approved Extensions of Time (EOT-3010, EOT-3011, EOT-3012, and EOT-3013) of four approved Supper Clubs on the subject parcel, including the subject restaurant. The Planning Commission and staff recommended approval.
01/08/04	Staff approved an Administrative Review (SDR-3408) for a proposed one-story, 4,975 square-foot Tavern on a portion of 18.86 acres adjacent to the south side of Centennial Center Boulevard, approximately 1,260 feet north of Tropical Parkway.
06/21/06	The City Council approved a Special Use Permit (SUP-12743) for a proposed Gaming (Restricted) use in conjunction with an existing restaurant at 7870 West Tropical Parkway. The Planning Commission and Staff recommended approval.

07/11/07	The City Council approved a Special Use Permit (SUP-21419) for a Restaurant with Beer/Wine/Cooler On-Sale at 6181 Centennial Center Boulevard. The Planning Commission and staff recommended approval.
08/01/07	The City Council approved a request for a Special Use Permit (SUP-21954) for a Beer/Wine/Cooler On-Sale Establishment at 7920 West Tropical Parkway, Suite #170. The Planning Commission and Staff Recommended approval.
08/09/07	The Planning Commission approved a request for a Site Development Plan Review (SDR-22920) for an approved 7,588 square-foot Supper Club at 7880 West Tropical Parkway. Staff recommended approval.
12/04/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #22/leh).

Related Building Permits/Business Licenses	
10/17/05	A business license (#L21-00005) was issued for a Supper Club (Vallarta's Mexican Restaurant) at 7870 West Tropical Parkway. The license became inactive 12/18/07.
10/19/05	A Certificate of Occupancy (#5003744) was issued for Vallarta's Mexican Restaurant at 7870 West Tropical Parkway.
10/16/08	A temporary sign permit (#31087) was issued at 7870 West Tropical Parkway for a "Coming Soon" banner. The permit was issued from 10/16/08 to 12/14/08.
Pre-Application Meeting	
10/21/08	A pre-application meeting was held where Planning staff advised the applicant of the application requirements for a Special Use Permit for a Supper Club.

Details of Application Request	
Site Area	
Net Acres	22.75

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Shopping Center	TC (Town Center)	T-C (Town Center) [GC-TC (General Service – Town Center) Special Land Use Designation]
North	Undeveloped	TC (Town Center)	T-C (Town Center) [GC-TC (General Service – Town Center) Special Land Use Designation]

South	Shopping Center	TC (Town Center)	T-C (Town Center) [SC-TC (Service Commercial – Town Center) Special Land Use Designation]
East	Shopping Center	TC (Town Center)	T-C (Town Center) [GC-TC (General Service – Town Center) Special Land Use Designation]
West	Shopping Center	TC (Town Center)	T-C (Town Center) [GC-TC (General Service – Town Center) – Special Land Use Designation]

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan			
T-C Town Center District	X		Y
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	30,187	1:250	123	7	404	19	
TOTAL			130		423		Y
Loading Spaces			3		3		Y

ANALYSIS

The applicant is proposing a 4,027 square-foot Supper Club at 7870 West Tropical Parkway. The subject site is located within a 30,187 square-foot Shopping Center. Four other existing pad sites, including three restaurants, are adjacent to the subject site and share access with the subject site. The four pads share a common parking area which provides ample parking for the site. Primary access to the site is from two drives internal to the commercial subdivision that connects to West Tropical Parkway.

Per the Town Center Development Standards, the proposed Supper Club requires a Special Use Permit. The subject location was previously approved and utilized as a Supper Club. A license for the Supper Club use was issued at the subject location on October 10th, 2005 and remained active through December 18th, 2007. However the use and liquor license became inactive on December 18th, 2007 and expired June 18th, 2008 after remaining inactive for a six-month period. This application is a request to reinstate the Supper Club use on the subject site.

- **Zoning**

This site is located within the Town Center Special Area Plan of the Centennial Hills Sector Plan. More specifically, the proposed development pad is contained within Centennial Centre, a master-planned retail center governed by the Centennial Centre Development Criteria and Guidelines. The entire retail center is encompassed by the GC-TC (General Commercial – Town Center) land use designation, which allows for more intense uses such as auto dealerships and hotels.

- **Floor Plan**

The applicant proposes a 4,027 square-foot Supper Club. The floor plan consists of an entry vestibule with waiting area, bar and bar dining area with 50 seats, main and side dining areas with 76 seats and complete kitchen with storage, food prep and washing areas. The plan also includes a patio area with 49 seats. The overall floor plan depicts over 125 seats outside of the bar area for the restaurant which complies with Title 19.04 standards for the Supper Club use

- **Minimum Special Use Permit Requirements**

Title 19.04.010 lists the following conditions for the Supper Club use.

1. No supper club use shall be located within 400-feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City Park.

2. Except as otherwise provided in Requirement 3 below, the minimum distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed Supper Club which is closest to the existing use to which the measurement pertains, and the other being the property line of that existing use which is closest to the proposed Supper Club. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

   a. Any leasehold parcel; or

   b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

3. In the case of a Supper Club proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:

   a. From the nearest property line of the existing use to the nearest portion of the structure in which the Supper Club will be located, without regard to intervening obstacles, or nearest property line of a leasehold or occupancy parcel in which the Supper Club will be located, without regard to intervening obstacles.

   b. In the case of a proposed Supper Club which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the Supper Club will be located, without regard to intervening obstacles.

4. When considering a Special Use Permit application for a Supper Club which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.

*5. In the O District, a Supper Club is permitted only as an accessory use.

*6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

*Any condition with an asterisk cannot be waived.

The subject commercial pad was previously approved as a Supper Club through Special Use Permit (U-0077-01) and utilized as a Supper Club without major impact to the surrounding area. There are no requested Waivers as part of this application. The proposed use meets the minimum Title 19.04 requirements of a Supper Club use, and staff finds that public health, safety, and welfare will not be compromised. Therefore, staff recommends approval.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The subject site was previously utilized as a Supper Club without negative impact to the area. Staff finds the proposed Supper Club use is harmonious and compatible with the surrounding development pattern, which includes existing general commercial uses on all sides of the subject site.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The applicant has depicted 125 seats outside of the bar area for the restaurant which complies with Title 19.04 standards for the Supper Club use, adequate parking is provided including required handicapped parking and the site is located adjacent to roadways capable of handling all of the traffic generated from the proposed use. Staff finds the site to be physically suitable for the intensity of the proposed land use.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

   Access to the site is from two internal drives to the commercial subdivision that connect to West Tropical Parkway, designated a 90-foot Frontage Road in the Master Plan of Streets and Highways and has more than adequate capacity to meet the needs of the proposed use.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   The proposed Supper Club will be subject to inspections for Certificate of Occupancy, as well as periodic inspection by the Southern Nevada Health District, City of Las Vegas Business and Licensing and therefore the development will not compromise the public health, safety or welfare.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed use at the subject location meets all applicable Title 19.04 conditions for the Supper Club use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 308 by City Clerk

APPROVALS 2

PROTESTS 0

PLANNING & DEVELOPMENT
DEPARTMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-31305** APN: 125-28-610-004

Name of Property Owner: Centennial Centre LLC

Name of Applicant: Mark Berry

Name of Representative: Andrew Shaw

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

____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Roland V. Sturm

Subscribed and sworn before me

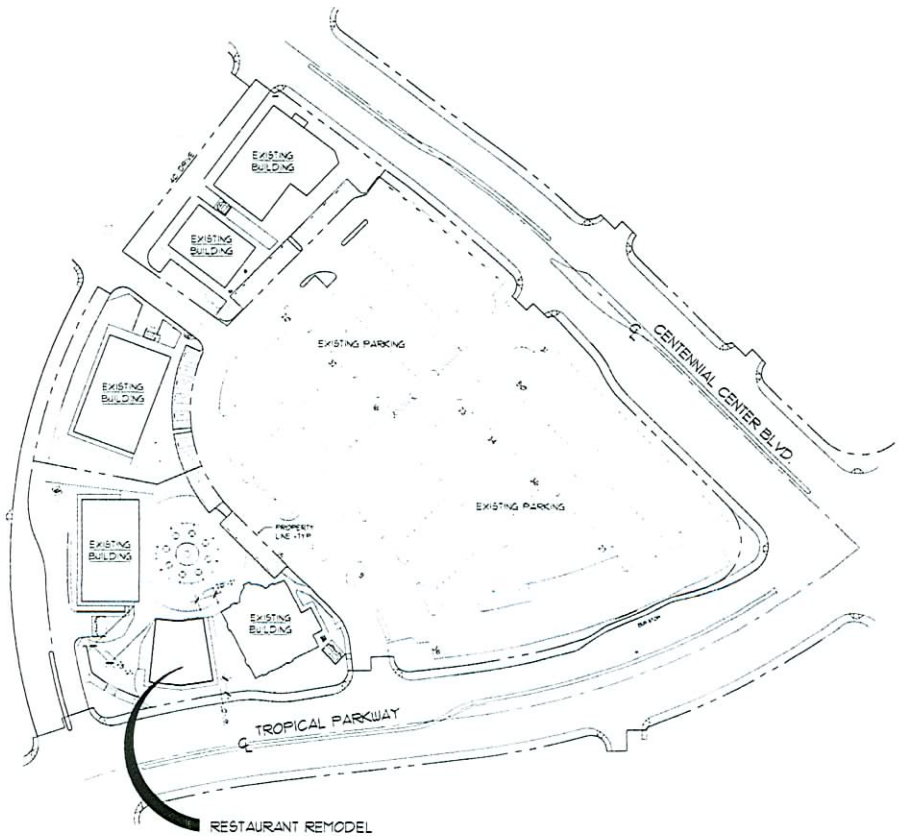
This 20th day of OCTOBER, 20 08

_____
Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
MIGNON G. SANTOS
My Appointment Expires
No: 04-90712-1 June 5, 2012

LINDO MICHOACAN RESTAURANT REMODEL

TROPICAL PARKWAY & CENTENNIAL CENTER BLVD.
LAS VEGAS, NEVADA



SITE PLAN

SCALE: 1" = 60'-0"

NORTH

SHEET INDEX

ARCHITECTURAL
C1.1 SITE PLAN AND COVER SHEET
A1.1 FLOOR PLAN
A2.1 REFLECTED CEILING PLAN
A3.1 INTERIOR ELEVATIONS
A4.1 BUILDING SECTIONS
A5.1 SPECIFICATIONS

STRUCTURAL
S-1 STRUCTURAL BRACING

PROJECT TEAM

OWNER:
TERRITORY INC

TENANT:
J & M UNITED, LLC

CONTRACTOR:
THE WORK GROUP INC
9060 WEST CHEYENNE AVE
LAS VEGAS, NV 89129
PH: (702) 870-6675

MECHANICAL:
NEVCO HVAC
3640 S MAIN AVE
LAS VEGAS NV 89121
PH: (702) 367-1818

ARCHITECT:
JESS F. PEREZ, A.I.A. ARCHITECT
731 RUBY RIDGE AVENUE
HENDERSON, NV 89015
PH: (702) 566-3660

PLUMBING:
PIONEER PLUMBING
3017 SHERIDAN STREET "B"
LAS VEGAS, NV 89121
PH: (702) 876-2533

STRUCTURAL:
DAVID LU ENGINEERING, LLC
6511 HUNK BAY PLACE
LAS VEGAS, NV 89144
PH: (702) 258-3554

ELECTRICAL:
PACIFIC ELECTRIC
7175 PEACE AVE, SUITE A
LAS VEGAS, NV 89121
PH: (702) 433-8777

FIRE SPRINKLER SYSTEMS:
HORIZON FIRE PROTECTION
PH: (702) 804-8004

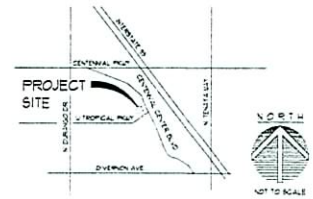
KITCHEN/BAR:

PROJECT DATA

PROPOSED USE: RESTAURANT

APPLICABLE CODES:
2006 INTERNATIONAL BUILDING CODE
2006 UNIFORM PLUMBING CODE
2006 UNIFORM MECHANICAL CODE
2005 NATIONAL ELECTRICAL CODE
2006 INTERNATIONAL ENERGY CONSERVATION CODE
ICC/ANSI A117.1-2003 ACCESSIBILITY CODE
CLARK COUNTY HEALTH DISTRICT
SOUTHERN NEVADA AMENDMENTS TO THE 2006 INTERNATIONAL BUILDING CODE

VICINITY MAP



CODE ANALYSIS

OCCUPANCY: SECTION 303 2006 IBC - A-2
CONSTRUCTION TYPE: TYPE V B, FIRE SPRINKLERED
OCCUPANT LOAD: 104 OCC
OCCUPANCY SEPARATION: NOT REQUIRED
BASIC ALLOWABLE AREA 2006 IBC TABLE 503:
GROUP A-2: 6,000 SQ FT
BUILDING AREA: 4,000 SQ FT
CORRIDOR WALLS: NON RATED PER 2006 IBC TABLE 1017
EXTERIOR WALLS: NON RATED OVER 10'-0" FROM PROPERTY LINE PER 2006 IBC TABLE 602
REQUIRED EXITS: (2) EXITS PER 2006 IBC TABLE 1005.1

DRAWING SYMBOLS

DETAIL REFERENCE — DETAIL NUMBER / SHEET NUMBER
BUILDING SECTION REFERENCE — SECTION LETTER / SHEET NUMBER
WINDOW REFERENCE — WINDOW LETTER
DOOR REFERENCE — DOOR NUMBER
EXTERIOR ELEVATION REFERENCE — ELEVATION LETTER / SHEET NUMBER
INTERIOR ELEVATION REFERENCE — ELEVATION NUMBER / SHEET NUMBER
NOTE REFERENCE — REFERENCE NUMBER
REVISION REFERENCE — REVISION NUMBER
GRID LINE — GRID NUMBER

SUP-31305
12/04/08 PC

RECEIVED
OCT 21 2008

JPA
731 RUBY RIDGE AVE
HENDERSON, NV 89015
PH: (702) 566-3660
FAX: (702) 566-3044
JESS F. PEREZ, A.I.A.
ARCHITECT

REVISION DATE

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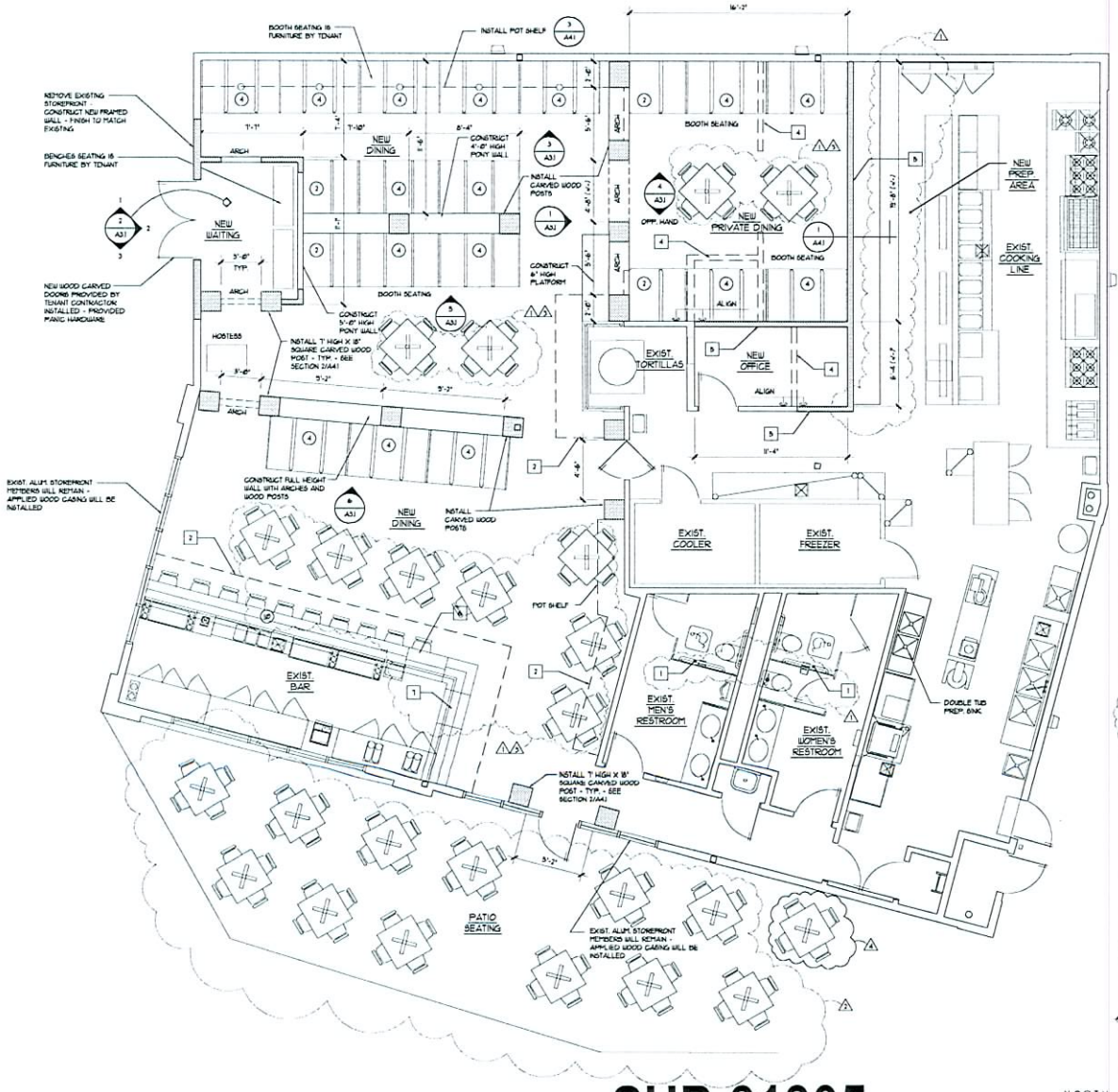
LINDO MICHOACAN RESTAURANT REMODEL
CENTENNIAL CENTRE
TROPICAL PARKWAY &
CENTENNIAL CENTER BLVD.
LAS VEGAS, NEVADA

CAD TITLE: S:\DWG\C1.1.DWG
JPA PROJECT NO: 8-0877
DATE: 09/29/2008
DRAWN BY: GCD
CHECK BY: JFP

CONSTRUCTION DOCUMENTS
SHEET TITLE
SITE PLAN AND COVER SHEET

SHEET NO
C1.1



FLOOR PLAN

SCALE: 1/4" = 1'-0"

SYMBOL LEGEND

EXISTING METAL FRAMED WALL

NEW FRAMED WALL

KEYNOTES

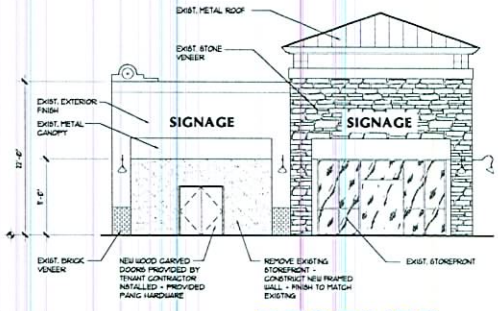
1. PROVIDE 1 1/2" DIAMETER X 18" LONG VERTICAL GRAB BAR PER ANSI A117.1-2003 SECTION 609.4.3.1
2. CONSTRUCT NEW CANOPY WITH 4" X 8" APPLIED SIMULATED WOOD FOAM BEAMS - SEE SECTION 4/A41
3. CONSTRUCT NEW POT SHELF - SEE SECTION 3/A41
4. EXISTING WALL TO BE REMOVED - PATCH ADJACENT CONSTRUCTION AS REQUIRED.
5. CONSTRUCT NEW FULL HEIGHT METAL STUD WALL - INSTALL SOUND BATT INSULATION FULL HEIGHT OF WALL - FINISH TO BE 5/8" PAINTED GYP. BD. BOTH SIDES OF WALL.
6. ADAPT EXISTING BAR HEIGHT TO ACCOMMODATE HANDICAP SEATING.
7. COUNTERTOP LIFT PANEL FOR ISLAND ACCESS.

GENERAL NOTES

1. DIMENSIONS ON DRAWINGS ARE TO FACE OF STUDS AND/OR FACE OF CONCRETE UNLESS NOTED OTHERWISE.
2. FIELD VERIFY ALL DIMENSIONS, CONDITIONS AT JOB SITE AND REPORT ANY DISCREPANCIES TO ARCHITECT BEFORE BEGINNING WORK.
3. CONTRACTOR SHALL PROVIDE AND LOCATE ACCESS PANELS AS REQUIRED AFTER INSTALLATION OF MECHANICAL DUCTS, PLUMBING AND ELECTRICAL WORK.
4. ALL PARTITIONS ADJACENT TO OR LOCATED AT THE BACK OF PLUMBING FIXTURES SHALL BE CONSTRUCTED WITH MOISTURE RESISTANT TYPE "X" GYP. BD.
5. INTERIOR FINISHES SHALL MATCH EXISTING.
6. CONTRACTOR SHALL INSTALL ALL TENANT-FURNISHED ITEMS INCLUDING WOOD CARVED POSTS AND BEAMS, CEILING PANS, LIGHT FIXTURES, ETC.

RESTAURANT / BAR SEATING

TOTAL BOOTH SEATING	72 OCC.
BAR AREA SEATING	18 OCC.
GENERAL UNCONCENTRATED TABLE AND CHAIR SEATING	1,870 SQ. FT. / 15 = 65 OCC.
TOTAL OCCUPANT LOAD	151 OCC.



NORTH EXTERIOR ELEVATION

SCALE: 1/4" = 1'-0"

SUP-31305
12/04/08 PC
REVISED

RECEIVED
NOV 14 2008
PAGE ..... OF ....

JPA
718 RUSTY RIDGE AVE.
Henderson, NV 89015
PH: (702) 566-3888
FAX: (702) 566-3244
JESS F. PEREZ, A.I.A.
ARCHITECT

REVISION DATE:

- 09/16/08 - DIMENSIONS & ELEV.
- 09/17/08 - PLAN CHECK
- 11/26/08 - S.U.P. REVISION
- 11/26/08 - S.U.P. REVISION
- 11/13/08 - C.I. V. REVISION

LINDO MICHOACAN RESTAURANT REMODEL
CENTENNIAL CENTRE
7870 WEST TROPICAL PARKWAY
LAS VEGAS, NEVADA 89149

CAD TITLE: 8-08011 B2A A11
JPA PROJECT NO.: 8-08011
DATE: 09/03/2008
DRAWN BY: G.C.D. CHECK BY: J.P.P.

CONSTRUCTION DOCUMENTS
SHEET TITLE:
FLOOR PLAN AND NORTH EXTERIOR ELEVATION

SHEET NO.: A1.1

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SUP-31305 - APPLICANT: MARK BERRY - OWNER: CENTENNIAL CENTRE, LLC
7870 WEST TROPICAL PARKWAY
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

SUP-31305 - APPLICANT: MARK BERRY - OWNER: CENTENNIAL CENTRE, LLC
7870 WEST TROPICAL PARKWAY
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

SUP-31305 - APPLICANT: MARK BERRY - OWNER: CENTENNIAL CENTRE, LLC
7870 WEST TROPICAL PARKWAY
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

GREATER NEVADA PLANNING INC.

LAND USE CONSULTANTS

- Zoning, Planning, Building & Land Use
- Variances, Conditional Use Permits & Waivers
- Permit Tracking
- Property Analysis & Feasibility Studies
- Business, Gaming & Liquor Licensing
- Development Services

September 22, 2008

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

APN: 128-28-610-004

Subject: Justification Letter: Special Use Permit

The name of this proposal is: Lindo Michoacan Restaurant

Use permits being asked for full Liquor Sales and to serve in a commercial zone currently zoned T-C. This property was formally a occupied Restaurant that had full sales of liquor.

If I can be of any additional assistance in any of this at any time, please do not hesitate to call me at 312-2435

Sincerely,

Andrew Shaw
Associate Planner

GREATER NEVADA PLANNING

8610 S. Eastern Ave., Ste 8
Las Vegas, NV 89123-2836
(702) 312-2435 off
(702) 312-3316 fax

Email: andrew@gnvp.com
Web: www.gnvp.com

SUP-31305
12/04/08 PC

RECEIVED
CITY CLERK

2008 DEC 29 A 8:06

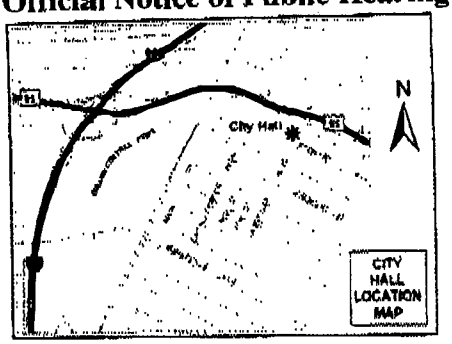
City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
$ 00.39⁴

Return Service Requested

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31305

City Council Meeting of 1/7/2009

COY VANESSA & RYAN
7909 MARCH BROWN AVE
LAS VEGAS NV 89149-5102

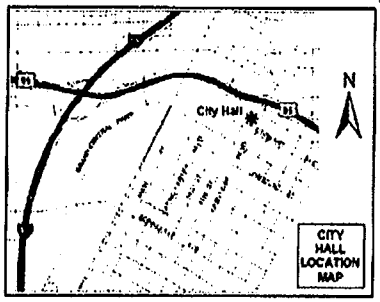
NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.39⁴
0004239954 NOV 21 2008
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



RECEIVED
DEC 04 2008

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31305

Planning Commission Meeting of 12/4/2008

Case: SUP-31305

12527219022
FARKAS MILTON L
985 E 10ST
BROOKLYN NY 11230-3518

11230$3518 C019

Submitted after final agenda
Date 12/4/08 Item 22

Submitted after final agenda
Date P Item 22

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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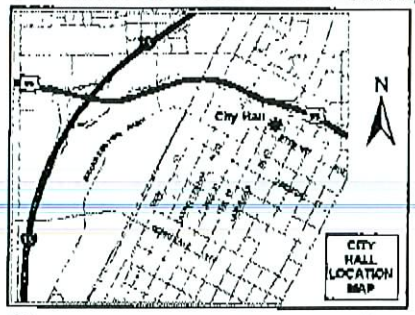
UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.39⁴
0004239954 NOV 21 2008
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31305
Planning Commission Meeting of 12/4/2008

Case: SUP-31305

12528713006
CENTENNIAL CENTRE L L C
%TERRITORY INC
5785 CENTENNIAL CENTER BLVD
SUITE 230
LAS VEGAS NV 89149-7108

LAUDS11 89149

#22
A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.39⁴
0004239954 NOV 21 2008
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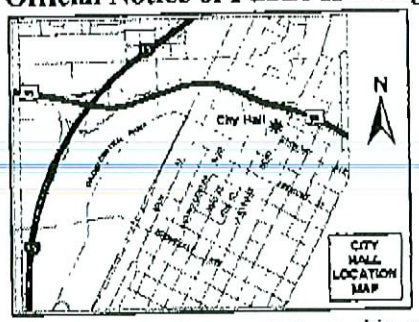
Return Service Requested
Official Notice of Public Hearing



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[X] I SUPPORT this Request
[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31305
Planning Commission Meeting of 12/4/2008

Case: SUP-31305
12528713007
CENTENNIAL HOLDINGS L L C
%TERRITORY INC
5785 CENTENNIAL CENTER BLVD #230
LAS VEGAS NV 89149-7109

IAVDS11 89149

#22
A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE

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MAILED FROM ZIPCODE 89101

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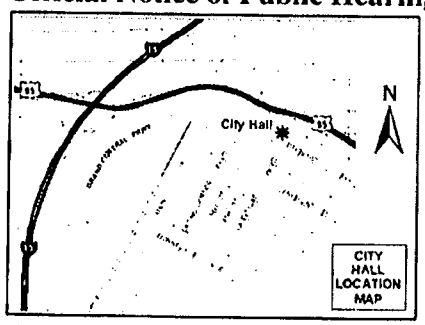
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31305
Planning Commission Meeting of 12/4/2008

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DEC 03 2008

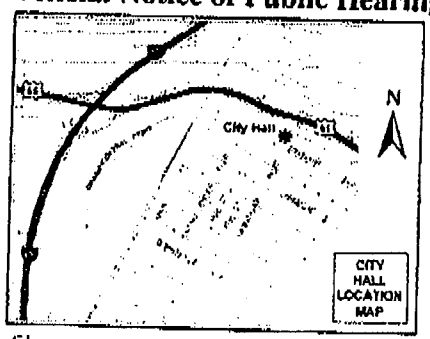
Case: SUP-31305

12528110002
CARDAN CENTENNIAL L L C
5550 W SAHARA AVE
LAS VEGAS NV 89146-3329

Submitted after final agenda
Date A Item 22

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31305

Planning Commission Meeting of 12/4/2008

PRESORTED FIRST CLASS

UNITED STATES POSTAGE

$ 00.394

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DEC 02 2008

12528712044 Case: SUP-31305
COY VANESSA & RYAN
7909 MARCH BROWN AVE
LAS VEGAS NV 89149-5102

Submitted after final agenda
Date A Item 22

11/30/2008 18:04 17024338472 THE COVS PAGE 03

City of Las Vegas Agenda Item No.: **88.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

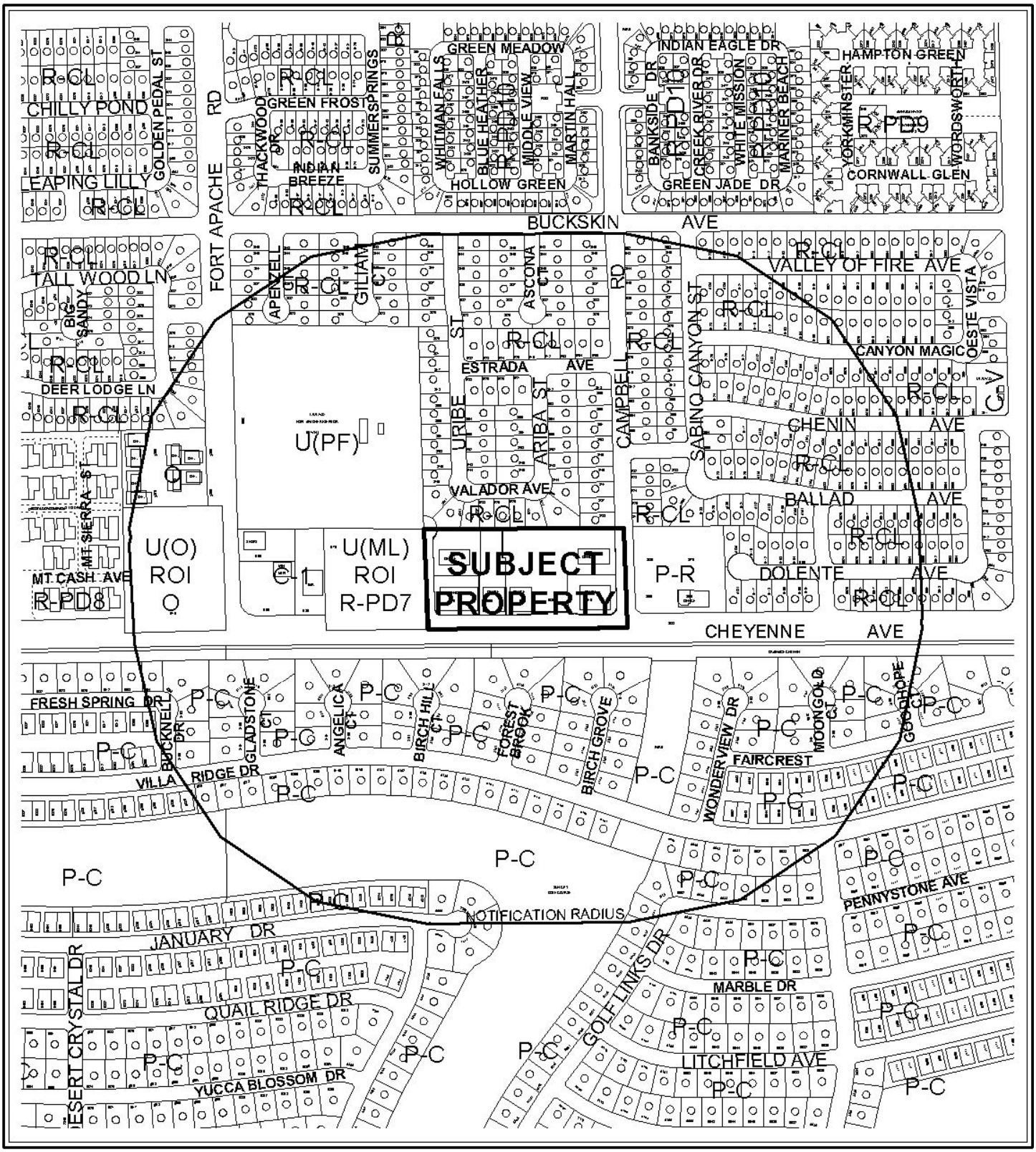
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-31358 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SPORTS, LLC - OWNER: PCB PENSIVY, LLC - Request for a Special Use Permit FOR A 10,000 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR GYM) USE WITH A WAIVER TO ALLOW THE BUSINESS TO OPEN AT 6:00 AM WHERE 8:00 AM IS ALLOWED at 9070 West Cheyenne Avenue (APN 138-08-417-006), O (Office) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**1**
City Council Meeting	**2**	**City Council Meeting**	**2**

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 23



CASE: **SUP-31358**

RADIUS: 1000 FT

0 600 1200 Feet

ZONING OF SUBJECT PROPERTY: O (OFFICE)

N

CASE: **SUP-31358**

RADIUS: 1000 FT

0 600 1200 Feet

ZONING OF SUBJECT PROPERTY: O (OFFICE)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-31358 - APPLICANT: SPORTS, LLC - OWNER: PCB PENSIVY, LLC

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for Commercial Recreation/Amusement (Indoor) use, including parking requirements.

2. Conformance to the conditions for Site Development Plan Review (SDR-18660), Variance (VAR-18908) and Variance (VAR-21733), if approved.

3. The use shall be open to the public between 6:00 AM and 9:00 PM.

4. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Commercial Recreation/Amusement (Indoor) use with a Waiver to allow the business to open at 6:00 AM where 8:00 AM is allowed at 9070 West Cheyenne Avenue. The applicant is proposing a 10,000 square-foot physical therapy business with a gym use within an existing 60,160 square-foot commercial development. The Special Use Permit requirement is to allow the gym use to function at the subject property, which is located within the O (Office) zoning district. The gym use will be utilized by physical therapists for prescription exercise and by approximately 20 members with personal trainers. Staff can support the Waiver request for the hours of operation as the traffic that will be generated by this use will be minimal and will create little disturbance to the neighboring single-family homes to the north. The proposed use will work harmoniously within the existing office development and surrounding commercial properties to the east; therefore, staff recommends approval of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
08/21/02	The City Council approved a General Plan Amendment (GPA-0011-02) to amend a portion of the Centennial Hills Sector Plan from ML (Medium Low Density Residential) to O (Office) on 10 acres adjacent to the northwest and northeast corner of Campbell Road and Cheyenne Avenue and a Rezoning (Z-0063-02) from U (Undeveloped) [ML (Medium Low Density Residential) General Plan designation] to O (Office) on approximately 5.0 acres adjacent to the northwest corner of Cheyenne Avenue and Campbell Road. The Planning Commission recommended approval of both requests, staff recommended approval of the Rezoning and gave no recommendation on the General Plan Amendment request.
12/02/04	The Planning Commission approved a Tentative Map (TMP-5356) for a one-lot commercial subdivision on 5.36 acres adjacent to the northwest corner of Cheyenne Avenue and Campbell Road. Staff recommended approval of this request.
09/15/04	The City Council approved a Petition to Vacate (VAC-4700) U.S. Government Patent Easements generally located west of Campbell Road, north of Cheyenne Avenue. The Planning Commission and staff recommended approval of this request.

03/01/06	The City Council approved a General Plan Amendment (GPA-10763) to amend a portion of the Centennial Hills Sector of the Master Plan from SC (Service Commercial) and O (Office) to ML (Medium Low Density Residential), a Rezoning (ZON-10766) from U (Undeveloped) [O (Office) General Plan designation] under Resolution of Intent to O (Office) and U (Undeveloped) [SC (Service Commercial) General Plan designation] under Resolution of Intent to N-S (Neighborhood Service) to R-PD7 (Residential Planned Development – 7 Units per Acre), a Site Development Plan Review (SDR-10769) for a 56-lot single-family residential development, a Variance (VAR-10765) to allow 21,864 square feet of open space where 40,364 square feet is the minimum amount of open space required for a proposed single-family development on 7.80 acres at 9167, 9092, and 9040 West Cheyenne Avenue. The Planning Commission and staff recommended denial of these requests.
03/23/06	The Planning Commission approved a Tentative Map (TMP-11664) for a 55-lot single-family residential subdivision on 7.80 acres at 9167, 9092, and 9040 West Cheyenne Avenue. Staff recommended approval of this request.
06/15/06	The City Council approved a General Plan Amendment (GPA-14417) Request to amend a portion of the Centennial Hills Sector Plan of the Master Plan from ML (Medium Low Density Residential) to O (Office) on 5.0 acres at 9040 and 9092 West Cheyenne Avenue. The Planning Commission and staff recommended approval of this request.
09/06/06	The City Council approved a Rezoning (ZON-14420) from U (Undeveloped) [ML (Medium Low Density Residential) General Plan designation] under Resolution of Intent to R-PD7 (Residential Planned Development – 7 Units per Acre) to O (Office) and a Site Development Plan Review (SDR-14423) for a proposed 58,400 square-foot Office Development on 5.0 acres at 9040 and 9092 West Cheyenne Avenue. The Planning Commission and staff recommended approval of these requests.
10/05/06	The Planning Commission approved a Tentative Map (TMP-16175) for a one-lot commercial subdivision on 5.0 acres at 9040 and 9092 West Cheyenne Avenue. Staff recommended approval of this request.
02/21/07	The City Council approved a Site Development Plan Review (SDR-18660) For a proposed 60,160 square-foot Office Development and a Variance (VAR-18908) to allow a 33 percent lot coverage where 30 percent is the maximum lot coverage allowed on 5.0 acres at the northeast corner of Campbell Road and Cheyenne Avenue
06/14/07	The Planning Commission approved a Variance (VAR-21733) to allow a five-foot corner side yard setback from the south property line where 15 feet is the minimum corner side yard setback required for a proposed 10,720 square-foot Office Building on 5.0 acres at the northwest corner of Campbell Road and Cheyenne Avenue

04/28/08	A Code Enforcement case (#65030) was processed regarding a complaint from a neighboring property stating the parking lot area had been built too high. After review, the case was resolved on 05/06/08.
12/04/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #23/dc).
Related Building Permits/Business Licenses	
10/08/07	A building permit (#07002861) was issued for onsites/hardscapes at 9006 West Cheyenne Avenue. The permit is still open pending final inspections.
10/08/07	A building permit (#07002856) was issued for an office building at 9070 West Cheyenne Avenue. The permit received final approval on 07/18/08.
08/01/08	A building permit (#111534) was issued for a tenant improvement at 9070 West Cheyenne Avenue. The permit is still open pending final inspections.
10/10/08	A building permit (#125842) was issued for an illuminated wall sign at 9070 West Cheyenne Avenue. The permit is still open pending final inspections.
Pre-Application Meeting	
10/17/08	A pre-application meeting was held where elements of submitting a Special Use Permit for a Commercial Recreation/Amusement (Gym) use were discussed.
Neighborhood Meeting	
A neighborhood meeting was not held, nor was one required.	
Field Check	
10/29/08	A field check was performed by staff at the subject property. The site was observed to be an unoccupied building situated in an multi-building office development which has recently been completed.

Details of Application Request	
Site Area	
Gross Acres	0.47

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Office/Medical Office	O (Office)	O (Office)
North	Single-Family Residential	ML (Medium Low Density Residential)	R-CL (Single Family Compact-Lot)
South	Single-Family Residential	ML (Medium Low Density Residential)	P-C (Planned Community)
East	Office/Medical Office/Undeveloped	O (Office)	C-1 (Limited Commercial)
West	Undeveloped	ML (Medium Low Density Residential)	U (Undeveloped) [ML (Medium-Low Density Residential) General Plan designation]

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	N/A
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
		Required			*Provided*		*Compliance*
			Parking		*Parking*		
Use	*Gross Floor Area or Number of Units*	*Parking Ratio*	Regular	Handi-capped	Regular	Handi-capped	
Medical Office	28,000 SF	1 space for each 200 SF of gross floor area up to 2,000 SF, plus 1 space for each add'l 175 SF	159		160		
Office	32,160 SF	1 / 300 SF	107		107		
SubTotal			259	7	260	7	
TOTAL			266		267		Y

Waivers		
Request	**Requirement**	**Staff Recommendation**
To allow the business to open to the public at 6:00 AM	Hours of operation limited to 8:00 AM to 9:00 PM	Approval

ANALYSIS

This is a request for a Commercial Recreation/Amusement (Indoor) use for a proposed gym with a Waiver to allow the business to open at 6:00 AM where 8:00 AM is allowed at 9070 West Cheyenne Avenue. The applicant is proposing a 10,000 square-foot physical therapy office within a recently completed 60,160 square-foot commercial development which will include a gym use at the subject property. The gym will be utilized by both physical therapists for prescription exercise and by approximately 20 members with personal trainers. The applicant states that the physical therapy use will open at 6:00 AM Monday through Friday, with the gym use opening at 7:00 AM Monday through Saturday. As the applicant has indicated that the physical therapy uses will commence at 6:00 AM, and no restrictions are in place to separate the physical therapy use from the gym uses, staff has identified the earlier start time for the Waiver request. The floor plans submitted indicate the building will consist of a 1,038 square-foot pilates studio, at 2,642 square-foot gym, a 3,198 square-foot physical therapy area, treatment rooms, restroom and locker room facilities, break room, laundry room, a reception area and private offices.

The proposed use requires a Special Use Permit within the O (Office) zoning district. The applicant meets all of the Minimum Special Use Permit Requirements, with the exception of the request for a Waiver to allow the use to be open to the public at 6:00 AM where 8:00 AM is allowed. Staff can support the request for the Waiver as the traffic generated by this use will be minimal in nature and all activity will take place indoors, creating little disturbance to the neighboring single-family homes to the north. Additionally, this use will be compatible with the surrounding business park and the C-1 (Limited Commercial) zoned property to the east; therefore, staff recommends approval of this request.

- **Zoning**

  This property is located within the O (Office) zoning district. The Office district is designed to provide for the development of office uses, supporting service uses and low intensity commercial uses performing administrative, professional and personal services. These may be small office buildings developed cluster with an internal traffic circulation system or one larger office building. This district may be used as a buffer between residential and more intense retail/commercial uses. The O (Office) district is consistent with the O (Office) category of the General Plan. The subject property carries a General Plan land use designation of O (Office).

- **Use**

  A Commercial Recreation/Amusement (Indoor) use is defined by Title 19.04 as an enclosed facility or area for sport, entertainment, games of skill, or recreation that is open to the use by the general public for a fee. This use includes without limitation bowling alleys, indoor miniature gold courses, roller and ice skating rinks, game courts, swimming pools, walk-in movie theaters, physical fitness centers, gyms and video arcades.

- **Minimum Special Use Permit Requirements**

1. The use shall not be open to the public between the hours of 9:00 PM and 8:00 AM.

2. The use must be consistent with and authorized by an approved Site Development Plan for an office project, and may not occupy more than 35 percent of the floor area of the project.

3. No structure that houses the use may exceed 35 feet in height.

4. Each structure that houses the use shall be designed to provide reasonable sound barriers for adjoining properties.

The proposed Commercial Recreation/Amusement (Indoor) use does not meet all of the Minimum Special Use Permit requirements. Specifically, condition number one will not be met as the applicant has requested a Waiver to allow the use to be open to the public at 6:00 AM. Staff can support this Waiver request as the traffic that will be generated by this use will be minimal and will create little disturbance to the neighboring single-family homes to the north. The proposed use, which will occupy approximately 16% of the commercial development, will work harmoniously within the existing office development and surrounding commercial properties to the east; therefore, staff recommends approval of this request.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed use will be compatible with the surrounding office and medical office land uses, as well as the future land uses projected by the General Plan.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The subject site is physically suitable for the type and intensity of land use proposed as it provides adequate parking, adequate access and conforms to Title 19 standards.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

   The site gains access from Dapple Grey Road and Campbell Road, both 60-foot Local Roads, according to the Master Plan of Streets and Highways. These two Local Roads in turn access Cheyenne Avenue, a 100-foot Primary Arterial according to the Master Plan of Streets and Highways, which will provide adequate access to the site.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   Approval of this Special Use Permit will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The use meets all of the applicable conditions per Title 19.04, with the exception of the Waiver request to allow the use to be open to the public at 6:00 AM, where 8:00 AM is allowed. Staff can support the request as it finds that the use can be conducted in a harmonious manner with the surrounding properties.

PLANNING COMMISSION ACTION

The applicant agreed to all conditions at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 4

SENATE DISTRICT 6

NOTICES MAILED 412 by City Clerk

APPROVALS 1

PROTESTS 1

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-31358 APN: 138-08-417-006

Name of Property Owner: PCB Pensivy LLC.

Name of Applicant: SPORTS LLC.

Name of Representative: Michelle Albrecht

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 __X__ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Scott Pensivy

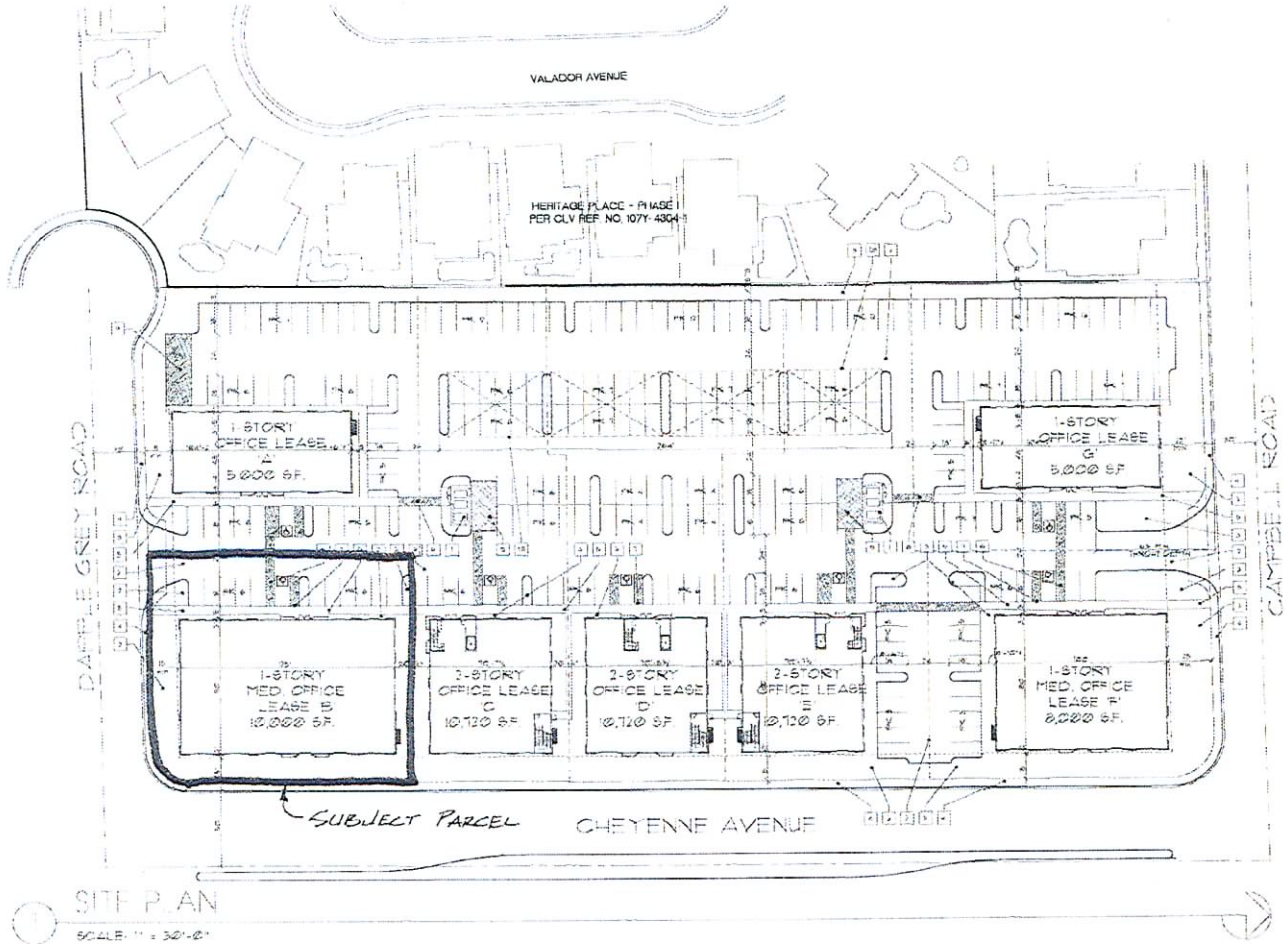
Subscribed and sworn before me

This 5 day of November, 2008

Valerie L Maldonado

Notary Public in and for said County and State

VALERIE L. MALDONADO
Notary Public, State of Nevada
Appointment No. 08-6201-1
My Appt. Expires Feb 3, 2012



SITE PLAN

SCALE: 1" = 30'-0"

KEYNOTES

*	DESCRIPTION
1	6'-0" HIGH CONCRETE BLOCK TRASH ENCLOSURE WITH PAIR OF STEEL TUBE GATES WITH STAMPED METAL BACKING AND LATCH, LOCK/LATCH - SEE DETAILS 6 & 7 / L1 ON SHEET A1.2
2	A.C. PAVING - SEE CIVIL DRAWINGS
3	LANDSCAPED AREA - SEE OTHERS
4	CONCRETE SIDEWALK, CURB & GUTTER AS PER CITY OF LAS VEGAS
5	4" CONCRETE SIDEWALK W/ MEDIUM BROOM FINISH - SEE CIVIL DRAWINGS
6	HANDICAP ACCESSIBLE AISLE - SEE DETAIL 9 ON 6 SHT. A2
7	HANDICAP SIGN MARK - SEE DETAIL 9 ON SHEET A2
8	HANDICAP ACCESSIBLE ROUTE
9	15' X 25' LOADING ZONE
10	TOTAL COMMENTS + SIGNS IN FINAL DRAWINGS TO BE VERIFIED BY VENDOR FOR PERMITTING

RECEIVED

NOV 17 2008

PROJECT DATA

REQUIRED ZONING: C

EXISTING ZONING: C

AREA SUMMARY

USE	HEIGHT	AREA
MEDICAL LEASE 'A'	1-STORY	5,000 S.F.
MEDICAL LEASE 'B'	1-STORY	10,000 S.F.
OFFICE LEASE 'C'	3-STORY	10,720 S.F.
OFFICE LEASE 'D'	2-STORY	10,720 S.F.
OFFICE LEASE 'E'	2-STORY	10,720 S.F.
MEDICAL LEASE 'F'	1-STORY	6,000 S.F.
MEDICAL LEASE 'G'	1-STORY	5,000 S.F.
TOTAL		48,440 S.F.

REQUIRED PARKING:	USE	AREA	FACTOR	PKG.
	MED. OFFICE	15,000 S.F.	1/250	60
	MED. OFFICE	26,440 S.F.	1/250	106
	OFFICE	32,160 S.F.	1/250	129
			TOTAL	295

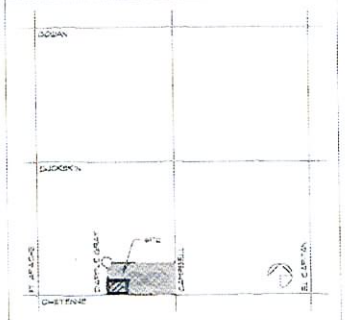
EXISTING PARKING: 297 SPACES

N/C ACREAGE: 1,263,555 S.F. / 29.0 ACRES

BUILDING COVERAGE: 3.83%

APN: 138-05-401-009
138-05-401-008

LOCATION



REVISIONS

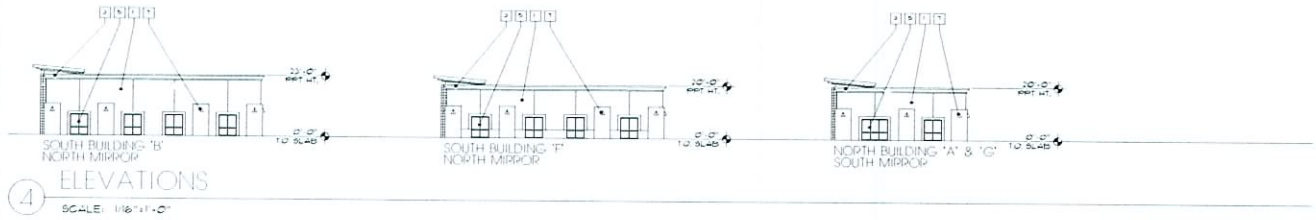
JOHN CANNON ARCHITECT, LTD.
3471 E. SUNSET ROAD, STE. 100, LAS VEGAS, NV 89120 (702) 436-4343

CHEYENNE WEST
PROFESSIONAL CENTRE
For: HFP, LLC.
City of Las Vegas
NV869

date: 07.01.10
drawn by:
chkd. by:

sheet no. A1

SUP-31358
12/04/08 PC
REVISED



4 ELEVATIONS

SCALE: 1/8"=1'-0"

3 ELEVATIONS

SCALE: 1/8"=1'-0"

2 EAST ELEVATION (view from Cheyenne)

SCALE: 1/8"=1'-0"

1 WEST ELEVATION (view from the parking lot)

SCALE: 1/8"=1'-0"

KEYNOTES

#	description
1	SYNTHETIC STUCCO FINISH SYSTEM (CHEMSTATIC AND EIF FAUXTINO
2	KEENE "HD STUCCO CONTROL JOINT
3	STUCCO CORNICE
4	STUCCO FASCIA
5	ALUMINUM STOREFRONT DOOR OR WINDOW
6	STUCCO WAINSCOT
7	DECORATIVE LIGHT SCONCE
8	STANDING SEAM METAL ROOF
9	DECORATIVE STEEL TUBE AWNING
10	SIGNAGE - BY OTHERS

jann cavi burke, architect

revisions

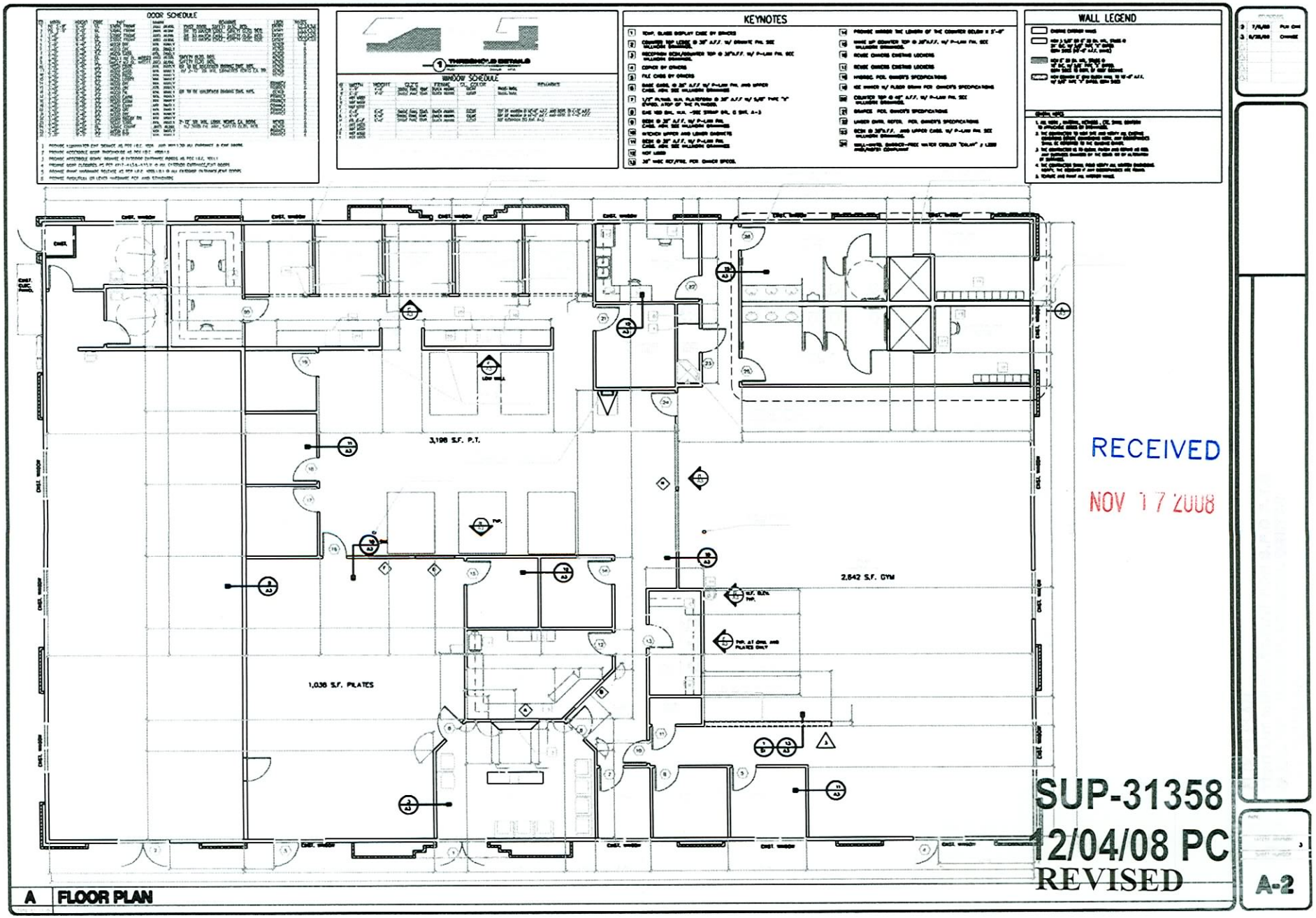
OFFICE PARK
Cheyenne & Campbell
for: FFRW LLC
City of Las Vegas
Nevada

date
proj. no.
drwn. by
chkd. by

sheet no. A2

RECEIVED
OCT 22 2008

SUP-31358
12/04/08 PC


DOOR SCHEDULE
WINDOW SCHEDULE
KEYNOTES
WALL LEGEND
3,198 S.F. P.T.
2,642 S.F. GYM
1,038 S.F. PILATES
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NOV 17 2008
SUP-31358
12/04/08 PC
REVISED
A
FLOOR PLAN
A-2

Cheyenne West Professional Centre

Parking Calculation
(based on current uses 10/21/08)

Area Summary:

Use	Height	Area
Medical Lease "A"	1-Story	5,000 s.f.
Medical Lease "B"	2-Story	10,000 s.f.
Office Lease "C"	2-Story	10,720 s.f.
Office Lease "D"	2-Story	10,720 s.f.
Office Lease "E"	2-Story	10,720 s.f.
Medical Lease "F"	1-Story	8,000 s.f.
Total		60,160 s.f.

Required Parking:

Medical Office	2,000 s.f.	1/200	10 p.s.
Medical Office	26,000 s.f.	1/175	149 p.s.
Office	32,160 s.f.	1/300	107 p.s.
Total			266 p.s.

Provided Parking: 267 p.s.

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REVISED

SUP-31358
12/04/08 PC

RECEIVED
OCT 22 2008

SUP-31358
12/04/08 PC

NAI Las Vegas
AVAILABLE
(702) 796-8888
"Ben Millis (702) 513-8780
RECEIVED
OCT 22 2008
SUP-31358
12/04/08 PC

SUP-31358 - APPLICANT: SPORTS, LLC - OWNER: PCB PENSIVY, LLC
9070 WEST CHEYENNE AVENUE
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

SUP-31358 - APPLICANT: SPORTS, LLC - OWNER: PCB PENSIVY, LLC
9070 WEST CHEYENNE AVENUE
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

SUP-31358 - APPLICANT: SPORTS, LLC - OWNER: PCB PENSIVY, LLC
9070 WEST CHEYENNE AVENUE
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

SUP-31358 - APPLICANT: SPORTS, LLC - OWNER: PCB PENSIVY, LLC
9070 WEST CHEYENNE AVENUE
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

October 20, 2008

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

Re: Special Use Permit
Cheyenne Professional Centre
9070 W. Cheyenne Avenue
Las Vegas, NV 89129

Dear Planning and Development Department:

My name is Scott Pensivy. I am a physical therapist and have been in town for 22 years. I am currently practicing physical therapy in the Northwest Area of Las Vegas. Myself and partners have developed a 5-acre parcel on Cheyenne, which is called "Cheyenne West Professional Centre." This letter is to help the Planning and Development Department understand a request for a Special Use Permit for my new location.

Currently, I have a 7,100 sq. ft., physical therapy clinic named "S.P.O.R.T.S." on Cheyenne in the Northwest area, approximately 1.2 miles east of the new location on Cheyenne. I am currently going to purchase on of our buildings on the development of the Cheyenne West Professional Centre, which is approximately 10,000 sq. ft. Of this 10,000 sq. ft., 3,000 sq. ft. will be dedicated for a gym; Mat area for closed Kinetic chain, activities, such as: jumping/stretch classes, yoga etc. The gym area will be overseen by physical therapist and allow prescription exercise to continue. The remaining square footage will be dedicated to my physical therapy practice. I will close my current location and move my practice to this new location January 1, 2009. The Special Use Permit will be to allow the 3,000 sq. ft., of gym space to run as it is currently with two physical therapists overseeing several patients, along with opening this area for discharge patients and in-house patients.

I currently have approximately 20 members who belong to my gym with personal trainers who are all certified. They will continue to have appropriate certification and appropriate insurance in this new location to meet their goals. There will be a limit on members due to the limited space. We currently have a parking ratio of 6:1 for this complex.

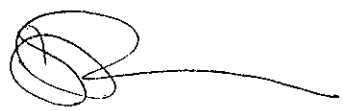
I am asking this committee to allow a Special Use Permit to continue my practice and allow my patients to continue in a small gym setting to help facilitate their rehab potential along with future workout programs.

SUP-31358
12/04/08 PC

The hours of operation for the gym will be Monday through Friday from 7:00 am until 7:00 pm and Saturday from 7:00 am until Noon. The hours of physical therapy will be from 6:00 am until 7:00 pm., Monday through Friday.

I hope this letter outlines the recommendations for which I am asking for this Special Use Permit. Should you have any questions or concerns regarding this issue, please feel free to contact me. Darcy Hayes, who works for the City is a patient of mine and understands how my practice works with allowing a patient to join the gym to continue their rehab potential. She has offered her assistance in explanation of how things are laid out currently at this location. We will use the same environment and process at the new location for patient care, and a small percentage of outside individuals will join the gym.

Thank you again for your time and consideration for this Special Use Permit.



Scott R. Pensivy, P.T., L.A.T., A.T.C.
Owner/President S.P.O.R.T.S. L.L.C. (Scott Pensivy Orthopedic Rehabilitation Services)

SUP-31358
12/04/08 PC

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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CITY CLERK

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
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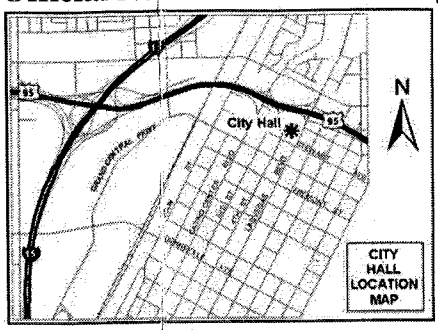
DEC 24 2008
MAILED FROM ZIP CODE 89101

2008 DEC 29 A 11:17

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31358
City Council Meeting of 1/7/2009

BLACK JOHN R & ANITA R
3245 ARIBA ST
LAS VEGAS NV 89129-6174

JAV0511 89129

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK
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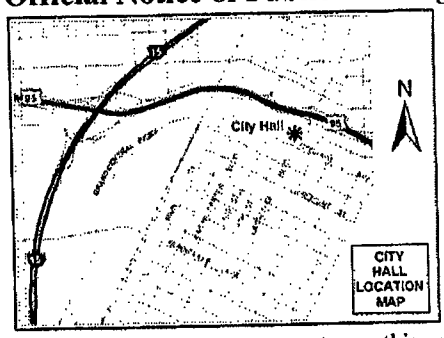
$ 00.38

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31358
City Council Meeting of 1/7/2009

DEBENEDETTO GIACOMO & GAIL A
3345 CAMPBELL RD
LAS VEGAS NV 89129-6164

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK
2008 DEC 29 A 8:10

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
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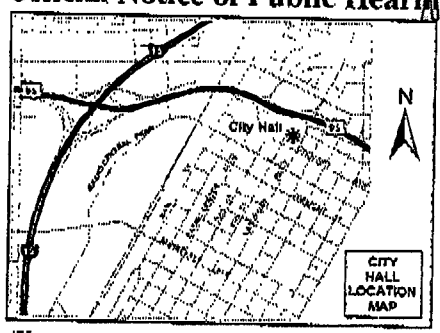
DEC 24 2008
MAILED FROM ZIPCODE 89101

Return Service Requested

Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31358

City Council Meeting of 1/7/2009

MANTEL EVELYN M & DAVID
4935 VAN NOORD AVE
SHERMAN OAKS CA 91423-2213

P.1

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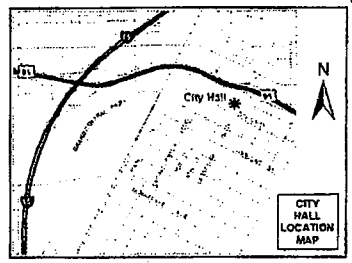
CITY CLERK

2008 DEC 29 A 8:10

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31358
City Council Meeting of 1/7/2009

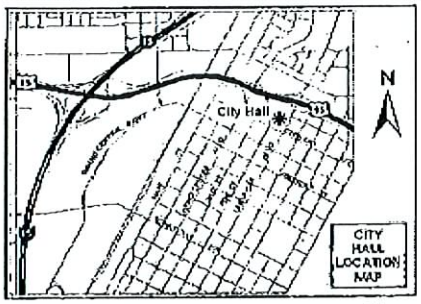
BACA LIVING TRUST
BACA RONALD & CATHERINE TRS
4409 LILAC GLEN DR
LAS VEGAS NV 89129-5948

Dec 27 08 12:18p

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31358

Planning Commission Meeting of 12/4/2008

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

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NOV 25 2008

Case: SUP-31358
13808414050
DEBENEDETTO GIACOMO & GAIL A
3345 CAMPBELL RD
LAS VEGAS NV 89129-6164

#23
P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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NOV 25 2008

PRESORTED FIRST CLASS

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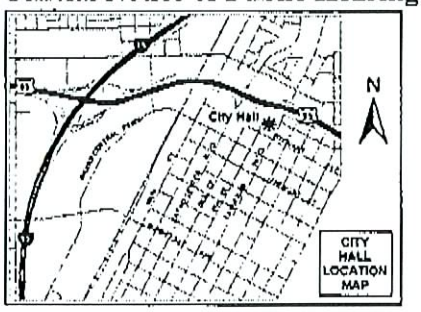

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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31358

Planning Commission Meeting of 12/4/2008

This business has operated on Cheyenne about 1½ E. of this location. There is no noise, or congestion and there is no reason to denie this request.

Case: SUP-31358
13808414021
WRIGHT FAMILY TRUST 2000
3336 GILIAM CT
LAS VEGAS NV 89129-6182

#23
A

Telephone Protest/ Support Log

RECEIVED
DEC 04 2008

Meeting Date: 12.04.08 PC **Case Number:** SUP-31358

Date: 12.03.08
Name: Janice McClanahan
Address: 9044 Villa Ridge Dr
Las Vegas Nv 89134
Phone: 702-233-1113
☐ **PROTEST** ☒ **SUPPORT**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **SUPPORT**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **SUPPORT**

Date:
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☐ **PROTEST** ☐ **SUPPORT**

Date:
Name:
Address:
Phone:
☐ **PROTEST** ☐ **SUPPORT**

Submitted after final agenda
Date 12/4/08 Item 23

Submitted after final agenda
Date A Item 23

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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MAILED FROM ZIPCODE 89101

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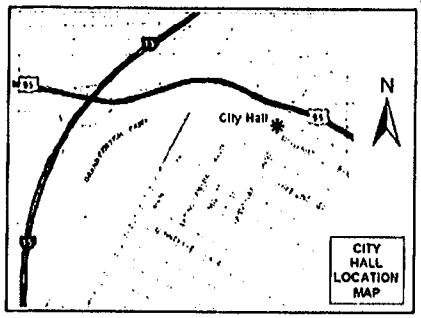

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SUP-31358

Planning Commission Meeting of 12/4/2008

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DEC 03 2008

Case: SUP-31358
13808413006
ROSENBERG FAMILY TRUST
3332 CAMPBELL RD
LAS VEGAS NV 89129-6166

Submitted after final agenda
Date P Item 23

Submitted after final agenda
Date 12/3/08 Item 23

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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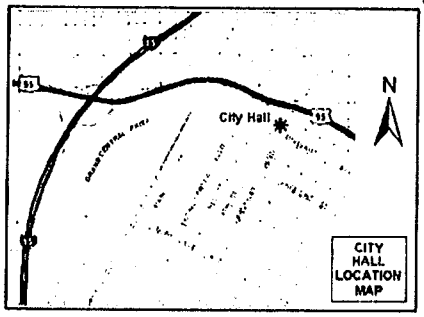

We oppose this, and we were told the hearing was for D.R. offices only

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DEC 02 2008

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31358

Planning Commission Meeting of 12/4/2008

Case: SUP-31358

13817110026
KALEM FRANK R & JOSEPHINE T
3113 FOREST BROOK CT
LAS VEGAS NV 89134-8955

Submitted after final agenda

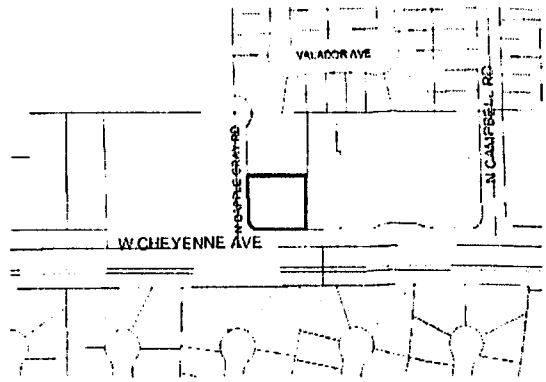
Date P Item 23

Application Information

SUP-31358 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SPORTS, LLC - OWNER: PCB PENSIVY, LLC - Request for a Special Use Permit FOR A 10,000 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR GYM) USE WITH A WAIVER TO ALLOW THE BUSINESS TO OPEN AT 6:00 AM WHERE 8:00 AM IS ALLOWED at 9070 West Cheyenne Avenue (APN 138-08-417-006), O (Office) Zone, Ward 4 (Brown)

WE HAVE SEEN AN INCREASE IN NOISE AND POLLUTION WITH THE OPENING OF CHEYENNE BELTWAY OVERPASS. WE DO NOT NEED ANY MORE NOISE INTERRUPTING OUR SLEEP! TOO MANY WAIVERS ALREADY BEEN GIVEN TO EXISTING BUSINESSES. IT'S TIME TO THINK ABOUT THE RESIDENTS WHO LIVE IN THE AREA & NOT ABOUT YOUR TAX BASE! NO TO THIS PROJECT !!

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***December 04, 2008***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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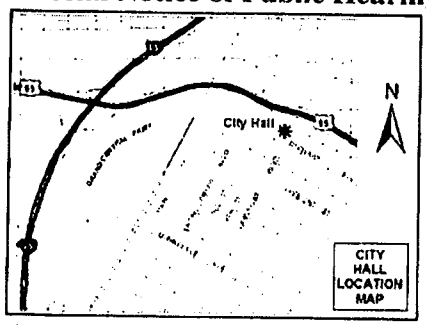

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP-31358
Planning Commission Meeting of 12/4/2008

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DEC 02 2008

Case: SUP-31358
13817110006
SELES STEVE & GLENDA
3108 GLADSTONE CT
LAS VEGAS NV 89134-8958

Submitted after final agenda
Date 12/4 Item 23

8913438656 0001

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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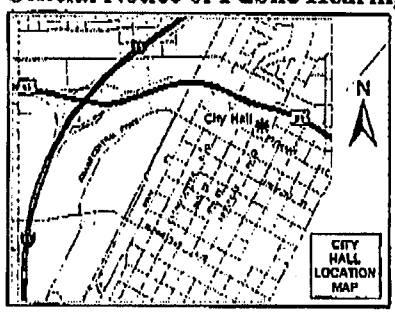

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SUP-31358

Planning Commission Meeting of 12/4/2008

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13808414021
WRIGHT FAMILY TRUST 2000
3336 GILIAM CT
LAS VEGAS NV 89129-6182

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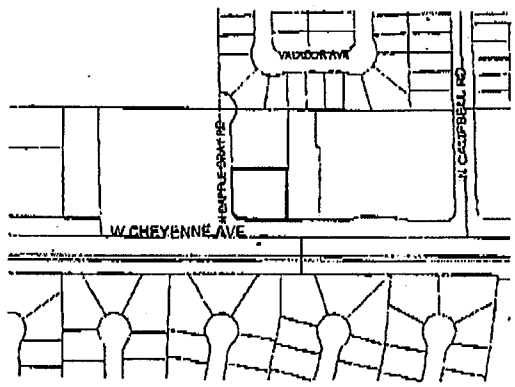

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Submitted after final agenda
Date A Item 23

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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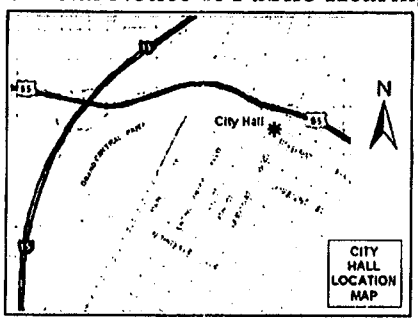

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31358

Planning Commission Meeting of 12/4/2008

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DEC 02 2008

Case: SUP-31358

13808410018
EDGETT ROBERT H & FLORENCE A
3240 ARIBA ST
LAS VEGAS NV 89129-6174

Submitted after final agenda
Date A Item 23

City of Las Vegas Agenda Item No.: **89.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

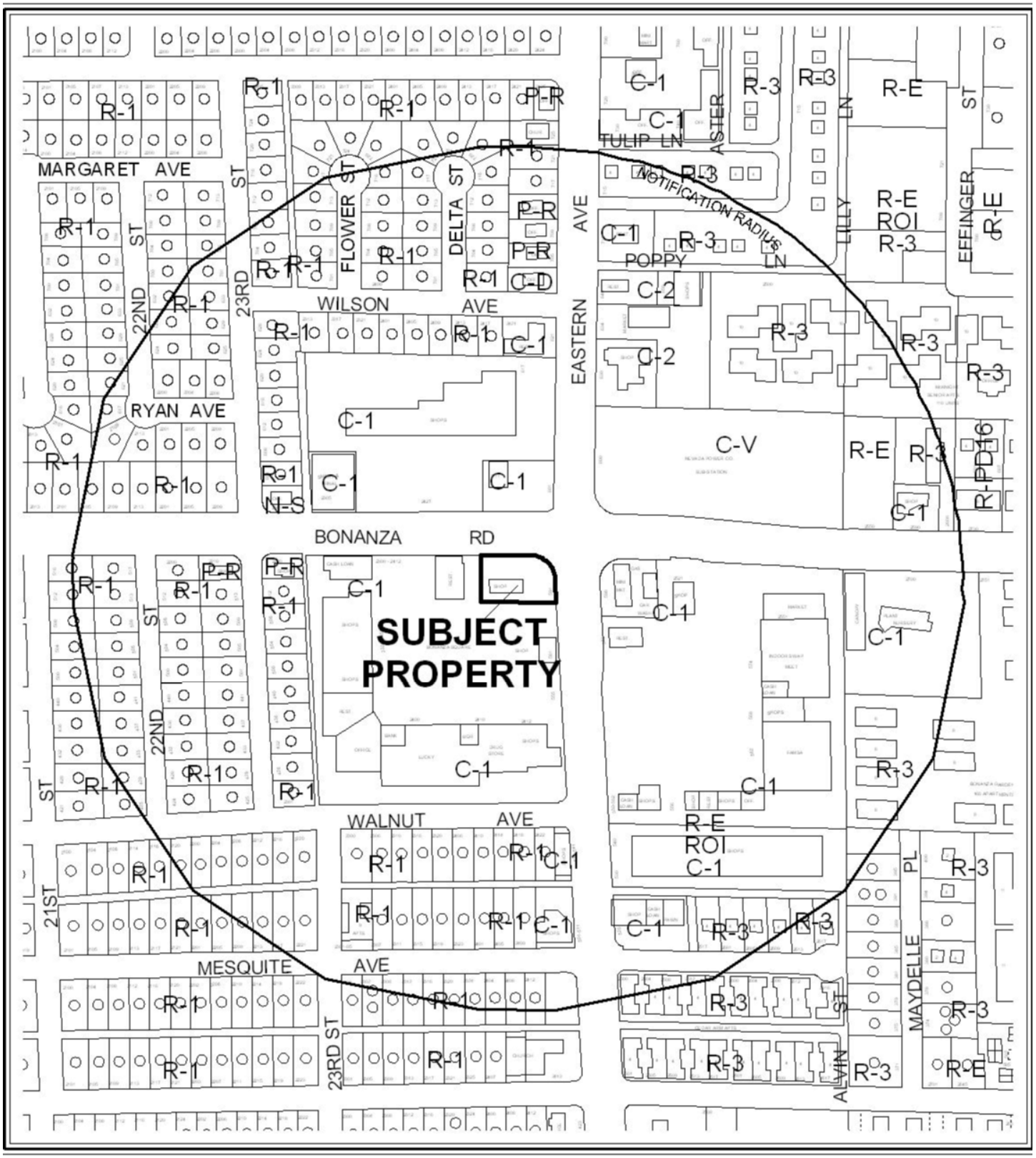
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-29529 – ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SOUTHERN STATES SIGN COMPANY - OWNER: BEHROOZ FARIDIAN - Request for a Special Use Permit FOR A PROPOSED 40-FOOT HIGH 10.5-FOOT BY 36-FOOT OFF-PREMISE SIGN (DIGITAL BILLBOARD) at 591 North Eastern Avenue (APN 139-35-501-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**3**	**Planning Commission Mtg.**	**1**
City Council Meeting	**1**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Backup Referenced from the 10-09-2008 Planning Commission Meeting Item 37



CASE: **SUP-29529**

RADIUS: 1000 FT

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

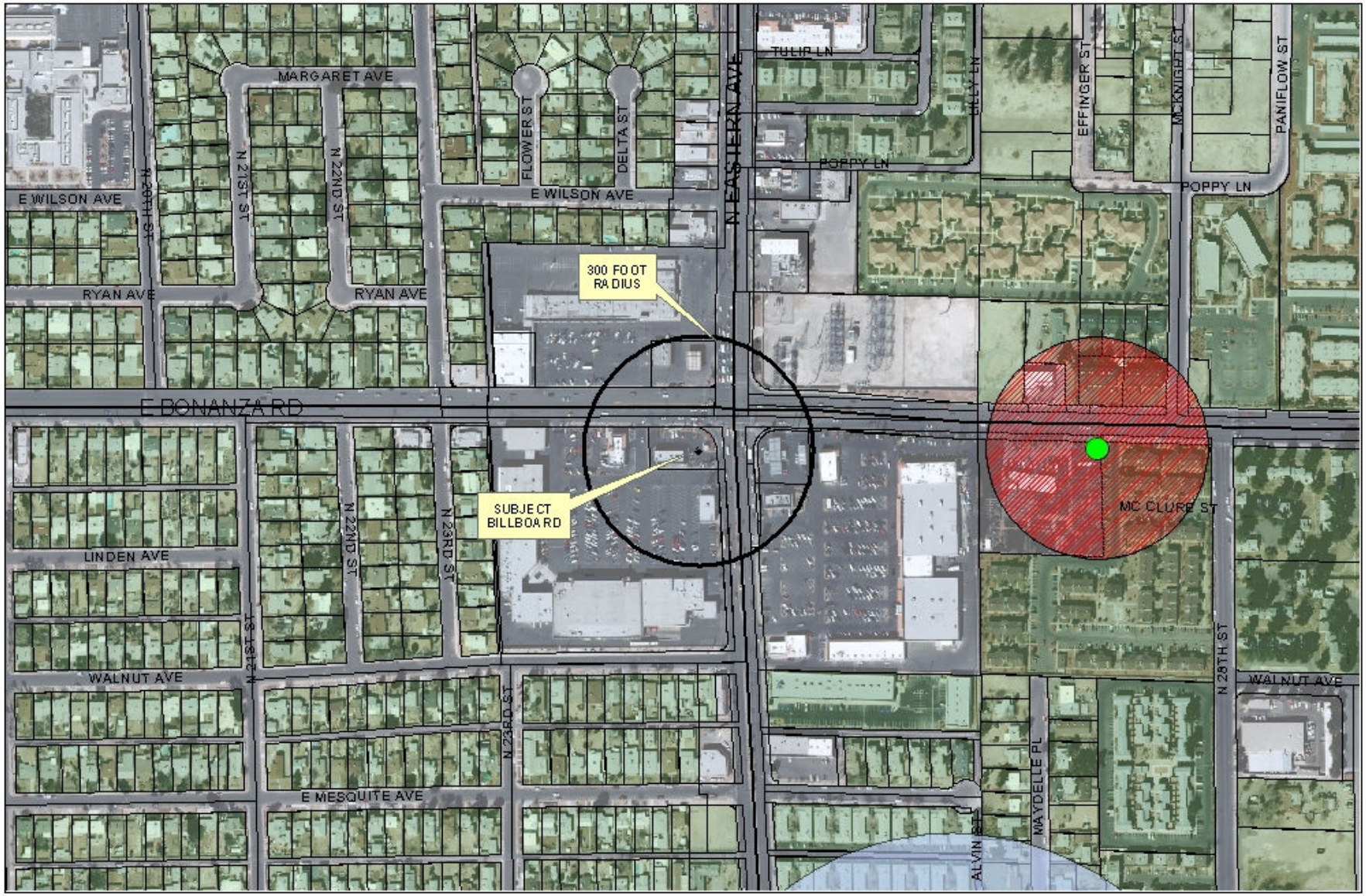
0 500 Feet

CASE: **SUP-29529**

RADIUS: 1000 FT

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

N



SUP-29529

City of Las Vegas Billboard Data

- Subject Parcel
- City of Las Vegas Billboard Location
- Clark County Billboard Location
- 300 Foot Buffer Around Billboard
- 750 Foot Buffer Around Freeway Billboard
- Off Premise Sign Exclusion Area
- Exempt - Off Premise Area Sign Area

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-29529 - APPLICANT: SOUTHERN STATES SIGN COMPANY - OWNER: BEHROOZ FARIDIAN

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 5, 2008 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.14.100 for Off-Premise Signs.

2. Approval of and conformance to the Conditions of Approval for Rezoning (Z-0105-62), Variance (VAR-12684) and Site Development Plan Review (SDR-12683) shall be required, if approved.

3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

4. This Special Use Permit shall be reviewed in three years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

5. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

6. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.

7. Only one advertising sign is permitted per sign face.

8. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.

9. Bird deterrent devices shall be installed on the sign.

10. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

Public Works

11. The proposed sign shall not be located within the public right-of–way or interfere with Site Visibility Restriction Zones. The proposed ground mounted base shall not be located within existing or proposed public sewer or drainage easements.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow a proposed 40-foot high, 10.5-foot by 36-foot Off-Premise Sign (Digital Billboard) on 0.48 acres located at an existing commercial development at 591 North Eastern Avenue.

The subject property is located within the boundaries of the Las Vegas Redevelopment District. The Off-Premise Sign is not harmonious with the surrounding development, and is not compatible with the second goal of the Redevelopment Plan, which is to "achieve an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for attainment of the objectives of the Redevelopment Plan." For these reasons, staff recommends denial of the Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
12/07/05	The Board of City Commissioners approved a Rezoning and Site Development Plan Review (Z-0105-62) of this property from R-2 (Two Family Residence) to C-1 (Limited Commercial) for a proposed service station at 591 N. Eastern Avenue.
12/07/05	The City Council approved a Site Development Plan Review (SDR-9372) for a proposed 2,800 square-foot commercial building with drive-through and waiver of the building placement standard at 591 N. Eastern Avenue. The Planning Commission and staff recommended approval.
12/07/05	The City Council approved a Variance (VAR-9581) to allow 20 parking spaces where 23 is the minimum required for a proposed 2,800 square-foot commercial building with drive-through at 591 N. Eastern Avenue. The Planning Commission and staff recommended approval.
06/07/06	The City Council approved a Site Development Plan Review (SDR-12683) for a proposed 2,800 square-foot commercial building with drive-through and waiver of the building placement standard at 591 N. Eastern Avenue. The Planning Commission and staff recommended approval.
06/07/06	The City Council approved a Variance (VAR-12684) to allow 12 parking spaces where 20 is the minimum required for a proposed 2,800 square-foot commercial building with drive-through at 591 N. Eastern Avenue.
09/03/08	Staff approved a Temporary Sign Permit (TSP-29740) for a banner sign for Wireless Toyz. The permit is valid from 09/04/08 to 11/02/08.
10/09/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #37/sg).

Related Building Permits/Business Licenses	
11/02/06	A building permit (6006751) was issued for a 2800 square-foot shell building and site improvements at 591 N. Eastern Avenue. The permit had a final completion date of 07/06/07.
04/23/07	Business licenses were issued for a Merchandise Broker and Miscellaneous Telephone Sales and Service at 591 N. Eastern Avenue, Suite #150.
05/22/07	A building permit (7001707) was issued for a tenant improvement at 591 N. Eastern Avenue, Suite #150. The permit had a final completion date of 06/26/07.
05/29/07	A building permit (70001763) was issued for wall signs at 591 N. Eastern Avenue, Suite #150. The permit expired on 12/01/07.
06/19/08	A building permit (7002002) was issued for directional signs and wall signs at 591 N. Eastern Avenue, Suite #110. The permit expired on 07/05/08.
06/22/07	A building permit (7002043) was issued for a tenant improvement at 591 N. Eastern Avenue, Suite #110. The permit was completed on 10/25/07.
10/30/07	A business license (R07-792) was issued for a Restaurant with less than 45 seats at 591 N. Eastern Avenue, Suite #110.
Pre-Application Meeting	
08/11/08	A pre-application meeting was held in which the Special Use Permit requirements and the development standards for Off-Premise signs were discussed.
Field Check	
09/02/08	A field check of the site was conducted. The site consists of an existing retail center with a drive-through restaurant. It was noted that the chain link fencing around existing environmental remediation equipment in the southeast corner of the site is damaged.

Details of Application Request	
Site Area	
Net Acres	0.48

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Commercial and Restaurant with Drive-Through	SC (Service Commercial)	C-1 (Limited Commercial)
North	Convenience Store	SC (Service Commercial)	C-1 (Limited Commercial)
South	Commercial Development	SC (Service Commercial)	C-1 (Limited Commercial)
East	Commercial Development	SC (Service Commercial)	C-1 (Limited Commercial)
West	Commercial Development	SC (Service Commercial)	C-1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	N/A
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.14.100, the following standards apply:

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise sign may be located within the public right-of-way.	Located at 591 N. Eastern.	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only.	The subject site is zoned C-1 (Limited Commercial).	Y
Area	No off-premise sign shall have a surface area greater than 672 square feet per sign face, except that an embellishment not exceeding five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The sign is proposed as double-sided, 10.5 feet by 36 feet, or a total area of 378 square feet.	Y
Height	40 Feet above grade	40 Feet	Y
Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	58 Feet	
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Enclosed cabinet and pole covers painted to match existing buildings.	Y

Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to the ground; no residential uses on site.	Y

ANALYSIS

The subject property has an SC (Service Commercial) land use designation, which allows for low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons and do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The SC (Service Commercial) category may also allow mixed-use development with a residential component where appropriate. The proposed Off-Premise (Billboard) Sign is consistent with the land use designation.

The subject site is zoned C-1 (Limited Commercial). Development is subject to the standards contained within Title 19.14.100 Off-Premise Signs. Off-Premise (Billboard) Signs are permitted uses within the C-1 (Limited Commercial) zoning district with approval of a Special Use Permit.

Pursuant to Title 19.14.100, the following minimum separation standards apply to the subject proposal: an Off-Premise Sign may not be located closer than 300 feet to any other off-premise sign; 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways; and no off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the "U" zoning district or any "R" zoning district. The proposed Off-Premise Sign use is greater than 300 feet from another Off-Premise Sign, greater than 50 feet from an existing intersection, and greater than 300 feet from the nearest residential zoning district; therefore, it will meet all minimum distance separation requirements.

A previous Site Development Plan Review (SDR-12683) was approved for the subject site for a commercial building with a drive-through in June of 2006, along with a companion Variance (VAR-12684) to allow 12 parking spaces where 20 spaces were required, which is a 40% reduction from Title 19.04 requirements. The previous request for a Variance for reduced parking at the site indicates that it is already overbuilt.

The subject property is located within the boundaries of the Las Vegas Redevelopment District. The Off-Premise Sign is not harmonious with the surrounding development, and is not compatible with the second goal of the Redevelopment Plan, which is to "achieve an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for attainment of the objectives of the Redevelopment Plan." For these reasons, staff recommends denial of the Special Use Permit.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The subject site and the surrounding properties are all zoned C-1 (Limited Commercial), with a General Plan designation of SC (Service Commercial). The proposed Off-Site Sign is a permitted use in the C-1 (Limited Commercial) zone, with the approval of a Special Use Permit, and is consistent with the SC (Service Commercial) land use designation. The Off-Premise Sign is not harmonious with the surrounding development in that the site is already overbuilt.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The subject site is not physically suitable for the proposed use. It was developed as a commercial center, with a Variance (12684) to allow 12 parking spaces where 20 spaces were required. The request for this Variance indicates that the site is already overbuilt.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

   The site has adequate access via two existing driveways onto Bonanza Road and Eastern Avenue, which are classified as 100-foot Primary Arterials by the Master Plan of Streets and Highways.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed use meets all applicable conditions per Title 19.04 and 19.14.100 for Off-Premise Signs.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

ASSEMBLY DISTRICT 11

SENATE DISTRICT 10

NOTICES MAILED 205 by City Clerk

APPROVALS 0

PROTESTS 1

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-29529** APN: 139-35-501-002

Name of Property Owner: Behrooz Faridian

Name of Applicant: Southern States Sign Company

Name of Representative: Thalia Dondero

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: FARIDIAN

Print Name: BEHROOZ FARIDIAN

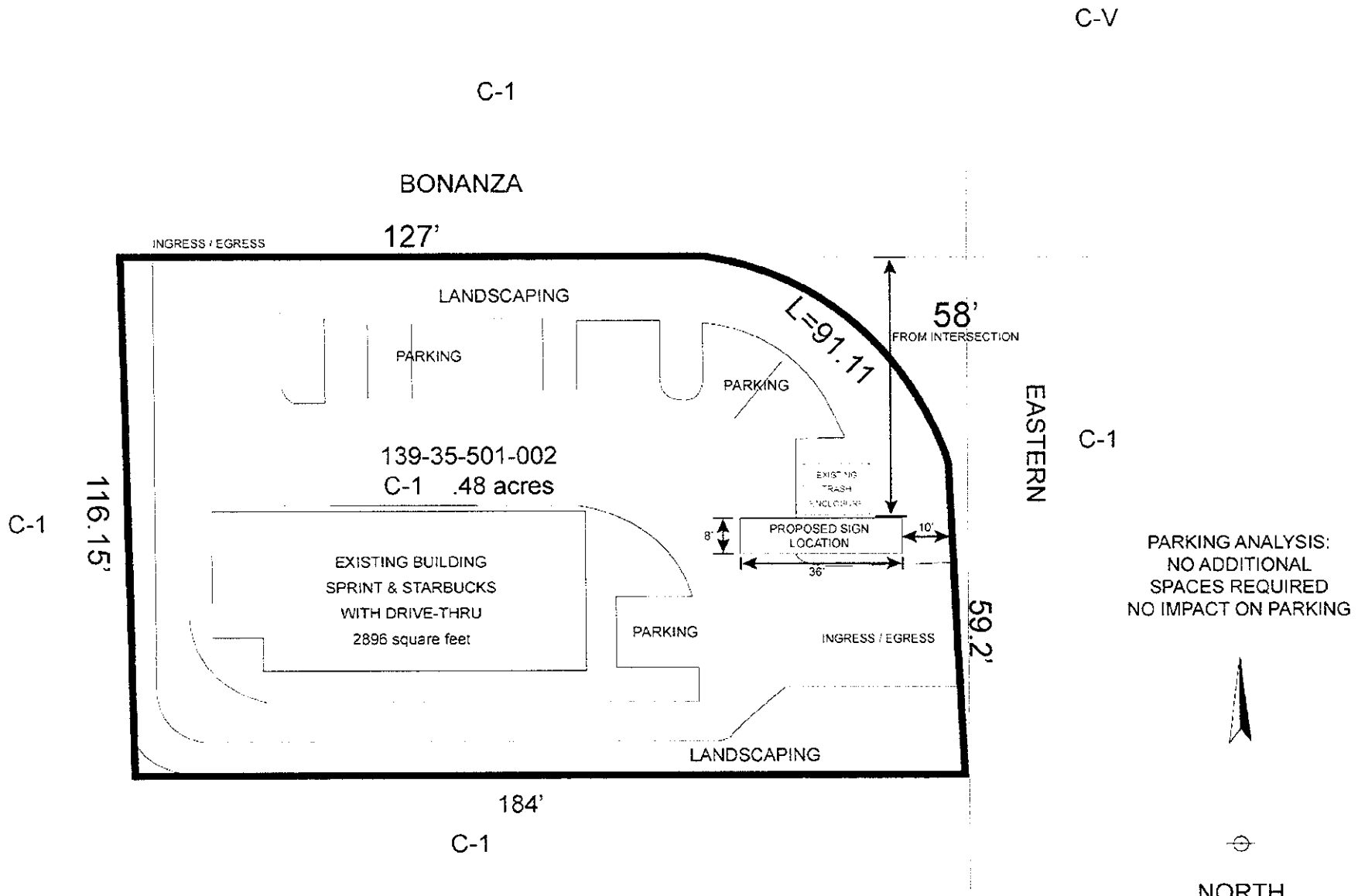
Subscribed and sworn before me

This 30 day of July, 2006

616 N. Pico - LA, CA 90035

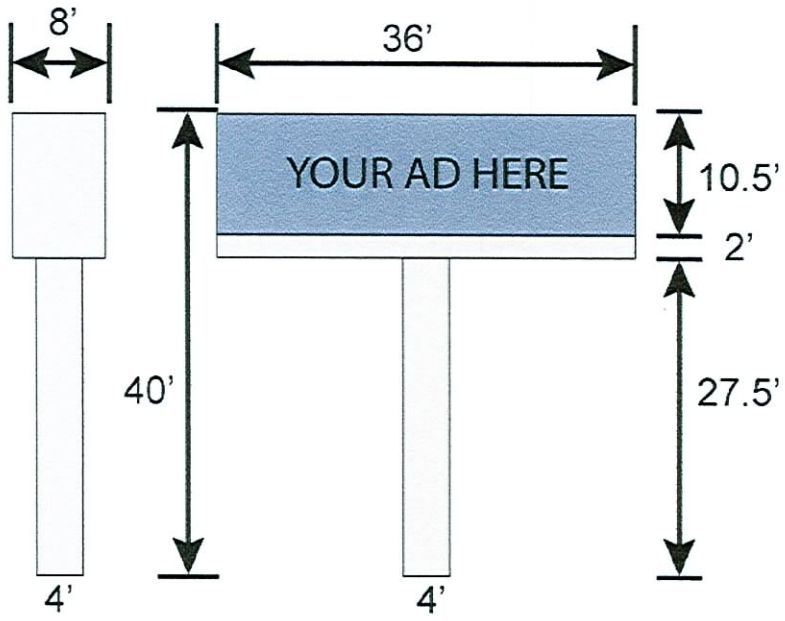
Notary Public in and for said County and State

BIJAN SANI
Commission # 1626019
Notary Public - California
Los Angeles County
My Comm. Expires Dec 2, 2009



SOUTHERN STATES SIGN COMPANY
SITE PLAN
591 N. EASTERN

SUP-29529
10/09/08 PC

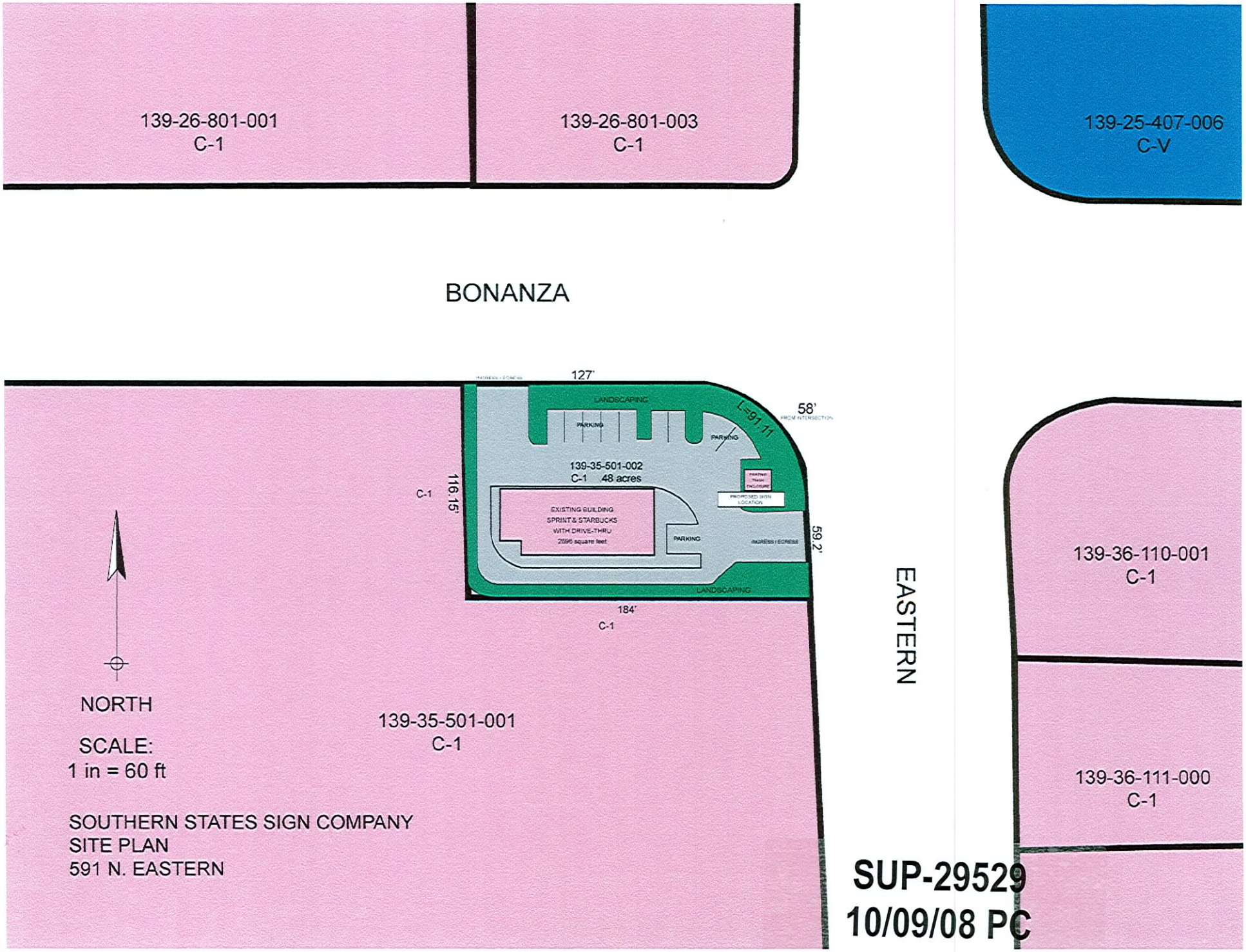


ELEVATION
ENCLOSED CABINET
WITH POLE COVERS

SOUTHERN STATES SIGN COMPANY
139-35-501-002
591 N. EASTERN

SCALE:
1 in = 15 ft

SUP-29529
10/09/08 PC


139-26-801-001
C-1
139-26-801-003
C-1
139-25-407-006
C-V
BONANZA
127'
LANDSCAPING
58'
FROM INTERSECTION
L=91.11
PARKING
PARKING
139-35-501-002
C-1 48 acres
C-1
116.15'
EXISTING BUILDING
SPRINT & STARBUCKS
WITH DRIVE-THRU
2596 square feet
PARKING
INGRESS / EGRESS
59.2'
LANDSCAPING
184'
C-1
NORTH
SCALE:
1 in = 60 ft
139-35-501-001
C-1
SOUTHERN STATES SIGN COMPANY
SITE PLAN
591 N. EASTERN
EASTERN
139-36-110-001
C-1
139-36-111-000
C-1
SUP-29529
10/09/08 PC

SUP-29529 - SPECIAL USE PERMIT - APPLICANT: SOUTHERN STATES SIGN COMPANY - OWNER: BEHROOZ FARIDIAN
591 NORTH EASTERN AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08

SUP-29529 - SPECIAL USE PERMIT - APPLICANT: SOUTHERN STATES SIGN COMPANY - OWNER: BEHROOZ FARIDIAN
591 NORTH EASTERN AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08

SUP-29529 - SPECIAL USE PERMIT - APPLICANT: SOUTHERN STATES SIGN COMPANY - OWNER: BEHROOZ FARIDIAN
591 NORTH EASTERN AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08

SUP-29529 - SPECIAL USE PERMIT - APPLICANT: SOUTHERN STATES SIGN COMPANY - OWNER: BEHROOZ FARIDIAN
591 NORTH EASTERN AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08

SUP-29529 - SPECIAL USE PERMIT - APPLICANT: SOUTHERN STATES SIGN COMPANY - OWNER: BEHROOZ FARIDIAN
591 NORTH EASTERN AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08

SUP-29529 - SPECIAL USE PERMIT - APPLICANT: SOUTHERN STATES SIGN COMPANY - OWNER: BEHROOZ FARIDIAN
591 NORTH EASTERN AVENUE
OCTOBER 9, 2008 PLANNING COMMISSION

09/02/08

Justification Letter

August 1, 2008

City of Las Vegas Department of Planning
731 South Fourth Street
Las Vegas, Nevada 89101

Dear City Representative,

I am requesting a Special Use Permit on the property located at 591 N. Eastern Avenue for an off-premise advertising sign. The sign meets all of the criteria set forth in the code without waiver or variances required. This is in the exemption zone and near the intersection of Eastern and Bonanza and an appropriate place for this type of sign that will have minimal impact to the area and be a help to businesses in the area that do not have a choice currently. Additionally I am requesting a digital style sign as to maximize the limited space of current billboard opportunities as well as an updated and current feeling in an area that is in the process of being remodeled and upgraded. I am proposing pole covers and an enclosed cabinet to hide any unsightliness that may be associated with this type of structure. I am also proposing a smaller area of 378 square feet of advertising space instead of the 672' usually required. The sign will be painted in colors of the surrounding buildings and be maintained to a high standard.
Thank you in advance for your anticipated time and attention concerning this matter.

Best Regards,

David Ben Basat

David Ben-Basat
Southern States Sign Company

SUP-29529
10/09/08 PC

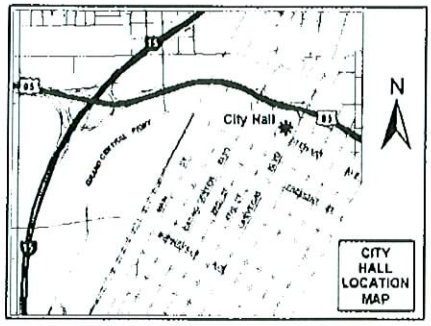
NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.39⁴
0004239954 SEP 26 2008
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



RECEIVED
OCT - 2 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-29529
Planning Commission Meeting of 10/9/2008

Case SUP-29529
13935511037
WEAVER MARLA
4611 WELTER AVE
LAS VEGAS NV 89104-6033

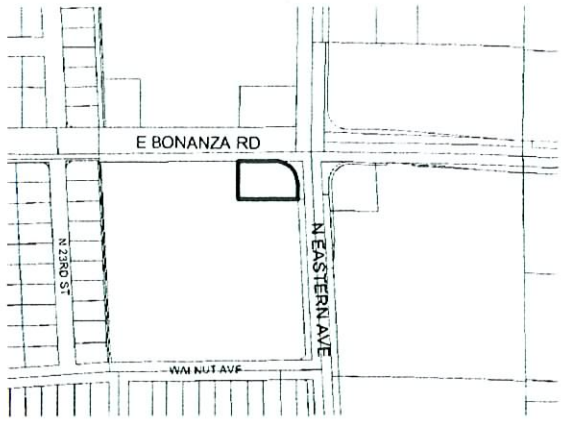
#37
P

Application Information

SUP-29529 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: SOUTHERN STATES SIGN COMPANY - OWNER: BEHROOZ FARIDIAN - Request for a Special Use Permit FOR A PROPOSED 40-FOOT HIGH 10.5-FOOT BY 36-FOOT OFF-PREMISE SIGN (DIGITAL BILLBOARD) at 591 North Eastern Avenue (APN 139-35-501-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese)

WE DONT NEED ANY MORE DISTRACTIONS FOR TRAFFIC THAT CORNER IS BAD ANY WAY THANK'S STEVE KRATKE

Application Location



The proposed project may not pertain to the entire highlighted project site.

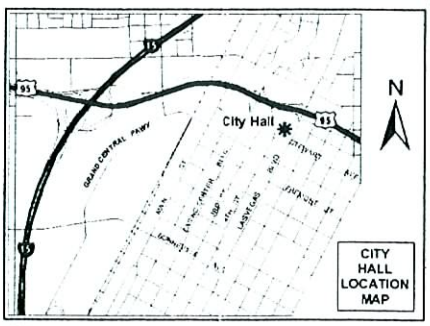
Public Hearing Information

Meeting:	Planning Commission
Date:	***October 09, 2008***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-29529
Planning Commission Meeting of 10/9/2008

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.39⁴
0004239954 SEP 26 2008
MAILED FROM ZIP CODE 89101

RECEIVED
OCT - 6 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-29529
13925407003
KRATKE STEPHEN & C M 2001 REV TR
H C R 2
BOX 9583
KEAAU HI 96749-9802

Submitted after final agenda
Date P Item #37

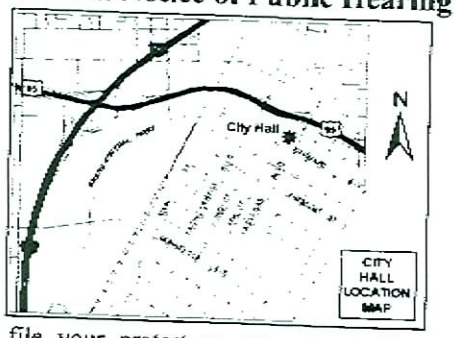
GAVDS11 96749

09/23/2008 15:56 7024770898 SUNSHINE NUTRITION PAGE 01

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested

Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-29529

Planning Commission Meeting of 10/9/2008

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES $ 00.39⁴ 02 4W 0004239954 SEP 26 2008 MAILED FROM ZIP CODE 89101

RECEIVED
OCT - 3 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-29529
13935513013
RODRIGUEZ CARLOS & ALICIA
159 N CLAYTON ST
LAS VEGAS NV 89110-5101

Submitted after final agenda
Date 10/9/08
Item #37

GAU0511 89110

City of Las Vegas Agenda Item No.: **90.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

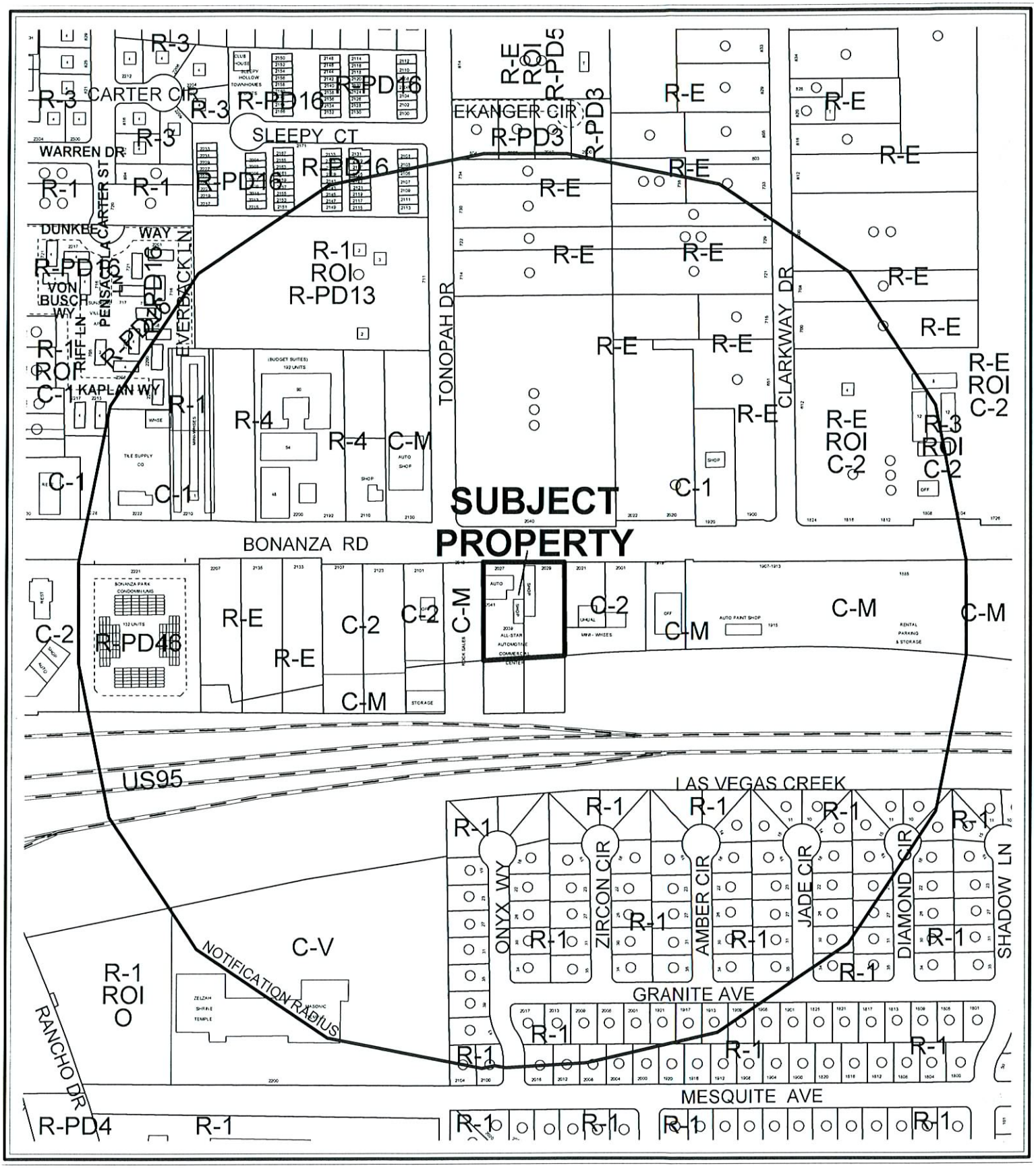
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
ROC-29835 – ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: ALL STAR AUTOMOTIVE INC. - Request for a Review of Conditions #2 through #8 of an approved Rezoning (ZON-19070) FROM C-2 (GENERAL COMMERCIAL) TO C-M (COMMERCIAL/INDUSTRIAL) on 1.09 acres at 2029-2041 West Bonanza Road (APNs 139-28-401-029 and 031), Ward 5 (Barlow). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**1**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council Approval Letter for ZON-19070
6. Protest Postcards

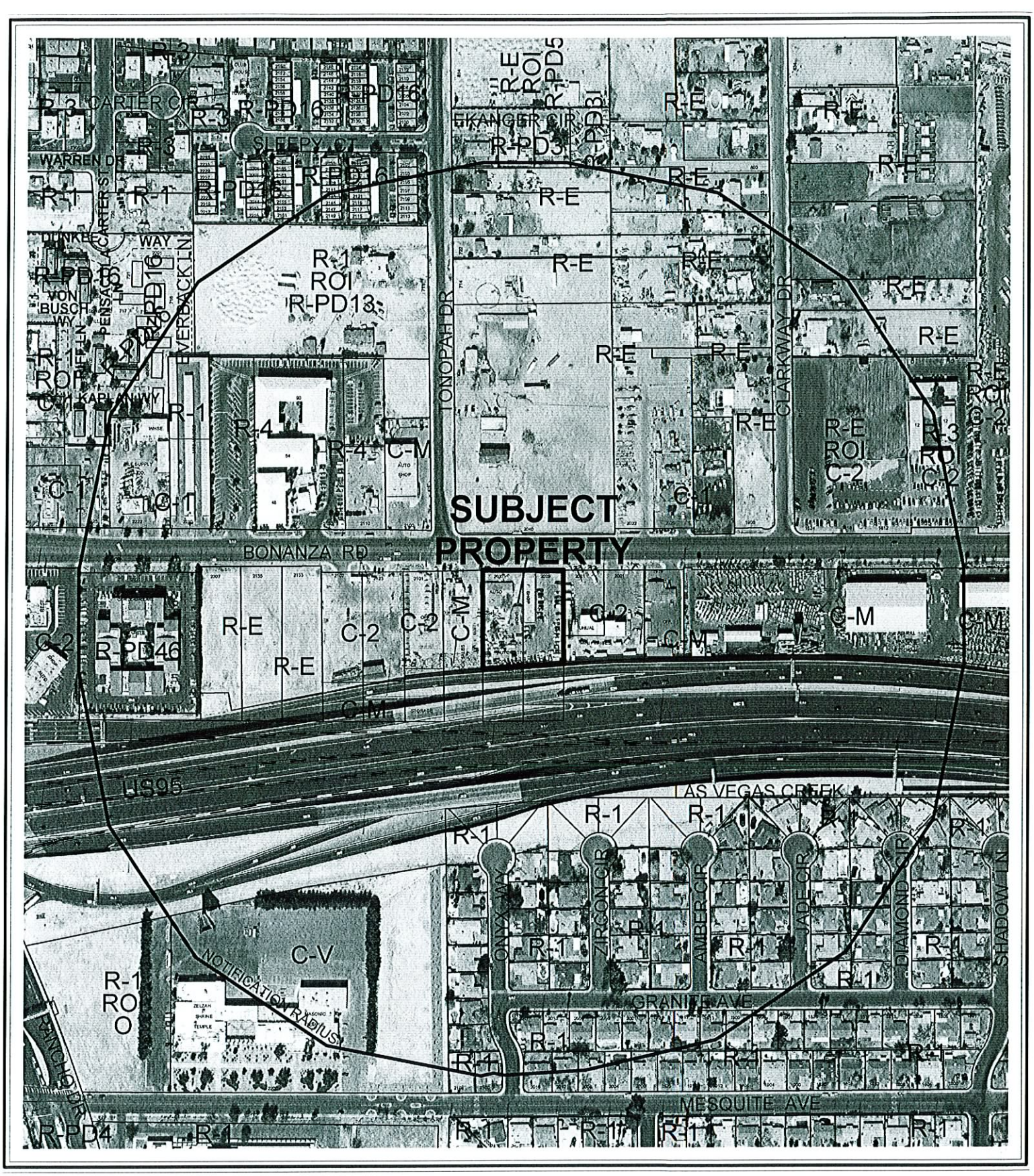


CASE: **ROC-29835**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)



0 500 Feet

CASE: **ROC-29835**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-M (COMMERCIAL/INDUSTRIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: ROC-29835 - REVIEW OF CONDITION - REZONING - PUBLIC HEARING - APPLICANT/OWNER: ALL STAR AUTOMOTIVE INC.

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 19, 2008 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If approved, subject to:

1. Condition Numbers Two through Eight are hereby deleted.

2. Conformance to the Conditions of Approval for Rezoning ZON-19070.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Review of Conditions of an approved Rezoning (ZON-19070) to delete Conditions Number Two through Eight. of 1.09 acres from the C-2 (General Commercial) zoning district to the C-M (Commercial/Industrial) zoning district located at 2029-2041 West Bonanza Road.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
12/08/71	The Board of City Commissioners approved a Rezoning (Z-0074-71) from R-3 (Medium Density Residential) to C-2 (General Commercial) and C-M (Commercial/Industrial) on the subject property. The Planning Commission and staff recommended approval.
02/24/76	The Planning Commission approved a request for a Plot Plan Review (parent case Z-0074-71) for a Recreational Vehicle Sales Facility on a portion of the subject site. Staff recommended approval.
03/24/92	The Board of Zoning Adjustment approved a request for a Special Use Permit (U-0046-92) for a Used Car Lot in a C-2 (General Commercial) zoning district. Staff recommended approval.
07/07/04	The City Council denied an Appeal (DIR-4573) of a Planning and Development Director's decision per Title 19.00.070.F to deny the acceptance of a application for a Special Use Permit for an Off-Premise Advertising (Billboard) Sign for failure to comply with Title 19.14.100. Staff had recommended denial.
05/17/06	The City Council approved a General Plan Amendment (GPA-9219) expanding the Redevelopment Area. This property was designated as LI/R (Light Industrial/Research) as part of this General Plan Amendment. The Planning Commission and staff recommended approval.
04/18/07	The City Council approved a Rezoning (ZON-19070) of 1.09 acres from the C-2 (General Commercial) zoning district to the C-M (Commercial/Industrial) zoning district at 2029, 2039, and 2041 West Bonanza Road. The Planning Commission and Staff recommended approval on 02/22/07.

Related Building Permits/Business Licenses	
08/23/94	Business license #S09-00007 issued for a Sign Painting Establishment at 2041 W. Bonanza Road. This license was originally issued by Business Services on 12/19/90 as S09-00007 and was re-issued due to a change of location on with no apparent Planning and Development review. NOTE: A field check carried out on 09/12/08 found no sign of business operations at this location and access to the site restricted by a temporary fence.
08/01/07	Business license #A29-00080 issued for a Tow Service with Impound Lot at 2039 W. Bonanza Road. NOTE: This license is entitled by condition of approval of Rezoning ZON-19070 which limits the on site storage to 10 vehicles. A field check on 09/12/08 found approximately 27 cars stored on site.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application request, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting is not required for this type of application request, nor was one held.	

Field Check	
09/12/08	A field check was carried out by staff with the following observations: • Approximately 27 vehicles were visible from street view on site where Condition of Approval A of ZON-19070 limits the number of vehicles stored on site to 10. • There is an unpermitted temporary fence restricting access to 2029 and 2041 West Bonanza Road. • No business activity appears to be occurring at 2029 and 2041 West Bonanza Road.

Details of Application Request	
Site Area	
Gross Acres	1.09 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive Commercial Center	LI/R (Light Industrial / Research)	C-2 (General Commercial) Under a Resolution of Intent to C-M (Commercial/ Industrial)
North	Single Family Residential	MXU (Downtown – Mixed Use)	R-E (Residence Estates)
South	Interstate ROW (I-95)	Interstate ROW (I-95)	Interstate ROW (I-95)
East	Truck Rental	LI/R (Light Industrial / Research)	C-2 (General Commercial)
West	Building & Landscaping Material / Lumber Yard	LI/R (Light Industrial / Research)	C-M (Commercial/ Industrial)

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

ANALYSIS

The approved rezoning to the C-M (Commercial/Industrial) zoning district is consistent with the existing LI/R (Light Industrial/Research) Master Plan designation and is compatible with the existing auto service and equipment rental uses in the vicinity. The purpose of this rezoning was to specifically allow a Tow Service with Impound lot to occur as a permitted use in the C-M (Commercial/Industrial) zoning district. A condition of approval was added at the 04/18/07 City Council meeting allowing no more than 10 vehicles to be stored on site.

All buildings were in place prior to the approval of Rezoning (ZON-19070) and a Site Development Plan Review was not required. Because the applicant was seeking this rezoning action in order to allow a use that would not be permitted within a less intense zoning district, staff included all of the required conditions that typically accompany a Site Development Plan Review. These conditions were included in order to ensure that the site would be corrected of any deficiencies prior to business operations. The applicant is seeking to remove Conditions Two through Eight in order to allow building permits to be issued without requiring the remapping, landscaping, and half-street improvements such as sidewalks and curb cuts.

The applicant is currently not been in compliance with the conditions of approval for Rezoning ZON-19070 as he is exceeding the 10-vehicle storage limit. Additionally, the applicant has not submitted for a consolidation of the two separate parcels. Both of these actions can be completed without any required building permits.

Conditions of Approval for Rezoning ZON-19070:

A. The number of vehicles stored on site shall be limited to 10.

1. A Resolution of Intent with a two-year time limit is hereby granted.

2. Recordation of a reversionary parcel map or administrative joining consolidating the parcels on the site prior to issuance of any building or grading permits.

3. Construct all incomplete half-street improvements on Bonanza Road and remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

4. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from Bonanza Road. Driveways shall also receive approval from the Nevada Department of Transportation.

5. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.

6. Landscape and maintain all unimproved right-of-way on Bonanza Road adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

7. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Bonanza Road public right-of-way adjacent to this site prior to the issuance of any permits.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer. We note that portions of this site are within FEMA Floodzones.

FINDINGS

Staff finds that the approved rezoning of the two subject properties from the C-2 (General Commercial) zoning district to the C-M (Commercial/Industrial) zoning district is in conformance with the existing LI/R (Light Industrial / Research) land use designation. The site encompasses two 100-foot wide parcels with existing buildings located within the setback area that contain legally, non-conforming buildings on both properties. Specifically, both buildings do not meet the side yard setback development standards for the proposed C-M (Commercial/Industrial) zoning district.

Condition Number Two requires that the two parcels be consolidated prior to the issuance of any future building permits with the recordation of either a reversionary parcel map or administrative joining. If the applicant does not make any improvements to the property, then this condition is not required and, therefore does not need to be removed.

The remaining conditions were included as the applicant did not submit for a Site Development Plan Review at the time of the rezoning request. The applicant is seeking to remove these conditions in order to allow building permits to be issued for improvements to the buildings without making the necessary on and off-site improvements to the property. Therefore, staff recommends denial of this request to remove Conditions Two through Eight from the approved Rezoning ZON-19070.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT **N/A**

SENATE DISTRICT **N/A**

NOTICES MAILED 203

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ROC-29835** APN: 139-28-401-029 & 031

Name of Property Owner: ALL STAR AUTOMOTIVE INC

Name of Applicant: SHAWN BARASHY

Name of Representative: SHAWN BARASHY

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: N/A

Partner(s): N/A N/A

APN: N/A

Signature of Property Owner: [signature]

Print Name: AVI BARASHI

Subscribed and sworn before me

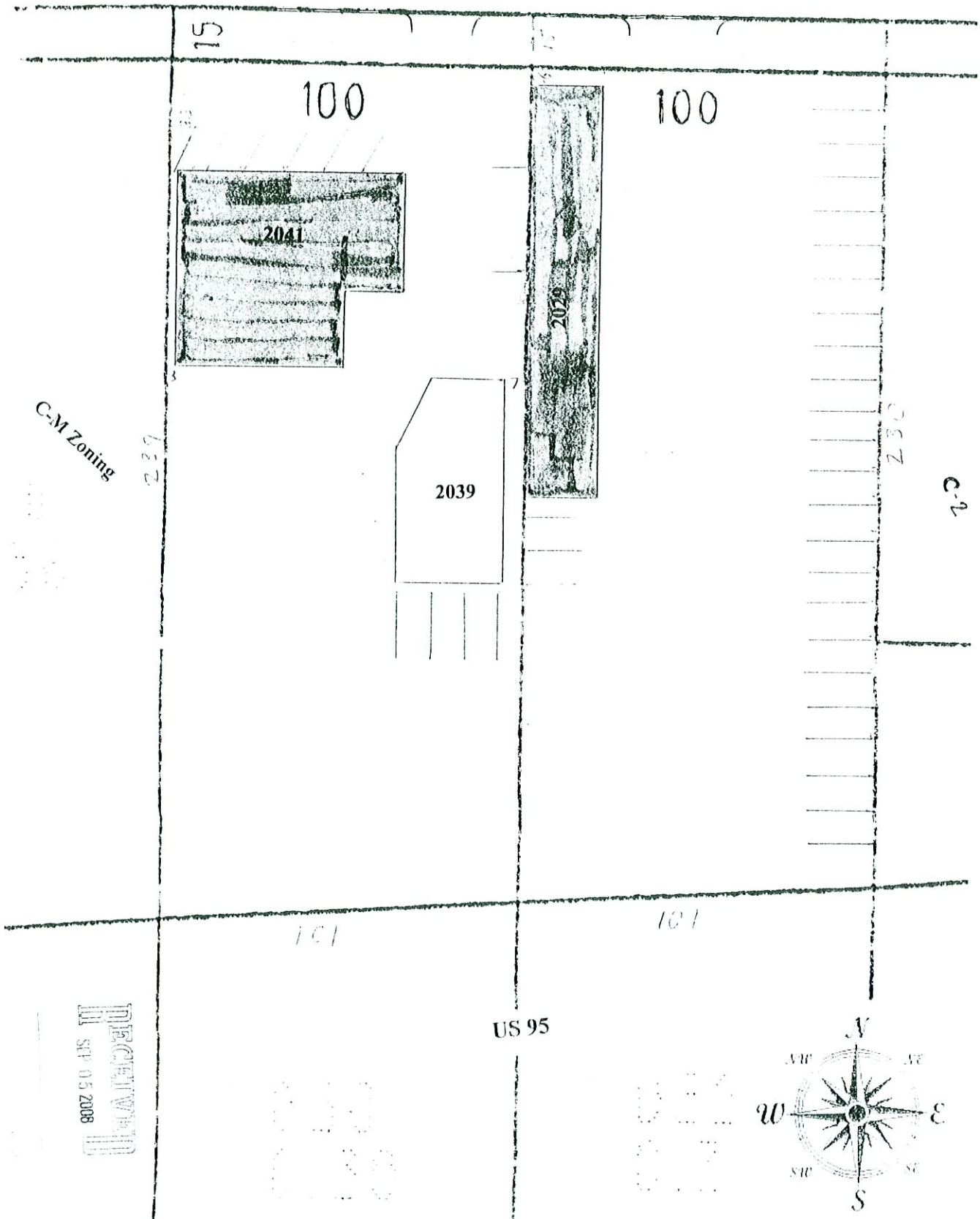
This 5th day of September, 2008

[signature]

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MEGHAN PIMENTEL
Appt. No. 08-6521-1
My Appt. Expires Aug. 3, 2011

BONANZA ROAD



RECEIVED
SEP 05 2008
CITY CLERK

ROC-29835
10-15-08 CC

0 25 50
1" = 25'

PARKING: 37

BUILDING SIZE:
2024 – 2800 sq ft
2039 – 1600 sq ft
2041 – 3300 sq ft

ALL-STAR AUTOMOTIVE, INC
P.O. Box 81191
Las Vegas, NV 89180

Friday, September 05, 2008

To: Planning and Development Department

Re: Request to remove certain conditions of ZON-19070 – Rezoning.
APN # 139-28-401-029 and 139-28-401-031
2027 - 2041 W. Bonanza Road, Las Vegas, NV 89106

Dear Sirs,

We hereby request to waive conditions numbers 2 -8, that are attached to the approval of zone change application # ZON-19070.

The reasons for the request to waive these conditions are as follows:

1. These conditions dictate that upon a request to pull any permit for plumbing, signage, roof, etc, all of these conditions will be triggered – Construction of new commercial driveways, construct new sidewalks, drainage studies, etc.
2. We agree that upon new construction / development on the subject property, these conditions should be applied. However, we do not plan to remove the existing structures in the foreseeable future. As such, it creates a tremendous hardship and unreasonable conditions to meet for just maintaining the existing structures.
3. By waiving these conditions, we can proceed with making the approved zone change (to C-M) permanent. (The area characteristics have changed and there is a demand for uses that are more suitable to a C-M zoning, rather than a C-2 zoning. The property adjoining us to the West is zoned C-M, and most of the other properties between Bonanza and the I-95 freeway, have industrial zoning or special use permit for industrial type businesses. A permanent C-M zone is conforming to the area.)

Sincerely,

Avi Barashi, Secretary
All Star Automotive, Inc

ROC-29835
10-15-08 CC

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
STEVE WOLFSON
LOIS TARKANIAN
STEVEN D. ROSS
RICKI Y. BARLOW

DOUGLAS A. SELBY
CITY MANAGER

July 17, 2007

Mr. Shawn Barashy
All Star Automotive, Inc.
PO Box 81191
Las Vegas, Nevada 89180-1191

RE: ZON-19070 - REZONING
CITY COUNCIL MEETING OF APRIL 18, 2007

Dear Mr. Barashy:

The City Council at a regular meeting held April 18, 2007 APPROVED the request for a Rezoning FROM: C-2 (GENERAL COMMERCIAL) TO: C-M (COMMERCIAL/ INDUSTRIAL) on 1.09 acres at 2027-2041 West Bonanza Road (APNs 139-28-401-029 and 031). The Notice of Final Action was filed with the Las Vegas City Clerk on April 19, 2007. This approval is subject to:

Additional Condition

A. The number of vehicles stored on site shall be limited to 10.

Planning & Development

1. A Resolution of Intent with a two-year time limit is hereby granted.

2. Recordation of a reversionary parcel map or administrative joining consolidating the parcels on the site prior to issuance of any building or grading permits.

Public Works

3. Construct all incomplete half-street improvements on Bonanza Road and remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

4. Submit an application for a deviation from Standard Drawing #222a for the driveways accessing this site from Bonanza Road. Driveways shall also receive approval from the Nevada Department of Transportation.

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

VOICE 702.229.6011
TDD 702.386.9108
www.lasvegasnevada.gov

ROC-29835
10-15-08 CC

5. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.

6. Landscape and maintain all unimproved right-of-way on Bonanza Road adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

7. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Bonanza Road public right-of-way adjacent to this site prior to the issuance of any permits.

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer. We note that portions of this site are within FEMA Flood zones.

Sincerely,

Lean Coleman
Deputy City Clerk II for
Beverly K. Bridges, City Clerk

M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Shawn Barashy
1100 Grier Drive
Las Vegas, Nevada 89119

ROC-29835
10-15-08 CC

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

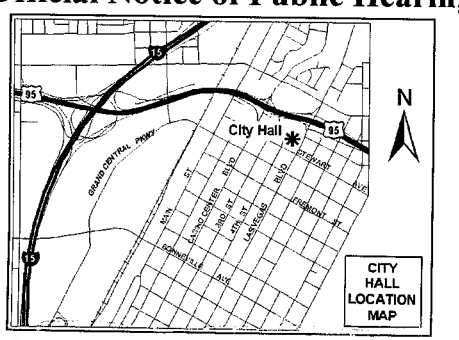
RECEIVED
CITY CLERK

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.39⁴
0004239954 OCT 03 2008
MAILED FROM ZIPCODE 89101

2008 OCT 14 A 11:07

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

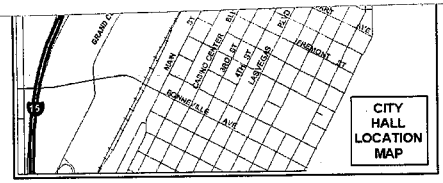
ROC-29835
City Council Meeting of **10/15/2008**

13928410058 Case: ROC-29835
GRAYSON JUANITA R
26 JADE CIR
LAS VEGAS NV 89106-3715

HAVDS11 83105

Submitted after final agenda

Date 10/15/08 Item 109



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RECEIVED
CITY CLERK
2008 OCT -1 A 11:07

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-29835

City Council Meeting of **10/15/2008**

HAVDS11 A310S

City of Las Vegas Agenda Item No.: **91.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:

ROC-31349 – ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS - Request a Review of Condition to delete Condition Number 18 of an approved Site Development Plan Review (SDR-5821) which restricted the age of the mobile home to 1995 or newer on 5.40 acres adjacent to the east side of the Interstate 515 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-003), R-1 (Single-Family Residential) Zone [PROPOSED: R-MHP (Residential Mobile/Manufactured Home Park) Zone], Ward 3 (Reese). Staff recommends DENIAL

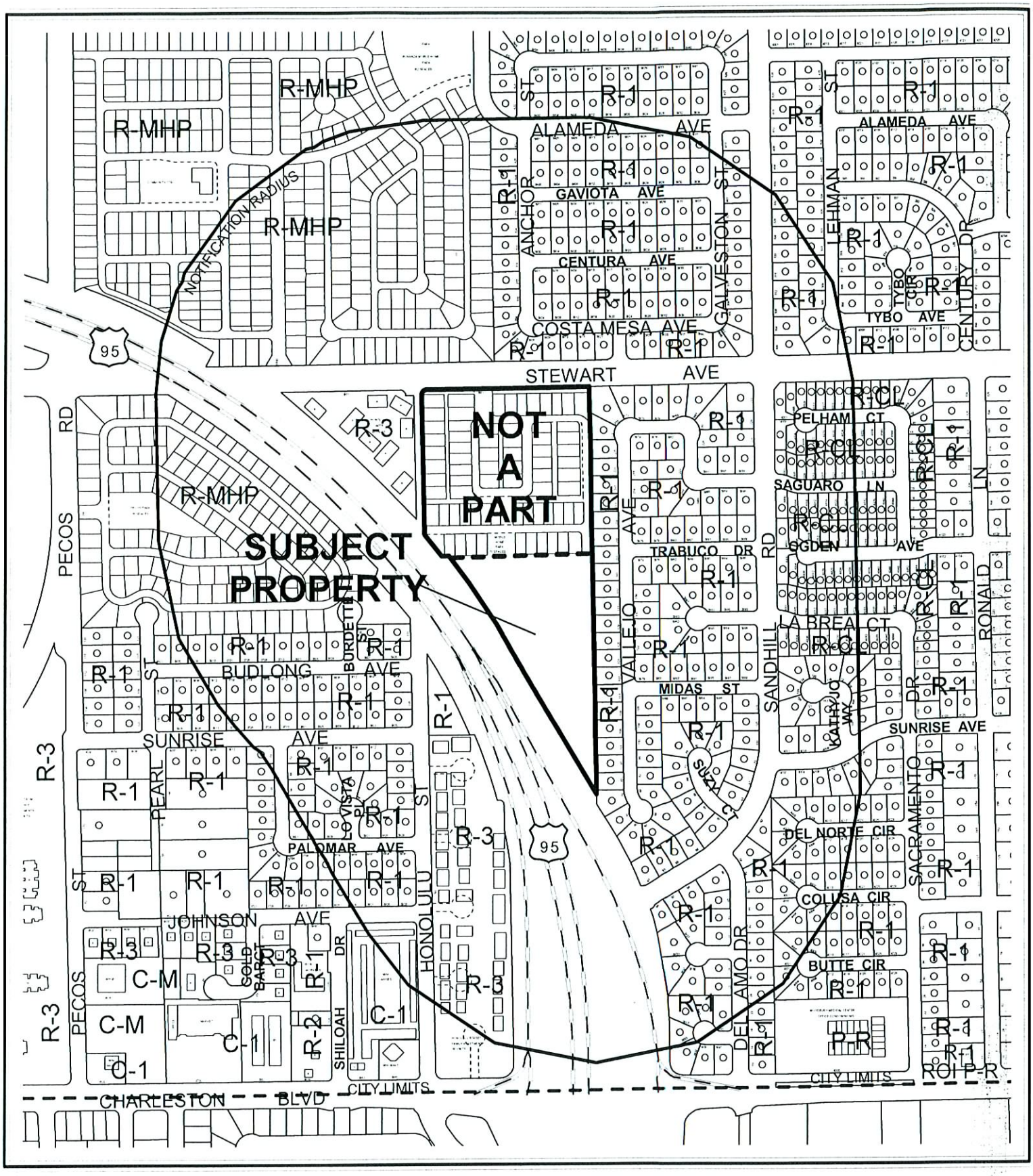
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**5**	**City Council Meeting**	**8**

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

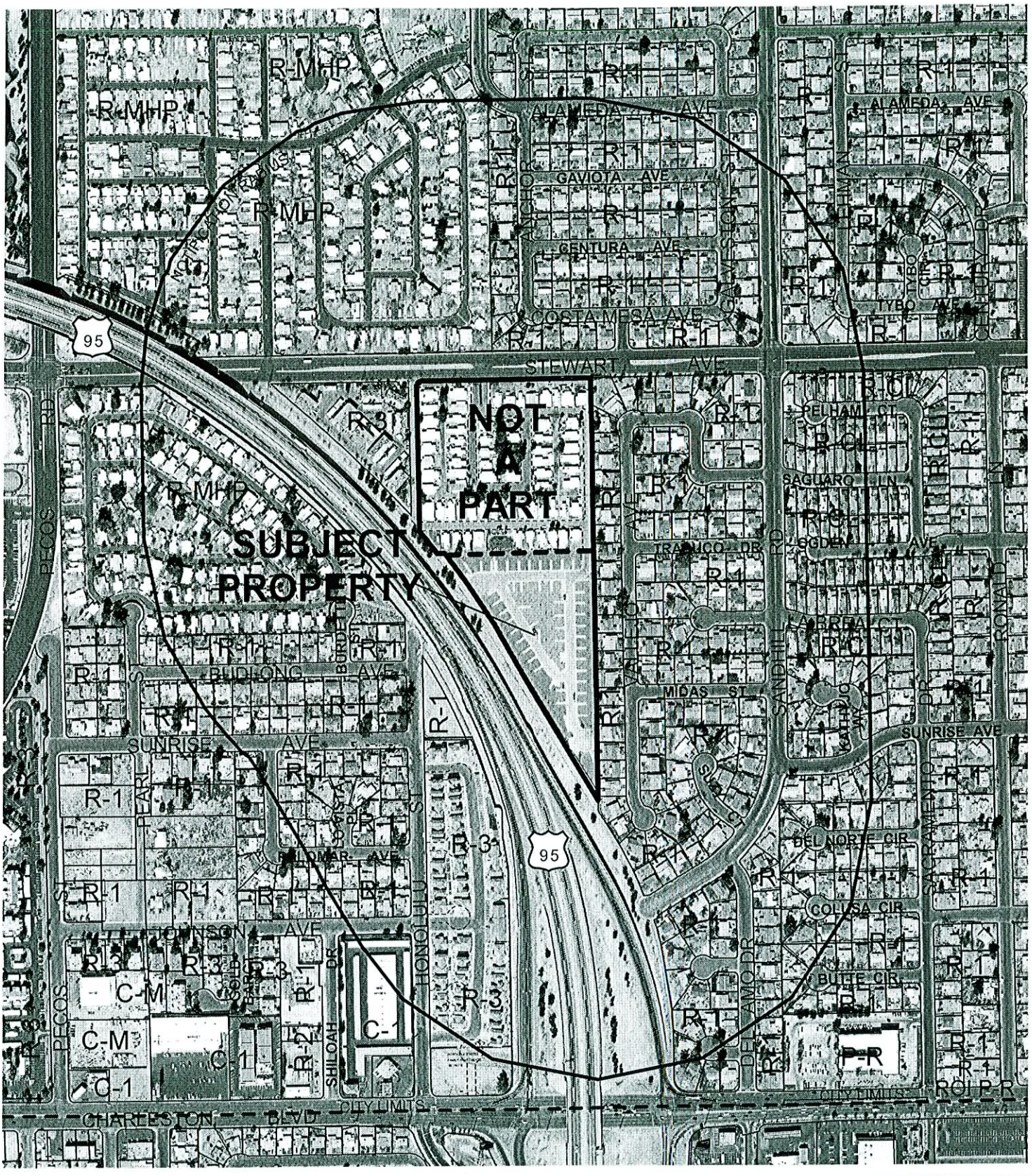
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. City Council Approval Letter for SDR-5821
6. Protest/Support Postcards



CASE: **ROC-31349**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE FAMILY RESIDENTIAL) ZONE [PROPOSED: R-MHP (RESIDENTIAL MOBILE/MANUFACTURED HOME PARK) ZONE]



CASE: **ROC-31349**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE FAMILY RESIDENTIAL) ZONE [PROPOSED: R-MHP (RESIDENTIAL MOBILE/MANUFACTURED HOME PARK) ZONE]

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-31349 - APPLICANT/OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS

THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 17, 2008 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN REESE.

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Approval and Conformance to the Conditions of Approval for Site Development Plan Review (SDR-5821) and all other subsequent related cases as required by the Planning and Development Department and Department of Public Works, except as herein amended.

2. Delete Condition No. 18 of Site Development Plan Review (SDR-5821) and replace with "The Housing Authority of the City of Las Vegas shall ensure all potential tenant mobile homes pass a Housing Authority Inspection and receive an Installation Certificate from the State of Nevada."

** STAFF REPORT **

PROJECT DESCRIPTION

This is a Review of Condition Number 18 of an approved Site Development Plan Review (SDR-5821), which restricted the age of the mobile homes to 1995 or newer on 5.40 acres adjacent to the Interstate 515 Freeway, approximately 620 feet south of Stewart Avenue.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
07/05/78	The City Council approved a request to Reclassify Property (Z-0054-78) from R-1 (Single Family Residential) to R-PD7 (Residential Planned Development – 7 Units per Acre) on property generally located on the southeast corner of Honolulu Street and Stewart Avenue. The Planning Commission recommended denial on 06/08/78.
06/21/00	The City Council approved a request for Rezoning (Z-0020-00) from R-1 (Single Family Residential) to R-MHP (Residential Mobile/Manufactured Home Park) on 5.4 acres adjacent to the east side of I-515, approximately 620 feet south of Stewart Avenue. The Planning Commission recommended approval on 05/11/00
09/06/00	The City Council approved a request for a Variance (V-0013-00) to allow 3,000 square-foot Mobile Home Spaces where 4,000 square feet is the minimum space size allowed and 40-foot wide lots where 45 feet is the minimum lot width allowed on 5.4 acres adjacent to the east side of I-515, approximately 620 feet south of Stewart Avenue. The Planning Commission recommended approval on 07/27/00.
09/06/00	The City Council approved a request for a General Plan Amendment (GPA-0014-00) from ML (Medium-Low Density Residential) to M (Medium Density Residential) on 5.4 acres on the east side of I-515, approximately 620 feet south of Stewart Avenue. The Planning Commission recommended approval on 07/27/00.
09/06/00	The City Council approved a request for a Site Development Plan Review (SD-0022-00) for a proposed 58-space Mobile Home Park on 5.4 acres on the east side of I-515, approximately 620 feet south of Stewart Avenue. The Planning Commission recommended approval on 07/27/00.

03/02/05	The City Council approved a request for a Rezoning (ZON-5817) from R-1 (Single family Residential) to R-MHP (Residential Mobile/Manufactured Home Park) on 5.4 acres on the east side of I-515, approximately 620 feet south of Stewart Avenue. The Planning Commission recommended approval on 01/27/05.
03/16/05	The City Council approved a request for a Site Development Plan Review (SDR-5821) for a proposed 51-pad Mobile/Manufactured Home Park Expansion on 5.4 acres on the east side of I-515, approximately 620 feet south of Stewart Avenue. The Planning Commission recommended approval on 01/27/05.
03/16/05	The City Council approved a request for a Variance (VAR-5825) to allow 3,000 square-foot minimum spaces where 4,000 square feet is the minimum required and to allow 40-foot wide spaces where 45 feet is the minimum required for a proposed Mobile Home Park Expansion on 5.4 acres on the east side of I-515, approximately 620 feet south of Stewart Avenue. The Planning Commission recommended approval on 01/27/05.
Related Building Permits/Business Licenses	
06/12/06	Building permit/plans (13610) were approved for the installation of UG power service conduit line per NPC Utility Plan for a 51-pad Mobile Home Park Expansion at 3903 Stewart Avenue. The permit was not finalized.
12/19/07	A building permit (104386) was issued for the installation of a power supply meter pedestal only. The permit was finalized on 04/09/08.
There have been no business licenses issued for 3903 Stewart Avenue.	

Pre-Application Meeting	
10/17/08	A pre-application meeting was held with the applicant to discuss submittal requirements for the Review of Condition application.
Neighborhood Meeting	
A meeting is not required nor was one held.	

Field Check	
11/06/08	Staff conducted a field check of the proposed site with the following observations: • The area appeared clean and free of trash • Landscaping was being well maintained and irrigated

Details of Application Request	
Site Area	
Gross Acres	5.4

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant Land	M (Medium Density Residential)	R-1 (Single Family Residential) with a Resolution of Intent to R-MHP (Residential Mobile/Manufactured Home Park)
North	Mobile Home Park	ML (Medium-Low Density Residential)	R-MHP (Residential Mobile/Manufactured Home Park)
South	US-95 Freeway	ROW (Right-of-Way)	ROW (Right-of-Way)
East	Single Family Dwellings	L (Low Density Residential)	R-1 (Single family Residential)
West	US-95	ROW (Right-of-Way)	ROW (Right-of-Way)
	Mobile Home Park	ML (Medium-Low Density Residential)	R-MHP (Residential-Mobile/Manufactured Home Park)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	N/A
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is a request for a Review of Condition Number 18 of an approved Site Development Plan Review (SDR-5821), which restricted the age of the mobile home to 1995 or newer.

The applicant contends that their leasing efforts have been hampered in part by the restriction imposed by limiting the age of the mobile home unit. They are requesting Condition Number 18 be removed and that the Housing Authority of the City of Las Vegas will ensure all potential tenant mobile homes pass a Housing Authority Inspection and receive an Installation Certificate from the State of Nevada.

FINDINGS

Site Development Plan Review (SDR-5821) Condition No. 18 was placed on the subject property by the City Council to ensure a certain standard of living for the tenants. The Housing Authority of the City of Las Vegas agreed to these conditions when the Site Development Plan Review was approved. Removal of Condition No.18 would not keep with the original spirit behind the requirements for the Rulon Earl Mobile Home Park-Phase II; therefore, staff recommends denial of this request.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT **N/A**

SENATE DISTRICT **N/A**

NOTICES MAILED 1,017

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ROC-31349** APN: 140-31-303-003

Name of Property Owner: Housing Authority of the City of Las Vegas

Name of Applicant: Carl O. Rowe, Executive Director

Name of Representative: _____

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 X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

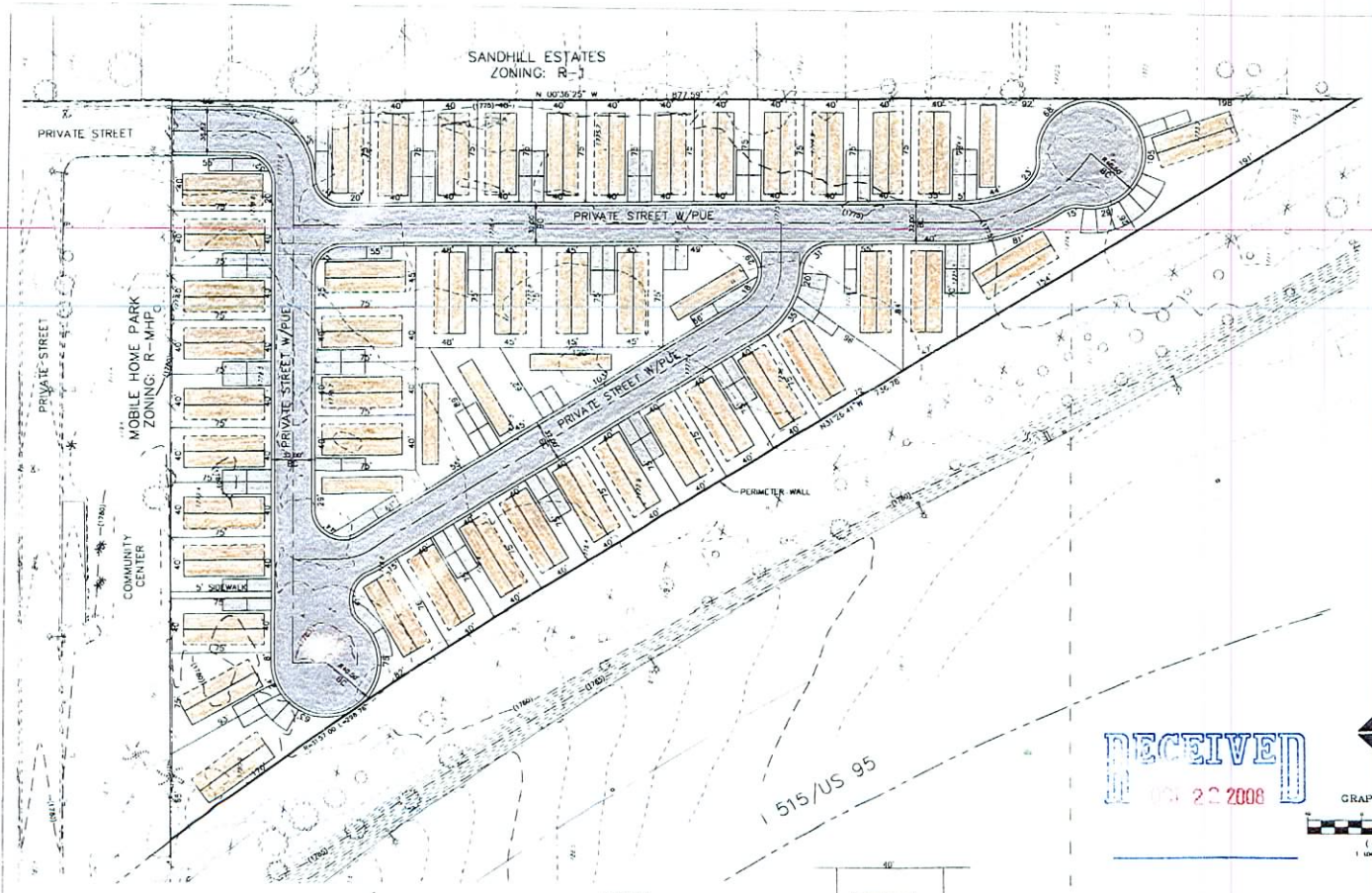
Print Name: Carl O. Rowe, Executive Director

Subscribed and sworn before me

This 20th day of October, 2008

_____
Notary Public in and for said County and State

URSULA RITCHIE
Notary Public, State of Nevada
Appointment No. 01-69426-1
My Appt. Expires Jun 26, 2009



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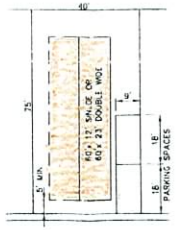
OCT 22 2008

LEGEND

- MOBILE HOME LOT
- PAVEMENT
- PARKING SPACE
- TRAILER



NOTE:
TRAILER MUST BE LOCATED INSIDE 5' OFFSETS OF THE LOT BOUNDARY.

TYPICAL LOT LAYOUT
NOT TO SCALE

DENSITY
TOTAL LOTS: 51
GROSS AREA: 5.49 AC
DENSITY: 9.29 LOTS PER AC
TYP LOT: 40'x 75'
PRIVATE DRIVE: 32'

PARKING
TOTAL SPACES REQUIRED: 111
TOTAL SPACES PROVIDED: 113

OPEN AREA
TOTAL OPEN AREA REQUIRED: N/A
TOTAL OPEN AREA PROVIDED: 1.55 ACRES

NOTE
PRIVATE ROADS SHALL BE A PUBLIC UTILITY EASEMENT (PUE), A PUBLIC DRAINAGE EASEMENT (WITH MAINTENANCE BY H.O.A.) AND CITY OF LAS VEGAS SEWER EASEMENT.

BENCHMARK:
CLV No. 11.W0231CH, RIVET AND PLATE IN TOP OF CURB AT SOUTHWEST CORNER OF STEWART AND SANDHILL.
ELEVATION 1770.86 (NAVD 88)

BASIS OF BEARINGS:
NORTH 00°26'44" WEST BEING THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 20 SOUTH, RANGE 62 EAST, M.D.M., CLARK COUNTY, NEVADA, RECORDED IN BOOK 12 PAGE 28 OF PLATS.

Call before you UnderGround 1-702-455-7511 (CLARK COUNTY WATER DEPARTMENT AND LAS VEGAS AREA COMPUTERIZED NOTIFICATION SYSTEM) 1-702-229-6611

Call before you OVERHEAD 1-702-593-6111

Call before you Dig 1-800-227-2600

| LEGEND | | |

RECEIVED
OCT 22 2008

DENSITY
TOTAL LOTS: 51
GROSS AREA: 5.49 AC
DENSITY: 9.29 LOTS PER AC
TYP LOT 40' x 75'
PRIVATE DRIVE: 32'

PARKING
TOTAL SPACES REQUIRED: 111
TOTAL SPACES PROVIDED: 113

OPEN AREA
TOTAL OPEN AREA REQUIRED: N/A
TOTAL OPEN AREA PROVIDED: 1.55 ACRES

BENCHMARK:
CLV No. TLV023TICK, RIVET AND PLATE IN TOP OF CURB AT SOUTHWEST CORNER OF STEWART AND SANDHILL
ELEVATION 1770.66 (NAVD 88)

BASIS OF BEARINGS:
NORTH 00°26'44" WEST BEING THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 20 SOUTH, RANGE 62 EAST, M.D.M. CLARK COUNTY, NEVADA RECORDED IN BOOK 12 PAGE 25 OF PLATS.

Call before you UnderGround 1-702-455-7511
1-702-229-6611
Call before you OVERHEAD 1-702-593-6111
Call before you Dig 1-800-227-2600

| LEGEND | | |

Housing Authority of the City of Las Vegas

POST OFFICE BOX 1897
LAS VEGAS, NEVADA 89125
TTY (702) 386-0789
(702) 922-6800

October 9, 2008

City of Las Vegas Planning and Development
Development Services Center
731 South Fourth Street
Las Vegas, Nevada 89101

RECEIVED
OCT 22 2008

RE: Waiver Request-Condition No. 18 - SDR-5821
Rulon Earl Mobile Home Park Expansion

To Whom It May Concern:

At its regular meeting of March 16, 2005, the Las Vegas City Council granted approval of our request for a Site Development Plan Review for a proposed 51-Pad Mobile Home Park Expansion at 3901 Stewart Avenue. The Housing Authority proceeded with the development and construction plan as presented at the City Council meeting; however, our leasing efforts have been hampered, at least in part due to Condition No. 18 of the SDR approval, which restricts the age of the mobile homes that can move into the new area to 1995 or newer models.

The purpose of redeveloping the long-vacant parcel behind the existing mobile home park was to meet the need for additional pads for low income seniors who do not qualify for subsidized public housing. The unit age restriction, however, is not allowing seniors to be able to move their older but otherwise well-maintained mobile units into the new, affordable part of the park. Therefore, we are respectfully requesting a waiver of condition No. 18 of SDR-5821 to allow the HACLV to lease the pads to tenants who own older mobile homes. Please note that prior to being accepted for admission to the park each prospective resident's mobile home must pass a Housing Authority Inspection and must receive an installation certificate from the State of Nevada. We believe those requirements are sufficient to guarantee that the mobile homes accepted into the park will meet the City Council's intent that the park meets an acceptable aesthetic standard.

Your consideration of our waiver request is greatly appreciated. If you have any questions, please do not hesitate to contact our Development Director, Amparo Gamazo, at 702-922-6071 or me at 702-922-6850.

Sincerely,

Carl O. Rowe, PHM
Executive Director

FR. DAVE CASALEGGIO
CHAIRPERSON

HAYWOOD CARTER
VICE CHAIRPERSON

STEVEN D. ROSS
COMMISSIONER

PATRICK SMITH
COMMISSIONER

BRENDA J. WILLIAMS
COMMISSIONER

CARL O. ROWE
EXECUTIVE DIRECTOR

cc: Zelda Ellis
Fred Haron

ROC-31349
12-03-08 CC

Original: File #38(F)
cc:
Ralston Est / Mobile Home Park
Project Name
Addition
Scope of Work

May 31, 2005

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

LARRY BROWN
LAWRENCE WEEKLY
MICHAEL MACK
STEVE WOLFSON
LOIS TARKANIAN

DOUGLAS A. SELBY
CITY MANAGER

Mr. Amparo Gamazo
City of Las Vegas Housing Authority
2800 East Walnut Avenue
Las Vegas, Nevada 89101

RE: SDR-5821 - SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF MARCH 16, 2005
RELATED TO ZON-5817 AND VAR-5825

Dear Mr. Gamazo:

The City Council at a regular meeting held March 16, 2005 APPROVED the request for a Site Development Plan Review FOR A PROPOSED 51-PAD MOBILE/MANUFACTURED HOME PARK EXPANSION on 5.40 acres adjacent to the east side of the Interstate 515 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-002), R-1 (Single-Family Residential) Zone [PROPOSED: R-MHP (Residential Mobile/Manufactured Home Park) Zone]. The Notice of Final Action was filed with the Las Vegas City Clerk on March 17, 2005. This approval is subject to:

Planning and Development

1. A Rezoning [ZON-5817] to a R-MHP (Residential Mobile/Manufactured Home Park) Zoning District and Variance [VAR-5825] approved by the City Council.

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.

3. The site plan shall be revised and approved by Planning and Development Department staff prior to the time application is made for civil plans, to reflect the addition of three handicap parking spaces and the distribution of guest parking throughout the site in accordance with Title 19.10.010 (F).

4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for civil plans, to reflect the addition of two points of pedestrian access, or gates, be added to connect this project to the I-515 trail, which is located immediately to the west of the project.

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov
18112-001-1-05
CLV 7009

ROC-31349
12-03-08 CC

5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for civil plans, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters, as well as the landscape plan shall reflect size of the plant materials within the legend.

6. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

8. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

12. 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.

13. Prior to approval of any final map, developer is required to adopt a plan for the maintenance of infrastructure improvements. The plan is to include a listing of all infrastructure improvements, along with assignment of maintenance responsibility to common interest community, individual property owner, or City of Las Vegas, and the proposed level of maintenance for privately maintained components. The agreement must be approved by the City of Las Vegas, and must include a certification by the licensed professional engineer of record that all infrastructure components are addressed in the maintenance plan. The plan must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance

obligations not be met, and the City of Las Vegas be required to provide for said maintenance. The adoption process must include recordation of the plan against all parcels prior to approval of the final map. In addition, should the development have a recreational trail, in accordance with NRS 278.4787, the following text should be added prior to the last sentence to the previous text: The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. That basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.

14. All City Code requirements and design standards of all City departments must be satisfied.

NOTE: The Site Development Review design was reviewed and approved by City Council subject to the conditions above, with the understanding and expectations that certain requirements for residents, homes and amenities at the property will be a component of the use.

15. All members residing in the mobile home must be 55 years of age or older.

16. Must be a resident of Clark County.

17. Income, including assets, should not exceed fifty thousand dollars ($50,000) annually.

18. Mobile home must be a 1995 or newer.

17. ~~Mobile home must be a minimum of 12' x 40'.~~

18. Mobile home must pass a Housing Authority inspection prior to being accepted for admittance to the park.

19. Mobile home must receive an installation certification from the State of Nevada.

20. All single wide must be tied down.

21. Coin operated laundry facilities.

22. Free of charge community room (club house).

23. Utilities - natural gas, electricity, telephone and cable TV available. All utilities paid by the mobile home owner.

ROC-31349
12-03-08 CC

Public Works

24. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits.

25. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of any construction drawings for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

26. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of construction drawings. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of construction drawings.

27. Site development to comply with all applicable conditions of approval for ZON-5817 and all other subsequent site-related actions.

Sincerely,

Ydoleena Yturralde
Deputy City Clerk I for
Barbara Jo Ronemus, City Clerk

M. Margo Wheeler, AICP
Director
Planning and Development

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

Mr. Clayton Neilson
Nevada By Design
3515 East Harmon Avenue
Las Vegas, Nevada 89121

ROC-31349
12-03-08 CC

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.39⁴
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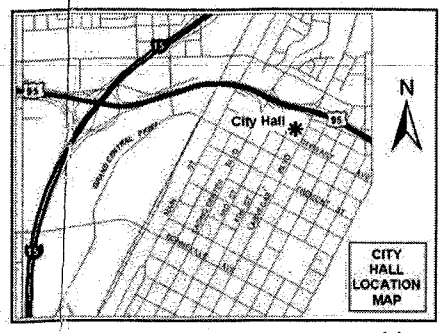
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-31349

City Council Meeting of **12/03/2008**

2008 DEC -1 A 10:53

RECEIVED
CITY CLERK

ROC-31349 Occupant
Bonanza Village Mobile Home Park
3700 Stewart Avenue, Space 80
Las Vegas, Nevada 89110

ALVIN HANSEN
Space 80

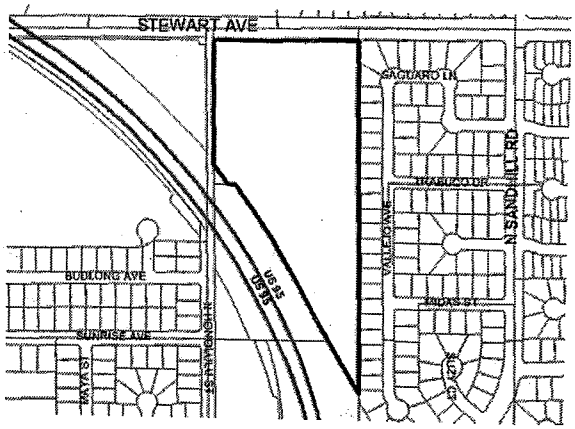
IAVOS11 89110

Application Information

ROC-31349 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS - Request a Review of Condition to delete Condition Number 18 of an approved Site Development Plan Review (SDR-5821) which restricted the age of the mobile home to 1995 or newer on 5.40 acres adjacent to the east side of the Interstate 515 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-003), R-1 (Single-Family Residential) Zone [PROPOSED: R-MHP (Residential Mobile/Manufactured Home Park) Zone], Ward 3 (Reese).

I am a senior (70) and cannot afford to by a 1995 or newer home. my income is fixed.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	***December 3, 2008***
Time:	1:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals there of with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada 89101. For further information, please call 702-229-6301 (TDD 702-386-9108), http://www.lasvegasnevada.gov.

Date 12/1/08 Item 95
W-3

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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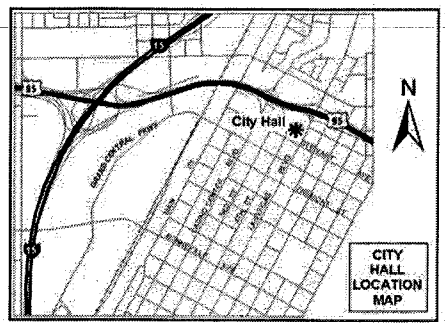

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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ROC-31349
City Council Meeting of **12/03/2008**

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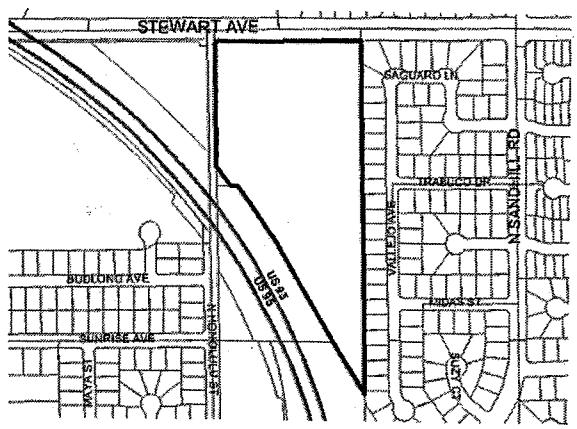
2008 DEC -1 P 1:41

ROC-31349 Occupant
Rulon A. Earl Mobile Manor
3901 Stewart Avenue, Space 68
Las Vegas, Nevada 89110

ROC-31349 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS - Request a Review of Condition to delete Condition Number 18 of an approved Site Development Plan Review (SDR-5821) which restricted the age of the mobile home to 1995 or newer on 5.40 acres adjacent to the east side of the Interstate 515 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-003), R-1 (Single-Family Residential) Zone [PROPOSED: R-MHP (Residential Mobile/Manufactured Home Park) Zone], Ward 3 (Reese).

This request should be denied for the following reasons:

#1. The terminology in this application is too vague.
#2. It does not set a standard,
#3. An undesirable neighborhood will develop.
#4. The City of Las Vegas Housing Authority is asking a Rate of rent , which when coupled with the extreme High cost of utilities, upkeep, and repairs is beyond Budget of elderly seniors.
#5. Residents in these Parks are required to provide their Own Maintenance and repair on their unit. This reduces The maintenance costs to Housing enough to allow for an affordable Rent rate $215.00.
#5. In order to encourage affordable independent., dignified Housing to deserving seniors, keep their housing units Up to date 1995 or newer and the monthly rental rate At an affordable rate. ($215.00)



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	***December 3, 2008***
Time:	1:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

e written objections thereto or approvals there of with the City Clerk, 1st Floor, 2-229-6301 (TDD 702-386-9108), http://www.lasvegasnevada.gov.

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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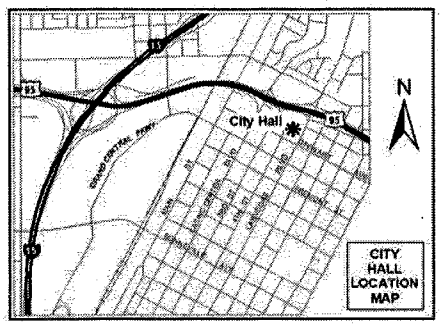

Older people on Social Security Can't afford Newer Homes there For. have some consideration for the older Folk. Think of the seniors who get $600.00 a month or less.

Jn

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-31349
City Council Meeting of **12/03/2008**

2008 DEC -1 P 1:40

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ROC-31349 Occupant
Rulon A. Earl Mobile Manor
3901 Stewart Avenue, Space 49
Las Vegas, Nevada 89110

89110$3157

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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FIRST CLASS

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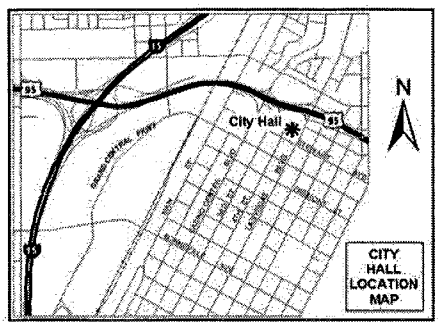
Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-31349
City Council Meeting of **12/03/2008**

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2008 DEC -5 A 10:53

ROC-31349 Occupant
Bonanza Village Mobile Home Park
3700 Stewart Avenue, Space 285
Las Vegas, Nevada 89110

IAVDS11 A9110

Submitted after meeting
Date 12/5/09 Item 95

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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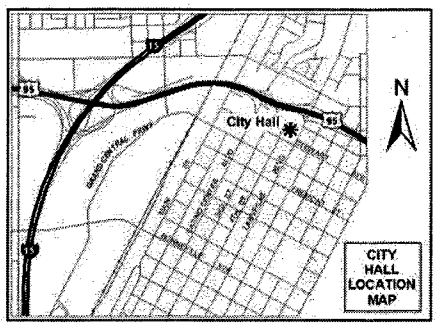

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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ROC-31349
City Council Meeting of **12/03/2008**

2008 DEC -3 A

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ROC-31349 Occupant
Rulon A. Earl Mobile Manor
3901 Stewart Avenue, Space 70
Las Vegas, Nevada 89110

89110C3159 C020

Submitted after final agenda

Date 12/3/08 Item 95

P.1

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2008 NOV 24 A 10:36

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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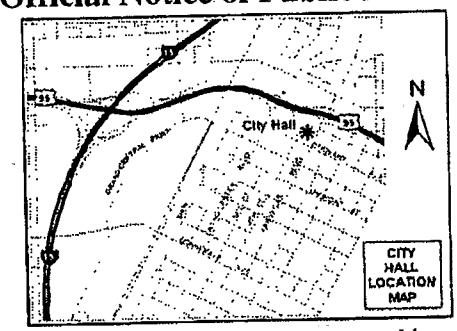
Official Notice of Public Hearing



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[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-31349
City Council Meeting of **12/03/2008**

ROC-31349 Occupant
Bonanza Village Mobile Home Park
3700 Stewart Avenue, Space 341
Las Vegas, Nevada 89110

Nov 24 08 09:35a

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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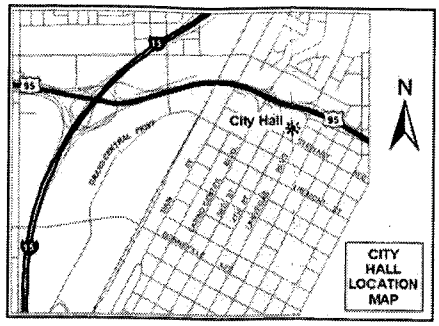

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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-31349

City Council Meeting of **12/03/2008**

2008 DEC -1 A 10:53

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CITY CLERK

ROC-31349 Occupant
Rulon A. Earl Mobile Manor
3901 Stewart Avenue, Space 32
Las Vegas, Nevada 89110

89110$3156 C020

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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Official Notice of Public Hearing

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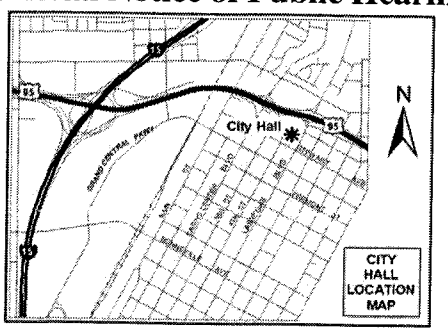

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[✓] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-31349

City Council Meeting of **12/03/2008**

ROC-31349 Occupant
Rulon A. Earl Mobile Manor
3901 Stewart Avenue, Space 25
Las Vegas, Nevada 89110

89110$3112 C020

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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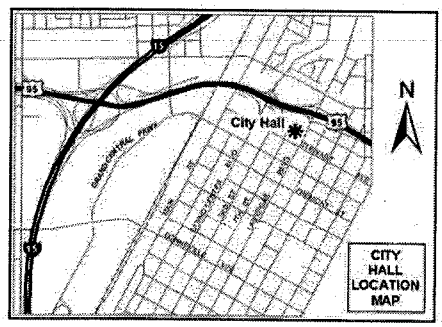
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-31349
City Council Meeting of **12/03/2008**

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CITY CLERK
2008 DEC -1 P3:51

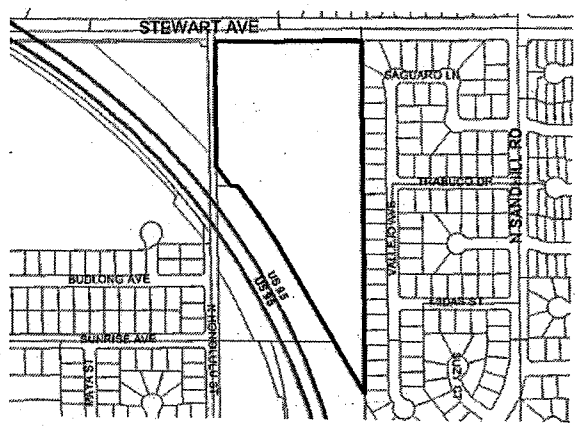
ROC-31349 Occupant
Rulon A. Earl Mobile Manor
3901 Stewart Avenue, Space 64
Las Vegas, Nevada 89110

Application Information

ROC-31349 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS - Request a Review of Condition to delete Condition Number 18 of an approved Site Development Plan Review (SDR-5821) which restricted the age of the mobile home to 1995 or newer on 5.40 acres adjacent to the east side of the Interstate 515 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-003), R-1 (Single-Family Residential) Zone [PROPOSED: R-MHP (Residential Mobile/Manufactured Home Park) Zone], Ward 3 (Reese).

I SUPPORT THIS request. I only HOPE THAT All mobile Home's THAT ARE in good cond. so AS NOT To Down grade THIS PARK. AS I HAVE seen IN THE PAST IN OTHER PARKS.
THANK YOU
CHARLES TLOW
#64

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	***December 3, 2008***
Time:	1:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals there of with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada 89101. For further information, please call 702-229-6301 (TDD 702-386-9108), http://www.lasvegasnevada.gov.

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED FIRST CLASS

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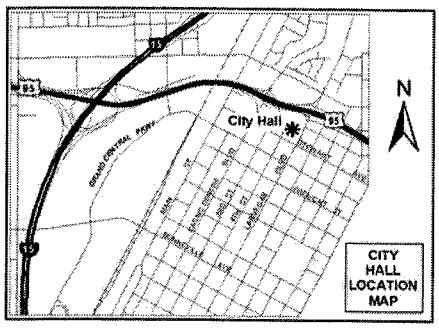
Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-31349

City Council Meeting of **12/03/2008**

2008 DEC -1 A 10:

RECEIVED CITY CLERK

ROC-31349 Occupant
Bonanza Village Mobile Home Park
3700 Stewart Avenue, Space 312
Las Vegas, Nevada 89110#

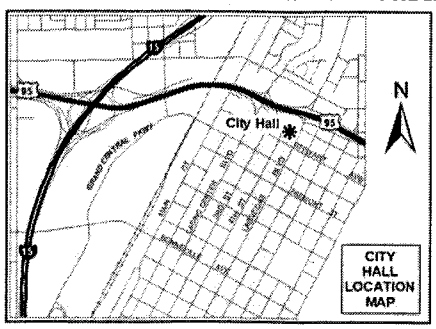
IAVDP11 89110

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.39⁴
0004239954 NOV 21 2008
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-31349

City Council Meeting of **12/03/2008**

2008 DEC -1 A 10:51

RECEIVED CITY CLERK

ROC-31349 Occupant
Rulon A. Earl Mobile Manor
3901 Stewart Avenue, Space 61
Las Vegas, Nevada 89110

89110$3158 C020

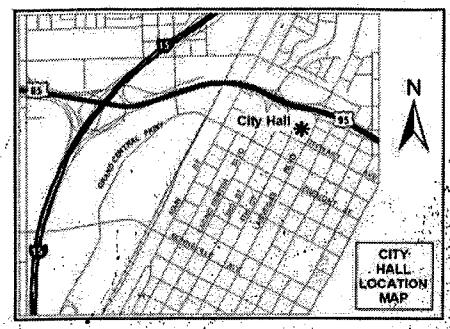
City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK
2008 DEC -2 A 11:03

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M
0004239954
$ 00.394
NOV 21 2008
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-31349

City Council Meeting of **12/03/2008**

ROC-31349 Occupant
Rulon A. Earl Mobile Manor
3901 Stewart Avenue, Space 21
Las Vegas, Nevada 89110

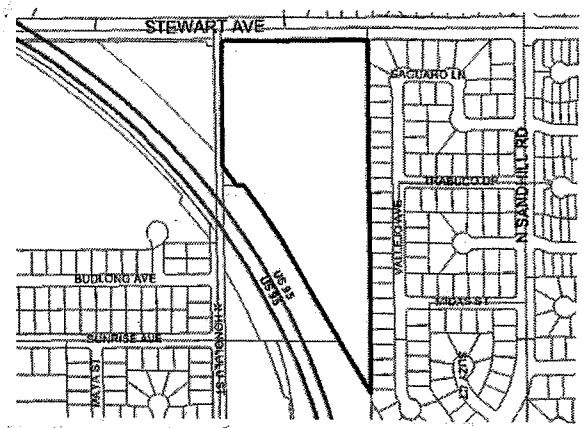
89110$3154 C020

Application Information

ROC-31349 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS - Request a Review of Condition to delete Condition Number 18 of an approved Site Development Plan Review (SDR-5821) which restricted the age of the mobile home to 1995 or newer on 5.40 acres adjacent to the east side of the Interstate 515 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-003), R-1 (Single-Family Residential) Zone [PROPOSED: R-MHP (Residential Mobile/Manufactured Home Park) Zone], Ward 3 (Reese).

We are residents because of low income. To restrict mobiles because of age (1995 or newer) limits the number of people who can benefit from the lower space rent. - which is getting pretty expensive for the newer spaces!

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	City Council
Date:	***December 3, 2008***
Time:	1:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

Any and all interested persons may appear and be heard at said meeting, or may, prior thereto, file written objections thereto or approvals there of with the City Clerk, 1st Floor, City Hall, 400 Stewart Avenue, Las Vegas, Nevada 89101. For further information, please call 702-229-6301 (TDD 702-386-9108) or http://www.lasvegasnevada.gov.

Date 12/3/08 Item 95

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

RECEIVED
CITY CLERK

2008 DEC -2 A 11:03

PRESORTED
FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M
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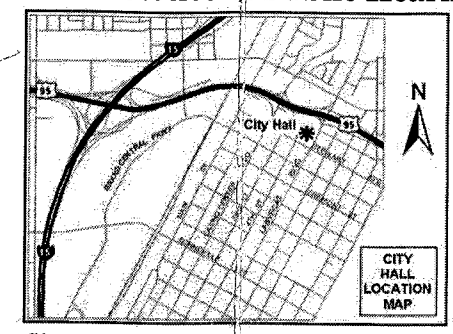
NOV 21 2008
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

ROC-31349
City Council Meeting of **12/03/2008**

Support for Mobile Homes be moved on to Expanded Mobile Home Park

Rosa Lopez was a great Mgr for us and I'm sad she is leaving on the 12th

ROC-31349 Occupant
Bonanza Village Mobile Home Park
3700 Stewart Avenue, Space 35
Las Vegas, Nevada 89110

Wish I could of more in there With my new Mobile Home I was so proud to own. I absolutely love my park

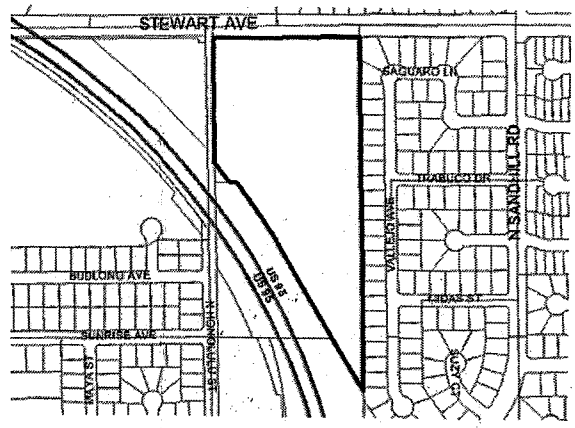
89110

Application Information

ROC-31349 - REVIEW OF CONDITION - PUBLIC HEARING - APPLICANT/OWNER: HOUSING AUTHORITY OF THE CITY OF LAS VEGAS - Request a Review of Condition to delete Condition Number 18 of an approved Site Development Plan Review (SDR-5821) which restricted the age of the mobile home to 1995 or newer on 5.40 acres adjacent to the east side of the Interstate 515 freeway, approximately 620 feet south of Stewart Avenue (APN 140-31-303-003), R-1 (Single-Family Residential) Zone [PROPOSED: R-MHP (Residential Mobile/Manufactured Home Park) Zone], Ward 3 (Reese).

Laura Phelps Sp 35 Bonanza Village

Application Location



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City of Las Vegas Agenda Item No.: **92.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:

GPA-28283 – TABLED ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: DARRELL E. JACKSON, ET AL - Request to Amend the Southeast Sector of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) AND L (LOW DENSITY RESIDENTIAL) TO: SC (SERVICE COMMERCIAL) on 1.45 acres adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard (APNs 162-04-601-001 and 002), Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS AMENDED TO O (OFFICE). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

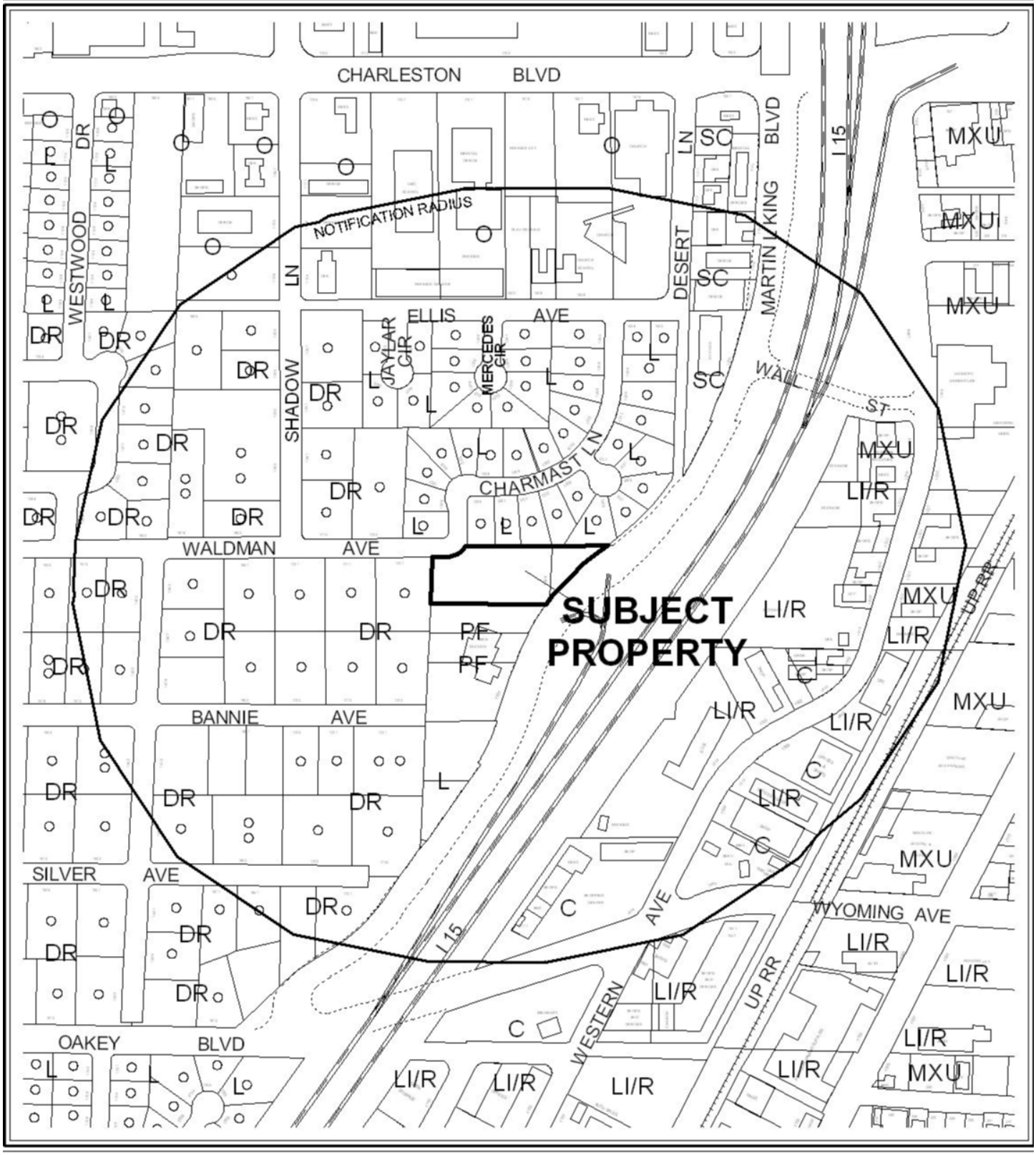
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**8**	**Planning Commission Mtg.**	**1**
City Council Meeting	**5**	**City Council Meeting**	**0**

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards received for the 10-01-2008 City Council Meeting
7. Letter from Kummer Kaempfer Bonner Renshaw & Ferrario to untable
8. Backup Referenced from the 08-28-2008 Planning Commission Meeting Item 14



0 500 Feet

CASE: **GPA-28283**

RADIUS: 1000 FT

GENERAL PLAN LAND USE OF SUBJECT PROPERTY:

DR (DESERT RURAL) AND L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

0 500 Feet

CASE: **GPA-28283**

RADIUS: 1000 FT

GENERAL PLAN LAND USE OF SUBJECT PROPERTY:

DR (DESERT RURAL) AND L (LOW DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-28283 - APPLICANT/OWNER: DARRELL E. JACKSON, ET AL

THIS ITEM WAS TABLED AT THE NOVEMBER 5, 2008 CITY COUNCIL MEETING..

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (5-1/se-1/sd vote) recommends APPROVAL.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request to Amend a portion of the Southeast Sector Plan of the Master Plan from DR (Desert Rural Density Residential) and L (Low Density Residential) to SC (Service Commercial) on 1.45 acres adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard.

The SC (Service Commercial) General Plan designation is not compatible with the existing residential developments in the area or the intent of Rancho/Charleston Study Area; therefore, staff does not support this General Plan Amendment.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/20/02	The City Council approved a request to amend portions of the Southeast Sector map of the General Plan in the general vicinity of the Charleston Boulevard/Rancho Drive intersection from SC (Service Commercial) to O (Office); from R (Rural Density Residential) to DR (Desert Rural Density Residential); from O (Office) to DR (Desert Rural Density Residential) and; from L (Low Density Residential) to DR (Desert Rural Density Residential) in accordance with the recommendations of the Rancho Charleston Land Use Study and Strategic Plan.
10/11/07	Companion items for a General Plan Amendment (GPA-24210), Rezoning (ZON-24209) and Site Development Plan Review (SDR-24211) were held in abeyance at the applicant's request.
10/25/07	Companion items for a General Plan Amendment (GPA-24210), Rezoning (ZON-24209) and Site Development Plan Review (SDR-24211) were held in abeyance at the applicant's request.
11/29/07	The City Council accepted the applicant's request to Withdraw Without Prejudice a General Plan Amendment (GPA-24210) from DR (Desert Rural Density Residential) and L (Low Density Residential) to GC (General Commercial), a Rezoning (ZON-24209) from R-1 (Single Family Residential) to C-1 (Limited Commercial) and Site Development Plan Review (SDR-24211) for a proposed 17,004 square-foot building Maintenance Service and Sales facility on 1.45 acres adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard.
08/28/08	The Planning Commission recommended approval of companion items ZON-28281, SUP-28287 and SDR-28286 concurrently with this application. The Planning Commission voted 5-1/se-1/sd to recommend APPROVAL (PC Agenda Item #14/jm).

Related Building Permits/Business Licenses	
No building permits or building licenses are related to this site.	
Pre-Application Meeting	
05/14/08	A pre-application meeting was held with the applicant. The applicant is proposing an almost identical site plan from what was proposed and then was Withdrawn Without Prejudice on the 11/29/07 City Council Meeting. The major difference from the previous submittal is the applicant is requesting a General Plan Amendment to SC (Service Commercial) and a Rezoning to C-1 (Limited Commercial). The application will require a Special Use Permit for Building Maintenance Service and Sales Facility in C-1 (Limited Commercial) zoning. The applicant was also informed that the General Plan Amendment applicant requires a neighborhood meeting. Submittal requirements were then discussed.

Neighborhood Meeting	
07/17/08	A neighborhood meeting was held on Thursday, July 17, 2008 at 5:30 p.m. The meeting was held at First Presbyterian Church of Las Vegas, 1515 W. Charleston Blvd., Las Vegas, Nevada. Four applicant's representatives were present, as well as one staff member, two city council representatives and 15 members of the public. Comments and concerns expressed by the public were the following: • Eight-foot block wall on Waldman commercially encroaches. • Prefer residential lots on Waldman • Separate lot to the east side of commercial • 24-security system? • What are the effects of Project Neon • Is their gating? Applicant addressed the following concerns with these comments:
	• Insulation Contractor Office with Insulation stored on site. • Hours of operation are 6:00 AM to 7:00 PM Monday through Friday and 7 AM – 2:00 PM on Saturday. • Five tenants proposed, ground floor will be stored with plumbing, insulation and wood. • Trucks will be parked overnight • No vehicular access to Waldman • Bay doors will be closed during all work hours

Field Check	
06/10/08	A field check was made on the site. The site is currently undeveloped with residential to the west and north of the site and a fire station to the south.

Details of Application Request	
Site Area	
Net Acres	1.45

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural Density Residential) and L (Low Density Residential) **Proposed: SC (Service Commercial)**	R-1 (Single Family Residential) **Proposed: C-1 (Limited Commercial)**
North	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Fire Station	PF (Public Facilities)	C-V (Civic)
East	Interstate-15	Interstate -15	Interstate -15
West	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	N/A
Rancho Charleston Land Use Study	X		N*
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts		X	N/A
Airport Overlay (200 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

***** *The proposed development is within the Rancho/Charleston Study Area. The Rancho/Charleston Study Area was adopted on 06/19/02 in reaction to growing number of general plan amendments and rezoning activities in which private development interests pursued high intensity used on properties in, or adjacent to single-family homes, residents of a number of older, stable neighborhoods along the West Charleston Boulevard and Rancho Drive corridors. Per the Rancho/Charleston Land Use Study, the proposed development is designated for a residential use.*

ANALYSIS

- **General Plan**

  The applicant is requesting to Amend a portion of the Southeast Sector Plan of the Master Plan from DR (Desert Rural Density Residential) and L (Low Density Residential) to SC (Service Commercial) on 1.45 acres adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard. The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services.

The Service Commercial category may also allow mixed-use development with a residential component where appropriate.

This General Plan Amendment has been submitted in conjunction with a Site Development Plan Review (SDR-28286) for a proposed 17,435 square-foot Building Maintenance Service and Sales Facility, a Rezoning (ZON-28281) from R-1 (Single Family Residential) to C-1 (Service Commercial) and a Special Use Permit (SUP-28287) on 1.45 acres adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard.

- **Adopted Plans and Policies**

The proposed development is within the Rancho/Charleston Study Area. The Rancho/Charleston Study Area was adopted on 06/19/02 in reaction to growing number of general plan amendments and rezoning activities in which private development interests pursued high intensity used on properties in, or adjacent to single-family homes, residents of a number of older, stable neighborhoods along the West Charleston Boulevard and Rancho Drive corridors. Per the Rancho/Charleston Land Use Study, the proposed development is designated for a residential use.

Land Use Goal 1 states the purpose of the Rancho Charleston Land Use Study is to protect the existing residential neighborhoods from any additional encroachment by commercial and/or office uses.

Policy 2.1.2 of the Las Vegas 2020 Master Plan requires that development on vacant or underutilized lots within existing residential neighborhoods be sensitive in use and design to surrounding development.

The SC (Service Commercial) General Plan designation is not compatible with the existing residential developments in the area or the intent of Rancho/Charleston Study Area; therefore, staff does not support this General Plan Amendment.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. **The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

The commercial related development associated with this designation is not compatible with the adjacent residential properties as this area is almost exclusively residential. Further, the intensification allowed by this designation does not meet the intent of the Rancho/Charleston Study Area.

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

The proposed development will not be compatible with the residential developments in this area. The intensity of uses permitted within the proposed zoning district can not be considered compatible with the existing residential neighborhood.

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

There are adequate facilities to accommodate a commercial building at this location.

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

The area of the proposed amendment is within the Rancho/Charleston Study Area. The proposed amendment does not comply with Land Use Goal 1 of the Rancho Charleston Land Use Study, which is to protect the existing residential neighborhoods from any additional encroachment by commercial and/or office uses. Additionally, this proposal does not comply with Policy 2.1.2 of the Las Vegas 2020 Master Plan, which requires that development on vacant or underutilized lots within existing residential neighborhoods be sensitive in use and design to surrounding development.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 125 by City Clerk

APPROVALS 1

PROTESTS 8

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-28283** APN: 162-04-601-001 and 002

Name of Property Owner: Thomas M. Strawn, Jr.

Name of Applicant: Thomas M. Strawn, Jr.

Name of Representative: KC Camis, Architect

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: Tom M Strawn

Print Name: Tom M Strawn Jr

Subscribed and sworn before me

This 22nd day of May, 2008

Natalie M Jimenez

Notary Public in and for said County and State

NATALIE M. JIMENEZ
Notary Public State of Nevada
No. 03-80486-1
My appt. exp. Jan. 31, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-28283** APN: 162-04-601-001 and 002

Name of Property Owner: Darrell E. Jackson

Name of Applicant: Darrell E. Jackson

Name of Representative: KC Canis, Architect

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: Darrell E. Jackson

Print Name: Darrell E. Jackson

Subscribed and sworn before me

This 23 day of May, 2008

Notary Public in and for said County and State

MIA L. NEAT
Notary Public, State of Nevada
Appointment No. 03-81521-1
My Appt. Expires Apr 1, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-28283 APN: 162-04-601-001 and 002

Name of Property Owner: ANDREW LEVY

Name of Applicant: ANDREW LEVY

Name of Representative: KC CAMIS

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?

X 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: OSCAR GOODMAN

Partner(s): ANDREW LEVY _____

APN: APEX INDUSTRIAL PARK

Signature of Property Owner: _____

Print Name: ANDREW LEVY

Subscribed and sworn before me

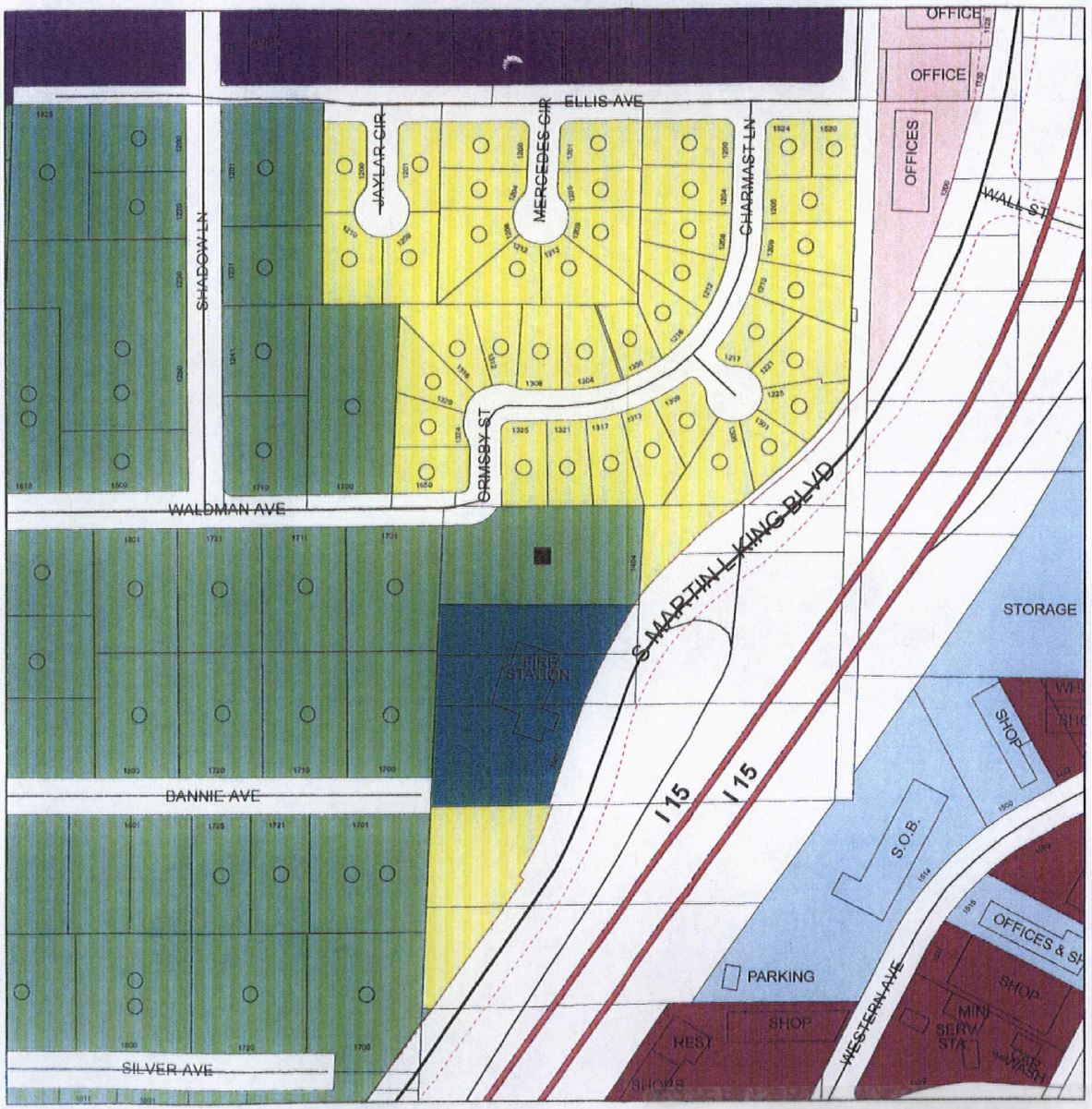
This 22nd day of May, 2008

Elaine Fern Wilson

Notary Public in and for said County and State

ELAINE FERN WILSON
Notary Public, State of Nevada
Appointment No. 02-76269-14
My Appt. Expires Jun 10, 2010

City of Las Vegas Vicinity Map



General Plan Designations

- Rural Neighborhood Preservation
- Rural Estates
- Desert Rural
- Rural
- Low
- Medium - Low
- Medium - Low Attached
- Medium
- High
- Office
- Service Commercial
- General Commercial
- Tourist Commercial
- Las Vegas Medical District
- Light Industrial / Research
- Planned Community Developmen
- Traditional Neighborhood Develop
- Downtown Redevelopment Area
- Parks/Recreation/Open Space
- Public Facility
- Public Facility - School
- Public Facility - Clark County
- Town Center
- Resource Conservation
- Downtown - Commercial
- Downtown - Mixed Use
- Not in City
- Right - of - Way

GPA-28283
07/10/08 PC

RECEIVED
MAY 23 2008

GPA-28283 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

GPA-28283 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

GPA-28283 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

GPA-28283 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

KC CAMIS
ARCHITECT
5125 WEST OQUENDO suite 1
LAS VEGAS NEVADA 89118
702 262-9473 FAX 253-1182

To: City of Las Vegas Planning
Attn: to whom it may concern
Re: 1404 Martin Luther King Blvd.

The owner of the property wishes to construct a concrete tilt-up building with 5 lease bays with a small 2 story office and the remainder of the space as storage. It would most likely be leased by a number of small businesses whose office needs are small, but have a need for storage of materials and goods for their businesses (a plumbing business would be a good example of that – storage for inventory and a couple of small offices). The largest bay will be occupied by the builder/developer themselves. The total area of the building will be roughly 17000 sf. The property is located between R1 and CV zonings. There are C1 zones in the near vicinity. Access to the property is off of Martin Luther King Blvd, and as such, it is the opinion of this office that the property is better suited to a commercial use. It is adjacent to the fire station and having small offices, would make a good buffer. An intense landscape buffer will be provided to shield the neighboring residential zones. The buffer zone trees are bottle trees in response to neighborhood concerns and comments. Other changes in response to the previous neighborhood meeting are that the property line wall to the north will be 8' tall and a security gate has been added that would remain open during business hours. Proposed hours of operation could be 6 am to 6 pm. No variances or waivers of development standards are being requested. It is the opinion of this office that the proposed building is a very appropriate use for both the property and location.

Sincerely

KC Camis, Architect

GPA-28283
07/10/08 PC

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

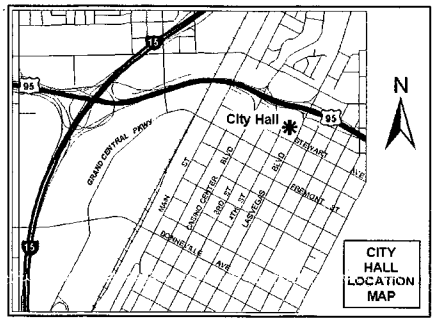
PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.39⁴
0004239954 SEP 19 2008
MAILED FROM ZIPCODE 89101

2008 SEP 23 A 10:44

RECEIVED
CITY CLERK

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286
City Council Meeting of 10/1/2008

CROSSON RONALD L & DONNA L
1313 CHARMAST LN
LAS VEGAS NV 89102-2405

GAVOS11 89102

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.39⁴
0004239954 SEP 19 2008
MAILED FROM ZIPCODE 89101

2008 SEP 23 A 10:42

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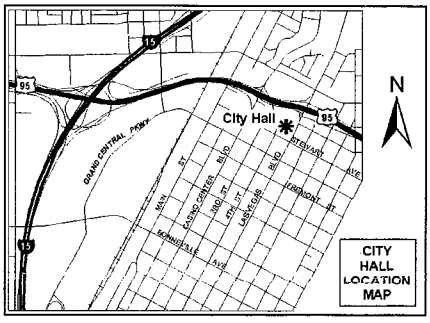
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request ✓

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286
City Council Meeting of 10/1/2008

COFFMAN RICHARD A & SHERRY A
1209 JAYLAR CIR
LAS VEGAS NV 89102-2409

GAVOS11 89102

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2008 SEP 23 A 11: 18

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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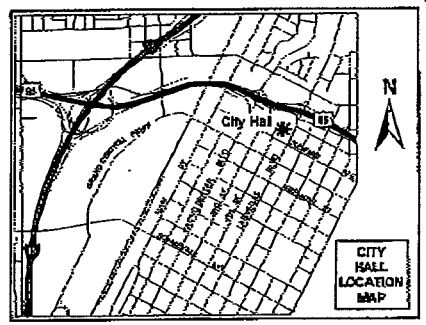
Official Notice of Public Hearing



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☒ I OPPOSE this Request

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GPA-28283, ZON-28281, SUP-28287 & SDR-28286

City Council Meeting of 10/1/2008

CARTER MEI CHU K
1220 SHADOW LN
LAS VEGAS NV 89102-2414

Mei Chu Carter
Clyde Carter

GAU0511 89102

09/23/2008 TUE 10:01 [TX/RX NO 8922] 001

Sep 21 08 08:35p Linda Arlt. 702-384-6762 p.1

09/21/2008 SUN 20:25 [TX/RX NO 8877] 001

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CITY CLERK

2008 SEP 22 A 8:54

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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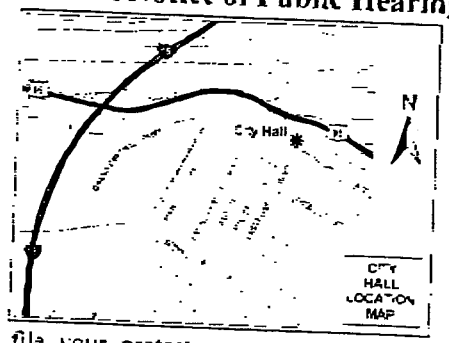
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286

City Council Meeting of 10/1/2008

ARLT THOMAS M & LINDA D
1721 BANNIE AVE
LAS VEGAS NV 89102-2452

GAVOS11 89102

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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2008 SEP 22 A 8:54

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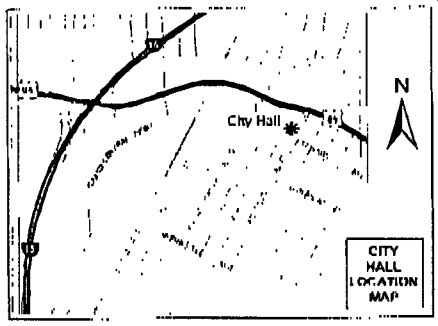
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286

City Council Meeting of 10/1/2008

ARLT FAMILY TRUST
ARLT THOMAS M & LINDA D TRS
1721 BANNIE AVE
LAS VEGAS NV 89102-2452

KUMMER KAEMPFER

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ELIZABETH M. SOROKAC
esorokac@kkbrf.com
702.693.4274

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8900
Fax: 775.882.0257

RECEIVED
CITY CLERK

2008 DEC 12 P 4:28

December 12, 2008

Via Facsimile: (702) 382-4803
Beverly Bridges
City Clerk
City of Las Vegas
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: Request for GPA-28283 and ZON-28281 to be heard on the January 7, 2009 City Council agenda

Dear Beverly Bridges:

We represent the applicant on the applications listed above. The applications were tabled at the November 5, 2008 City Council meeting. We respectfully request that the applications listed above be placed on the January 7, 2009 City Council agenda. At the hearing we intend to request a reduction in the proposed general plan and zoning categories. Please contact me at (702) 693-4274 or esorokac@kkbrf.com if you have any questions regarding this matter.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Elizabeth M. Sorokac

Elizabeth M. Sorokac

EMS/anc

cc: Doug Rankin (*Via email: drankin@lasvegasnevada.gov*)
Robin Wadley-Munier (*Via email: rmunier@lasvegasnevada.gov*)

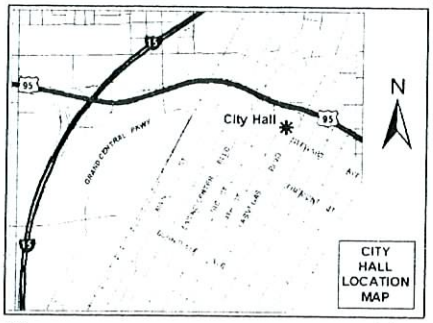
NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
$ 00.39⁴
02 1M
0004239954 AUG 01 2008
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283 & ZON-28281

Planning Commission Meeting of 8/14/2008

Case: GPA-28283

16204115002
OBOYLE MARY F
1324 ORMSBY ST
LAS VEGAS NV 89102-2411

641

FAVDS11 89102

Submitted after final agenda
Date P Item 12-13

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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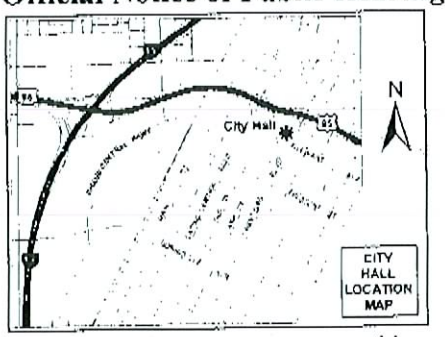

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CITY OF LAS VEGAS
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☐ I SUPPORT this Request ☒ I OPPOSE this Request !!

Please use available blank space on card for your comments.

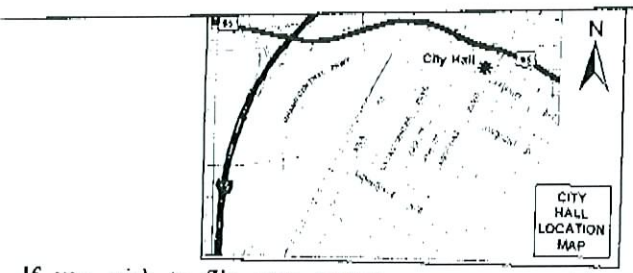
GPA-28283 & ZON-28281

Planning Commission Meeting of 7/10/2008

Case: GPA-28283
16204104007
MORRIS STANFORD 2006 LIVING TR
1241 SHADOW LN
LAS VEGAS NV 89102-2413

MORRIS

DAVDSII 89102



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☐ I SUPPORT this Request ☒ I OPPOSE this Request !!!

Please use available blank space on card for your comments.

SUP-28287 & SDR-28286

Planning Commission Meeting of 7/10/2008

Case: SUP-28287
16204104007
MORRIS STANFORD 2006 LIVING TR
1241 SHADOW LN
LAS VEGAS NV 89102-2413

STANFORD

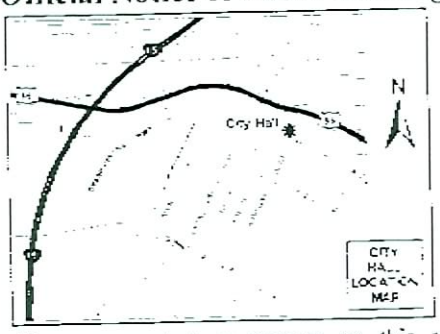
DAVDSII 89102

#13-116 P

05/29/2008 15:03 7023888859 JAMES_STANFORD PAGE 01

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283 & ZON-28281

Planning Commission Meeting of 7/10/2008

RECEIVED
JUL - 2 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case GPA-28283

16204210054
ARLT FAMILY TRUST
1721 BANNIE AVE
LAS VEGAS NV 89102-2452

DAVDS11 89102

#13-14

P

Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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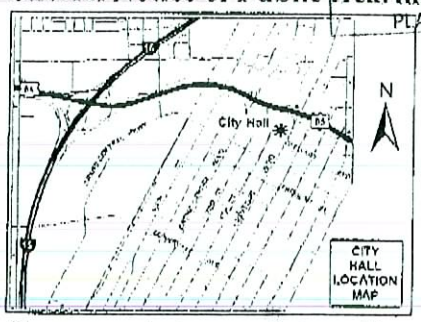

Vehemently oppose! This property MUST remain Residential zoned!!

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283 & ZON-28281
Planning Commission Meeting of 7/10/2008

Case: GPA-28283
16204512014
MARSHALL VAL JEAN
1321 CHARMAST LN
LAS VEGAS NV 89102-2405

Submitted after final agenda
Date
Item 13-14

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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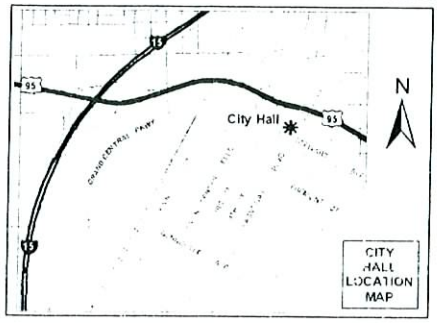
Official Notice of Public Hearing



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GPA-28283 & ZON-28281
Planning Commission Meeting of 7/10/2008

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$ 00.394

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: GPA-28283
16204210082
SU LISA 2005 REVOCABLE TRUST
2100 WALDMAN AVE
LAS VEGAS NV 89102-2432

DAVDS11 A5108

Submitted after final agenda
Date
Item 13-14

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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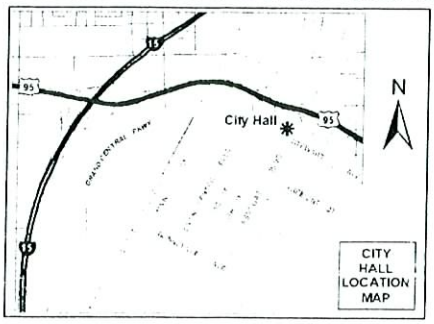
Official Notice of Public Hearing



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GPA-28283 & ZON-28281
Planning Commission Meeting of 7/10/2008

$ 00.39

RECEIVED
JUL - 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: GPA-28283

16204210082
SU LISA 2005 REVOCABLE TRUST
2100 WALDMAN AVE
LAS VEGAS NV 89102-2432

DAVIS 11 89102

Submitted after final agenda
Date
Item 13-14

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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0004239954 JUN 27 2008
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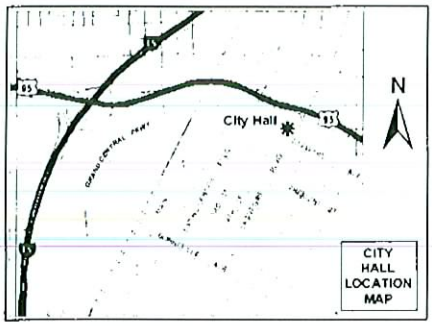

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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Please use available blank space on card for your comments.

GPA-28283 & ZON-28281
Planning Commission Meeting of 7/10/2008

Case: GPA-28283
16204210058
PARKER E FAMILY TRUST
1800 SILVER AVE
LAS VEGAS NV 89102-2436

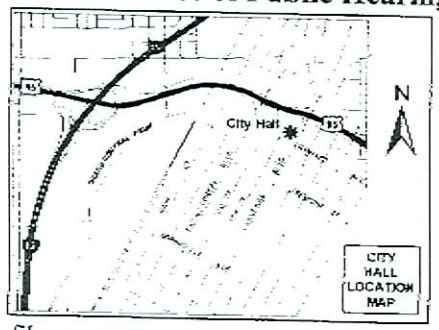
DAVDS11 89102

Submitted after final agenda
Date
Item 13-14

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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GPA-28283 & ZON-28281

Planning Commission Meeting of 8/14/2008

PRESORTED FIRST CLASS

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0004239954 AUG 01 2008
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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

16204104007 Case: GPA-28283
MORRIS STANFORD 2006 LIVING TR
1241 SHADOW LN
LAS VEGAS NV 89102-2413

605

FAVDS11 89102

#12-13
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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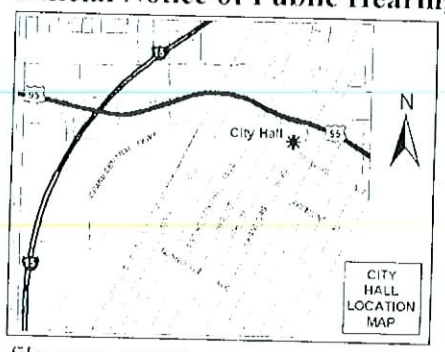

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283 & ZON-28281

Planning Commission Meeting of 8/14/2008

RECEIVED
AUG - 5 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

16204210022 Case: GPA-28283
CHERNEY CRAIG P
1720 BANNIE AVE
LAS VEGAS NV 89102-2453

FAVDS11 89102

#12-13
S

1404 MARTIN LUTHER KING BOULEVARD

(West side of Martin Luther King
South of Charleston Boulevard
Across from the entrance ramp to the I-15)

APN-162-04-601-001 and 162-04-601-002

ADDITIONAL CONDITIONS OF APPROVAL

1. Parking lighting shall be shielded downward.
2. Parking lighting shall be the minimum height permitted by the City Code
3. If building lighting is required for safety purposes it shall be shielded downward.
4. Street signage shall be monument signage only.
5. The business hours of operation shall be limited to 6:00 AM to 7:00 PM on Monday through Friday and 7:00 AM to 2:00 PM on Saturday.
6. If permitted by the City Code and applicable government agencies, a gate shall be installed and closed outside of the business hours of operation.
7. No building on the property shall exceed 28 feet in height.
8. All work on the property shall be done within an enclosed building with the doors to the building closed
9. Any security system for the subject property shall include remote monitoring and response personnel.
10. There shall be no outside storage on the property.
11. Any change in the use of the property shall require a site development review as a public hearing.
12. There shall be no access to the Property from Waldman and Ormsby.
13. On the northwest corner of the Property an 8 foot decorative wall and landscaping along the wall with a sitting area and bench shall be maintained at all times by the current owner of the Property.
14. Any satellite dish on the Property shall be screened so it is not visible from the residential property in the area.

Submitted at Planning Commission

Date 8/28/08 Item: 14-17

15. The building shall be located no closer than 65 feet from the northwest property line of the Property.

16. The building shall be located no closer than 100 feet from the west property line of the Property.

17. The building shall be located no closer than 65 feet from the north property line of the Property.

18. The trash enclosure shall be located no closer than 50 feet from the west property line of the Property and no closer than 50 feet from the north property line of the Property.

WHEN RECORDED RETURN TO:

Kummer Kaempfer Bonner Renshaw & Ferrario
3800 Howard Hughes Pkwy., 7th Floor
Las Vegas, Nevada 89169
Attn: Liz Sozokac

APN: 162-04-601-001
162-04-601-002

(Space Above for Recorder's Use Only)

DEED RESTRICTION ON USE

THIS DEED RESTRICTION ON USE ("Deed Restriction") is made this ____ day of _____, 2008 by Darrell E. Jackson ("Jackson"), Thomas M. Strawn, Jr. ("Strawn") and Andrew S. Levy ("Levy"). Jackson, Strawn and Levy are hereinafter referred to as "Owner".

RECITALS

A. WHEREAS, Jackson, Strawn and Levy are the owners as tenants in common of certain real property located in the City of Las Vegas, Nevada commonly known as Assessor's Parcel Numbers 162-04-601-001 and 162-04-601-002 and further described in Exhibit A attached hereto ("Property").

B. WHEREAS, to ensure future development of the Property is compatible with the surrounding area and for the benefit of the association of neighboring homeowners known as the Scotch Eighty Organization, Inc., a Nevada non-profit organization ("Scotch Eighty"), Owner desires to restrict the use of the Property as set forth in this Deed Restriction. Scotch Eighty and any successor organizations are hereinafter referred to as the "Association".

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Owner declares as follows:

1. **Declaration**. Until termination of this Deed Restriction, the Property shall be held, conveyed, mortgaged, encumbered, leased, rented, used, occupied and improved subject to the provisions of this Deed Restriction, which shall run with the land and shall be binding upon all persons having, or who acquire any right, title, or interest in and to all or any portion of the Property.

Submitted at Planning Commission
Date 8/28/08 Item: 14-17

2. **Restriction on Use**. Until any amendment, modification or termination of this Deed Restriction, Owner covenants and declares that the Property shall not be used for any of the following:

(a) Gaming
(b) Liquor, Beer and Wine Sales or On Premises Consumption
(c) Hotel, Motel or Hotel Suites
(d) Restaurants
(e) Retail Sales
(f) Facility to Provide Testing, Treatment, or Counseling for Drug and Alcohol Abuse
(g) Sex Offender Counseling Facility
(h) Adult Day Care
(i) Amphitheater
(j) Animal Hospital , Clinic or Shelter
(k) Astrologer, Hypnotist, or Psychic Art and Science
(l) Auto Title Loans, Check Cashing Services, Pawn Shop
(m) Auto Uses, specifically Auto Broker; Auto Dealer Inventory Storage; Auto Repair Garage, Minor; Auto Smog Check; Automobile Rental; Automobile Repossession Agency
(n) Bailbond Service
(o) Banquet Facility
(p) Billboard
(q) Billiard Parlor and Pool Hall
(r) Car Wash
(s) Catering Service
(t) Child Care Center
(u) Church/House of Worship
(v) Clinic
(w) College, University, or Seminary
(x) Commercial Recreation/Amusement (indoor)
(y) Community Recreational Facility (Public)
(z) Country Club (Private)
(aa) Daily Labor Service
(bb) Dental Office or Dental Laboratory
(cc) Dry Cleaners
(dd) Electric Utility Substation
(ee) Emergency Ambulance Services, Ground
(ff) Employment Agency
(gg) Escort Bureau
(hh) Financial Institution
(ii) General Personal Services
(jj) Garden Supply/Plant Nursery
(kk) Golf Driving Range
(ll) Government Facility
(mm) Health Club

(nn) Helipad
(oo) Horse Corral or Stable (Commercial)
(pp) Hospice
(qq) Hospital
(rr) Keep of Carrier or Racing Pigeons
(ss) Laundry, Self-Service
(tt) Library, Art Gallery or Museum (Public)
(uu) Liquefied Petroleum Gas Installation
(vv) Massage
(ww) Medical Office or Medical Laboratory
(xx) Mini-Storage Facility
(yy) Monorail
(zz) Mortuary or Funeral Chapel
(aaa) Mounted Antennae
(bbb) Open Air Vending/Transient Sales Lot
(ccc) Outcall Entertainment Referral Service
(ddd) Outdoor Storage
(eee) Parking Commercial
(fff) Pet Boarding
(ggg) Pet Shop
(hhh) Post Office
(iii) Private Club, Lodge, or Fraternal Organization
(jjj) Psychology Practice
(kkk) Public Park or Playground
(lll) Radio Broadcast
(mmm) Radio, TV or Microwave Communication Tower
(nnn) Recreational Vehicle and Boat Storage
(ooo) Secondhand Dealer
(ppp) Service Station
(qqq) Slaughtering and Processing of Live Poultry
(rrr) Swap Meet
(sss) Teen Dance Center
(ttt) Temporary Contractor's Construction Yard
(uuu) Temporary Outdoor Commercial Event
(vvv) Tennis Courts, Accessory
(www) Trade School
(xxx) Trailer/RV Camp or Park
(yyy) Utility Transmission Lines
(zzz) Valet Parking
(aaaa) Wedding Chapel
(bbbb) Wireless Communication Facility

3. **Additional Restrictions on Use.** Until any amendment, modification or termination of this Deed Restriction, Owner covenants and declares that the development of the Property shall adhere to the following restrictions.

(a) There shall be no access to the Property from Waldman and Ormsby.

(b) On the northwest corner of the Property an 8 foot decorative wall and landscaping along the wall with a sitting area and bench shall be maintained at all times by the current owner of the Property.

(c) Any satellite dish on the Property shall be screened so it is not visible from the residential property in the area.

(d) The building shall be located no closer than 65 feet from the northwest property line of the Property.

(e) The building shall be located no closer than 100 feet from the west property line of the Property.

(f) The building shall be located no closer than 65 feet from the north property line of the Property.

(g) The trash enclosure shall be located no closer than 50 feet from the west property line of the Property and no closer than 50 feet from the north property line of the Property.

4. **Permitted Uses**. Except as specifically set forth in Sections 2 and 3 above, this Deed Restriction shall not limit or restrict the use of the Property for any other use allowed by law.

5. **Amendment; Termination**. Owner may not amend, modify, or terminate this Deed Restriction, in whole or in part, without the approval of the Association. Any such amendment, modification, or termination shall be deemed approved by the Association upon the consent of a majority of the members of the Association voting on such amendment, modification, or termination. If and at such time the Association should cease to exist, this Deed Restriction may be terminated by the Owner of the Property and their successors and assigns through the recordation of a document terminating it.

6. **Governing Law**. This Deed Restriction shall be governed by the laws of the State of Nevada.

7. **Attorney's Fees**. Should it be necessary for the Association to file any civil action to enforce the terms and conditions of this Deed Restriction, the Association shall be entitled to recover from the Owner, and the Owner shall pay to the Association, all of their attorney's fees and costs incurred in the filing of such action.

8. **No Third Party Beneficiaries**. This Deed Restriction is not intended, and shall not be deemed or construed, to confer any rights, powers or privileges on any person or entity other than Owner or the Association and their permitted successors and assigns.

9. **Counterparts**. This Deed Restriction may be executed in counterparts and that a facsimile copy of a party's signature will be treated as an original signature.

(SIGNATURES ON THE FOLLOWING PAGES)

IN WITNESS WHEREOF, Owner has executed this Deed Restriction as of the date first set forth above.

"OWNER"

"JACKSON"

Darrell E. Jackson

"STRAWN"

Thomas M. Strawn, Jr.

"LEVY"

Andrew S. Levy

STATE OF NEVADA
COUNTY OF CLARK } ss.

This instrument was acknowledged before me on _____ by Darrell E. Jackson.

_____
NOTARY PUBLIC

STATE OF NEVADA
COUNTY OF CLARK } ss.

This instrument was acknowledged before me on _____ by Thomas M. Strawn, Jr.

_____
NOTARY PUBLIC

STATE OF NEVADA
COUNTY OF CLARK } ss.

This instrument was acknowledged before me on _____ by Andrew S. Levy.

_____
NOTARY PUBLIC

EXHIBIT A

THE PROPERTY

Scotch Eighties Home Owners Association

Thursday, August 28, 2008

RE: Opposition to Case Numbers: ZON-28281, GPA-28283, SDR-28286, SUP-28287
APN-162-04-601-001 and 162-04-601-002
West Side of Martin L. King Blvd. between Charleston and Oakey--

Dear Las Vegas Planning Commissioners,

The Scotch 80's Home Owners Association continues to go on record and oppose the General Plan Amendment and related zoning and use applications before you that will be heard at your Thursday August 28th meeting.

Please note from your records that we submitted to the Planning Commission a letter from the Association on October 8, 2007 also registering our opposition.

Our reasoning is such:

1) The applications, if approved, removes a single family home site from the neighborhood. The Association has been historically on record against the removal of any single family home within its neighborhood.
2) The zoning will initiate additional transitional zoning requests of a similar nature along Martin Luther King Blvd. which will further impact on the surrounding neighborhood.
3) The neighborhood is actually adding single family neighborhood homes to vacant lots, including one at the corner of Oakey and Martin Luther King Blvd. which offsets any argument that the neighborhood along Martin L. King Blvd. is transitional to commercial.
4) Immediate homes adjacent to the applicant are not representative of the neighborhood consensus as they are either: (a) in foreclosure; (b) absentee ownership; and (c) non-responsive elderly.
5) If approved there can be no guarantee that the current ownership will remain the same and maintain the proposed covenants. Any commercial usage will be in contrast to the single family nature of the neighborhood.

Discussion:

A. The Planning Board and Staff needs to view the entire Martin Luther King corridor to realize that the buffer between commercial and single family home owners is in fact I-15 and not Martin Luther King Blvd. Recent purchases of land along Martin Luther King Blvd. were made solely for economic speculation of buying cheaper and re-zoning to higher values, including a future real estate play for imminent domain, if and when any highway expansion forces Martin Luther King to become an arterial.

Submitted at Planning Commission
Date 8/28/08 Item 14-17

B. The Scotch 80's neighborhood sphere of influence is the borders of Oakey, Rancho, Charleston, and Martin Luther King Blvd. The Home Owners Association and home owners within these boundaries have consistently in public hearings taken positions against loss of single family homes. The most memorable example was zoning issues at the NE corner of Oakey and Rancho where the applicant was denied a zoning request to business commercial. This denied re-zoning is similar in scope to the application before you.

C. The Association is in partial sympathy with the current owner of the applicant and believes the applicant was misled by the Realtor (and their signage) and previous land owner in that a zoning change would be easily allowed. Although the Applicant has gone out of his way to 'comfort' various neighborhood concerns on a variety of issues, the application has to be seen in the totality of the neighborhood and small incidents of impact mitigation should not over-rule the zoning changes influences where commercialization edges into a residential neighborhood.

D. As example, any change to land use of the applicant will be evidence for the land owner on the other (south) side of the Fire Station, who anticipation of such zoning change, has torn down a single family home without input from the neighborhood. This property as former single family residence also allows access directly into the neighborhood. To grant the application before you by default allows the secondary applicant to plead the same circumstances.

E. The current owner, and Applicant, is stating that the property (along Martin Luther King) is only good for limited commercial usage. However, we point out, that a quality single family house could be built with entrance off Waldman and plenty of buffer back yard to be created to separate the house from traffic noise along Martin Luther King.

F. The use of the property is for construction offices and other unknown tenants. As a neighborhood we are concerned, regardless of the limitations offered by the Applicant on property usage, that violations or activities not now documented could cause noise and activities beyond the expected comfort of neighbors.

G. The Association in its discussions with the Applicant has constantly asked them to provide a position by the immediate neighbors, especially a Mr. J. Lewis who immediately adjoins the proposed commercial project. We do not believe they have secured any such support to date, and if even so obtained, would not change our position as to the neighborhood-wide impact.

With these concerns, and others, we have no other choice but to continue to voice our opposition to this rezoning of a single-family lot.

Respectfully submitted,

Stephen Grogan, President
Scotch 80 Home Owners Association
840 S. Rancho Rd. Suite 4-337
Las Vegas, NV 89106
759-0001 fax 759-0003

City of Las Vegas Agenda Item No.: **93.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JANUARY 7, 2009

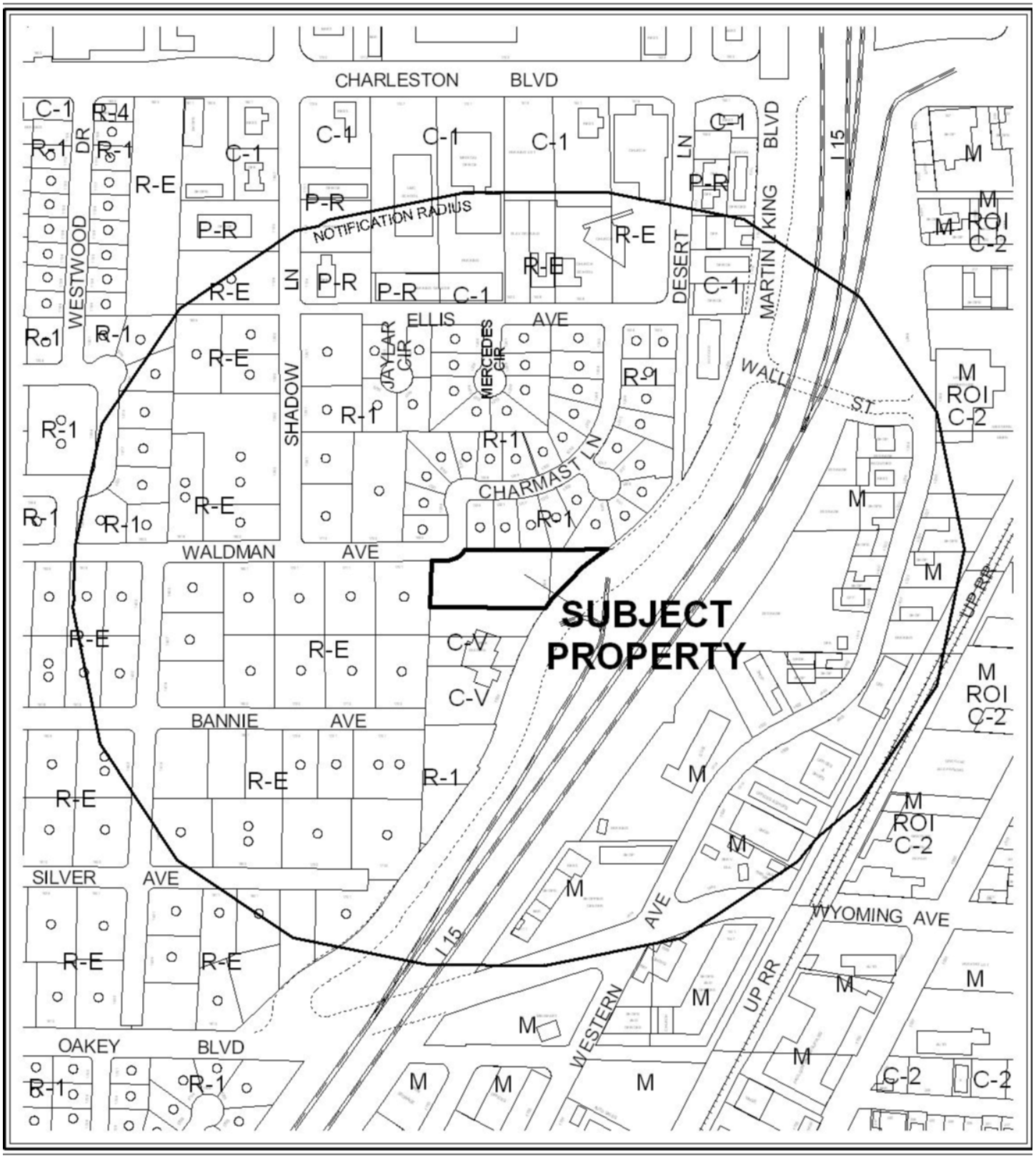
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
ZON-28281 – TABLED ITEM - REZONING RELATED GPA-28283 - PUBLIC HEARING - APPLICANT/OWNER: DARRELL E. JACKSON, ET AL - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-1 (LIMITED COMMERCIAL) on 1.45 acres adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard (APNs 162-04-601-001 and 002), Ward 1 (Tarkanian). NOTE: THIS APPLICATION IS AMENDED TO O (OFFICE). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**8**	**Planning Commission Mtg.**	**1**
City Council Meeting	**5**	**City Council Meeting**	**0**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards received for the 10-01-2008 City Council Meeting
7. Letter from Kummer Kaempfer Bonner Renshaw & Ferrario to untable
8. Backup Referenced from the 08-28-2008 Planning Commission Meeting Item 15



0 500 Feet

CASE: ZON-28281

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

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

0 500 Feet

CASE: ZON-28281

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-28281 - APPLICANT/OWNER: DARRELL E. JACKSON, ET AL

THIS ITEM WAS TABLED AT THE OCTOBER 1, 2008 CITY COUNCIL MEETING.

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (5-1/se-1/sd vote) recommends APPROVAL.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Rezoning from R-1 (Single Family Residential) to C-1 (Limited Commercial) on 1.45 acres adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard.

This request is not compatible with the existing residential developments in the area as the C-1 (Limited Commercial) zoning district allows uses too intense for property this far into a residential neighborhood. Therefore, staff is recommending denial of this Rezoning request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/20/02	The City Council approved a request to amend portions of the Southeast Sector map of the General Plan in the general vicinity of the Charleston Boulevard/Rancho Drive intersection from SC (Service Commercial) to O (Office); from R (Rural Density Residential) to DR (Desert Rural Density Residential); from O (Office) to DR (Desert Rural Density Residential) and; from L (Low Density Residential) to DR (Desert Rural Density Residential) in accordance with the recommendations of the Rancho Charleston Land Use Study and Strategic Plan.
10/11/07	Companion items for a General Plan Amendment (GPA-24210), Rezoning (ZON-24209) and Site Development Plan Review (SDR-24211) were held in abeyance at the applicant's request.
10/25/07	Companion items for a General Plan Amendment (GPA-24210), Rezoning (ZON-24209) and Site Development Plan Review (SDR-24211) were held in abeyance at the applicant's request.
05/14/08	A pre-application meeting was held with the applicant. The applicant is proposing an almost identical site plan from what was proposed and then was Withdrawn Without Prejudice on the 11/29/07 City Council Meeting. The major difference from the previous submittal is the applicant is requesting a General Plan Amendment to SC (Service Commercial) and a Rezoning to C-1 (Limited Commercial). The application will require a Special Use Permit for Building Maintenance Service and Sales Facility in C-1 (Limited Commercial) zoning. The applicant was also informed that the General Plan Amendment applicant requires a neighborhood meeting. Submittal requirements were then discussed.

08/28/08	The Planning Commission recommended approval of companion items GPA--28283, SUP-28287 and SDR-28286 concurrently with this application. The Planning Commission voted 5-1/se-1/sd to recommend APPROVAL (PC Agenda Item #15/jm).
Related Building Permits/Business Licenses	
No building permits or building licenses are related to this site.	
Pre-Application Meeting	
06/14/07	A pre-application meeting was held with the applicant. After some discussion with staff and the applicant, it was determined that the proposed use is a Building Maintenance Service and Sales Facility and not a storage facility. The applicant was informed that type of use would require a General Plan Amendment, which required a neighborhood meeting, a Rezoning and a Site Development Plan Review. Submittal requirements were then discussed.

Neighborhood Meeting	
07/17/08	A neighborhood meeting was held on Thursday, July 17, 2008 at 5:30 p.m. The meeting was held at First Presbyterian Church of Las Vegas, 1515 W. Charleston Blvd., Las Vegas, Nevada. Four applicant's representatives were present, as well as one staff member, two city council representatives and 15 members of the public. Comments and concerns expressed by the public were the following: • Eight-foot block wall on Waldman commercially encroaches. • Prefer residential lots on Waldman • Separate lot to the east side of commercial • 24-security system? • What are the effects of Project Neon • Is their gating? Applicant addressed the following concerns with these comments: • Insulation Contractor Office with Insulation stored on site. • Hours of operation are 6:00 AM to 7:00 PM Monday through Friday and 7 AM – 2:00 PM on Saturday. • Five tenants proposed, ground floor will be stored with plumbing, insulation and wood. • Trucks will be parked overnight • No vehicular access to Waldman • Bay doors will be closed during all work hours

Field Check	
06/10/08	A field check was made on the site. The site is currently undeveloped with residential to the west and north of the site and a fire station to the south.

Details of Application Request	
Site Area	
Net Acres	1.45

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural Density Residential) and L (Low Density Residential)	R-1 (Single Family Residential)
North	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Fire Station	PF (Public Facilities)	C-V (Civic)
East	Interstate-15	Interstate -15	Interstate -15
West	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	N/A
Rancho Charleston Land Use Study	X		N*
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts		X	N/A
Airport Overlay (200 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

***** *The proposed development is within the Rancho/Charleston Study Area. The Rancho/Charleston Study Area was adopted on 06/19/02 in reaction to growing number of general plan amendments and rezoning activities in which private development interests pursued high intensity used on properties in, or adjacent to single family homes, residents of a number of older, stable neighborhoods along the West Charleston Boulevard and Rancho Drive corridors. Per the Rancho/Charleston Land Use Study, the proposed development is designated for a residential use.*

ANALYSIS

The applicant has requested a Rezoning to a C-1 (Limited Commercial) district on the 1.45 acre parcels. The C-1 District is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

In addition to the Rezoning, the applicant has requested to Amend (GPA-28283) a portion of the Southeast Sector Plan of the Master Plan from DR (Desert Rural Density Residential) and L (Low Density Residential) to SC (Service Commercial), a Site Development Plan Review (SDR-28286) for a proposed 17,435 square-foot Building Maintenance Service and Sales Facility and a Special Use Permit (SUP-28287) for a Building Maintenance Service and Sales Facility use on 1.45 acres adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard.

The proposed development is within the Rancho/Charleston Study Area. The Rancho/Charleston Study Area was adopted on 06/19/02 in reaction to growing number of General Plan Amendments and Rezoning activities in which private development interests pursued high intensity used on properties in, or adjacent to single family homes, residents of a number of older, stable neighborhoods along the West Charleston Boulevard and Rancho Drive corridors. Per the section entitled "Identified Issues Affecting Land Use", the Rancho/Charleston Study Area explains that the biggest conflict between residential and non-residential development is not always associated with the use of the property, but at times has more to do with the necessary on-site nuisances that are required of commercial development. The key for creating a successful land use scenario is to buffer residential property from non-residential whenever possible.

This request is not compatible with the existing residential developments in the area as the C-1 (Limited Commercial) zoning district allows uses too intense for property this far into a residential neighborhood. Therefore, staff is recommending denial of this Rezoning request.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **"The proposal conforms to the General Plan."**

   The proposed Rezoning is in conformance with the applicant's General Plan Amendment (GPA-28283) request to SC (General Commercial) Land Use designation. However, the proposed development is not compatible with the Rancho/Charleston

   Study area's designation for this area as residential. Therefore, staff deems this development inconsistent with adopted city plans policies and standards.

2. **"The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."**

   The proposed development will not be compatible with the residential developments in this area. The intensity of uses such as retail, service, office and other general business uses, as well as mixed-use developments permitted within the proposed zoning district can not be considered compatible with the existing residential neighborhood.

3. **"Growth and development factors in the community indicate the need for or appropriateness of the rezoning."**

   A C-1 (Service Commercial) zoning district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. As this is predominately a residential neighborhood, the request is not appropriate.

4. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."**

   Access for the site is off Martin L. King Boulevard, an 80-foot Frontage Street designated by the Master Plan Streets and Highways, which will provide adequate access to the site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 125 by City Clerk

APPROVALS 1

PROTESTS 8

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-28281** APN: 162-04-601-001 and 002

Name of Property Owner: Thomas M. Strawn, Jr.

Name of Applicant: Thomas M. Strawn, Jr.

Name of Representative: KC Camis, Architect

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: Thomas M Strawn

Print Name: Tom M Strawn Jr

Subscribed and sworn before me

This 22nd day of May, 2008

Natalie M Jimenez

Notary Public in and for said County and State

NATALIE M. JIMENEZ
Notary Public State of Nevada
No. 03-80486-1
My appt. exp. Jan. 31, 2011

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-28281 APN: 162-04-601-001 and 002

Name of Property Owner: Darrell E. Jackson

Name of Applicant: Darrell E. Jackson

Name of Representative: KC Canis, Architect

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: [signature]

Print Name: Darrell E. Jackson

Subscribed and sworn before me

This 23 day of May, 2008

[signature]

Notary Public in and for said County and State

MIA L. NEAT
Notary Public, State of Nevada
Appointment No. 03-81521-1
My Appt. Expires Apr 1, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-28281 APN: 162-04-601-001 and 002

Name of Property Owner: ANDREW Levy

Name of Applicant: ANDREW Levy

Name of Representative: KC CAMIS

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?

X 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: OSCAR GOODMAN

Partner(s): ANDREW Levy _____

APN: APEX INDUSTRIAL PARK

Signature of Property Owner: _____

Print Name: ANDREW Levy

Subscribed and sworn before me

This 22nd day of May, 2008

Elaine Fern Wilson

Notary Public in and for said County and State

ELAINE FERN WILSON
Notary Public, State of Nevada
Appointment No. 02-76269-14
My Appt. Expires Jun 10, 2010

		SIZE	QUANTITY
MONDEL PINE PINUS THUNA eldarica	LARGE EVERGREEN	24" BOX	9
CALIFORNIA PEPPER TREE SCHINUS molle	LARGE EVERGREEN	24" BOX	8
TEXAS MESQUITE PROSOPIS glandulosa glandulosa	MEDIUM EVERGREEN	24" BOX	1
CHINESE EVERGREEN ELM ULMUS parvifolia	LARGE EVERGREEN	24" BOX	1
BOTTLE TREE BRACHYCHITON populneus	LARGE EVERGREEN	24" BOX	18
AFRICAN SUMAC RHUS lancea	MEDIUM EVERGREEN	24" BOX	18
PURPLE LEAF PLUM PRUNUS cerasifera	MEDIUM DECIDUOUS	24" BOX	7
DESERT WILLOW CHILOPSIS linearis	SMALL DECIDUOUS	24" BOX	1
MEXICAN FAN PALM VERDE WASHINGTONIA sodonis	MEDIUM EVERGREEN	24" BOX	3
CHILEAN MESQUITE PROSOPIS chilensis	MEDIUM EVERGREEN	24" BOX	1

	SIZE	QUANTITY
TEXAS RANGER LEUCOPHYLLUM frutescens	5 GAL	6
TEXAS RANGER (GREEN CLOUD) LEUCOPHYLLUM frutescens	5 GAL	18
BOTTLE BRUSH CALLISTEMON citrina	5 GAL	6
MEXICAN REDBUD CERCIS MEXICANA texensis	5 GAL	11
BUSH LANTANA LANTANA camara	5 GAL	18
MOCK ORANGE PHILADELPHUS lewisii gordonianus	5 GAL	6
RED YUCCA HESPERALOE parviflora	5 GAL	16
DESERT SPOON DASYLIRION wheeleri	5 GAL	3
STAR JASMINE TRACHELOSPERMUM jasminoides	1 GAL	7
TRAILING LANTANA LANTANA montevidensis	1 GAL	4

NOTE: ALL INORGANIC LANDSCAPE GROUND COVER TO BE INDIAN RED SEALED 3/4" GRAVEL

SYSTEMS

TREES - (3) HUNTER TURBO-BC (DRI-651) PER TREE

SHRUBS - (1) HUNTER TURBO-BC (DRI-651) PER SHRUB

NOTES:

1. ALL 24-VOLT WIRING SHALL BE 14 UF DIRECT BURIAL SOLID COPPER.
2. ALL MAINS AND DIRECT BURIAL WIRING UNDER PAVEMENT SHALL BE SLEEVED IN SCHEDULE 40 PVC SLEEVES. SLEEVES SHALL BE TWICE THE DIAMETER OF PIPE BEING SLEEVED.
3. CONTRACTOR SHALL INSTALL ALL 24-VOLT WIRING FROM CONTROLLERS TO ALL VALVES IN MAIN LINE TRENCH. 3 SPARE LEADERS FROM LINE TRENCH, ENCLOSED IN 3MM CLASS PVC PIPE.
4. INDIVIDUAL EMITTERS ARE NOT SHOWN ON DRAWINGS FOR CLARITY. SEE SCHEDULE FOR NUMBER OF EMITTERS PER PLANT AND COORDINATE WITH LANDSCAPE INSTALLER TO DETERMINE TOTAL QUANTITY OF EMITTERS.
5. DISTRIBUTION PIPE FOR DRIP EMITTERS SYSTEM SHALL BE ½" CLASS 200 PVC (min)

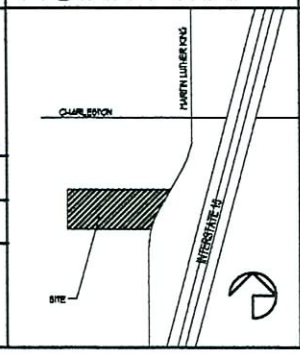
NOTES

1. SEE CIVIL FOR ALL FINAL GRADES UTILITY HOOK-UPS, OFF SITE IMPROVEMENTS, MEETS + BOUNDS, DIMENSIONS ETC.
2. ALL ACCESSIBLE ROUTES, LANDINGS, PARKING SPACES, PARKING AISLES TO HAVE 1:20 MAX LONGITUDINAL SLOPES + 1:48 MAX TRANSVERSE SLOPE TYP.
3. MAXIMUM SLOPE IN ANY DIRECTION FOR HANDICAPPED PARKING SPACES + ACCESS AISLES TO BE 2%
4. ACCESSIBLE ROUTE TO THE PUBLIC WAY SHALL HAVE SLOPES OF 5% FOR RUNNING + 2% FOR CROSS SLOPES
5. PATTERN IN CONCRETE SIDEWALKS TO BE TOOLED JOINTS
6. SEE STRUCTURAL FOUNDATION PLAN FOR ALL STRUCTURAL INFORMATION

LIGHT SCHEDULE

▭ WALL MOUNTED 25KW METAL HALIDE WALL PACK MOUNT AT 14' HIGH

VICINITY MAP



PROJECT DATA

REQUIRED ZONING:	C1
EXISTING ZONING:	R1
PARKING REQUIRED:	1/300 59
PARKING PROVIDED:	59 and (7) 15x25 LOADING ZONES
SITE ACREAGE:	1.4 AC (NET)
APN	162-04-601-001 and 002
AREA BUILDING	
1st FLOOR	14,000 SF
2nd FLOOR	3,330 SF
TOTAL BUILDING	17,330 SF

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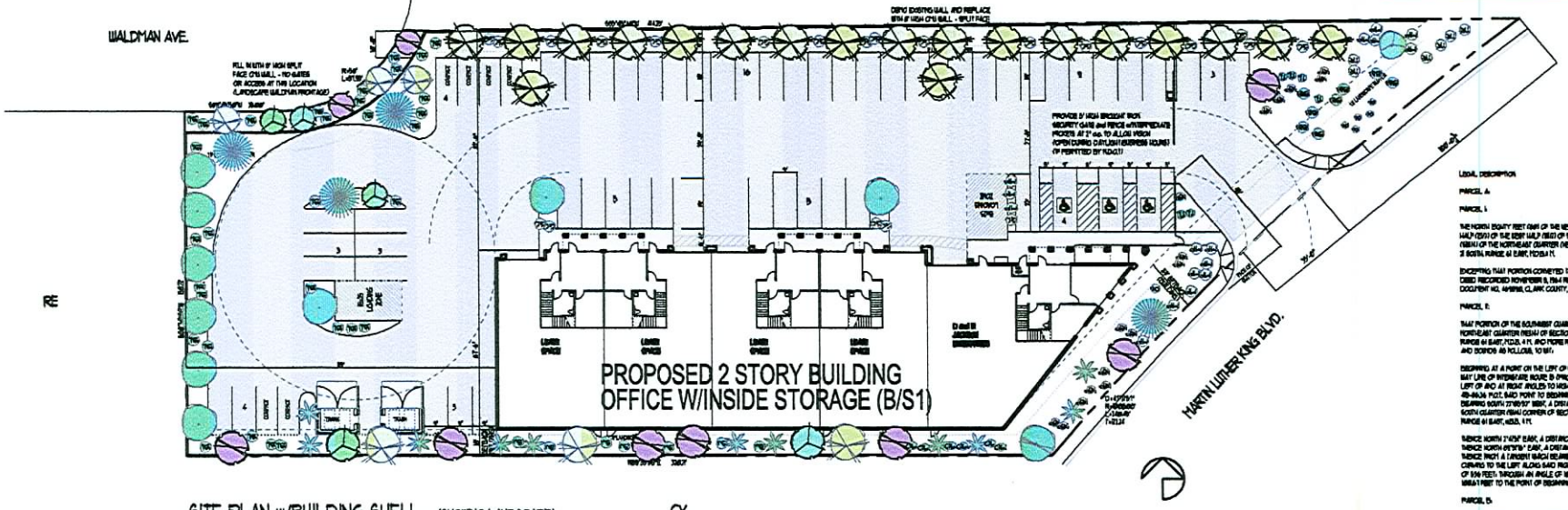
JUL 24 2008

R1

WALDMAN AVE.

R1

R1



SITE PLAN w/BUILDING SHELL (SHOWING LANDSCAPE)
SCALE: 1" = 30'-0"

CV

LEGAL DESCRIPTION

PARCEL A:

PARCEL 1:

THE NORTH EIGHTY FEET (80ft) OF THE WEST HALF (W/2) OF THE EAST HALF (E/2) OF THE WEST HALF (W/2) OF THE SOUTHEAST QUARTER (SE/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B.&M.

EXCEPTING THAT PORTION CONVEYED TO THE STATE OF NEVADA BY DEED RECORDED NOVEMBER 9, 1964 RECORDED NOVEMBER 9, 1964 AS DOCUMENT NO. 464898, CLARK COUNTY, NEVADA RECORDS.

PARCEL 2:

THAT PORTION OF THE SOUTHWEST QUARTER (SW/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B. & M., AND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT:

BEGINNING AT A POINT ON THE LEFT OF WESTERLY HIGHWAY RIGHT OF WAY LINE OF INTERSTATE ROUTE 15 PROJECT I-4806-1(4) 261.36566 FEET LEFT OF AND AT RIGHT ANGLES TO HIGHWAY ENGINEERS STATION "D" 49+86.36 P.O.T., SAID POINT TO BEGINNING IS FURTHER DESCRIBED AS BEARING SOUTH 27°05'57" WEST, A DISTANCE OF 584.65 FEET FROM THE SOUTH QUARTER (S/4) CORNER OF SECTION 33, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M.;

THENCE NORTH 2°40'W EAST, A DISTANCE OF 13.32 FEET TO A POINT; THENCE NORTH 87°19'E EAST, A DISTANCE OF 24.23 FEET TO A POINT; THENCE RIGHT A TANGENT WHICH BEARS SOUTH 49°39'34" EAST, CURVING TO THE LEFT ALONG SAID RIGHT OF WAY LINE, WITH A RADIUS OF 5716 FEET, THROUGH AN ANGLE OF 18°19'37", AN ARC DISTANCE OF 1828.31 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

THE NORTH ONE-HALF (N/2) OF THE WEST ONE-HALF (W/2) OF THE NORTH THREE HUNDRED THIRTY FEET (330ft) OF THE WEST ONE-HALF (W/2) OF THE SOUTHWEST QUARTER (SW/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION FOUR (4), TOWNSHIP TWENTY-ONE (21) SOUTH, RANGE SIXTY-ONE (61) EAST OF THE MDB&M.

ZON-28281 SUP-28287
SDR-28286 08/14/08 PC
REVISED

KC CAMIS ARCHITECT
REVISIONS
JOB: CN03107
PROPOSED BUILDING
at 1404 MARTIN LUTHER KING
S1

ZON-28281 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

ZON-28281 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

ZON-28281 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

ZON-28281 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

KC CAMIS
ARCHITECT
5125 WEST OQUENDO suite 1
LAS VEGAS NEVADA 89118
702 262-9473 FAX 253-1182

To: City of Las Vegas Planning
Attn: to whom it may concern
Re: 1404 Martin Luther King Blvd.

The owner of the property wishes to construct a concrete tilt-up building with 5 lease bays with a small 2 story office and the remainder of the space as storage. It would most likely be leased by a number of small businesses whose office needs are small, but have a need for storage of materials and goods for their businesses (a plumbing business would be a good example of that – storage for inventory and a couple of small offices). The largest bay will be occupied by the builder/developer themselves. The total area of the building will be roughly 17000 sf. The property is located between R1 and CV zonings. There are C1 zones in the near vicinity. Access to the property is off of Martin Luther King Blvd, and as such, it is the opinion of this office that the property is better suited to a commercial use. It is adjacent to the fire station and having small offices, would make a good buffer. An intense landscape buffer will be provided to shield the neighboring residential zones. The buffer zone trees are bottle trees in response to neighborhood concerns and comments. Other changes in response to the previous neighborhood meeting are that the property line wall to the north will be 8' tall and a security gate has been added that would remain open during business hours. Proposed hours of operation could be 6 am to 6 pm. No variances or waivers of development standards are being requested. It is the opinion of this office that the proposed building is a very appropriate use for both the property and location.

Sincerely

KC Camis, Architect

ZON-28281
07/10/08 PC

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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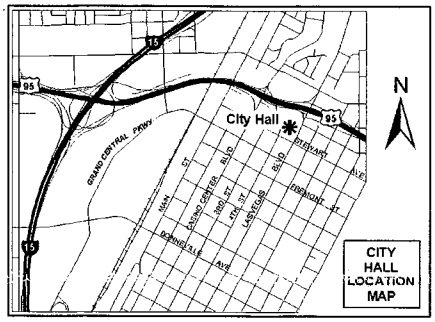

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286
City Council Meeting of 10/1/2008

CROSSON RONALD L & DONNA L
1313 CHARMAST LN
LAS VEGAS NV 89102-2405

GAVOS11 89102

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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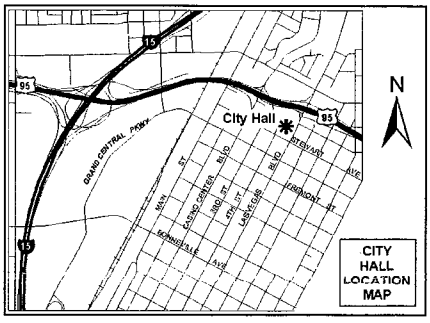

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☐ I SUPPORT this Request ☒ I OPPOSE this Request ✓

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286
City Council Meeting of 10/1/2008

COFFMAN RICHARD A & SHERRY A
1209 JAYLAR CIR
LAS VEGAS NV 89102-2409

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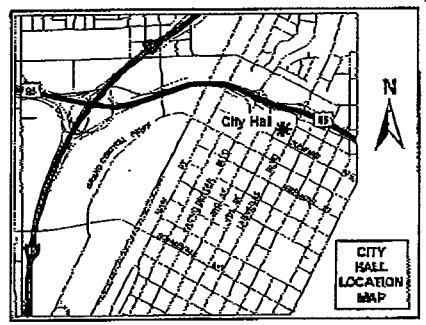

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286

City Council Meeting of 10/1/2008

CARTER MEI CHU K
1220 SHADOW LN
LAS VEGAS NV 89102-2414

Mei Chu Carter
Clyde Carter

GAU0511 89102

09/23/2008 TUE 10:01 [TX/RX NO 8922] 001

Sep 21 08 08:35p Linda Arlt. 702-384-6762 p.1

09/21/2008 SUN 20:25 [TX/RX NO 8877] 001

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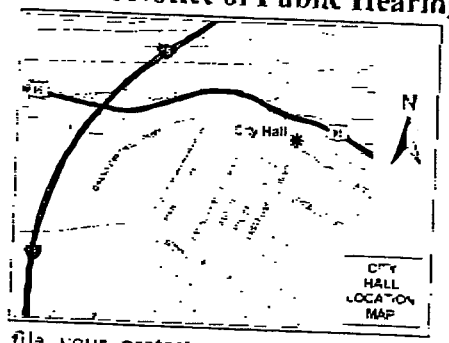

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286

City Council Meeting of 10/1/2008

ARLT THOMAS M & LINDA D
1721 BANNIE AVE
LAS VEGAS NV 89102-2452

GAVOS11 89102

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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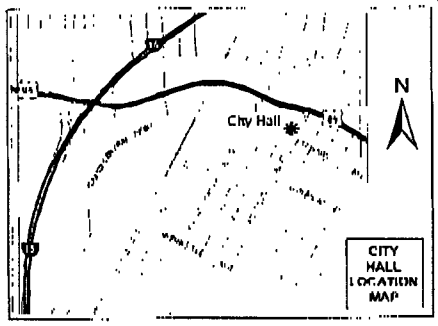

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☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286

City Council Meeting of 10/1/2008

ARLT FAMILY TRUST
ARLT THOMAS M & LINDA D TRS
1721 BANNIE AVE
LAS VEGAS NV 89102-2452

KUMMER KAEMPFER

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ELIZABETH M. SOROKAC
esorokac@kkbrf.com
702.693.4274

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8900
Fax: 775.882.0257

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2008 DEC 12 P 4:28

December 12, 2008

Via Facsimile: (702) 382-4803
Beverly Bridges
City Clerk
City of Las Vegas
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: Request for GPA-28283 and ZON-28281 to be heard on the January 7, 2009 City Council agenda

Dear Beverly Bridges:

We represent the applicant on the applications listed above. The applications were tabled at the November 5, 2008 City Council meeting. We respectfully request that the applications listed above be placed on the January 7, 2009 City Council agenda. At the hearing we intend to request a reduction in the proposed general plan and zoning categories. Please contact me at (702) 693-4274 or esorokac@kkbrf.com if you have any questions regarding this matter.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Elizabeth M. Sorokac

Elizabeth M. Sorokac

EMS/anc

cc: Doug Rankin (*Via email: drankin@lasvegasnevada.gov*)
Robin Wadley-Munier (*Via email: rmunier@lasvegasnevada.gov*)

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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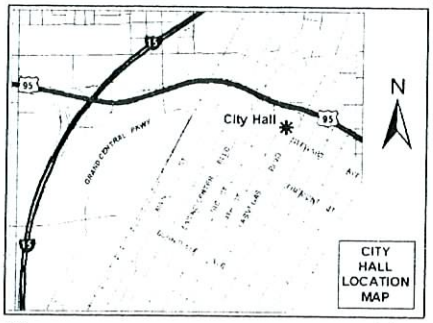

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☐ I SUPPORT this Request

☑ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283 & ZON-28281

Planning Commission Meeting of 8/14/2008

Case: GPA-28283

16204115002
OBOYLE MARY F
1324 ORMSBY ST
LAS VEGAS NV 89102-2411

641

FAVDS11 89102

Submitted after final agenda
Date P Item 12-13

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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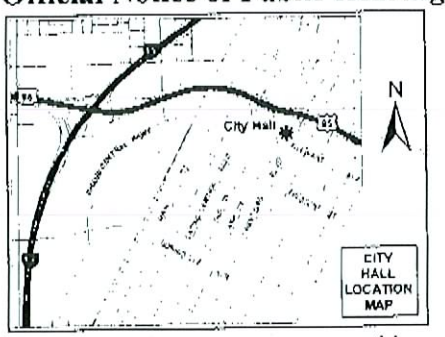

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☐ I SUPPORT this Request ☒ I OPPOSE this Request !!

Please use available blank space on card for your comments.

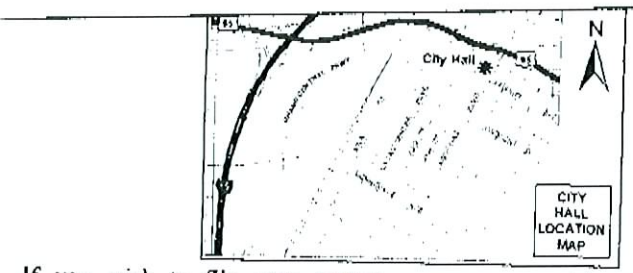
GPA-28283 & ZON-28281

Planning Commission Meeting of 7/10/2008

Case: GPA-28283
16204104007
MORRIS STANFORD 2006 LIVING TR
1241 SHADOW LN
LAS VEGAS NV 89102-2413

MORRIS

DAVDSII 89102



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☐ I SUPPORT this Request ☒ I OPPOSE this Request !!!

Please use available blank space on card for your comments.

SUP-28287 & SDR-28286

Planning Commission Meeting of 7/10/2008

Case: SUP-28287
16204104007
MORRIS STANFORD 2006 LIVING TR
1241 SHADOW LN
LAS VEGAS NV 89102-2413

STANFORD

DAVDSII 89102

#13-116 P

05/29/2008 15:03 7023888859 JAMES_STANFORD PAGE 01

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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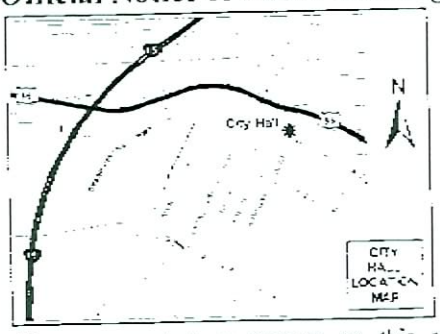
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283 & ZON-28281

Planning Commission Meeting of 7/10/2008

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case GPA-28283

16204210054
ARLT FAMILY TRUST
1721 BANNIE AVE
LAS VEGAS NV 89102-2452

DAVDS11 89102

#13-14

P

Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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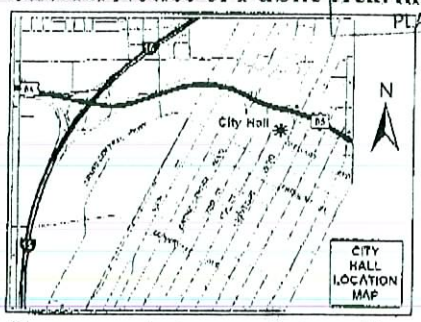

Vehemently oppose! This property MUST remain Residential zoned!!

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283 & ZON-28281
Planning Commission Meeting of 7/10/2008

Case: GPA-28283
16204512014
MARSHALL VAL JEAN
1321 CHARMAST LN
LAS VEGAS NV 89102-2405

Submitted after final agenda
Date
Item 13-14

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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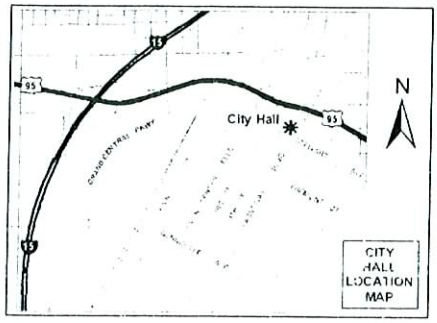

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283 & ZON-28281
Planning Commission Meeting of 7/10/2008

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: GPA-28283
16204210082
SU LISA 2005 REVOCABLE TRUST
2100 WALDMAN AVE
LAS VEGAS NV 89102-2432

DAVDS11 A5108

Submitted after final agenda
Date
Item 13-14

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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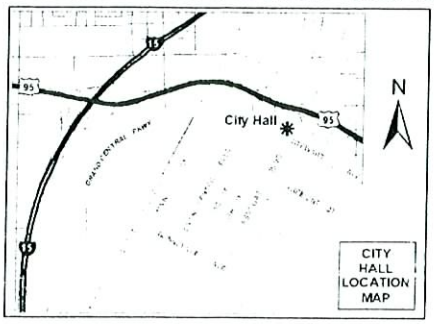
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283 & ZON-28281
Planning Commission Meeting of 7/10/2008

$ 00.39

RECEIVED
JUL - 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: GPA-28283

16204210082
SU LISA 2005 REVOCABLE TRUST
2100 WALDMAN AVE
LAS VEGAS NV 89102-2432

DAVIS 11 89102

Submitted after final agenda
Date
Item 13-14

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

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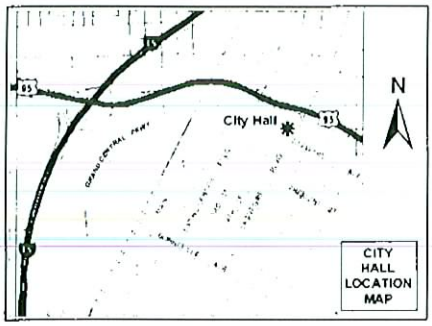
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



RECEIVED
JUL - 7 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283 & ZON-28281
Planning Commission Meeting of 7/10/2008

Case: GPA-28283
16204210058
PARKER E FAMILY TRUST
1800 SILVER AVE
LAS VEGAS NV 89102-2436

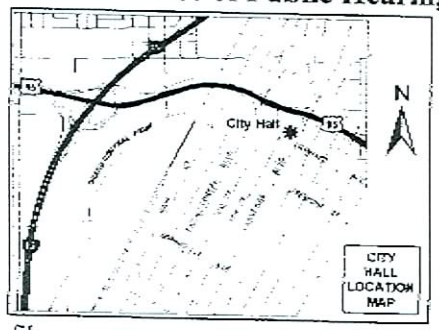
DAVDS11 89102

Submitted after final agenda
Date
Item 13-14

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283 & ZON-28281

Planning Commission Meeting of 8/14/2008

PRESORTED FIRST CLASS

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

16204104007 Case: GPA-28283
MORRIS STANFORD 2006 LIVING TR
1241 SHADOW LN
LAS VEGAS NV 89102-2413

605

FAVDS11 89102

#12-13
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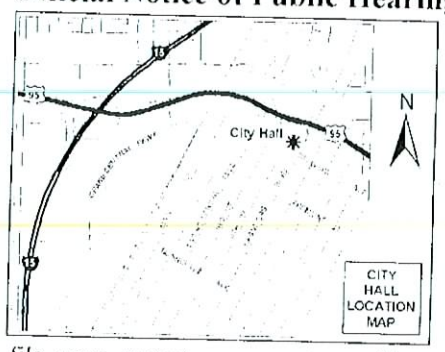
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283 & ZON-28281

Planning Commission Meeting of 8/14/2008

RECEIVED
AUG - 5 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

16204210022 Case: GPA-28283
CHERNEY CRAIG P
1720 BANNIE AVE
LAS VEGAS NV 89102-2453

FAVDS11 89102

#12-13
S

1404 MARTIN LUTHER KING BOULEVARD

(West side of Martin Luther King
South of Charleston Boulevard
Across from the entrance ramp to the I-15)

APN-162-04-601-001 and 162-04-601-002

ADDITIONAL CONDITIONS OF APPROVAL

1. Parking lighting shall be shielded downward.
2. Parking lighting shall be the minimum height permitted by the City Code
3. If building lighting is required for safety purposes it shall be shielded downward.
4. Street signage shall be monument signage only.
5. The business hours of operation shall be limited to 6:00 AM to 7:00 PM on Monday through Friday and 7:00 AM to 2:00 PM on Saturday.
6. If permitted by the City Code and applicable government agencies, a gate shall be installed and closed outside of the business hours of operation.
7. No building on the property shall exceed 28 feet in height.
8. All work on the property shall be done within an enclosed building with the doors to the building closed
9. Any security system for the subject property shall include remote monitoring and response personnel.
10. There shall be no outside storage on the property.
11. Any change in the use of the property shall require a site development review as a public hearing.
12. There shall be no access to the Property from Waldman and Ormsby.
13. On the northwest corner of the Property an 8 foot decorative wall and landscaping along the wall with a sitting area and bench shall be maintained at all times by the current owner of the Property.
14. Any satellite dish on the Property shall be screened so it is not visible from the residential property in the area.

Submitted at Planning Commission

Date 8/28/08 Item: 14-17

15. The building shall be located no closer than 65 feet from the northwest property line of the Property.

16. The building shall be located no closer than 100 feet from the west property line of the Property.

17. The building shall be located no closer than 65 feet from the north property line of the Property.

18. The trash enclosure shall be located no closer than 50 feet from the west property line of the Property and no closer than 50 feet from the north property line of the Property.

WHEN RECORDED RETURN TO:

Kummer Kaempfer Bonner Renshaw & Ferrario
3800 Howard Hughes Pkwy., 7th Floor
Las Vegas, Nevada 89169
Attn: Liz Sozokac

APN: 162-04-601-001
162-04-601-002

(Space Above for Recorder's Use Only)

DEED RESTRICTION ON USE

THIS DEED RESTRICTION ON USE ("Deed Restriction") is made this ____ day of _____, 2008 by Darrell E. Jackson ("Jackson"), Thomas M. Strawn, Jr. ("Strawn") and Andrew S. Levy ("Levy"). Jackson, Strawn and Levy are hereinafter referred to as "Owner".

RECITALS

A. WHEREAS, Jackson, Strawn and Levy are the owners as tenants in common of certain real property located in the City of Las Vegas, Nevada commonly known as Assessor's Parcel Numbers 162-04-601-001 and 162-04-601-002 and further described in Exhibit A attached hereto ("Property").

B. WHEREAS, to ensure future development of the Property is compatible with the surrounding area and for the benefit of the association of neighboring homeowners known as the Scotch Eighty Organization, Inc., a Nevada non-profit organization ("Scotch Eighty"), Owner desires to restrict the use of the Property as set forth in this Deed Restriction. Scotch Eighty and any successor organizations are hereinafter referred to as the "Association".

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Owner declares as follows:

1. **Declaration**. Until termination of this Deed Restriction, the Property shall be held, conveyed, mortgaged, encumbered, leased, rented, used, occupied and improved subject to the provisions of this Deed Restriction, which shall run with the land and shall be binding upon all persons having, or who acquire any right, title, or interest in and to all or any portion of the Property.

Submitted at Planning Commission
Date 8/28/08 Item: 14-17

2. **Restriction on Use**. Until any amendment, modification or termination of this Deed Restriction, Owner covenants and declares that the Property shall not be used for any of the following:

(a) Gaming
(b) Liquor, Beer and Wine Sales or On Premises Consumption
(c) Hotel, Motel or Hotel Suites
(d) Restaurants
(e) Retail Sales
(f) Facility to Provide Testing, Treatment, or Counseling for Drug and Alcohol Abuse
(g) Sex Offender Counseling Facility
(h) Adult Day Care
(i) Amphitheater
(j) Animal Hospital , Clinic or Shelter
(k) Astrologer, Hypnotist, or Psychic Art and Science
(l) Auto Title Loans, Check Cashing Services, Pawn Shop
(m) Auto Uses, specifically Auto Broker; Auto Dealer Inventory Storage; Auto Repair Garage, Minor; Auto Smog Check; Automobile Rental; Automobile Repossession Agency
(n) Bailbond Service
(o) Banquet Facility
(p) Billboard
(q) Billiard Parlor and Pool Hall
(r) Car Wash
(s) Catering Service
(t) Child Care Center
(u) Church/House of Worship
(v) Clinic
(w) College, University, or Seminary
(x) Commercial Recreation/Amusement (indoor)
(y) Community Recreational Facility (Public)
(z) Country Club (Private)
(aa) Daily Labor Service
(bb) Dental Office or Dental Laboratory
(cc) Dry Cleaners
(dd) Electric Utility Substation
(ee) Emergency Ambulance Services, Ground
(ff) Employment Agency
(gg) Escort Bureau
(hh) Financial Institution
(ii) General Personal Services
(jj) Garden Supply/Plant Nursery
(kk) Golf Driving Range
(ll) Government Facility
(mm) Health Club

(nn) Helipad
(oo) Horse Corral or Stable (Commercial)
(pp) Hospice
(qq) Hospital
(rr) Keep of Carrier or Racing Pigeons
(ss) Laundry, Self-Service
(tt) Library, Art Gallery or Museum (Public)
(uu) Liquefied Petroleum Gas Installation
(vv) Massage
(ww) Medical Office or Medical Laboratory
(xx) Mini-Storage Facility
(yy) Monorail
(zz) Mortuary or Funeral Chapel
(aaa) Mounted Antennae
(bbb) Open Air Vending/Transient Sales Lot
(ccc) Outcall Entertainment Referral Service
(ddd) Outdoor Storage
(eee) Parking Commercial
(fff) Pet Boarding
(ggg) Pet Shop
(hhh) Post Office
(iii) Private Club, Lodge, or Fraternal Organization
(jjj) Psychology Practice
(kkk) Public Park or Playground
(lll) Radio Broadcast
(mmm) Radio, TV or Microwave Communication Tower
(nnn) Recreational Vehicle and Boat Storage
(ooo) Secondhand Dealer
(ppp) Service Station
(qqq) Slaughtering and Processing of Live Poultry
(rrr) Swap Meet
(sss) Teen Dance Center
(ttt) Temporary Contractor's Construction Yard
(uuu) Temporary Outdoor Commercial Event
(vvv) Tennis Courts, Accessory
(www) Trade School
(xxx) Trailer/RV Camp or Park
(yyy) Utility Transmission Lines
(zzz) Valet Parking
(aaaa) Wedding Chapel
(bbbb) Wireless Communication Facility

3. **Additional Restrictions on Use.** Until any amendment, modification or termination of this Deed Restriction, Owner covenants and declares that the development of the Property shall adhere to the following restrictions.

(a) There shall be no access to the Property from Waldman and Ormsby.

(b) On the northwest corner of the Property an 8 foot decorative wall and landscaping along the wall with a sitting area and bench shall be maintained at all times by the current owner of the Property.

(c) Any satellite dish on the Property shall be screened so it is not visible from the residential property in the area.

(d) The building shall be located no closer than 65 feet from the northwest property line of the Property.

(e) The building shall be located no closer than 100 feet from the west property line of the Property.

(f) The building shall be located no closer than 65 feet from the north property line of the Property.

(g) The trash enclosure shall be located no closer than 50 feet from the west property line of the Property and no closer than 50 feet from the north property line of the Property.

4. **Permitted Uses**. Except as specifically set forth in Sections 2 and 3 above, this Deed Restriction shall not limit or restrict the use of the Property for any other use allowed by law.

5. **Amendment; Termination**. Owner may not amend, modify, or terminate this Deed Restriction, in whole or in part, without the approval of the Association. Any such amendment, modification, or termination shall be deemed approved by the Association upon the consent of a majority of the members of the Association voting on such amendment, modification, or termination. If and at such time the Association should cease to exist, this Deed Restriction may be terminated by the Owner of the Property and their successors and assigns through the recordation of a document terminating it.

6. **Governing Law**. This Deed Restriction shall be governed by the laws of the State of Nevada.

7. **Attorney's Fees**. Should it be necessary for the Association to file any civil action to enforce the terms and conditions of this Deed Restriction, the Association shall be entitled to recover from the Owner, and the Owner shall pay to the Association, all of their attorney's fees and costs incurred in the filing of such action.

8. **No Third Party Beneficiaries**. This Deed Restriction is not intended, and shall not be deemed or construed, to confer any rights, powers or privileges on any person or entity other than Owner or the Association and their permitted successors and assigns.

9. **Counterparts**. This Deed Restriction may be executed in counterparts and that a facsimile copy of a party's signature will be treated as an original signature.

(SIGNATURES ON THE FOLLOWING PAGES)

IN WITNESS WHEREOF, Owner has executed this Deed Restriction as of the date first set forth above.

"OWNER"

"JACKSON"

Darrell E. Jackson

"STRAWN"

Thomas M. Strawn, Jr.

"LEVY"

Andrew S. Levy

STATE OF NEVADA
COUNTY OF CLARK } ss.

This instrument was acknowledged before me on _____ by Darrell E. Jackson.

_____
NOTARY PUBLIC

STATE OF NEVADA
COUNTY OF CLARK } ss.

This instrument was acknowledged before me on _____ by Thomas M. Strawn, Jr.

_____
NOTARY PUBLIC

STATE OF NEVADA
COUNTY OF CLARK } ss.

This instrument was acknowledged before me on _____ by Andrew S. Levy.

_____
NOTARY PUBLIC

EXHIBIT A

THE PROPERTY

Scotch Eighties Home Owners Association

Thursday, August 28, 2008

RE: Opposition to Case Numbers: ZON-28281, GPA-28283, SDR-28286, SUP-28287
APN-162-04-601-001 and 162-04-601-002
West Side of Martin L. King Blvd. between Charleston and Oakey--

Dear Las Vegas Planning Commissioners,

The Scotch 80's Home Owners Association continues to go on record and oppose the General Plan Amendment and related zoning and use applications before you that will be heard at your Thursday August 28th meeting.

Please note from your records that we submitted to the Planning Commission a letter from the Association on October 8, 2007 also registering our opposition.

Our reasoning is such:

1) The applications, if approved, removes a single family home site from the neighborhood. The Association has been historically on record against the removal of any single family home within its neighborhood.
2) The zoning will initiate additional transitional zoning requests of a similar nature along Martin Luther King Blvd. which will further impact on the surrounding neighborhood.
3) The neighborhood is actually adding single family neighborhood homes to vacant lots, including one at the corner of Oakey and Martin Luther King Blvd. which offsets any argument that the neighborhood along Martin L. King Blvd. is transitional to commercial.
4) Immediate homes adjacent to the applicant are not representative of the neighborhood consensus as they are either: (a) in foreclosure; (b) absentee ownership; and (c) non-responsive elderly.
5) If approved there can be no guarantee that the current ownership will remain the same and maintain the proposed covenants. Any commercial usage will be in contrast to the single family nature of the neighborhood.

Discussion:

A. The Planning Board and Staff needs to view the entire Martin Luther King corridor to realize that the buffer between commercial and single family home owners is in fact I-15 and not Martin Luther King Blvd. Recent purchases of land along Martin Luther King Blvd. were made solely for economic speculation of buying cheaper and re-zoning to higher values, including a future real estate play for imminent domain, if and when any highway expansion forces Martin Luther King to become an arterial.

Submitted at Planning Commission
Date 8/28/08 Item 14-17

B. The Scotch 80's neighborhood sphere of influence is the borders of Oakey, Rancho, Charleston, and Martin Luther King Blvd. The Home Owners Association and home owners within these boundaries have consistently in public hearings taken positions against loss of single family homes. The most memorable example was zoning issues at the NE corner of Oakey and Rancho where the applicant was denied a zoning request to business commercial. This denied re-zoning is similar in scope to the application before you.

C. The Association is in partial sympathy with the current owner of the applicant and believes the applicant was misled by the Realtor (and their signage) and previous land owner in that a zoning change would be easily allowed. Although the Applicant has gone out of his way to 'comfort' various neighborhood concerns on a variety of issues, the application has to be seen in the totality of the neighborhood and small incidents of impact mitigation should not over-rule the zoning changes influences where commercialization edges into a residential neighborhood.

D. As example, any change to land use of the applicant will be evidence for the land owner on the other (south) side of the Fire Station, who anticipation of such zoning change, has torn down a single family home without input from the neighborhood. This property as former single family residence also allows access directly into the neighborhood. To grant the application before you by default allows the secondary applicant to plead the same circumstances.

E. The current owner, and Applicant, is stating that the property (along Martin Luther King) is only good for limited commercial usage. However, we point out, that a quality single family house could be built with entrance off Waldman and plenty of buffer back yard to be created to separate the house from traffic noise along Martin Luther King.

F. The use of the property is for construction offices and other unknown tenants. As a neighborhood we are concerned, regardless of the limitations offered by the Applicant on property usage, that violations or activities not now documented could cause noise and activities beyond the expected comfort of neighbors.

G. The Association in its discussions with the Applicant has constantly asked them to provide a position by the immediate neighbors, especially a Mr. J. Lewis who immediately adjoins the proposed commercial project. We do not believe they have secured any such support to date, and if even so obtained, would not change our position as to the neighborhood-wide impact.

With these concerns, and others, we have no other choice but to continue to voice our opposition to this rezoning of a single-family lot.

Respectfully submitted,

Stephen Grogan, President
Scotch 80 Home Owners Association
840 S. Rancho Rd. Suite 4-337
Las Vegas, NV 89106
759-0001 fax 759-0003

City of Las Vegas Agenda Item No.: **94.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:

SUP-28287 – TABLED ITEM - SPECIAL USE PERMIT RELATED TO GPA-28283 AND ZON-28281 - PUBLIC HEARING - APPLICANT/OWNER: DARRELL E. JACKSON, ET AL - Request for a Special Use Permit FOR A PROPOSED BUILDING MAINTENANCE SERVICE AND SALES FACILITY adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard (APNs 162-04-601-001 and 002), Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

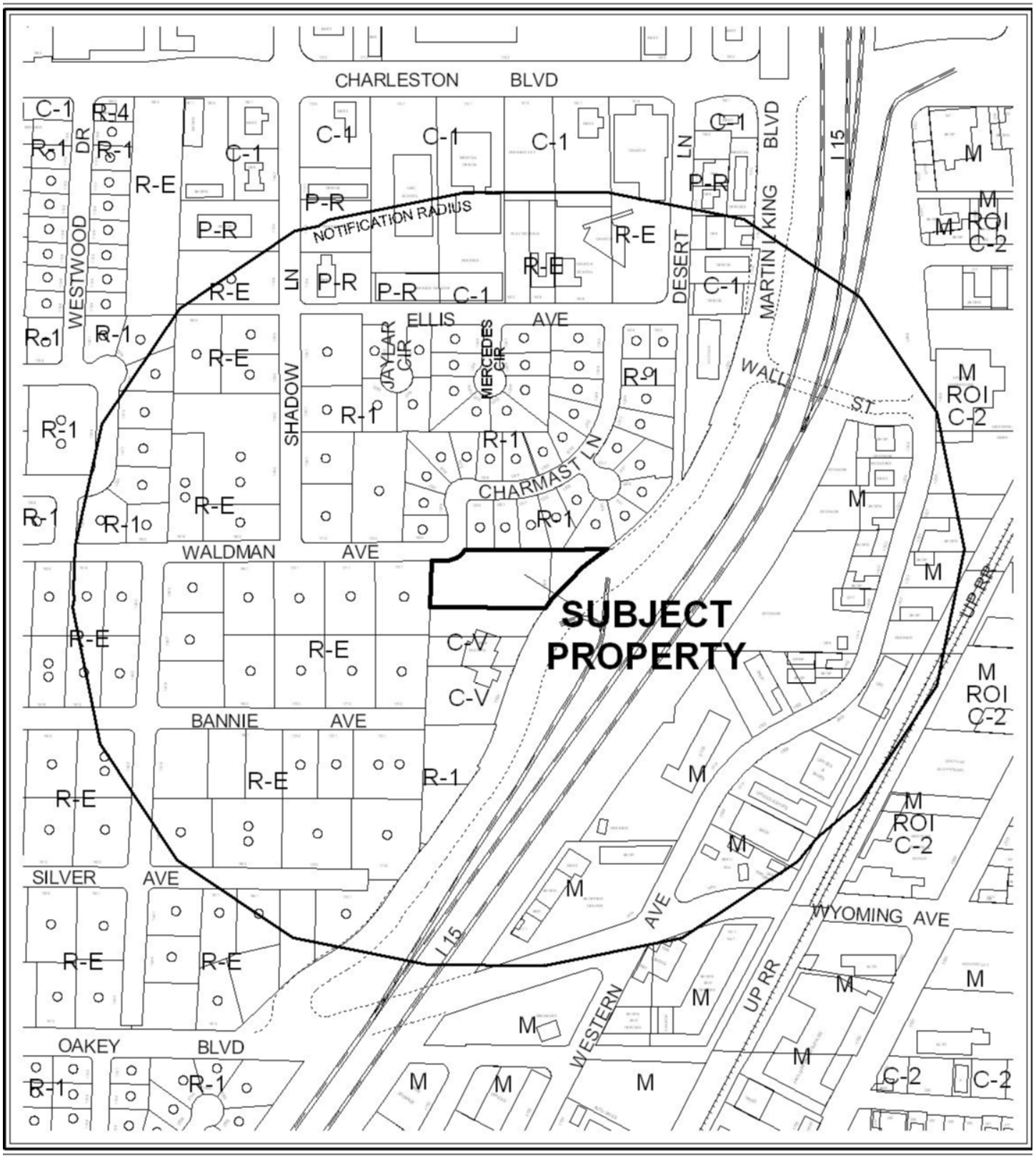
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**9**	**Planning Commission Mtg.**	**2**
City Council Meeting	**5**	**City Council Meeting**	**1**

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards received for the 10-01-2008 City Council Meeting
7. Letter from Kummer Kaempfer Bonner Renshaw & Ferrario to untable
8. Letter from Kummer Kaempfer Bonner Renshaw & Ferrario to withdraw
9. Support Postcard
10. Backup Referenced from the 08-28-2008 Planning Commission Meeting Item 16



0 500 Feet

CASE: SUP-28287

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

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

N

0 500 Feet

CASE: SUP-28287

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-28287 - APPLICANT/OWNER: DARRELL E. JACKSON, ET AL

THIS ITEM WAS TABLED AT THE OCTOBER 1, 2008 CITY COUNCIL MEETING..

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (5-1/se-1/sd vote) recommends APPROVAL, subject to:

Planning and Development

1. The business hours of operation shall be limited to 6 a.m. to 7 p.m. on Monday through Friday and 7 a.m. to 2 p.m. on Saturday.

2. All business operations on the property shall be done within an enclosed building with the doors to the building closed.

3. A security system for the subject property shall be installed with remote monitoring and response personnel and continuously maintained.

4. No business vehicles may be stored at this location.

5. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for Building Maintenance Service and Sales use.

6. Conformance to the conditions for Site Development Plan Review (SDR-28286), if approved.

7. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

8. This approval does not constitute the approval of Industrial, Warehouse and Machinery uses such as Contractor's Plant, Shop & Storage Yard, Heavy Machinery and Equipment (Storage), Outdoor Storage, Accessory, Warehouse/Distribution Center and Wholesale Showroom Facility.

9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed Building Maintenance Service and Sales Facility adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard.

The commercial related development associated with this designation is not compatible with the existing residential developments in the area or the intent of Rancho/Charleston Study Area; therefore, staff does not support this Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/20/02	The City Council approved a request to amend portions of the Southeast Sector map of the General Plan in the general vicinity of the Charleston Boulevard/Rancho Drive intersection from SC (Service Commercial) to O (Office); from R (Rural Density Residential) to (DR) Desert Rural Density Residential; from O (Office) to DR (Desert Rural Density Residential) and; from L (Low Density Residential) to DR (Desert Rural Density Residential) in accordance with the recommendations of the Rancho Charleston Land Use Study and Strategic Plan.
10/11/07	Companion items for a General Plan Amendment (GPA-24210), Rezoning (ZON-24209) and Site Development Plan Review (SDR-24211) were held in abeyance at the applicant's request.
10/25/07	Companion items for a General Plan Amendment (GPA-24210), Rezoning (ZON-24209) and Site Development Plan Review (SDR-24211) were held in abeyance at the applicant's request.
11/29/07	The City Council accepted the applicant's request to Withdraw Without Prejudice a General Plan Amendment (GPA-24210) from DR (Desert Rural Density Residential) and L (Low Density Residential) to GC (General Commercial), a Rezoning (ZON-24209) from R-1 (Single Family Residential) to C-1 (Limited Commercial) and Site Development Plan Review (SDR-24211) for a proposed 17,004 square-foot building Maintenance Service and Sales facility on 1.45 acres adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard.
08/28/08	The Planning Commission recommended approval of companion items GPA-28283, ZON-28281 and SDR-28286 concurrently with this application. The Planning Commission voted 5-1/se-1/sd to recommend APPROVAL (PC Agenda Item #16/jm).

Related Building Permits/Business Licenses	
No building permits or building licenses are related to this site.	
Pre-Application Meeting	
05/14/08	A pre-application meeting was held with the applicant. The applicant is proposing an almost identical site plan from what was proposed and then was Withdrawn Without Prejudice on the 11/29/07 City Council Meeting. The major difference from the previous submittal is the applicant is requesting a General Plan Amendment to SC (Service Commercial) and a Rezoning to C-1 (Limited Commercial). The application will require a Special Use Permit for Building Maintenance Service and Sales Facility in C-1 (Limited Commercial) zoning. The applicant was also informed that the General Plan Amendment applicant requires a neighborhood meeting. Submittal requirements were then discussed.

Neighborhood Meeting	
07/17/08	A neighborhood meeting was held on Thursday, July 17, 2008 at 5:30 p.m. The meeting was held at First Presbyterian Church of Las Vegas, 1515 W. Charleston Blvd., Las Vegas, Nevada. Four applicant's representatives were present as well as one staff member, two city council representatives and 15 members of the public. Comments and concerns expressed by the public were the following: • Eight-foot block wall on Waldman commercially encroaches. • Prefer residential lots on Waldman • Separate lot to the east side of commercial • 24-security system? • What are the effects of Project Neon • Is their gating? The applicant addressed the following concerns with these comments:
	• Insulation Contractor Office with Insulation stored on site. • Hours of operation are 6:00 AM to 7:00 PM Monday through Friday and 7 AM – 2:00 PM on Saturday. • Five tenants proposed, ground floor will be stored with plumbing, insulation and wood. • Trucks will be parked overnight • No vehicular access to Waldman • Bay doors will be closed during all work hours
Field Check	
06/10/08	A field check was made on the site. The site is currently undeveloped with residential to the west and north of the site and a fire station to the south.

Details of Application Request	
Site Area	
Net Acres	1.45

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural Density Residential) and L (Low Density Residential) **Proposed: SC (Service Commercial)**	R-1 (Single Family Residential) **Proposed: C-1 (Limited Commercial)**
North	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Fire Station	PF (Public Facility)	C-V (Civic)
East	Interstate-15	Interstate -15	Interstate -15
West	Single Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Rancho Charleston Land Use Study	X		N*
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
Airport Overlay (200 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

The Rancho Charleston Land Use Study defines the area proposed as residential.

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Building Maintenance Service and Sales Facility	17,435 SF	1:300	56	3	56*	3	Y
TOTAL			59		59		Y
Loading Spaces			2		2		Y

** Seven parking spaces are compact space in size, which meet Title 19.10 parking standards.*

ANALYSIS

- **Zoning**

  The applicant has requested a Rezoning (ZON-28281) to a C-1 (Limited Commercial) District. The C-1 (Limited Commercial) District is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan. In addition to the Rezoning and this application, the applicant has requested a General Plan Amendment (GPA-28283) from DR (Desert Rural Density Residential) and L (Low Density Residential) to SC (Service Commercial) and a Site Development Plan Review (SDR-28286) for a proposed 17,435 square-foot Building Maintenance Service and Sales Facility.

- **Use**

  The proposed Building Maintenance Service and Sales establishment use is allowed with the approval of a special use permit in the C-1 (Service Commercial) zoning district. Building Maintenance Service and Sales is defined in Title 19 as a facility or area for contracting services such as building repair and maintenance, the installation of plumbing, electrical, air conditioning and heating equipment, janitorial services, and exterminating services. The retail sale of supplies is permitted as an accessory use.

  The proposed Building Maintenance Service and Sales use is located in a proposed 17,435 square-foot warehouse building with five industrial-type roll-up bay doors. Although the applicant has attempted to mask the warehouse building with concrete tilt-up panels, decorative reveals and aluminum storefronts with stucco framed decorative canopies in “enchilada”, “toasted tan”, “heathcote”, “western cedar” colors, the building is suited for an industrial use, which is not the associated use proposed and; therefore is not the appropriate building and landscape materials for this area.

  The following table provides a listing of uses associated with a Building Maintenance Services and Sales use and uses not associated with this use:

Uses allowed with this Special Use Permit	Uses not allowed with this Special Use Permit
Building Maintenance Service and Sales - *Facility or area for contracting services such as building repair and maintenance, the installation of plumbing, electrical, air conditioning and heating equipment, janitorial services, and exterminating services. The retail sale of supplies is permitted as an accessory use outside storage shall be screened from view from adjacent properties and streets.*	Contractor's Plant, Shop & Storage Yard -*A facility for the storage and maintenance of contractor's supplies and operational equipment, including accessory office uses.*
	Heavy Machinery and Equipment (Storage) -*A lot or facility used for the storage of heavy construction equipment, machinery and vehicles.*
	Outdoor Storage, Accessory - *The use of a significant portion of a lot or area for the long term retention (more than 24 hours) of materials and machinery or equipment, regardless of whether the materials, machinery or equipment are to be bought, sold, repaired, stored, incinerated, or discarded. This use does not include new or used motor vehicle sales and rental display, nor does it include accessory and incidental parking of vehicles for residents, guests, customers or employees in connection with a principal use.*
	Warehouse/Distribution Center- *An enclosed structure for the storage of goods for distribution or transfer to another location.*
	Wholesale Showroom Facility *A building used primarily for the storage of goods and materials, and secondarily for the display of merchandise for wholesale purchase.*

- **Floor Plan**

  Floor plans depict two floors separated into approximately five, 40 to 78.5 feet wide by 69 foot in length lease spaces. The majority of the first floor is comprised of space typically used for warehouse/storage and loading supplies, approximately 2,400 square feet in size, with a small 459 square-foot office on the first floor and stairs leading up to a 577 square-foot office on the second floor. The overall plan shows a disproportionate amount of warehouse/storage space, approximately 12,200 square feet, in comparison to office space, approximately 5,200 square feet. Therefore, approximately 69 percent of space is designated for warehouse/storage in the proposed building area.

- **Adopted Plans and Policies**

  The proposed development is within the Rancho/Charleston Study Area. The Rancho/Charleston Study Area was adopted on 06/19/02 in reaction to growing number of general plan amendments and rezoning activities in which private development interests pursued high intensity used on properties in, or adjacent to single family homes, residents of a number of older, stable neighborhoods along the West Charleston Boulevard and Rancho Drive corridors. Per the Rancho/Charleston Land Use Study, the proposed development is designated for a residential use.

  Land Use Goal 1 states the purpose of the Rancho Charleston Land Use Study is to protect the existing residential neighborhoods from any additional encroachment by commercial and/or office uses.

  Policy 2.1.2 of the Las Vegas 2020 Master Plan requires that development on vacant or underutilized lots within existing residential neighborhoods be sensitive in use and design to surrounding development.

  The commercial related development associated with this designation is not compatible with the existing residential developments in the area or the intent of Rancho/Charleston Study Area; therefore, staff does not support this Special Use Permit.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The commercial related development associated with this designation is not compatible with the adjacent residential properties as this area is almost exclusively residential. Further, the intensification allowed by this designation does not meet the intent of the Rancho/Charleston Study Area and Las Vegas 2020 Master Plan.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The proposed development will not be compatible with the residential developments in this area. The intensity of uses such as retail, service, office and other general business uses, as well as mixed-use developments permitted within the proposed zoning district can not be considered compatible with the existing residential neighborhood.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

   Access for the site is off Martin L. King Boulevard, an 80-foot Frontage Street as designated in the Master Plan Streets and Highways, which will provide adequate access to the site.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   The businesses on the subject site are routinely inspected for compliance to applicable codes; therefore, the public health, safety, and general welfare will be safeguarded.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The use meets the applicable condition for the Building Maintenance Service and Sales use.

PLANNING COMMISSION ACTION

The Planning Commission added conditions 1 through 4 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 125 by City Clerk

APPROVALS 2

PROTESTS 8

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-28287 APN: 162-04-601-001 and 002

Name of Property Owner: Thomas M. Strawn, Jr.

Name of Applicant: Thomas M. Strawn, Jr.

Name of Representative: KC Camis, Architect

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: Tom M Strawn

Print Name: Tom M Strawn

Subscribed and sworn before me

This 22nd day of May, 20 08

NATALIE M. JIMENEZ
Notary Public State of Nevada
No. 03-80486-1
My appt. exp. Jan. 31, 2011

Natalie M. Jimenez

Notary Public in and for said County and State

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-28287 APN: 162-04-601-001 and 002

Name of Property Owner: ANDREW LEVY

Name of Applicant: ANDREW LEVY

Name of Representative: KC CAMIS

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?

X 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: OSCAR GOODMAN

Partner(s): ANDREW LEVY _____

APN: APEX INDUSTRIAL PARK

Signature of Property Owner: [signature]

Print Name: ANDREW LEVY

Subscribed and sworn before me

This 22nd day of May, 2008

[signature]
Notary Public in and for said County and State

ELAINE FERN WILSON
Notary Public, State of Nevada
Appointment No. 02-76269-14
My Appt. Expires Jun 10, 2010

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-28287** APN: 102-04-601-001 and 002

Name of Property Owner: Darrell E. Jackson

Name of Applicant: Darrell E. Jackson

Name of Representative: KC Canis, Architect

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: [signature]

Print Name: Darrell E. Jackson

Subscribed and sworn before me

This 23 day of May, 2008

[signature]

Notary Public in and for said County and State

MIA L. NEAT
Notary Public, State of Nevada
Appointment No. 03-81521-1
My Appt. Expires Apr 1, 2011

		SIZE	QUANTITY
MONDEL PINE PINUS THUNA eldarica	LARGE EVERGREEN	24" BOX	9
CALIFORNIA PEPPER TREE SCHINUS molle	LARGE EVERGREEN	24" BOX	8
TEXAS MESQUITE PROSOPIS glandulosa glandulosa	MEDIUM EVERGREEN	24" BOX	1
CHINESE EVERGREEN ELM ULMUS parvifolia	LARGE EVERGREEN	24" BOX	1
BOTTLE TREE BRACHYCHITON populneus	LARGE EVERGREEN	24" BOX	18
AFRICAN SUMAC RHUS lancea	MEDIUM EVERGREEN	24" BOX	18
PURPLE LEAF PLUM PRUNUS cerasifera	MEDIUM DECIDUOUS	24" BOX	7
DESERT WILLOW CHILOPSIS linearis	SMALL DECIDUOUS	24" BOX	1
MEXICAN FAN PALM VERDE WASHINGTONIA sodonis	MEDIUM EVERGREEN	24" BOX	3
CHILEAN MESQUITE PROSOPIS chilensis	MEDIUM EVERGREEN	24" BOX	1

	SIZE	QUANTITY
TEXAS RANGER LEUCOPHYLLUM frutescens	5 GAL	6
TEXAS RANGER (GREEN CLOUD) LEUCOPHYLLUM frutescens	5 GAL	18
BOTTLE BRUSH CALLISTEMON citrina	5 GAL	6
MEXICAN REDBUD CERCIS MEXICANA texensis	5 GAL	11
BUSH LANTANA LANTANA camara	5 GAL	18
MOCK ORANGE PHILADELPHUS lewisii gordonianus	5 GAL	6
RED YUCCA HESPERALOE parviflora	5 GAL	16
DESERT SPOON DASYLIRION wheeleri	5 GAL	3
STAR JASMINE TRACHELOSPERMUM jasminoides	1 GAL	7
TRAILING LANTANA LANTANA montevidensis	1 GAL	4

NOTE: ALL INORGANIC LANDSCAPE GROUND COVER TO BE INDIAN RED SEALED 3/4" GRAVEL

SYSTEMS

TREES - (3) HUNTER TURBO-BC (DRI-651) PER TREE

SHRUBS - (1) HUNTER TURBO-BC (DRI-651) PER SHRUB

NOTES:

1. ALL 24-VOLT WIRING SHALL BE 14 UF DIRECT BURIAL SOLID COPPER.
2. ALL MAINS AND DIRECT BURIAL WIRING UNDER PAVEMENT SHALL BE SLEEVED IN SCHEDULE 40 PVC SLEEVES. SLEEVES SHALL BE TWICE THE DIAMETER OF PIPE BEING SLEEVED.
3. CONTRACTOR SHALL INSTALL ALL 24-VOLT WIRING FROM CONTROLLERS TO ALL VALVES IN MAIN LINE TRENCH. 3 SPARE LEADERS FROM LINE TRENCH, ENCLOSED IN 3MM CLASS PVC PIPE.
4. INDIVIDUAL EMITTERS ARE NOT SHOWN ON DRAWINGS FOR CLARITY. SEE SCHEDULE FOR NUMBER OF EMITTERS PER PLANT AND COORDINATE WITH LANDSCAPE INSTALLER TO DETERMINE TOTAL QUANTITY OF EMITTERS.
5. DISTRIBUTION PIPE FOR DRIP EMITTERS SYSTEM SHALL BE ½" CLASS 200 PVC (min)

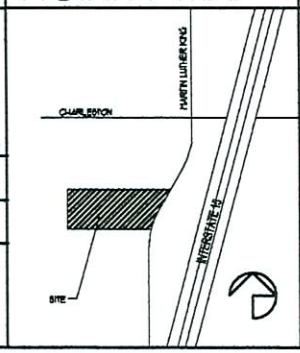
NOTES

1. SEE CIVIL FOR ALL FINAL GRADES UTILITY HOOK-UPS, OFF SITE IMPROVEMENTS, MEETS + BOUNDS, DIMENSIONS ETC.
2. ALL ACCESSIBLE ROUTES, LANDINGS, PARKING SPACES, PARKING AISLES TO HAVE 1:20 MAX LONGITUDINAL SLOPES + 1:48 MAX TRANSVERSE SLOPE TYP.
3. MAXIMUM SLOPE IN ANY DIRECTION FOR HANDICAPPED PARKING SPACES + ACCESS AISLES TO BE 2%
4. ACCESSIBLE ROUTE TO THE PUBLIC WAY SHALL HAVE SLOPES OF 5% FOR RUNNING + 2% FOR CROSS SLOPES
5. PATTERN IN CONCRETE SIDEWALKS TO BE TOOLED JOINTS
6. SEE STRUCTURAL FOUNDATION PLAN FOR ALL STRUCTURAL INFORMATION

LIGHT SCHEDULE

▭ WALL MOUNTED 25KW METAL HALIDE WALL PACK MOUNT AT 14' HIGH

VICINITY MAP



PROJECT DATA

REQUIRED ZONING:	C1
EXISTING ZONING:	R1
PARKING REQUIRED:	1/300 59
PARKING PROVIDED:	59 and (7) 15x25 LOADING ZONES
SITE ACREAGE:	1.4 AC (NET)
APN	162-04-601-001 and 002
AREA BUILDING	
1st FLOOR	14,000 SF
2nd FLOOR	3,330 SF
TOTAL BUILDING	17,330 SF

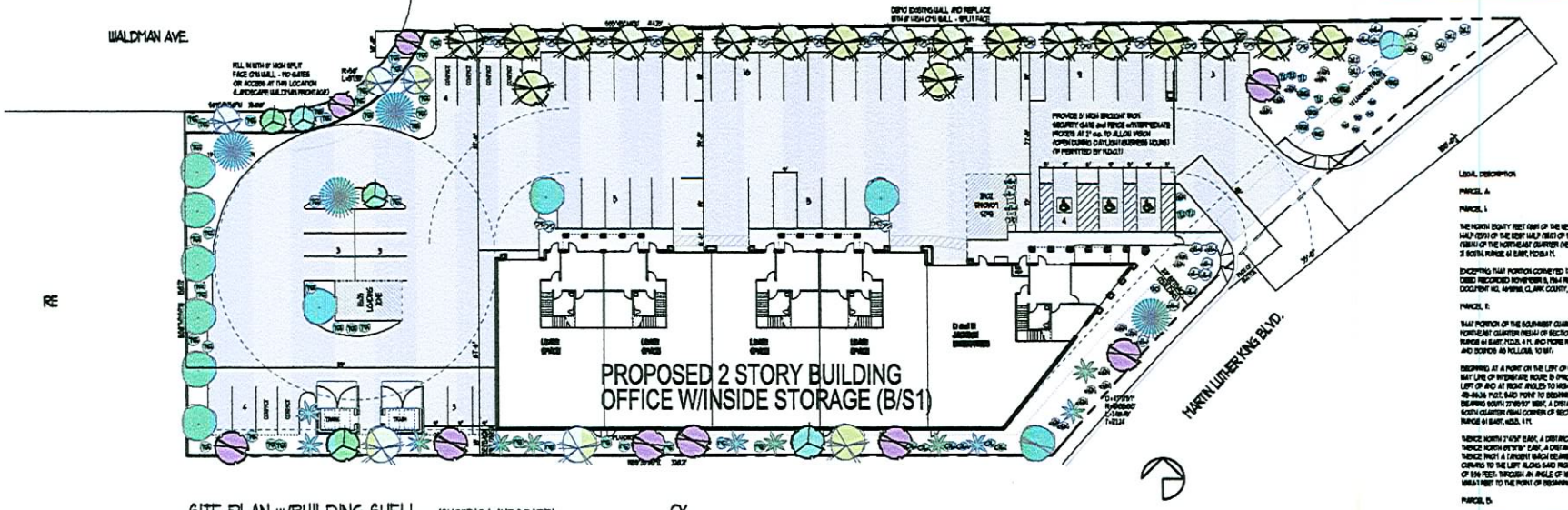
RECEIVED
JUL 24 2008

R1

WALDMAN AVE.

R1

R1



SITE PLAN w/BUILDING SHELL (SHOWING LANDSCAPE)
SCALE: 1" = 30'-0"

CV

LEGAL DESCRIPTION

PARCEL A:

PARCEL 1:

THE NORTH EIGHTY FEET (80ft) OF THE WEST HALF (W/2) OF THE EAST HALF (E/2) OF THE WEST HALF (W/2) OF THE SOUTHEAST QUARTER (SE/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B.&M.

EXCEPTING THAT PORTION CONVEYED TO THE STATE OF NEVADA BY DEED RECORDED NOVEMBER 9, 1964 RECORDED NOVEMBER 9, 1964 AS DOCUMENT NO. 464898, CLARK COUNTY, NEVADA RECORDS.

PARCEL 2:

THAT PORTION OF THE SOUTHWEST QUARTER (SW/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B. & M., AND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT:

BEGINNING AT A POINT ON THE LEFT OF WESTERLY HIGHWAY RIGHT OF WAY LINE OF INTERSTATE ROUTE 15 PROJECT I-4806-1(4) 261.36566 FEET LEFT OF AND AT RIGHT ANGLES TO HIGHWAY ENGINEERS STATION "D" 49+86.36 P.O.T., SAID POINT TO BEGINNING IS FURTHER DESCRIBED AS BEARING SOUTH 27°05'57" WEST, A DISTANCE OF 584.65 FEET FROM THE SOUTH QUARTER (S/4) CORNER OF SECTION 33, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M.;

THENCE NORTH 2°40'W EAST, A DISTANCE OF 13.32 FEET TO A POINT; THENCE NORTH 87°19'E EAST, A DISTANCE OF 24.23 FEET TO A POINT; THENCE RIGHT A TANGENT WHICH BEARS SOUTH 49°39'34" EAST, CURVING TO THE LEFT ALONG SAID RIGHT OF WAY LINE, WITH A RADIUS OF 5716 FEET, THROUGH AN ANGLE OF 18°19'37", AN ARC DISTANCE OF 1828.31 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

THE NORTH ONE-HALF (N/2) OF THE WEST ONE-HALF (W/2) OF THE NORTH THREE HUNDRED THIRTY FEET (330ft) OF THE WEST ONE-HALF (W/2) OF THE SOUTHWEST QUARTER (SW/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION FOUR (4), TOWNSHIP TWENTY-ONE (21) SOUTH, RANGE SIXTY-ONE (61) EAST OF THE MDB&M.

ZON-28281 SUP-28287
SDR-28286 08/14/08 PC
REVISED

KC CAMIS ARCHITECT
REVISIONS
JOB: CN03107
PROPOSED BUILDING
at 1404 MARTIN LUTHER KING
S1

SUP-28287 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

SUP-28287 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

SUP-28287 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

SUP-28287 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

KC CAMIS
ARCHITECT
5125 WEST OQUENDO suite 1
LAS VEGAS NEVADA 89118
702 262-9473 FAX 253-1182

To: City of Las Vegas Planning
Attn: to whom it may concern
Re: 1404 Martin Luther King Blvd.

The owner of the property wishes to construct a concrete tilt-up building with 5 lease bays with a small 2 story office and the remainder of the space as storage. It would most likely be leased by a number of small businesses whose office needs are small, but have a need for storage of materials and goods for their businesses (a plumbing business would be a good example of that – storage for inventory and a couple of small offices). The largest bay will be occupied by the builder/developer themselves. The total area of the building will be roughly 17000 sf. The property is located between R1 and CV zonings. There are C1 zones in the near vicinity. Access to the property is off of Martin Luther King Blvd, and as such, it is the opinion of this office that the property is better suited to a commercial use. It is adjacent to the fire station and having small offices, would make a good buffer. An intense landscape buffer will be provided to shield the neighboring residential zones. The buffer zone trees are bottle trees in response to neighborhood concerns and comments. Other changes in response to the previous neighborhood meeting are that the property line wall to the north will be 8' tall and a security gate has been added that would remain open during business hours. Proposed hours of operation could be 6 am to 6 pm. No variances or waivers of development standards are being requested. It is the opinion of this office that the proposed building is a very appropriate use for both the property and location.

Sincerely

KC Camis, Architect

SUP-28287
07/10/08 PC

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.39⁴
0004239954 SEP 19 2008
MAILED FROM ZIPCODE 89101

2008 SEP 23 A 10:44

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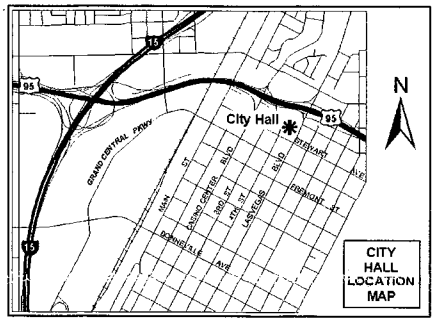
CITY CLERK

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286
City Council Meeting of 10/1/2008

CROSSON RONALD L & DONNA L
1313 CHARMAST LN
LAS VEGAS NV 89102-2405

GAVOS11 89102

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.39⁴
0004239954 SEP 19 2008
MAILED FROM ZIPCODE 89101

2008 SEP 23 A 10:42

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CITY CLERK

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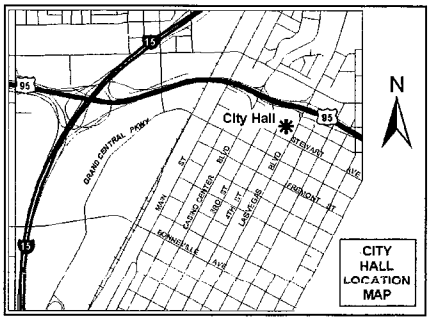

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☐ I SUPPORT this Request ☒ I OPPOSE this Request ✓

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286
City Council Meeting of 10/1/2008

COFFMAN RICHARD A & SHERRY A
1209 JAYLAR CIR
LAS VEGAS NV 89102-2409

GAVOS11 89102

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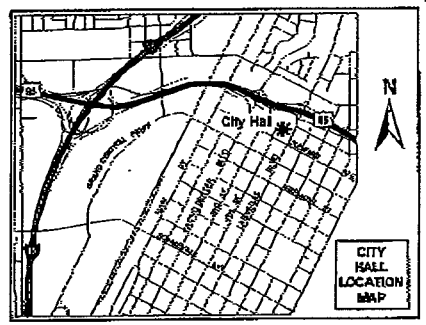
CITY CLERK

2008 SEP 23 A 11: 18

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286

City Council Meeting of 10/1/2008

CARTER MEI CHU K
1220 SHADOW LN
LAS VEGAS NV 89102-2414

Mei Chu Carter
Clyde Carter

GAU0511 89102

09/23/2008 TUE 10:01 [TX/RX NO 8922] 001

Sep 21 08 08:35p Linda Arlt. 702-384-6762 p.1

09/21/2008 SUN 20:25 [TX/RX NO 8877] 001

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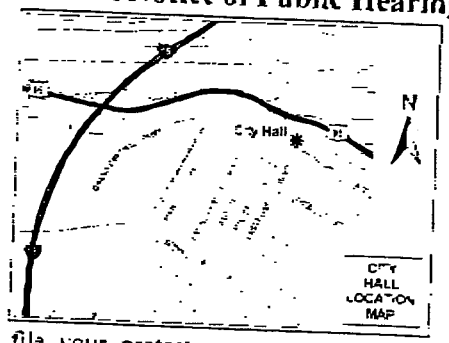
CITY CLERK

2008 SEP 22 A 8:54

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286

City Council Meeting of 10/1/2008

ARLT THOMAS M & LINDA D
1721 BANNIE AVE
LAS VEGAS NV 89102-2452

GAVOS11 89102

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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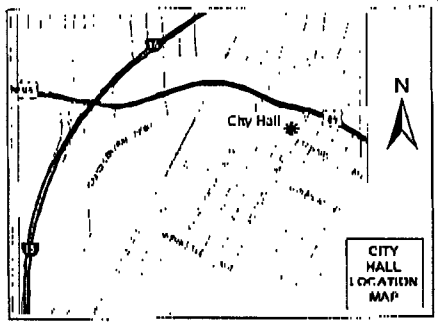
CITY CLERK

2008 SEP 22 A 8:54

Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286

City Council Meeting of 10/1/2008

ARLT FAMILY TRUST
ARLT THOMAS M & LINDA D TRS
1721 BANNIE AVE
LAS VEGAS NV 89102-2452

KUMMER KAEMPFER

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ELIZABETH M. SOROKAC
esorokac@kkbrf.com
702.693.4274

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8900
Fax: 775.882.0257

RECEIVED
CITY CLERK

2008 DEC 12 P 4:28

December 12, 2008

Via Facsimile: (702) 382-4803
Beverly Bridges
City Clerk
City of Las Vegas
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: Request for GPA-28283 and ZON-28281 to be heard on the January 7, 2009 City Council agenda

Dear Beverly Bridges:

We represent the applicant on the applications listed above. The applications were tabled at the November 5, 2008 City Council meeting. We respectfully request that the applications listed above be placed on the January 7, 2009 City Council agenda. At the hearing we intend to request a reduction in the proposed general plan and zoning categories. Please contact me at (702) 693-4274 or esorokac@kkbrf.com if you have any questions regarding this matter.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Elizabeth M. Sorokac

Elizabeth M. Sorokac

EMS/anc

cc: Doug Rankin (*Via email: drankin@lasvegasnevada.gov*)
Robin Wadley-Munier (*Via email: rmunier@lasvegasnevada.gov*)

KUMMER KAEMPFER

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ELIZABETH M. SOROKAC
esorokac@kkbrf.com
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Fax: 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

December 15, 2008

Via Facsimile: (702) 382-4803
Beverly Bridges
City Clerk
City of Las Vegas
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: Request to withdrawn SDR-28286 and SUP-28287

Dear Beverly Bridges:

We represent the applicant on the applications listed above. The applications were tabled at the November 5, 2008 City Council meeting. We respectfully request that SDR-28286 and SUP-28287 be withdrawn from consideration. By prior correspondence dated December 12, 2008, we requested that the concurrent applications (GPA-28283 and ZON-28281) be heard on the January 7, 2009 City Council agenda. Please contact me at (702) 693-4274 or esorokac@kkbrf.com if you have any questions regarding this matter.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Elizabeth Sorokac /by Hallie Caldwell

Elizabeth M. Sorokac

EMS/anc

cc: Doug Rankin (*Via email: drankin@lasvegasnevada.gov*)
Robin Wadley-Munier (*Via email: rmunier@lasvegasnevada.gov*)

12/29/2008 MON 09:45 [TX/RX NO 9651] 001

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2008 DEC 29 A 9:13

ity of Las Vegas
)ffice Of The City Clerk
00 Stewart Avenue
as Vegas, Nevada 89101

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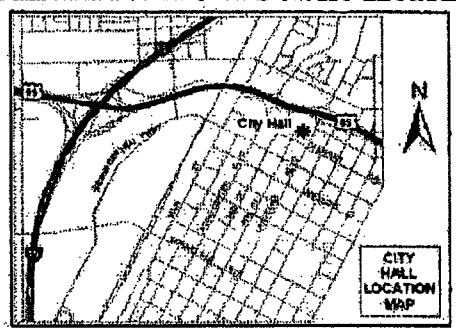

you wish to file your protest or support on this request, check the ppropriate box below and return this card in an envelope with postage to ie City Clerk at the address listed above or fax this side of this card to 702) 382-4803. If you would like to contact your Council epresentative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

lease use available blank space on card for your comments.

UP-28287 and SDR-28286
ity Council Meeting of **01-07-09**

Case: SUP-28287
16204605003
A W S WESTERN L L C
%V PAULBICK
P O BOX 26119
LAS VEGAS NV 89126-0119

Dec 29 2008 8:44AM SVP,LLC 702-477-0170 p.1

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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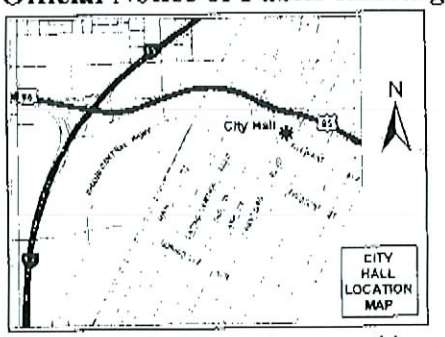

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PLANNING & DEVELOPMENT

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☐ I SUPPORT this Request ☒ I OPPOSE this Request !!

Please use available blank space on card for your comments.

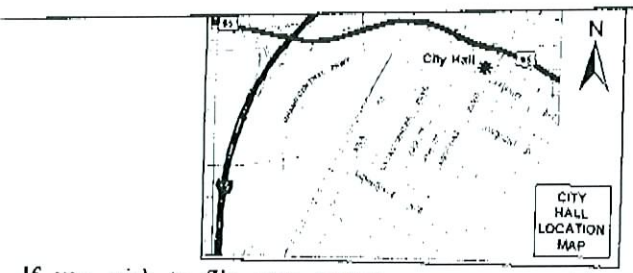
GPA-28283 & ZON-28281

Planning Commission Meeting of 7/10/2008

Case: GPA-28283
16204104007
MORRIS STANFORD 2006 LIVING TR
1241 SHADOW LN
LAS VEGAS NV 89102-2413

MORRIS

DAVDSII 89102



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☐ I SUPPORT this Request ☒ I OPPOSE this Request !!!

Please use available blank space on card for your comments.

SUP-28287 & SDR-28286

Planning Commission Meeting of 7/10/2008

Case: SUP-28287
16204104007
MORRIS STANFORD 2006 LIVING TR
1241 SHADOW LN
LAS VEGAS NV 89102-2413

STANFORD

DAVDSII 89102

#13-116 P

05/29/2008 15:03 7023888859 JAMES_STANFORD PAGE 01

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas. Nevada 89101-2986

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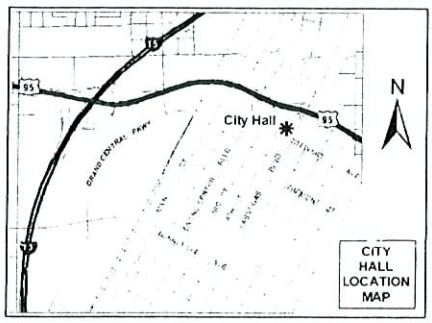
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☑ I OPPOSE this Request

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SUP-28287 & SDR-28286
Planning Commission Meeting of 8/14/2008

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AUG - 8 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-28287

16204115002
OBOYLE MARY F
1324 ORMSBY ST
LAS VEGAS NV 89102-2411

FAVOR: 1 AGAINST:

Submitted after final agenda
Date P Item 14-15

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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Official Notice of Public Hearing

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-28287 & SDR-28286
Planning Commission Meeting of 7/10/2008

Linda Brit

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JUL - 2 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

162-42-210-054
ARLT FAMILY TRUST
1721 BANNIE AVE
LAS VEGAS NV 89102-2452

Case: SUP-28287

#15-16
P

City of Las Vegas
Planning & Development Department
Development Services Center
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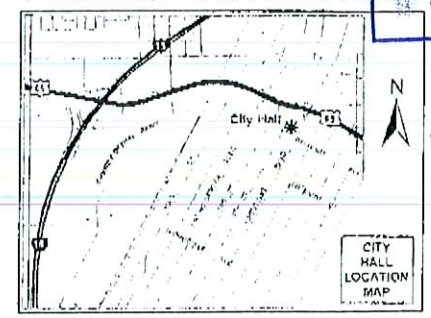

I vehemently oppose this applicat
This said property was and IS zone
a residential and it is imperative th
at STAY residentially zoned!
This is a historic neighborh
Mr. Jackson's plan would
de-value this neighborhood's

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-28287 & SDR-28286
Planning Commission Meeting of 7/10/2008

Case: SUP-28287

16204512014
MARSHALL VAL JEAN
1321 CHARMAST LN
LAS VEGAS NV 89102-2405

Charm and lower property
values in the surrounding
properties! This must be
nixed

RECEIVED

Submitted after final agenda
Date Item 15-16

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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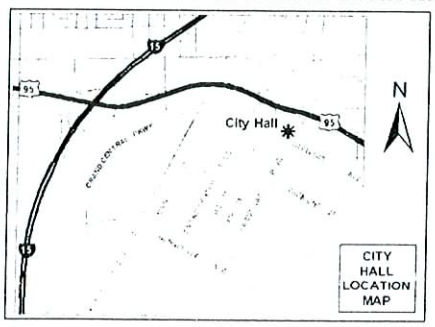

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-28287 & SDR-28286

Planning Commission Meeting of 7/10/2008

$ 00.39

CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-28287

16204210082
SU LISA 2005 REVOCABLE TRUST
2100 WALDMAN AVE
LAS VEGAS NV 89102-2432

DAVDS11 89102

Submitted after final agenda

Date Item 15-16

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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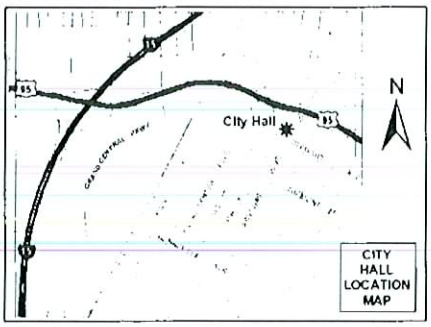

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Please use available blank space on card for your comments.

SUP-28287 & SDR-28286
Planning Commission Meeting of 7/10/2008

Case: SUP-28287
16204210058
PARKER E FAMILY TRUST
1800 SILVER AVE
LAS VEGAS NV 89102-2436

DAVIS11 89102

Submitted after final agenda
Date Item 15-16

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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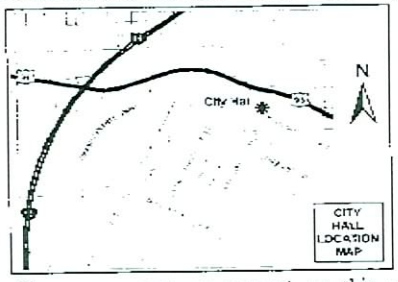
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SUP 28287 & SDR-28286

Planning Commission Meeting of 7/10/2008

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PLANNING & DEVELOPMENT

Case SUP-28287

16204103008
FOX FAMILY TRUST
1250 SHADOW LN
LAS VEGAS NV 89102-2414

DAVDS11 89102

#14-15
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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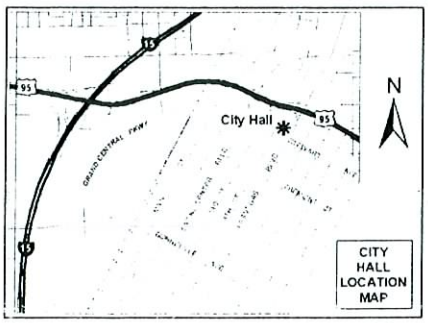

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-28287 & SDR-28286
Planning Commission Meeting of 7/10/2008

Case: SUP-28287
16204104003
HART QUENTIN E LIVING TR
1201 JAYLAR CIR
LAS VEGAS NV 89102-2409

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07/06/2008 20:45 7023888859 JAMES_STANFORD PAGE 02

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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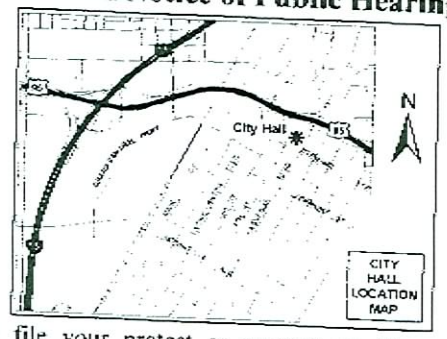

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-28287 & SDR-28286

Planning Commission Meeting of 8/14/2008

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

16204104007 Case: SUP-28287
MORRIS STANFORD 2006 LIVING TR
1241 SHADOW LN
LAS VEGAS NV 89102-2413

FAV0511 89102

51-14 #14

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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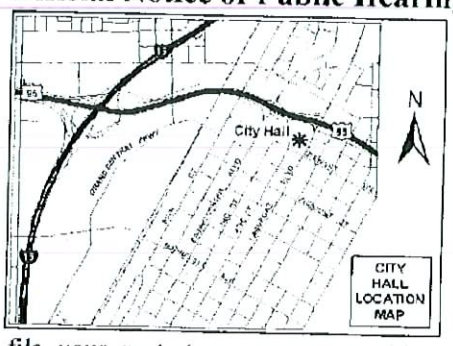

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☒ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-28287 & SDR-28286

Planning Commission Meeting of 7/10/2008

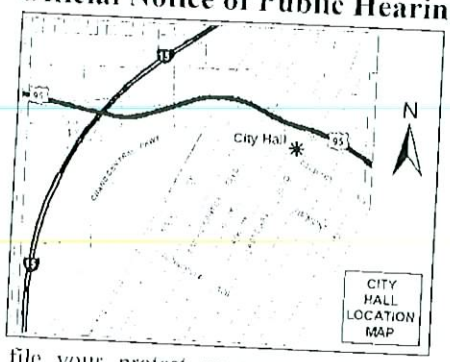
16204605003 Case: SUP-28287
A W S WESTERN L L C
%V PAULBICK
P O BOX 26119
LAS VEGAS NV 89126-0119

DAVDS11 89126

#15-16 S

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-28287 & SDR-28286

Planning Commission Meeting of 8/14/2008

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AUG - 5 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

16204210022 Case: SUP-28287
CHERNEY CRAIG P
1720 BANNIE AVE
LAS VEGAS NV 89102-2453

FAVDS11 89102

#14-15
S

1404 MARTIN LUTHER KING BOULEVARD

(West side of Martin Luther King
South of Charleston Boulevard
Across from the entrance ramp to the I-15)

APN-162-04-601-001 and 162-04-601-002

ADDITIONAL CONDITIONS OF APPROVAL

1. Parking lighting shall be shielded downward.
2. Parking lighting shall be the minimum height permitted by the City Code
3. If building lighting is required for safety purposes it shall be shielded downward.
4. Street signage shall be monument signage only.
5. The business hours of operation shall be limited to 6:00 AM to 7:00 PM on Monday through Friday and 7:00 AM to 2:00 PM on Saturday.
6. If permitted by the City Code and applicable government agencies, a gate shall be installed and closed outside of the business hours of operation.
7. No building on the property shall exceed 28 feet in height.
8. All work on the property shall be done within an enclosed building with the doors to the building closed
9. Any security system for the subject property shall include remote monitoring and response personnel.
10. There shall be no outside storage on the property.
11. Any change in the use of the property shall require a site development review as a public hearing.
12. There shall be no access to the Property from Waldman and Ormsby.
13. On the northwest corner of the Property an 8 foot decorative wall and landscaping along the wall with a sitting area and bench shall be maintained at all times by the current owner of the Property.
14. Any satellite dish on the Property shall be screened so it is not visible from the residential property in the area.

Submitted at Planning Commission

Date 8/28/08 Item: 14-17

15. The building shall be located no closer than 65 feet from the northwest property line of the Property.

16. The building shall be located no closer than 100 feet from the west property line of the Property.

17. The building shall be located no closer than 65 feet from the north property line of the Property.

18. The trash enclosure shall be located no closer than 50 feet from the west property line of the Property and no closer than 50 feet from the north property line of the Property.

WHEN RECORDED RETURN TO:

Kummer Kaempfer Bonner Renshaw & Ferrario
3800 Howard Hughes Pkwy., 7th Floor
Las Vegas, Nevada 89169
Attn: Liz Sozokac

APN: 162-04-601-001
162-04-601-002

(Space Above for Recorder's Use Only)

DEED RESTRICTION ON USE

THIS DEED RESTRICTION ON USE ("Deed Restriction") is made this ____ day of _____, 2008 by Darrell E. Jackson ("Jackson"), Thomas M. Strawn, Jr. ("Strawn") and Andrew S. Levy ("Levy"). Jackson, Strawn and Levy are hereinafter referred to as "Owner".

RECITALS

A. WHEREAS, Jackson, Strawn and Levy are the owners as tenants in common of certain real property located in the City of Las Vegas, Nevada commonly known as Assessor's Parcel Numbers 162-04-601-001 and 162-04-601-002 and further described in Exhibit A attached hereto ("Property").

B. WHEREAS, to ensure future development of the Property is compatible with the surrounding area and for the benefit of the association of neighboring homeowners known as the Scotch Eighty Organization, Inc., a Nevada non-profit organization ("Scotch Eighty"), Owner desires to restrict the use of the Property as set forth in this Deed Restriction. Scotch Eighty and any successor organizations are hereinafter referred to as the "Association".

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Owner declares as follows:

1. **Declaration**. Until termination of this Deed Restriction, the Property shall be held, conveyed, mortgaged, encumbered, leased, rented, used, occupied and improved subject to the provisions of this Deed Restriction, which shall run with the land and shall be binding upon all persons having, or who acquire any right, title, or interest in and to all or any portion of the Property.

Submitted at Planning Commission
Date 8/28/08 Item: 14-17

2. **Restriction on Use**. Until any amendment, modification or termination of this Deed Restriction, Owner covenants and declares that the Property shall not be used for any of the following:

(a) Gaming
(b) Liquor, Beer and Wine Sales or On Premises Consumption
(c) Hotel, Motel or Hotel Suites
(d) Restaurants
(e) Retail Sales
(f) Facility to Provide Testing, Treatment, or Counseling for Drug and Alcohol Abuse
(g) Sex Offender Counseling Facility
(h) Adult Day Care
(i) Amphitheater
(j) Animal Hospital , Clinic or Shelter
(k) Astrologer, Hypnotist, or Psychic Art and Science
(l) Auto Title Loans, Check Cashing Services, Pawn Shop
(m) Auto Uses, specifically Auto Broker; Auto Dealer Inventory Storage; Auto Repair Garage, Minor; Auto Smog Check; Automobile Rental; Automobile Repossession Agency
(n) Bailbond Service
(o) Banquet Facility
(p) Billboard
(q) Billiard Parlor and Pool Hall
(r) Car Wash
(s) Catering Service
(t) Child Care Center
(u) Church/House of Worship
(v) Clinic
(w) College, University, or Seminary
(x) Commercial Recreation/Amusement (indoor)
(y) Community Recreational Facility (Public)
(z) Country Club (Private)
(aa) Daily Labor Service
(bb) Dental Office or Dental Laboratory
(cc) Dry Cleaners
(dd) Electric Utility Substation
(ee) Emergency Ambulance Services, Ground
(ff) Employment Agency
(gg) Escort Bureau
(hh) Financial Institution
(ii) General Personal Services
(jj) Garden Supply/Plant Nursery
(kk) Golf Driving Range
(ll) Government Facility
(mm) Health Club

(nn) Helipad
(oo) Horse Corral or Stable (Commercial)
(pp) Hospice
(qq) Hospital
(rr) Keep of Carrier or Racing Pigeons
(ss) Laundry, Self-Service
(tt) Library, Art Gallery or Museum (Public)
(uu) Liquefied Petroleum Gas Installation
(vv) Massage
(ww) Medical Office or Medical Laboratory
(xx) Mini-Storage Facility
(yy) Monorail
(zz) Mortuary or Funeral Chapel
(aaa) Mounted Antennae
(bbb) Open Air Vending/Transient Sales Lot
(ccc) Outcall Entertainment Referral Service
(ddd) Outdoor Storage
(eee) Parking Commercial
(fff) Pet Boarding
(ggg) Pet Shop
(hhh) Post Office
(iii) Private Club, Lodge, or Fraternal Organization
(jjj) Psychology Practice
(kkk) Public Park or Playground
(lll) Radio Broadcast
(mmm) Radio, TV or Microwave Communication Tower
(nnn) Recreational Vehicle and Boat Storage
(ooo) Secondhand Dealer
(ppp) Service Station
(qqq) Slaughtering and Processing of Live Poultry
(rrr) Swap Meet
(sss) Teen Dance Center
(ttt) Temporary Contractor's Construction Yard
(uuu) Temporary Outdoor Commercial Event
(vvv) Tennis Courts, Accessory
(www) Trade School
(xxx) Trailer/RV Camp or Park
(yyy) Utility Transmission Lines
(zzz) Valet Parking
(aaaa) Wedding Chapel
(bbbb) Wireless Communication Facility

3. **Additional Restrictions on Use.** Until any amendment, modification or termination of this Deed Restriction, Owner covenants and declares that the development of the Property shall adhere to the following restrictions.

(a) There shall be no access to the Property from Waldman and Ormsby.

(b) On the northwest corner of the Property an 8 foot decorative wall and landscaping along the wall with a sitting area and bench shall be maintained at all times by the current owner of the Property.

(c) Any satellite dish on the Property shall be screened so it is not visible from the residential property in the area.

(d) The building shall be located no closer than 65 feet from the northwest property line of the Property.

(e) The building shall be located no closer than 100 feet from the west property line of the Property.

(f) The building shall be located no closer than 65 feet from the north property line of the Property.

(g) The trash enclosure shall be located no closer than 50 feet from the west property line of the Property and no closer than 50 feet from the north property line of the Property.

4. **Permitted Uses**. Except as specifically set forth in Sections 2 and 3 above, this Deed Restriction shall not limit or restrict the use of the Property for any other use allowed by law.

5. **Amendment; Termination**. Owner may not amend, modify, or terminate this Deed Restriction, in whole or in part, without the approval of the Association. Any such amendment, modification, or termination shall be deemed approved by the Association upon the consent of a majority of the members of the Association voting on such amendment, modification, or termination. If and at such time the Association should cease to exist, this Deed Restriction may be terminated by the Owner of the Property and their successors and assigns through the recordation of a document terminating it.

6. **Governing Law**. This Deed Restriction shall be governed by the laws of the State of Nevada.

7. **Attorney's Fees**. Should it be necessary for the Association to file any civil action to enforce the terms and conditions of this Deed Restriction, the Association shall be entitled to recover from the Owner, and the Owner shall pay to the Association, all of their attorney's fees and costs incurred in the filing of such action.

8. **No Third Party Beneficiaries**. This Deed Restriction is not intended, and shall not be deemed or construed, to confer any rights, powers or privileges on any person or entity other than Owner or the Association and their permitted successors and assigns.

9. **Counterparts**. This Deed Restriction may be executed in counterparts and that a facsimile copy of a party's signature will be treated as an original signature.

(SIGNATURES ON THE FOLLOWING PAGES)

IN WITNESS WHEREOF, Owner has executed this Deed Restriction as of the date first set forth above.

"OWNER"

"JACKSON"

Darrell E. Jackson

"STRAWN"

Thomas M. Strawn, Jr.

"LEVY"

Andrew S. Levy

STATE OF NEVADA
COUNTY OF CLARK } ss.

This instrument was acknowledged before me on _____ by Darrell E. Jackson.

_____
NOTARY PUBLIC

STATE OF NEVADA
COUNTY OF CLARK } ss.

This instrument was acknowledged before me on _____ by Thomas M. Strawn, Jr.

_____
NOTARY PUBLIC

STATE OF NEVADA
COUNTY OF CLARK } ss.

This instrument was acknowledged before me on _____ by Andrew S. Levy.

_____
NOTARY PUBLIC

EXHIBIT A

THE PROPERTY

Scotch Eighties Home Owners Association

Thursday, August 28, 2008

RE: Opposition to Case Numbers: ZON-28281, GPA-28283, SDR-28286, SUP-28287
APN-162-04-601-001 and 162-04-601-002
West Side of Martin L. King Blvd. between Charleston and Oakey--

Dear Las Vegas Planning Commissioners,

The Scotch 80's Home Owners Association continues to go on record and oppose the General Plan Amendment and related zoning and use applications before you that will be heard at your Thursday August 28th meeting.

Please note from your records that we submitted to the Planning Commission a letter from the Association on October 8, 2007 also registering our opposition.

Our reasoning is such:

1) The applications, if approved, removes a single family home site from the neighborhood. The Association has been historically on record against the removal of any single family home within its neighborhood.
2) The zoning will initiate additional transitional zoning requests of a similar nature along Martin Luther King Blvd. which will further impact on the surrounding neighborhood.
3) The neighborhood is actually adding single family neighborhood homes to vacant lots, including one at the corner of Oakey and Martin Luther King Blvd. which offsets any argument that the neighborhood along Martin L. King Blvd. is transitional to commercial.
4) Immediate homes adjacent to the applicant are not representative of the neighborhood consensus as they are either: (a) in foreclosure; (b) absentee ownership; and (c) non-responsive elderly.
5) If approved there can be no guarantee that the current ownership will remain the same and maintain the proposed covenants. Any commercial usage will be in contrast to the single family nature of the neighborhood.

Discussion:

A. The Planning Board and Staff needs to view the entire Martin Luther King corridor to realize that the buffer between commercial and single family home owners is in fact I-15 and not Martin Luther King Blvd. Recent purchases of land along Martin Luther King Blvd. were made solely for economic speculation of buying cheaper and re-zoning to higher values, including a future real estate play for imminent domain, if and when any highway expansion forces Martin Luther King to become an arterial.

Submitted at Planning Commission
Date 8/28/08 Item 14-17

B. The Scotch 80's neighborhood sphere of influence is the borders of Oakey, Rancho, Charleston, and Martin Luther King Blvd. The Home Owners Association and home owners within these boundaries have consistently in public hearings taken positions against loss of single family homes. The most memorable example was zoning issues at the NE corner of Oakey and Rancho where the applicant was denied a zoning request to business commercial. This denied re-zoning is similar in scope to the application before you.

C. The Association is in partial sympathy with the current owner of the applicant and believes the applicant was misled by the Realtor (and their signage) and previous land owner in that a zoning change would be easily allowed. Although the Applicant has gone out of his way to 'comfort' various neighborhood concerns on a variety of issues, the application has to be seen in the totality of the neighborhood and small incidents of impact mitigation should not over-rule the zoning changes influences where commercialization edges into a residential neighborhood.

D. As example, any change to land use of the applicant will be evidence for the land owner on the other (south) side of the Fire Station, who anticipation of such zoning change, has torn down a single family home without input from the neighborhood. This property as former single family residence also allows access directly into the neighborhood. To grant the application before you by default allows the secondary applicant to plead the same circumstances.

E. The current owner, and Applicant, is stating that the property (along Martin Luther King) is only good for limited commercial usage. However, we point out, that a quality single family house could be built with entrance off Waldman and plenty of buffer back yard to be created to separate the house from traffic noise along Martin Luther King.

F. The use of the property is for construction offices and other unknown tenants. As a neighborhood we are concerned, regardless of the limitations offered by the Applicant on property usage, that violations or activities not now documented could cause noise and activities beyond the expected comfort of neighbors.

G. The Association in its discussions with the Applicant has constantly asked them to provide a position by the immediate neighbors, especially a Mr. J. Lewis who immediately adjoins the proposed commercial project. We do not believe they have secured any such support to date, and if even so obtained, would not change our position as to the neighborhood-wide impact.

With these concerns, and others, we have no other choice but to continue to voice our opposition to this rezoning of a single-family lot.

Respectfully submitted,

Stephen Grogan, President
Scotch 80 Home Owners Association
840 S. Rancho Rd. Suite 4-337
Las Vegas, NV 89106
759-0001 fax 759-0003

City of Las Vegas Agenda Item No.: **95.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:

SDR-28286 – TABLED ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-28283, ZON-28281 AND SUP-28287 - PUBLIC HEARING - APPLICANT/OWNER: DARRELL E. JACKSON, ET AL - Request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 17,004 SQUARE-FOOT BUILDING MAINTENANCE SERVICE AND SALES FACILITY on 1.45 acres adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard (APNs 162-04-601-001 and 002), Ward 1 (Tarkanian) NOTE: THE SQUARE-FOOTAGE OF THE SITE HAS BEEN MODIFIED TO 17,435 SQUARE FEET. Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

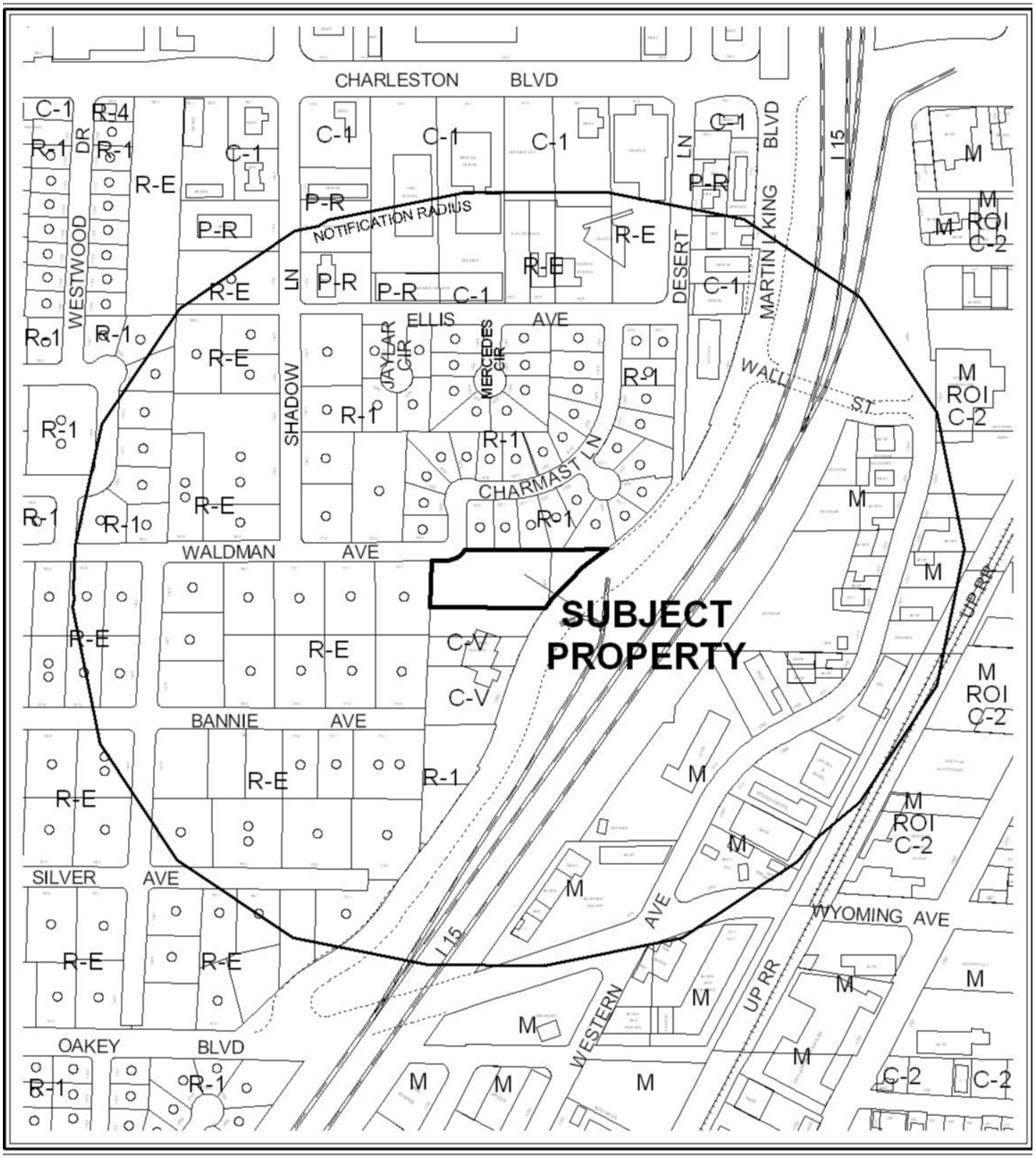
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**9**	**Planning Commission Mtg.**	**2**
City Council Meeting	**5**	**City Council Meeting**	**1**

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards received for the 10-01-2008 City Council Meeting
7. Letter from Kummer Kaempfer Bonner Renshaw & Ferrario to untable
8. Letter from Kummer Kaempfer Bonner Renshaw & Ferrario to withdraw
9. Support Postcard
10. Backup Referenced from the 08-28-2008 Planning Commission Meeting Item 17



0 500 Feet

CASE: SDR-28286

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

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

N

0 500 Feet

CASE: SDR-28286

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-28286 - APPLICANT/OWNER: DARRELL E. JACKSON, ET AL

THIS ITEM WAS TABLED AT THE OCTOBER 1, 2008 CITY COUNCIL MEETING.

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (5-1/se-1/sd vote) recommends APPROVAL, subject to:

Planning and Development

1. No building on the property shall exceed 28 feet in height.

2. A gate shall be installed and closed outside of business hours of operation.

3. On the northeast corner of the property, an 8-foot high decorative block wall and landscaping along the wall with a sitting area and bench shall be maintained at all times by the current property owner of the property. There shall be minimum 24-inch box shade trees, no palm trees, within this area.

4. The trash enclosure shall be located no closer than 50 feet from the west property line and no closer than 50 feet from the north property line.

5. Conformance to the conditions for Special Use Permit (SUP-28287), if approved.

6. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

7. All development shall be in conformance with the site plan and landscape plan 07/24/08 and building elevations date stamped 05/23/08, except as amended by conditions herein.

8. 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.

9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

10. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

13. 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.

14. 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.

15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Coordinate with the City Surveyor to determine an acceptable method for removing internal property lines; comply with the recommendations of the City Surveyor.

17. Construct all incomplete half-street improvements on Waldman Avenue adjacent to this site concurrent with development of this site.Remove all substandard public street improvements adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

18. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.

19. Landscape and maintain all unimproved rights-of-way, if any, on Waldman Avenue and Martin Luther King Boulevard adjacent to this site. All private improvements and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

20. Obtain an Occupancy Permit for all landscaping and private improvements in the Martin Luther King Boulevard public right-of-way adjacent to this site.

21. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #211 for a knuckle along Waldman Avenue and for a deviation from Standard Drawing #222a for the new driveway accessing this site from Martin Luther King Boulevard. The driveway and gate must receive approval from the Nevada Department of Transportation.

22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 17,435 square-foot Building Maintenance Service and Sales Facility on 1.45 acres adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard.

The proposed development will not be compatible with the residential developments in this area. The intensity of uses permitted within the proposed zoning district can not be considered compatible with the existing residential neighborhood. Therefore, staff recommends denial.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/20/02	The City Council approved a request to amend portions of the Southeast Sector map of the General Plan in the general vicinity of the Charleston Boulevard/Rancho Drive intersection from SC (Service Commercial) to O (Office); from R (Rural Density Residential) to (DR) Desert Rural Density Residential; from O (Office) to DR (Desert Rural Density Residential) and; from L (Low Density Residential) to DR (Desert Rural Density Residential) in accordance with the recommendations of the Rancho Charleston Land Use Study and Strategic Plan.
10/11/07	Companion items for a General Plan Amendment (GPA-24210), Rezoning (ZON-24209) and Site Development Plan Review (SDR-24211) were held in abeyance at the applicant's request.
10/25/07	Companion items for a General Plan Amendment (GPA-24210), Rezoning (ZON-24209) and Site Development Plan Review (SDR-24211) were held in abeyance at the applicant's request.
11/29/07	The City Council accepted the applicant's request to Withdraw Without Prejudice a General Plan Amendment (GPA-24210) from DR (Desert Rural Density Residential) and L (Low Density Residential) to GC (General Commercial), a Rezoning (ZON-24209) from R-1 (Single Family Residential) to C-1 (Limited Commercial) and Site Development Plan Review (SDR-24211) for a proposed 17,004 square-foot building Maintenance Service and Sales facility on 1.45 acres adjacent to the west side of Martin L. King Boulevard, approximately 1,450 feet south of Charleston Boulevard.
08/28/08	The Planning Commission recommended approval of companion items GPA-28283, ZON-28281 and SUP-28287 concurrently with this application. The Planning Commission voted 5-1/se-1/sd to recommend APPROVAL (PC Agenda Item #17/jm).

Related Building Permits/Business Licenses
No building permits or building licenses are related to this site.

Pre-Application Meeting	
05/14/08	A pre-application meeting was held with the applicant. The applicant is proposing an almost identical site plan from what was proposed and then was Withdrawn Without Prejudice on the 11/29/07 City Council Meeting. The major difference from the previous submittal is the applicant is requesting a General Plan Amendment to SC (Service Commercial) and a Rezoning to C-1 (Limited Commercial). The application will require a Special Use Permit for Building Maintenance Service and Sales Facility in C-1 (Limited Commercial) zoning. The applicant was also informed that the General Plan Amendment applicant requires a neighborhood meeting. Submittal requirements were then discussed.

Neighborhood Meeting	
07/17/08	A neighborhood meeting was held on Thursday, July 17, 2008 at 5:30 p.m. The meeting was held at First Presbyterian Church of Las Vegas, 1515 W. Charleston Blvd., Las Vegas, Nevada. Four applicant's representatives were present, as well as one staff member, two city council representatives and 15 members of the public. Comments and concerns expressed by the public were the following: • Eight-foot block wall on Waldman commercially encroaches. • Prefer residential lots on Waldman • Separate lot to the east side of commercial • 24-security system? • What are the effects of Project Neon • Is their gating?
	The applicant addressed the following concerns with these comments: • Insulation Contractor Office with Insulation stored on site. • Hours of operation are 6:00 AM to 7:00 PM Monday through Friday and 7 AM – 2:00 PM on Saturday. • Five tenants proposed, ground floor will be stored with plumbing, insulation and wood. • Trucks will be parked overnight • No vehicular access to Waldman Bay doors will be closed during all work hours
Field Check	
06/10/08	A field check was made on the site. The site is currently undeveloped with residential to the west and north of the site and a fire station to the south.

Details of Application Request	
Site Area	
Net Acres	1.45

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural Density Residential) and L (Low Density Residential) **Proposed: SC (Service Commercial)**	R-1 (Single Family Residential) **Proposed: C-1 (Limited Commercial)**
North	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Fire Station	PF (Public Facility)	C-V (Civic)
East	Interstate-15	Interstate -15	Interstate -15
West	Single-Family Residential	DR (Desert Rural Density Residential)	R-E (Residence Estates)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan		X	N/A
Rancho Charleston Land Use Study	X		N*
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts		X	N/A
Airport Overlay (200 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

***The proposed development is within the Rancho/Charleston Study Area. The Rancho/Charleston Study Area was adopted on 06/19/02 in reaction to growing number of general plan amendments and rezoning activities in which private development interests pursued high intensity used on properties in, or adjacent to single family homes, residents of a number of older, stable neighborhoods along the West Charleston Boulevard and Rancho Drive corridors. Per the Rancho/Charleston Land Use Study, the proposed development is designated for a residential use.*

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following Development Standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Width	100 Feet	100 Feet	Y
Min. Setbacks			
• Front	20 Feet	20 Feet	Y
• Side	10 Feet*	10 Feet	Y
• Corner	15 Feet	N/A	N/A
• Rear	20 Feet	115 Feet	Y
Max. Lot Coverage	50%	27%	Y
Max. Building Height	NA*	27 Feet	Y
Trash Enclosure	Screened, Enclosed	Screened, Enclosed	Y
Mech. Equipment	Screened	Screened	Y

** Per Title 19.08.60 Residential Adjacency Standards, the required north side yard setback is 81 feet. The applicant provides 81 feet to the north.*

Pursuant to Title 19.12, the following Landscape Standards apply:

Landscaping and Open Space Standards				
Standards	*Required*		*Provided*	*Compliance*
	Ratio	*Trees*		
Parking Area	1 Tree/ 6 Spaces	10 Trees	12 Trees	Y
Buffer: Min. Trees (adjacent to residential)	1 Tree/ 20 Linear Feet	32 Trees	32 Trees	Y
Min. Trees (adjacent to commercial)	1 Tree/ 30 Linear Feet	17 Trees	23 Trees	Y
TOTAL		59 Trees	69 Trees	Y
Min. Zone Width along R.O.W	15 Feet		15 Feet	Y
Min. Zone Width interior	8 Feet		8 Feet	Y
Wall Height	8 Feet		8 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Building Maintenance Service and Sales Facility	17,435 SF	1:300	56	3	56*	3	Y
TOTAL			59		59		Y
Loading Spaces			2		2		Y

** Seven parking spaces are compact space in size (12 percent), which meet Title 19.10 parking standards.*

ANALYSIS

- **Zoning**

  The applicant has requested a Rezoning (ZON-28281) to a C-1 (Limited Commercial) District. The C-1 District is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 District is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan. In addition to the Rezoning and this application, the applicant has requested a General Plan Amendment (GPA-28283) from DR (Desert Rural Density Residential) and L (Low Density Residential) to SC (Service Commercial).

  A Building Maintenance Service and Sales Facility as defined in Title 19 is *a facility or area for contracting services such as building repair and maintenance, the installation of plumbing, electrical, air conditioning and heating equipment, janitorial services, and exterminating services. The retail sale of supplies is permitted as an accessory use.* The proposed Building Maintenance Service and Sales use in a C-1 (Limited Commercial) zone is permitted by approval of a Special Use Permit, which the applicant has applied in conjunction with this application (SUP-28287).

- **Case History**

The applicant has proposed an almost identical site plan and application to the one that were submitted and Withdrawn Without Prejudice on the 11/29/07 City Council Meeting. The table below illustrates the similarities and differences of the two applications.

	Current Submittal	2007 Submittal
Application Requests	• General Plan to SC (Service Commercial) • Rezoning to C-1 (Limited Commercial) • Site Development Plan Review - 17,435 SF Building Maintenance Service and Sales Facility. • Special Use Permit- Building Maintenance and Service and Sales Facility	• General Plan (GPA-24210) to GC (General Commercial) • Rezoning (ZON-24209) to C-2 (General Commercial) • Site Development Plan Review (SDR-24211) 17,004 SF Building Maintenance Service and Sales Facility.
Site Plan	17,435 SF building located on the south side of the site with parking to the north and west of the building with access to Martin L. King.	17,004 SF building located on the south side of the building with parking to the north and west of the building with access to Martin L. King.
Parking	59 parking spaces provided with landscape fingers.	57 parking spaces provided with a request for an Exception to Title 19.10 Parking landscape finger requirements.
Elevation	2 stories, 27 Feet	2 stories, 27 Feet
Landscaping	The landscape plan shows 24-inch box Bottle Trees on the northern portion of the site, 24-inch box Texas Mesquite and Purple Leaf Plum along Waldman Avenue, and 24-inch box California Pepper Trees on the west portion of the site spaced 20 feet on center.	The landscape plan shows 24-inch box Bottle Trees on the northern portion of the site, 24-inch box Texas Mesquite and Purple Leaf Plum along Waldman Avenue, and 24-inch box California Pepper Trees on the west portion of the site spaced 20 feet on center.
Floor Plan	Five 40 to 78.5 feet wide by 69 foot in length lease spaces	Five 40 to 78.5 feet wide by 69 foot in length lease spaces

- **Site Plan**

The site plan shows a proposed 2-story, 17,435 square-foot building with five bay doors facing toward the north. The building is located on the south portion of the 1.45 acre parcels. The north portion of the site will be utilized for parking with 24 inch box Evergreen Trees (Bottle Trees) buffering the site from residential to the north. The

parcel gains access of Martin L King Boulevard, an 80-foot wide frontage street. A gate has been proposed for the site. There is no access provided to Waldman Avenue as an eight-foot high CMU wall has been proposed.

The applicant is required 59 parking spaces for the site and has provided 59, of which seven are compact in size which is permitted by Title 19.10 Parking Standards. The applicant has also provided three handicap accessible spaces which meet code.

- **Landscape Plan**

The landscape plan shows an adequate amount of perimeter landscaping to the north and west portion of the site, which are adjacent to residential. The landscape plan shows 24-inch box Bottle Trees on the northern portion of the site, 24-inch box Texas Mesquite and Purple Leaf Plum along Waldman Avenue, and 24-inch box California Pepper Trees on the west portion of the site spaced 20 feet on center.

- **Elevation**

Elevations depict a structure that is 27 feet tall. Per Title 19.08.60 Residential Adjacency Standards, the required north side yard setback is 81 feet. The applicant provides 81 feet to the north. The elevations depict concrete tilt-up panels, decorative reveals and aluminum storefronts with stucco framed decorative canopies in "enchilada", "toasted tan", "heathcote", "western cedar" colors. The elevations show five "graylite" bay doors that face the north. Pursuant to Title 19.08.50(E)(4) – Urban Design, Screening and Lighting, the applicant has not provided adequate screening of the 27-foot tall building from residential property abutting the property from the north and west.

- **Floor Plan**

Floor plans depict two floors separated into approximately five, 40 to 78.5 feet wide by 69 foot in length lease spaces. The majority of the first floor is comprised of space typically used for warehouse/storage and loading supplies, approximately 2,400 square feet in size, with a small 459 square-foot office on the first floor and stairs leading up to a 577 square-foot office on the second floor. The overall plan shows a disproportionate amount of warehouse/storage space, approximately 12,200 square feet, in comparison to office space, approximately 5,200 square feet. Therefore, approximately 69 percent of space is designated for warehouse/storage in the proposed building area.

FINDINGS
The following findings must be made for an SDR:

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

The proposed development will not be compatible with the residential developments in this area. The intensity of uses such as retail, service, office and other general business uses as well as mixed-use developments permitted within the proposed zoning district can not be considered compatible within the proximity of an existing residential neighborhood.

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 Building Maintenance Service and Sales Facility is in conformance with the applicant's Rezoning (ZON-28287) proposal to C-1 (Limited Commercial) zone and General Plan Amendment (GPA-28283) request to SC (Service Commercial) Land Use designation. However, the proposed development is not compatible with the Rancho/Charleston Study area's designation for this area as residential. Therefore, staff deems this development inconsistent with adopted city plans policies and standards.

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

Access for the site is off Martin L. King Boulevard, an 80-foot Frontage street as defined by the Master Plan Streets and Highways, which will provide adequate access to the site.

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

Although the applicant has attempted to mask the warehouse building with concrete tilt-up panels, decorative reveals and aluminum storefronts with stucco framed decorative canopies in "enchilada", "toasted tan", "heathcote", "western cedar" colors, the building is suited for an industrial use, which is not the use proposed and therefore is not the appropriate building and landscape materials for this area.

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 elevations and design characteristics are not compatible with the design characteristics of the existing single family residential buildings in the area. In addition, the proposal the applicant has not provided adequate screening of the 27-foot tall building from residential property abutting the property from the north and west.

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

The proposed development will be subject to inspections for Certificate of Occupancy, and therefore the development will not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

The Planning Commission added conditions 1 through 4 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 125 by City Clerk

APPROVALS 2

PROTESTS 8

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-28286 APN: 162-04-601-001 and 002

Name of Property Owner: Darrell E. Jackson

Name of Applicant: Darrell E. Jackson

Name of Representative: KC Canuz, Architect

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Darrell E. Jackson

Subscribed and sworn before me

This 23 day of May, 2008

_____

Notary Public in and for said County and State

MIA L. NEAT
Notary Public, State of Nevada
Appointment No. 03-81521-1
My Appt. Expires Apr 1, 2011

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-28286 APN: 162-04-601-001 and 002

Name of Property Owner: ANDREW LEVY

Name of Applicant: ANDREW LEVY

Name of Representative: KC CAMIS

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?

X 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: OSCAR GOODMAN

Partner(s): ANDREW LEVY _____

APN: APEX INDUSTRIAL PARK

Signature of Property Owner: _____

Print Name: ANDREW LEVY

Subscribed and sworn before me

This 22nd day of May, 2008

Elaine Fern Wilson

Notary Public in and for said County and State

ELAINE FERN WILSON
Notary Public, State of Nevada
Appointment No. 02-76269-14
My Appt. Expires Jun 10, 2010

		SIZE	QUANTITY
MONDEL PINE PINUS THUNA eldarica	LARGE EVERGREEN	24" BOX	9
CALIFORNIA PEPPER TREE SCHINUS molle	LARGE EVERGREEN	24" BOX	8
TEXAS MESQUITE PROSOPIS glandulosa glandulosa	MEDIUM EVERGREEN	24" BOX	1
CHINESE EVERGREEN ELM ULMUS parvifolia	LARGE EVERGREEN	24" BOX	1
BOTTLE TREE BRACHYCHITON populneus	LARGE EVERGREEN	24" BOX	18
AFRICAN SUMAC RHUS lancea	MEDIUM EVERGREEN	24" BOX	18
PURPLE LEAF PLUM PRUNUS cerasifera	MEDIUM DECIDUOUS	24" BOX	7
DESERT WILLOW CHILOPSIS linearis	SMALL DECIDUOUS	24" BOX	1
MEXICAN FAN PALM VERDE WASHINGTONIA sodonis	MEDIUM EVERGREEN	24" BOX	3
CHILEAN MESQUITE PROSOPIS chilensis	MEDIUM EVERGREEN	24" BOX	1

	SIZE	QUANTITY
TEXAS RANGER LEUCOPHYLLUM frutescens	5 GAL	6
TEXAS RANGER (GREEN CLOUD) LEUCOPHYLLUM frutescens	5 GAL	18
BOTTLE BRUSH CALLISTEMON citrina	5 GAL	6
MEXICAN REDBUD CERCIS MEXICANA texensis	5 GAL	11
BUSH LANTANA LANTANA camara	5 GAL	18
MOCK ORANGE PHILADELPHUS lewisii gordonianus	5 GAL	6
RED YUCCA HESPERALOE parviflora	5 GAL	16
DESERT SPOON DASYLIRION wheeleri	5 GAL	3
STAR JASMINE TRACHELOSPERMUM jasminoides	1 GAL	7
TRAILING LANTANA LANTANA montevidensis	1 GAL	4

NOTE: ALL INORGANIC LANDSCAPE GROUND COVER TO BE INDIAN RED SEALED 3/4" GRAVEL

SYSTEMS

TREES - (3) HUNTER TURBO-BC (DRI-651) PER TREE

SHRUBS - (1) HUNTER TURBO-BC (DRI-651) PER SHRUB

NOTES:

1. ALL 24-VOLT WIRING SHALL BE 14 UF DIRECT BURIAL SOLID COPPER.
2. ALL MAINS AND DIRECT BURIAL WIRING UNDER PAVEMENT SHALL BE SLEEVED IN SCHEDULE 40 PVC SLEEVES. SLEEVES SHALL BE TWICE THE DIAMETER OF PIPE BEING SLEEVED.
3. CONTRACTOR SHALL INSTALL ALL 24-VOLT WIRING FROM CONTROLLERS TO ALL VALVES IN MAIN LINE TRENCH. 3 SPARE LEADERS FROM LINE TRENCH, ENCLOSED IN 3MM CLASS PVC PIPE.
4. INDIVIDUAL EMITTERS ARE NOT SHOWN ON DRAWINGS FOR CLARITY. SEE SCHEDULE FOR NUMBER OF EMITTERS PER PLANT AND COORDINATE WITH LANDSCAPE INSTALLER TO DETERMINE TOTAL QUANTITY OF EMITTERS.
5. DISTRIBUTION PIPE FOR DRIP EMITTERS SYSTEM SHALL BE ½" CLASS 200 PVC (min)

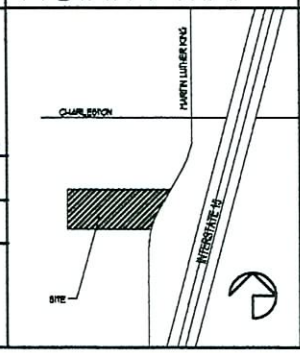
NOTES

1. SEE CIVIL FOR ALL FINAL GRADES UTILITY HOOK-UPS, OFF SITE IMPROVEMENTS, MEETS + BOUNDS, DIMENSIONS ETC.
2. ALL ACCESSIBLE ROUTES, LANDINGS, PARKING SPACES, PARKING AISLES TO HAVE 1:20 MAX LONGITUDINAL SLOPES + 1:48 MAX TRANSVERSE SLOPE TYP.
3. MAXIMUM SLOPE IN ANY DIRECTION FOR HANDICAPPED PARKING SPACES + ACCESS AISLES TO BE 2%
4. ACCESSIBLE ROUTE TO THE PUBLIC WAY SHALL HAVE SLOPES OF 5% FOR RUNNING + 2% FOR CROSS SLOPES
5. PATTERN IN CONCRETE SIDEWALKS TO BE TOOLED JOINTS
6. SEE STRUCTURAL FOUNDATION PLAN FOR ALL STRUCTURAL INFORMATION

LIGHT SCHEDULE

▭ WALL MOUNTED 25KW METAL HALIDE WALL PACK MOUNT AT 14' HIGH

VICINITY MAP



PROJECT DATA

REQUIRED ZONING:	C1
EXISTING ZONING:	R1
PARKING REQUIRED:	1/300 59
PARKING PROVIDED:	59 and (7) 15x25 LOADING ZONES
SITE ACREAGE:	1.4 AC (NET)
APN	162-04-601-001 and 002
AREA BUILDING	
1st FLOOR	14,000 SF
2nd FLOOR	3,330 SF
TOTAL BUILDING	17,330 SF

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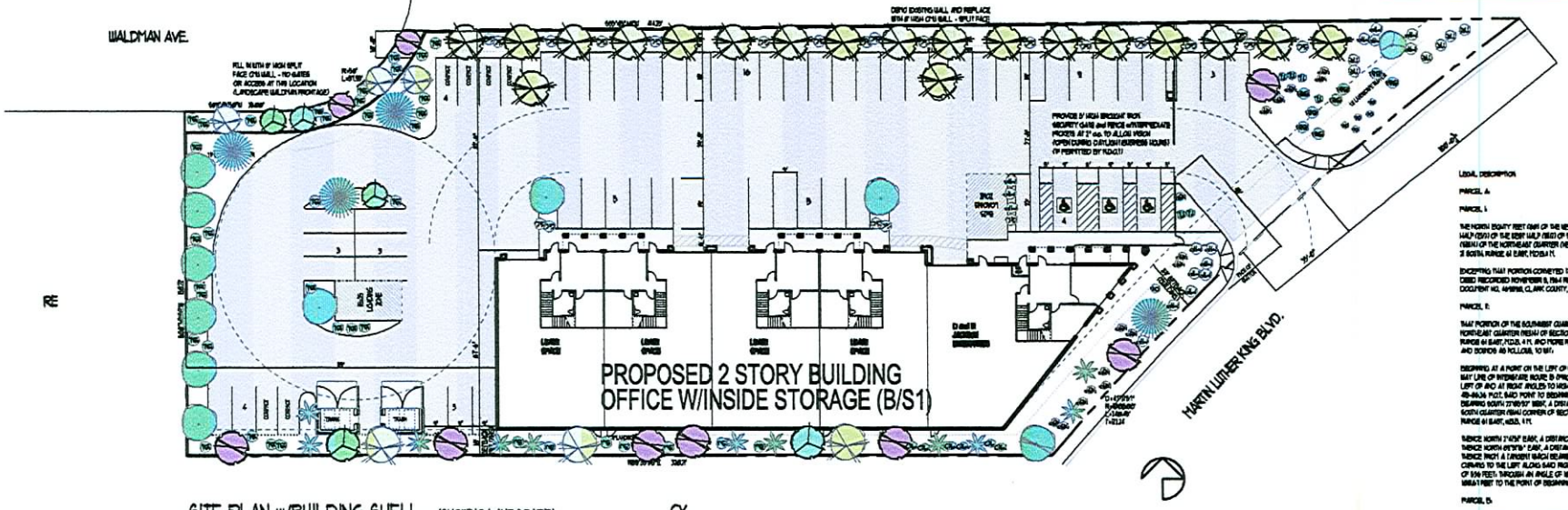
JUL 24 2008

R1

WALDMAN AVE.

R1

R1



SITE PLAN w/BUILDING SHELL (SHOWING LANDSCAPE)
SCALE: 1" = 30'-0"

CV

LEGAL DESCRIPTION

PARCEL A:

PARCEL 1:

THE NORTH EIGHTY FEET (80ft) OF THE WEST HALF (W/2) OF THE EAST HALF (E/2) OF THE WEST HALF (W/2) OF THE SOUTHEAST QUARTER (SE/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B.&M.

EXCEPTING THAT PORTION CONVEYED TO THE STATE OF NEVADA BY DEED RECORDED NOVEMBER 9, 1964 RECORDED NOVEMBER 9, 1964 AS DOCUMENT NO. 464898, CLARK COUNTY, NEVADA RECORDS.

PARCEL 2:

THAT PORTION OF THE SOUTHWEST QUARTER (SW/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION 4, TOWNSHIP 21 SOUTH, RANGE 61 EAST, M.D.B. & M., AND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT:

BEGINNING AT A POINT ON THE LEFT OF WESTERLY HIGHWAY RIGHT OF WAY LINE OF INTERSTATE ROUTE 15 PROJECT I-4806-1(4) 261.36566 FEET LEFT OF AND AT RIGHT ANGLES TO HIGHWAY ENGINEERS STATION "D" 49+86.36 P.O.T., SAID POINT TO BEGINNING IS FURTHER DESCRIBED AS BEARING SOUTH 27°05'57" WEST, A DISTANCE OF 584.65 FEET FROM THE SOUTH QUARTER (S/4) CORNER OF SECTION 33, TOWNSHIP 20 SOUTH, RANGE 61 EAST, M.D.B. & M.;

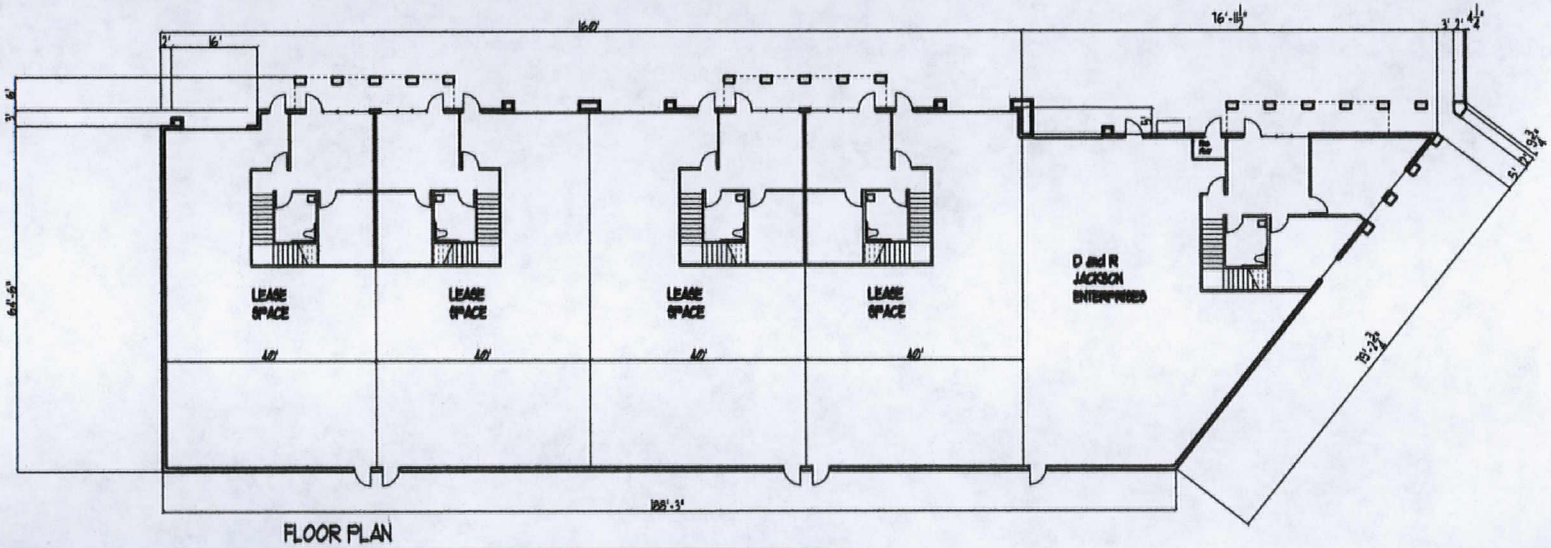
THENCE NORTH 2°40'W EAST, A DISTANCE OF 13.32 FEET TO A POINT; THENCE NORTH 87°19'E EAST, A DISTANCE OF 24.23 FEET TO A POINT; THENCE RIGHT A TANGENT WHICH BEARS SOUTH 49°39'34" EAST, CURVING TO THE LEFT ALONG SAID RIGHT OF WAY LINE, WITH A RADIUS OF 5716 FEET, THROUGH AN ANGLE OF 18°19'37", AN ARC DISTANCE OF 1828.31 FEET TO THE POINT OF BEGINNING.

PARCEL 3:

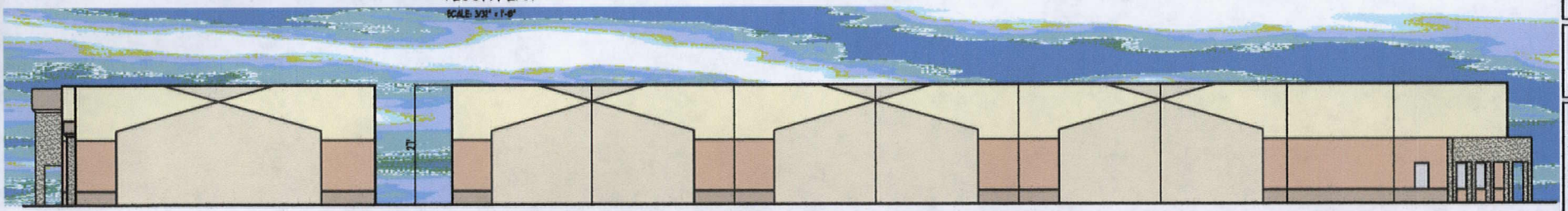
THE NORTH ONE-HALF (N/2) OF THE WEST ONE-HALF (W/2) OF THE NORTH THREE HUNDRED THIRTY FEET (330ft) OF THE WEST ONE-HALF (W/2) OF THE SOUTHWEST QUARTER (SW/4) OF THE NORTHEAST QUARTER (NE/4) OF SECTION FOUR (4), TOWNSHIP TWENTY-ONE (21) SOUTH, RANGE SIXTY-ONE (61) EAST OF THE MDB&M.

ZON-28281 SUP-28287
SDR-28286 08/14/08 PC
REVISED

KC CAMIS ARCHITECT
REVISIONS
JOB: CN03107
PROPOSED BUILDING
at 1404 MARTIN LUTHER KING
S1

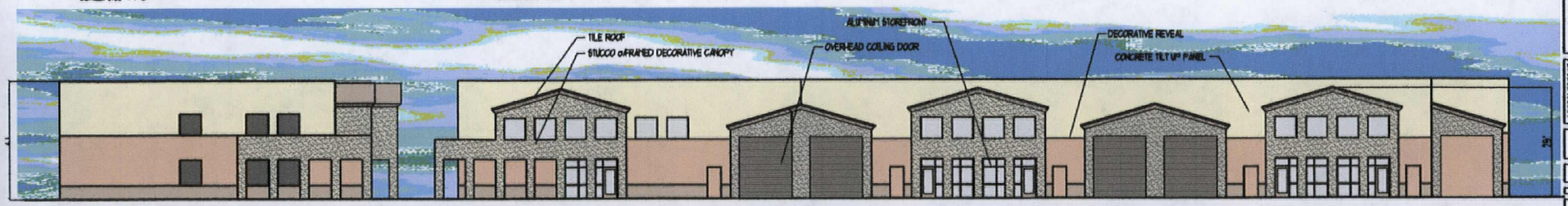


FLOOR PLAN
SCALE: 3/32" = 1'-0"



SIDE ELEVATION
SCALE: 3/32" = 1'-0"

REAR ELEVATION
SCALE: 3/32" = 1'-0"



STREET SIDE ELEVATION
SCALE: 3/32" = 1'-0"

FRONT ELEVATION
SCALE: 3/32" = 1'-0"

ZON-28281 SUP-28287
SDR-28286 07/10/08 PC

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MAY 2 3 2008

KC CAMIS ARCHITECT
DESIGNER ARCHITECTURE
SHOULDN'T BE TORTURE

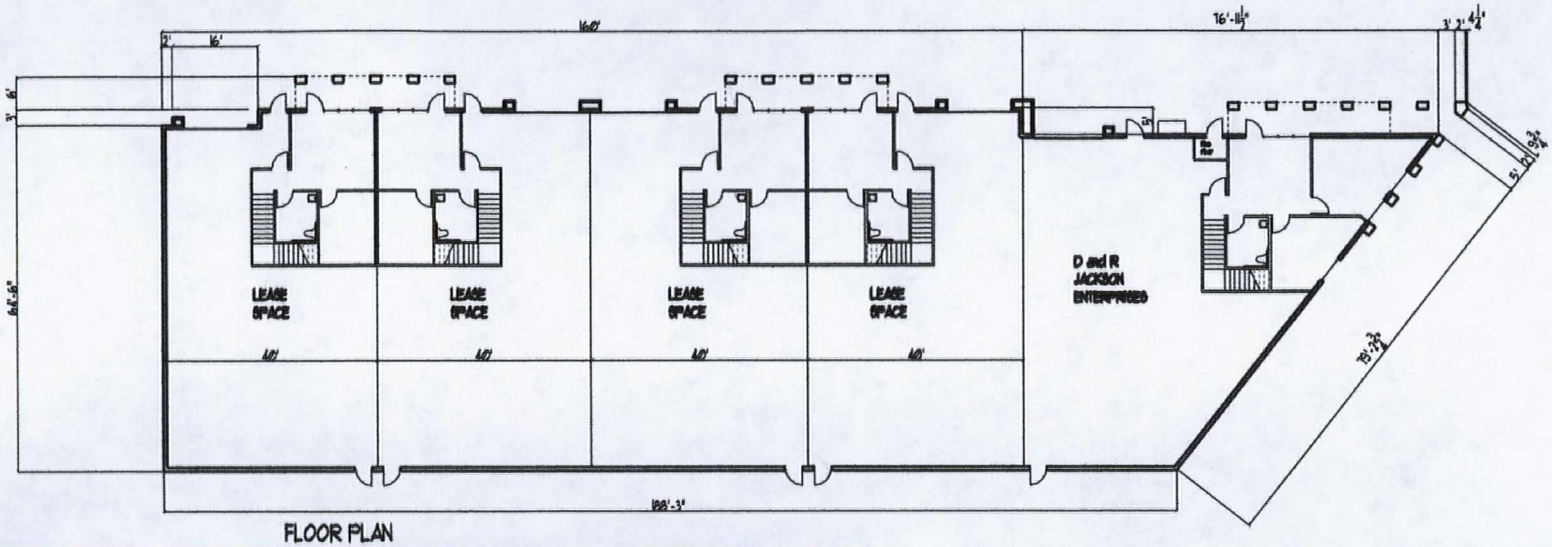
REVISIONS

JOB: CN03107

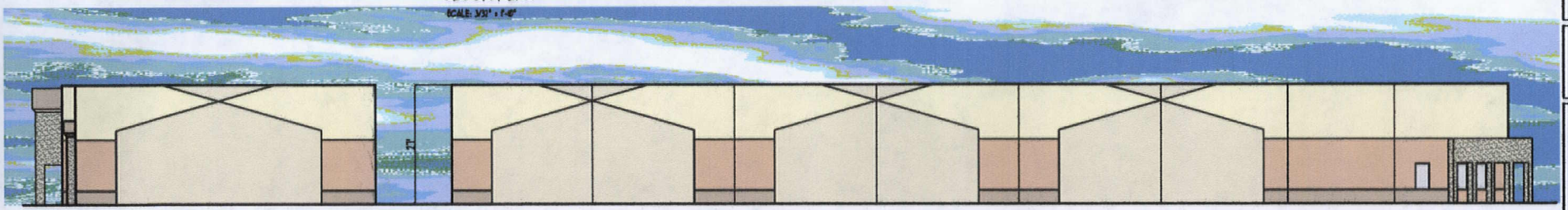
DATE:

PROPOSED BUILDING
at 1404 MARTIN LUTHER KING
for: D and R JACKSON ENTERPRISES

A1

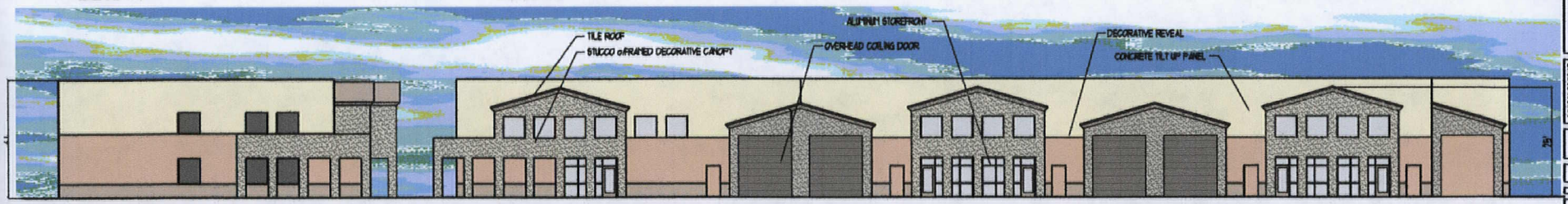


FLOOR PLAN
SCALE: 3/32" = 1'-0"



SIDE ELEVATION
SCALE: 3/32" = 1'-0"

REAR ELEVATION
SCALE: 3/32" = 1'-0"



STREET SIDE ELEVATION
SCALE: 3/32" = 1'-0"

FRONT ELEVATION
SCALE: 3/32" = 1'-0"

ZON-28281 SUP-28287
SDR-28286 07/10/08 PC

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MAY 23 2008

KC CAMIG ARCHITECT

REVISIONS

JOB: CM03107 DATE:

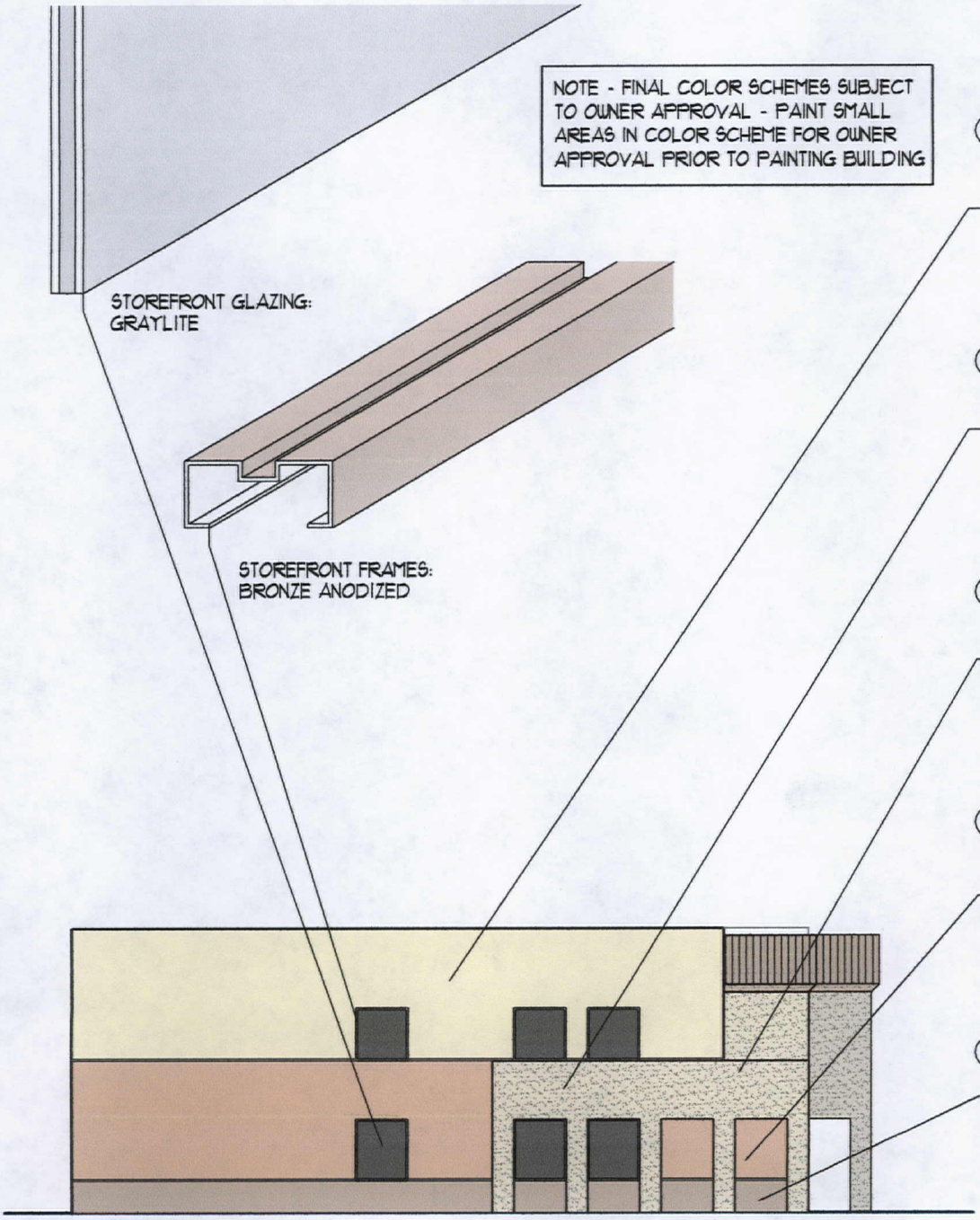
PROPOSED BUILDING
at 1404 MARTIN LUTHER KING

for D and R JACKSON ENTERPRISES

A1

COLOR SCHEME

NOTE - FINAL COLOR SCHEMES SUBJECT TO OWNER APPROVAL - PAINT SMALL AREAS IN COLOR SCHEME FOR OWNER APPROVAL PRIOR TO PAINTING BUILDING



Ⓐ FIELD
FRAZEE 7181W
ENCHILADA

Ⓑ FIELD
FRAZEE 7183M
TOASTED TAN

Ⓒ FIELD
FRAZEE 7185D
HEATHCOTE

Ⓓ FIELD
FRAZEE 8345D
WESTERN CEDAR

Ⓔ WAINSCOT/TRIM
FRAZEE 8346N
TIAGA

RECEIVED
MAY 23 2008

COLOR SELECTIONS

OFFICE/WAREHOUSE SHELL BUILDING

for: D and R JACKSON ENTERPRISES

CITY OF LAS VEGAS NEVADA

JOB: CN03107

DATE: ---

KC CAMIS ARCHITECT
BECAUSE ARCHITECTURE SHOULDN'T BE TORTURE

5125 WEST OQUENDO suite 1
LAS VEGAS NEVADA 89118

702 262-9473
FAX 253-1182

ZON-28281 SUP-28287
SDR-28286 07/10/08 PC

SDR 28286

Darrell E. Jackson, et al

West Side of Martin L. King Blvd., 1450' South of Charleston Blvd.

Proposed 17 thousand square foot commercial development.

Traffic produced by proposed development:

New Use	DESCRIPTION	#UNIT	RATE/# UNIT	TOTAL
Average Daily Traffic (ADT)	BUILDING MATERIALS &LUMBER STORE [1000 SF]	17	45.16	768
AM Peak Hour			2.60	44
PM Peak Hour			4.49	76
(heaviest 60 minutes)				

Existing traffic on all nearby streets:

Martin L. King Blvd.	
Average Daily Traffic (ADT)	21,288
PM Peak Hour	1,703
(heaviest 60 minutes)	
Charleston Blvd.	
Average Daily Traffic (ADT)	46,675
PM Peak Hour	3,734
(heaviest 60 minutes)	
Oakey Blvd.	
Average Daily Traffic (ADT)	16,172
PM Peak Hour	1,294
(heaviest 60 minutes)	

Traffic Capacity of adjacent streets:

	Adjacent street ADT Capacity
Martin L. King Blvd.	32775
Charleston Blvd.	49210
Oakey Blvd.	32775

This project will add approximately 768 trips per day on Martin L. King Blvd., Charleston Blvd., and Oakey Blvd. This will increase expected volumes by about 3 percent on Martin L. King, by about 2 percent on Charleston, and by about 5 percent on Oakey. Martin L. King is at about 65 percent of capacity, Charleston is at about 95 percent of capacity, and Oakey is at about 49 percent of capacity.

Based on Peak Hour use, this development will add roughly 76 additional cars into the area; which works out to little more than 1 every minute.

Note that this report assumes all traffic from this development uses all named streets.

SDR-28286 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

SDR-28286 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

SDR-28286 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

SDR-28286 – APPLICANT/OWNER: DARRELL E. JACKSON, ET AL
WEST SIDE OF MARTIN L. KING BOULEVARD, SOUTH OF CHARLESTON BOULEVARD
AUGUST 28, 2008 PLANNING COMMISSION

06/19/08

KC CAMIS
ARCHITECT
5125 WEST OQUENDO suite 1
LAS VEGAS NEVADA 89118
702 262-9473 FAX 253-1182

To: City of Las Vegas Planning
Attn: to whom it may concern
Re: 1404 Martin Luther King Blvd.

The owner of the property wishes to construct a concrete tilt-up building with 5 lease bays with a small 2 story office and the remainder of the space as storage. It would most likely be leased by a number of small businesses whose office needs are small, but have a need for storage of materials and goods for their businesses (a plumbing business would be a good example of that – storage for inventory and a couple of small offices). The largest bay will be occupied by the builder/developer themselves. The total area of the building will be roughly 17000 sf. The property is located between R1 and CV zonings. There are C1 zones in the near vicinity. Access to the property is off of Martin Luther King Blvd, and as such, it is the opinion of this office that the property is better suited to a commercial use. It is adjacent to the fire station and having small offices, would make a good buffer. An intense landscape buffer will be provided to shield the neighboring residential zones. The buffer zone trees are bottle trees in response to neighborhood concerns and comments. Other changes in response to the previous neighborhood meeting are that the property line wall to the north will be 8' tall and a security gate has been added that would remain open during business hours. Proposed hours of operation could be 6 am to 6 pm. No variances or waivers of development standards are being requested. It is the opinion of this office that the proposed building is a very appropriate use for both the property and location.

Sincerely

KC Camis, Architect

SDR-28286

07/10/08 PC

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

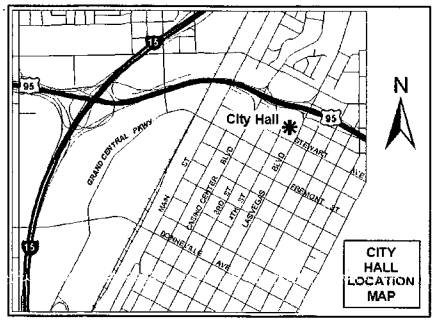
PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.39⁴
0004239954 SEP 19 2008
MAILED FROM ZIPCODE 89101

2008 SEP 23 A 10:44

RECEIVED
CITY CLERK

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286
City Council Meeting of 10/1/2008

CROSSON RONALD L & DONNA L
1313 CHARMAST LN
LAS VEGAS NV 89102-2405

GAVOS11 89102

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
02 1M $ 00.39⁴
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2008 SEP 23 A 10:42

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CITY CLERK

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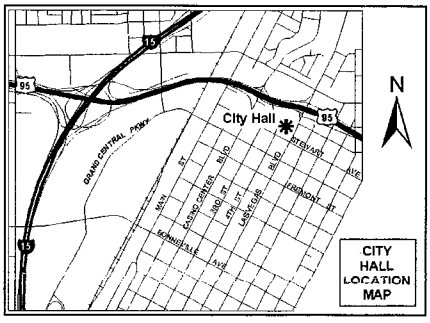
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request ✓

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286
City Council Meeting of 10/1/2008

COFFMAN RICHARD A & SHERRY A
1209 JAYLAR CIR
LAS VEGAS NV 89102-2409

GAVOS11 89102

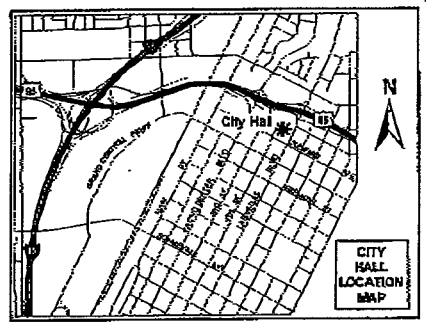
RECEIVED
CITY CLERK

2008 SEP 23 A 11: 18

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286

City Council Meeting of 10/1/2008

CARTER MEI CHU K
1220 SHADOW LN
LAS VEGAS NV 89102-2414

Mei Chu Carter
Clyde Carter

GAU0511 89102

09/23/2008 TUE 10:01 [TX/RX NO 8922] 001

Sep 21 08 08:35p Linda Arlt. 702-384-6762 p.1

09/21/2008 SUN 20:25 [TX/RX NO 8877] 001

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2008 SEP 22 A 8:54

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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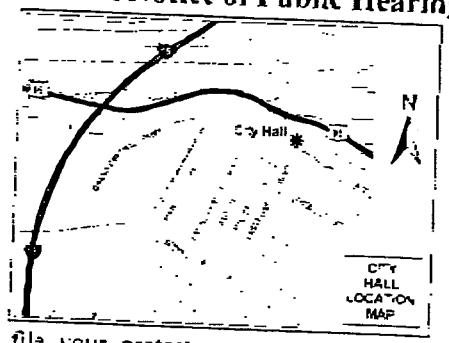

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286

City Council Meeting of 10/1/2008

ARLT THOMAS M & LINDA D
1721 BANNIE AVE
LAS VEGAS NV 89102-2452

GAVOS11 89102

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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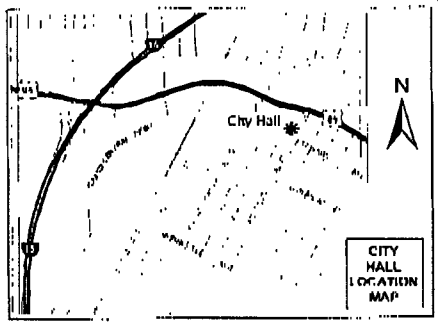

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-28283, ZON-28281, SUP-28287 & SDR-28286

City Council Meeting of 10/1/2008

ARLT FAMILY TRUST
ARLT THOMAS M & LINDA D TRS
1721 BANNIE AVE
LAS VEGAS NV 89102-2452

KUMMER KAEMPFER

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ELIZABETH M. SOROKAC
esorokac@kkbrf.com
702.693.4274

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8900
Fax: 775.882.0257

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2008 DEC 12 P 4:28

December 12, 2008

Via Facsimile: (702) 382-4803
Beverly Bridges
City Clerk
City of Las Vegas
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: Request for GPA-28283 and ZON-28281 to be heard on the January 7, 2009 City Council agenda

Dear Beverly Bridges:

We represent the applicant on the applications listed above. The applications were tabled at the November 5, 2008 City Council meeting. We respectfully request that the applications listed above be placed on the January 7, 2009 City Council agenda. At the hearing we intend to request a reduction in the proposed general plan and zoning categories. Please contact me at (702) 693-4274 or esorokac@kkbrf.com if you have any questions regarding this matter.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Elizabeth M. Sorokac

Elizabeth M. Sorokac

EMS/anc

cc: Doug Rankin (*Via email: drankin@lasvegasnevada.gov*)
Robin Wadley-Munier (*Via email: rmunier@lasvegasnevada.gov*)

KUMMER KAEMPFER

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

ATTORNEYS AT LAW

LAS VEGAS OFFICE

ELIZABETH M. SOROKAC
esorokac@kkbrf.com
702.693.4274

LAS VEGAS OFFICE
3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89169
Tel: 702.792.7000
Fax: 702.796.7181

RENO OFFICE
5585 Kietzke Lane
Reno, NV 89511
Tel: 775.852.3900
Fax: 775.852.3982

CARSON CITY OFFICE
510 W. Fourth Street
Carson City, NV 89703
Tel: 775.884.8300
Fax: 775.882.0257

December 15, 2008

Via Facsimile: (702) 382-4803
Beverly Bridges
City Clerk
City of Las Vegas
City Hall, First Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

Re: Request to withdrawn SDR-28286 and SUP-28287

Dear Beverly Bridges:

We represent the applicant on the applications listed above. The applications were tabled at the November 5, 2008 City Council meeting. We respectfully request that SDR-28286 and SUP-28287 be withdrawn from consideration. By prior correspondence dated December 12, 2008, we requested that the concurrent applications (GPA-28283 and ZON-28281) be heard on the January 7, 2009 City Council agenda. Please contact me at (702) 693-4274 or esorokac@kkbrf.com if you have any questions regarding this matter.

Sincerely,

KUMMER KAEMPFER BONNER RENSHAW & FERRARIO

Elizabeth Sorokac /by Hallie Caldwell

Elizabeth M. Sorokac

EMS/anc

cc: Doug Rankin (*Via email: drankin@lasvegasnevada.gov*)
Robin Wadley-Munier (*Via email: rmunier@lasvegasnevada.gov*)

12/29/2008 MON 09:45 [TX/RX NO 9651] 001

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2008 DEC 29 A 9:13

ity of Las Vegas
)ffice Of The City Clerk
00 Stewart Avenue
as Vegas, Nevada 89101

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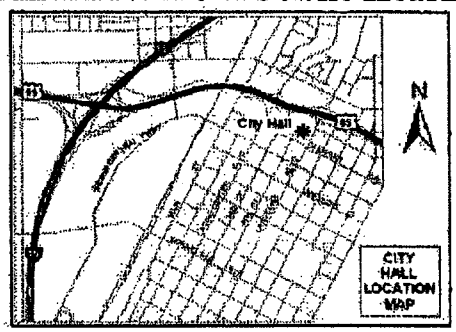

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

lease use available blank space on card for your comments.

UP-28287 and SDR-28286
ity Council Meeting of **01-07-09**

Case: SUP-28287
16204605003
A W S WESTERN L L C
%V PAULBICK
P O BOX 26119
LAS VEGAS NV 89126-0119

Dec 29 2008 8:44AM SVP,LLC 702-477-0170 p.1

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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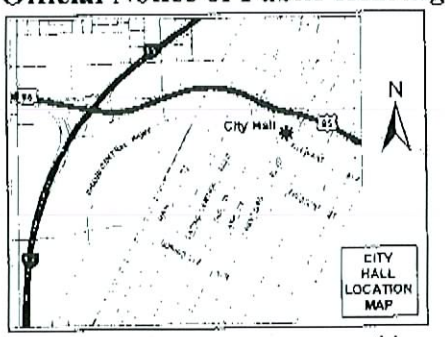

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☐ I SUPPORT this Request ☒ I OPPOSE this Request !!

Please use available blank space on card for your comments.

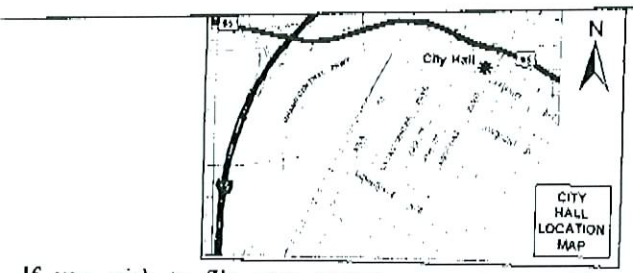
GPA-28283 & ZON-28281

Planning Commission Meeting of 7/10/2008

Case: GPA-28283
16204104007
MORRIS STANFORD 2006 LIVING TR
1241 SHADOW LN
LAS VEGAS NV 89102-2413

MORRIS

DAVDSII 89102



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☐ I SUPPORT this Request ☒ I OPPOSE this Request !!!

Please use available blank space on card for your comments.

SUP-28287 & SDR-28286

Planning Commission Meeting of 7/10/2008

Case: SUP-28287
16204104007
MORRIS STANFORD 2006 LIVING TR
1241 SHADOW LN
LAS VEGAS NV 89102-2413

STANFORD

DAVDSII 89102

#13-116 P

05/29/2008 15:03 7023888859 JAMES_STANFORD PAGE 01

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas. Nevada 89101-2986

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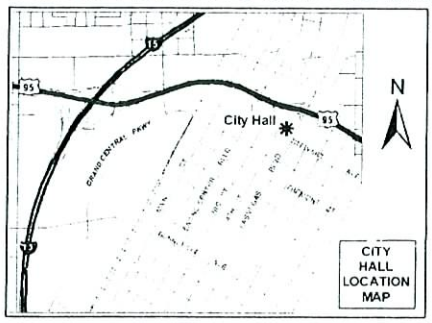

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☐ I SUPPORT this Request ☑ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-28287 & SDR-28286
Planning Commission Meeting of 8/14/2008

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-28287

16204115002
OBOYLE MARY F
1324 ORMSBY ST
LAS VEGAS NV 89102-2411

FAVOR: 1 AGAINST:

Submitted after final agenda
Date P Item 14-15

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-28287 & SDR-28286
Planning Commission Meeting of 7/10/2008

Linda Brit

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

162-42-210-054
ARLT FAMILY TRUST
1721 BANNIE AVE
LAS VEGAS NV 89102-2452

Case: SUP-28287

#15-16
P

City of Las Vegas
Planning & Development Department
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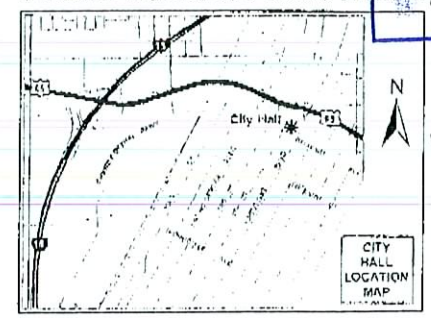

I vehemently oppose this applicat
This said property was and IS zone
a residential and it is imperative th
at STAY residentially zoned!
This is a historic neighborh
Mr. Jackson's plan would
de-value this neighborhood's

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-28287 & SDR-28286
Planning Commission Meeting of 7/10/2008

Case: SUP-28287

16204512014
MARSHALL VAL JEAN
1321 CHARMAST LN
LAS VEGAS NV 89102-2405

Charm and lower property
values in the surrounding
properties! This must be
nixed

RECEIVED

Submitted after final agenda
Date Item 15-16

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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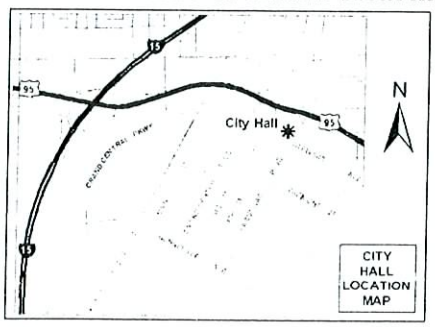

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SUP-28287 & SDR-28286

Planning Commission Meeting of 7/10/2008

$ 00.39

CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SUP-28287

16204210082
SU LISA 2005 REVOCABLE TRUST
2100 WALDMAN AVE
LAS VEGAS NV 89102-2432

DAVDS11 89102

Submitted after final agenda

Date Item 15-16

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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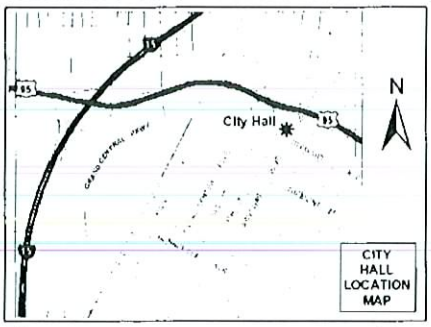

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Please use available blank space on card for your comments.

SUP-28287 & SDR-28286
Planning Commission Meeting of 7/10/2008

Case: SUP-28287
16204210058
PARKER E FAMILY TRUST
1800 SILVER AVE
LAS VEGAS NV 89102-2436

DAVIS11 89102

Submitted after final agenda
Date Item 15-16

P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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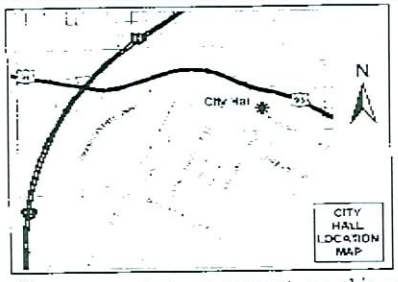

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SUP 28287 & SDR-28286

Planning Commission Meeting of 7/10/2008

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Case SUP-28287

16204103008
FOX FAMILY TRUST
1250 SHADOW LN
LAS VEGAS NV 89102-2414

DAVDS11 89102

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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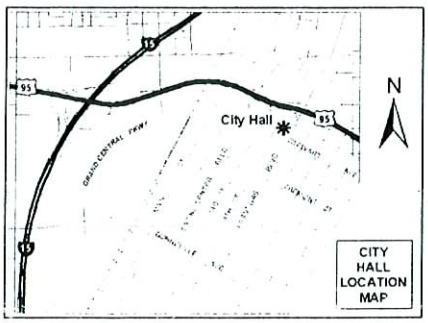

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Please use available blank space on card for your comments.

SUP-28287 & SDR-28286
Planning Commission Meeting of 7/10/2008

Case: SUP-28287
16204104003
HART QUENTIN E LIVING TR
1201 JAYLAR CIR
LAS VEGAS NV 89102-2409

DAVDS11 89102

#14-15
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07/06/2008 20:45 7023888859 JAMES_STANFORD PAGE 02

City of Las Vegas
Planning & Development Department
Development Services Center
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Las Vegas, Nevada 89101-2986

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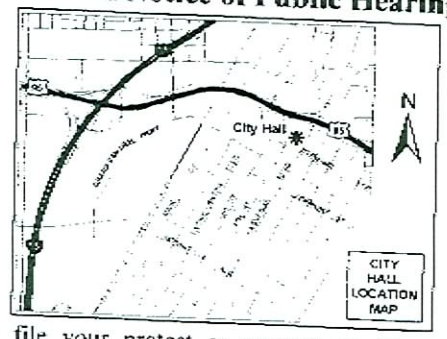

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SUP-28287 & SDR-28286

Planning Commission Meeting of 8/14/2008

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16204104007 Case: SUP-28287
MORRIS STANFORD 2006 LIVING TR
1241 SHADOW LN
LAS VEGAS NV 89102-2413

FAV0511 89102

51-14 #14

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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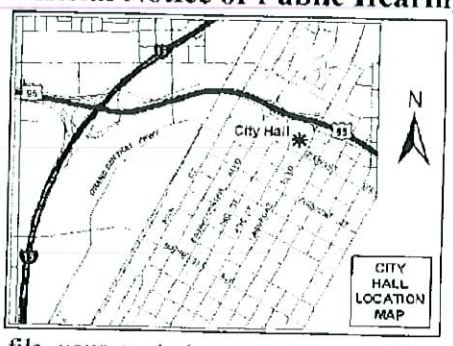

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☒ I SUPPORT this Request

☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-28287 & SDR-28286

Planning Commission Meeting of 7/10/2008

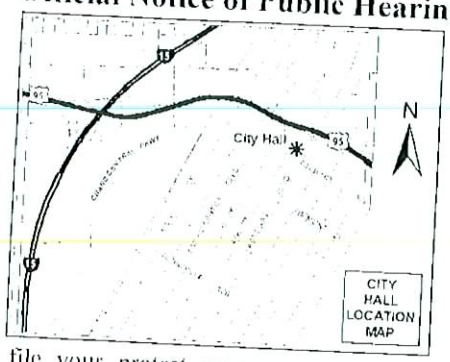
16204605003 Case: SUP-28287
A W S WESTERN L L C
%V PAULBICK
P O BOX 26119
LAS VEGAS NV 89126-0119

DAVDS11 89126

#15-16 S

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-28287 & SDR-28286

Planning Commission Meeting of 8/14/2008

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

16204210022 Case: SUP-28287
CHERNEY CRAIG P
1720 BANNIE AVE
LAS VEGAS NV 89102-2453

FAVDS11 89102

#14-15
S

1404 MARTIN LUTHER KING BOULEVARD

(West side of Martin Luther King
South of Charleston Boulevard
Across from the entrance ramp to the I-15)

APN-162-04-601-001 and 162-04-601-002

ADDITIONAL CONDITIONS OF APPROVAL

1. Parking lighting shall be shielded downward.
2. Parking lighting shall be the minimum height permitted by the City Code
3. If building lighting is required for safety purposes it shall be shielded downward.
4. Street signage shall be monument signage only.
5. The business hours of operation shall be limited to 6:00 AM to 7:00 PM on Monday through Friday and 7:00 AM to 2:00 PM on Saturday.
6. If permitted by the City Code and applicable government agencies, a gate shall be installed and closed outside of the business hours of operation.
7. No building on the property shall exceed 28 feet in height.
8. All work on the property shall be done within an enclosed building with the doors to the building closed
9. Any security system for the subject property shall include remote monitoring and response personnel.
10. There shall be no outside storage on the property.
11. Any change in the use of the property shall require a site development review as a public hearing.
12. There shall be no access to the Property from Waldman and Ormsby.
13. On the northwest corner of the Property an 8 foot decorative wall and landscaping along the wall with a sitting area and bench shall be maintained at all times by the current owner of the Property.
14. Any satellite dish on the Property shall be screened so it is not visible from the residential property in the area.

Submitted at Planning Commission

Date 8/28/08 Item: 14-17

15. The building shall be located no closer than 65 feet from the northwest property line of the Property.

16. The building shall be located no closer than 100 feet from the west property line of the Property.

17. The building shall be located no closer than 65 feet from the north property line of the Property.

18. The trash enclosure shall be located no closer than 50 feet from the west property line of the Property and no closer than 50 feet from the north property line of the Property.

WHEN RECORDED RETURN TO:

Kummer Kaempfer Bonner Renshaw & Ferrario
3800 Howard Hughes Pkwy., 7th Floor
Las Vegas, Nevada 89169
Attn: Liz Sozokac

APN: 162-04-601-001
162-04-601-002

(Space Above for Recorder's Use Only)

DEED RESTRICTION ON USE

THIS DEED RESTRICTION ON USE ("Deed Restriction") is made this ____ day of _____, 2008 by Darrell E. Jackson ("Jackson"), Thomas M. Strawn, Jr. ("Strawn") and Andrew S. Levy ("Levy"). Jackson, Strawn and Levy are hereinafter referred to as "Owner".

RECITALS

A. WHEREAS, Jackson, Strawn and Levy are the owners as tenants in common of certain real property located in the City of Las Vegas, Nevada commonly known as Assessor's Parcel Numbers 162-04-601-001 and 162-04-601-002 and further described in Exhibit A attached hereto ("Property").

B. WHEREAS, to ensure future development of the Property is compatible with the surrounding area and for the benefit of the association of neighboring homeowners known as the Scotch Eighty Organization, Inc., a Nevada non-profit organization ("Scotch Eighty"), Owner desires to restrict the use of the Property as set forth in this Deed Restriction. Scotch Eighty and any successor organizations are hereinafter referred to as the "Association".

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Owner declares as follows:

1. **Declaration**. Until termination of this Deed Restriction, the Property shall be held, conveyed, mortgaged, encumbered, leased, rented, used, occupied and improved subject to the provisions of this Deed Restriction, which shall run with the land and shall be binding upon all persons having, or who acquire any right, title, or interest in and to all or any portion of the Property.

Submitted at Planning Commission
Date 8/28/08 Item: 14-17

2. **Restriction on Use**. Until any amendment, modification or termination of this Deed Restriction, Owner covenants and declares that the Property shall not be used for any of the following:

(a) Gaming
(b) Liquor, Beer and Wine Sales or On Premises Consumption
(c) Hotel, Motel or Hotel Suites
(d) Restaurants
(e) Retail Sales
(f) Facility to Provide Testing, Treatment, or Counseling for Drug and Alcohol Abuse
(g) Sex Offender Counseling Facility
(h) Adult Day Care
(i) Amphitheater
(j) Animal Hospital , Clinic or Shelter
(k) Astrologer, Hypnotist, or Psychic Art and Science
(l) Auto Title Loans, Check Cashing Services, Pawn Shop
(m) Auto Uses, specifically Auto Broker; Auto Dealer Inventory Storage; Auto Repair Garage, Minor; Auto Smog Check; Automobile Rental; Automobile Repossession Agency
(n) Bailbond Service
(o) Banquet Facility
(p) Billboard
(q) Billiard Parlor and Pool Hall
(r) Car Wash
(s) Catering Service
(t) Child Care Center
(u) Church/House of Worship
(v) Clinic
(w) College, University, or Seminary
(x) Commercial Recreation/Amusement (indoor)
(y) Community Recreational Facility (Public)
(z) Country Club (Private)
(aa) Daily Labor Service
(bb) Dental Office or Dental Laboratory
(cc) Dry Cleaners
(dd) Electric Utility Substation
(ee) Emergency Ambulance Services, Ground
(ff) Employment Agency
(gg) Escort Bureau
(hh) Financial Institution
(ii) General Personal Services
(jj) Garden Supply/Plant Nursery
(kk) Golf Driving Range
(ll) Government Facility
(mm) Health Club

(nn) Helipad
(oo) Horse Corral or Stable (Commercial)
(pp) Hospice
(qq) Hospital
(rr) Keep of Carrier or Racing Pigeons
(ss) Laundry, Self-Service
(tt) Library, Art Gallery or Museum (Public)
(uu) Liquefied Petroleum Gas Installation
(vv) Massage
(ww) Medical Office or Medical Laboratory
(xx) Mini-Storage Facility
(yy) Monorail
(zz) Mortuary or Funeral Chapel
(aaa) Mounted Antennae
(bbb) Open Air Vending/Transient Sales Lot
(ccc) Outcall Entertainment Referral Service
(ddd) Outdoor Storage
(eee) Parking Commercial
(fff) Pet Boarding
(ggg) Pet Shop
(hhh) Post Office
(iii) Private Club, Lodge, or Fraternal Organization
(jjj) Psychology Practice
(kkk) Public Park or Playground
(lll) Radio Broadcast
(mmm) Radio, TV or Microwave Communication Tower
(nnn) Recreational Vehicle and Boat Storage
(ooo) Secondhand Dealer
(ppp) Service Station
(qqq) Slaughtering and Processing of Live Poultry
(rrr) Swap Meet
(sss) Teen Dance Center
(ttt) Temporary Contractor's Construction Yard
(uuu) Temporary Outdoor Commercial Event
(vvv) Tennis Courts, Accessory
(www) Trade School
(xxx) Trailer/RV Camp or Park
(yyy) Utility Transmission Lines
(zzz) Valet Parking
(aaaa) Wedding Chapel
(bbbb) Wireless Communication Facility

3. **Additional Restrictions on Use.** Until any amendment, modification or termination of this Deed Restriction, Owner covenants and declares that the development of the Property shall adhere to the following restrictions.

(a) There shall be no access to the Property from Waldman and Ormsby.

(b) On the northwest corner of the Property an 8 foot decorative wall and landscaping along the wall with a sitting area and bench shall be maintained at all times by the current owner of the Property.

(c) Any satellite dish on the Property shall be screened so it is not visible from the residential property in the area.

(d) The building shall be located no closer than 65 feet from the northwest property line of the Property.

(e) The building shall be located no closer than 100 feet from the west property line of the Property.

(f) The building shall be located no closer than 65 feet from the north property line of the Property.

(g) The trash enclosure shall be located no closer than 50 feet from the west property line of the Property and no closer than 50 feet from the north property line of the Property.

4. **Permitted Uses**. Except as specifically set forth in Sections 2 and 3 above, this Deed Restriction shall not limit or restrict the use of the Property for any other use allowed by law.

5. **Amendment; Termination**. Owner may not amend, modify, or terminate this Deed Restriction, in whole or in part, without the approval of the Association. Any such amendment, modification, or termination shall be deemed approved by the Association upon the consent of a majority of the members of the Association voting on such amendment, modification, or termination. If and at such time the Association should cease to exist, this Deed Restriction may be terminated by the Owner of the Property and their successors and assigns through the recordation of a document terminating it.

6. **Governing Law**. This Deed Restriction shall be governed by the laws of the State of Nevada.

7. **Attorney's Fees**. Should it be necessary for the Association to file any civil action to enforce the terms and conditions of this Deed Restriction, the Association shall be entitled to recover from the Owner, and the Owner shall pay to the Association, all of their attorney's fees and costs incurred in the filing of such action.

8. **No Third Party Beneficiaries**. This Deed Restriction is not intended, and shall not be deemed or construed, to confer any rights, powers or privileges on any person or entity other than Owner or the Association and their permitted successors and assigns.

9. **Counterparts**. This Deed Restriction may be executed in counterparts and that a facsimile copy of a party's signature will be treated as an original signature.

(SIGNATURES ON THE FOLLOWING PAGES)

IN WITNESS WHEREOF, Owner has executed this Deed Restriction as of the date first set forth above.

"OWNER"

"JACKSON"

Darrell E. Jackson

"STRAWN"

Thomas M. Strawn, Jr.

"LEVY"

Andrew S. Levy

STATE OF NEVADA
COUNTY OF CLARK } ss.

This instrument was acknowledged before me on _____ by Darrell E. Jackson.

_____
NOTARY PUBLIC

STATE OF NEVADA
COUNTY OF CLARK } ss.

This instrument was acknowledged before me on _____ by Thomas M. Strawn, Jr.

_____
NOTARY PUBLIC

STATE OF NEVADA
COUNTY OF CLARK } ss.

This instrument was acknowledged before me on _____ by Andrew S. Levy.

_____
NOTARY PUBLIC

EXHIBIT A

THE PROPERTY

Scotch Eighties Home Owners Association

Thursday, August 28, 2008

RE: Opposition to Case Numbers: ZON-28281, GPA-28283, SDR-28286, SUP-28287
APN-162-04-601-001 and 162-04-601-002
West Side of Martin L. King Blvd. between Charleston and Oakey--

Dear Las Vegas Planning Commissioners,

The Scotch 80's Home Owners Association continues to go on record and oppose the General Plan Amendment and related zoning and use applications before you that will be heard at your Thursday August 28th meeting.

Please note from your records that we submitted to the Planning Commission a letter from the Association on October 8, 2007 also registering our opposition.

Our reasoning is such:

1) The applications, if approved, removes a single family home site from the neighborhood. The Association has been historically on record against the removal of any single family home within its neighborhood.
2) The zoning will initiate additional transitional zoning requests of a similar nature along Martin Luther King Blvd. which will further impact on the surrounding neighborhood.
3) The neighborhood is actually adding single family neighborhood homes to vacant lots, including one at the corner of Oakey and Martin Luther King Blvd. which offsets any argument that the neighborhood along Martin L. King Blvd. is transitional to commercial.
4) Immediate homes adjacent to the applicant are not representative of the neighborhood consensus as they are either: (a) in foreclosure; (b) absentee ownership; and (c) non-responsive elderly.
5) If approved there can be no guarantee that the current ownership will remain the same and maintain the proposed covenants. Any commercial usage will be in contrast to the single family nature of the neighborhood.

Discussion:

A. The Planning Board and Staff needs to view the entire Martin Luther King corridor to realize that the buffer between commercial and single family home owners is in fact I-15 and not Martin Luther King Blvd. Recent purchases of land along Martin Luther King Blvd. were made solely for economic speculation of buying cheaper and re-zoning to higher values, including a future real estate play for imminent domain, if and when any highway expansion forces Martin Luther King to become an arterial.

Submitted at Planning Commission
Date 8/28/08 Item 14-17

B. The Scotch 80's neighborhood sphere of influence is the borders of Oakey, Rancho, Charleston, and Martin Luther King Blvd. The Home Owners Association and home owners within these boundaries have consistently in public hearings taken positions against loss of single family homes. The most memorable example was zoning issues at the NE corner of Oakey and Rancho where the applicant was denied a zoning request to business commercial. This denied re-zoning is similar in scope to the application before you.

C. The Association is in partial sympathy with the current owner of the applicant and believes the applicant was misled by the Realtor (and their signage) and previous land owner in that a zoning change would be easily allowed. Although the Applicant has gone out of his way to 'comfort' various neighborhood concerns on a variety of issues, the application has to be seen in the totality of the neighborhood and small incidents of impact mitigation should not over-rule the zoning changes influences where commercialization edges into a residential neighborhood.

D. As example, any change to land use of the applicant will be evidence for the land owner on the other (south) side of the Fire Station, who anticipation of such zoning change, has torn down a single family home without input from the neighborhood. This property as former single family residence also allows access directly into the neighborhood. To grant the application before you by default allows the secondary applicant to plead the same circumstances.

E. The current owner, and Applicant, is stating that the property (along Martin Luther King) is only good for limited commercial usage. However, we point out, that a quality single family house could be built with entrance off Waldman and plenty of buffer back yard to be created to separate the house from traffic noise along Martin Luther King.

F. The use of the property is for construction offices and other unknown tenants. As a neighborhood we are concerned, regardless of the limitations offered by the Applicant on property usage, that violations or activities not now documented could cause noise and activities beyond the expected comfort of neighbors.

G. The Association in its discussions with the Applicant has constantly asked them to provide a position by the immediate neighbors, especially a Mr. J. Lewis who immediately adjoins the proposed commercial project. We do not believe they have secured any such support to date, and if even so obtained, would not change our position as to the neighborhood-wide impact.

With these concerns, and others, we have no other choice but to continue to voice our opposition to this rezoning of a single-family lot.

Respectfully submitted,

Stephen Grogan, President
Scotch 80 Home Owners Association
840 S. Rancho Rd. Suite 4-337
Las Vegas, NV 89106
759-0001 fax 759-0003

City of Las Vegas Agenda Item No.: **96.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

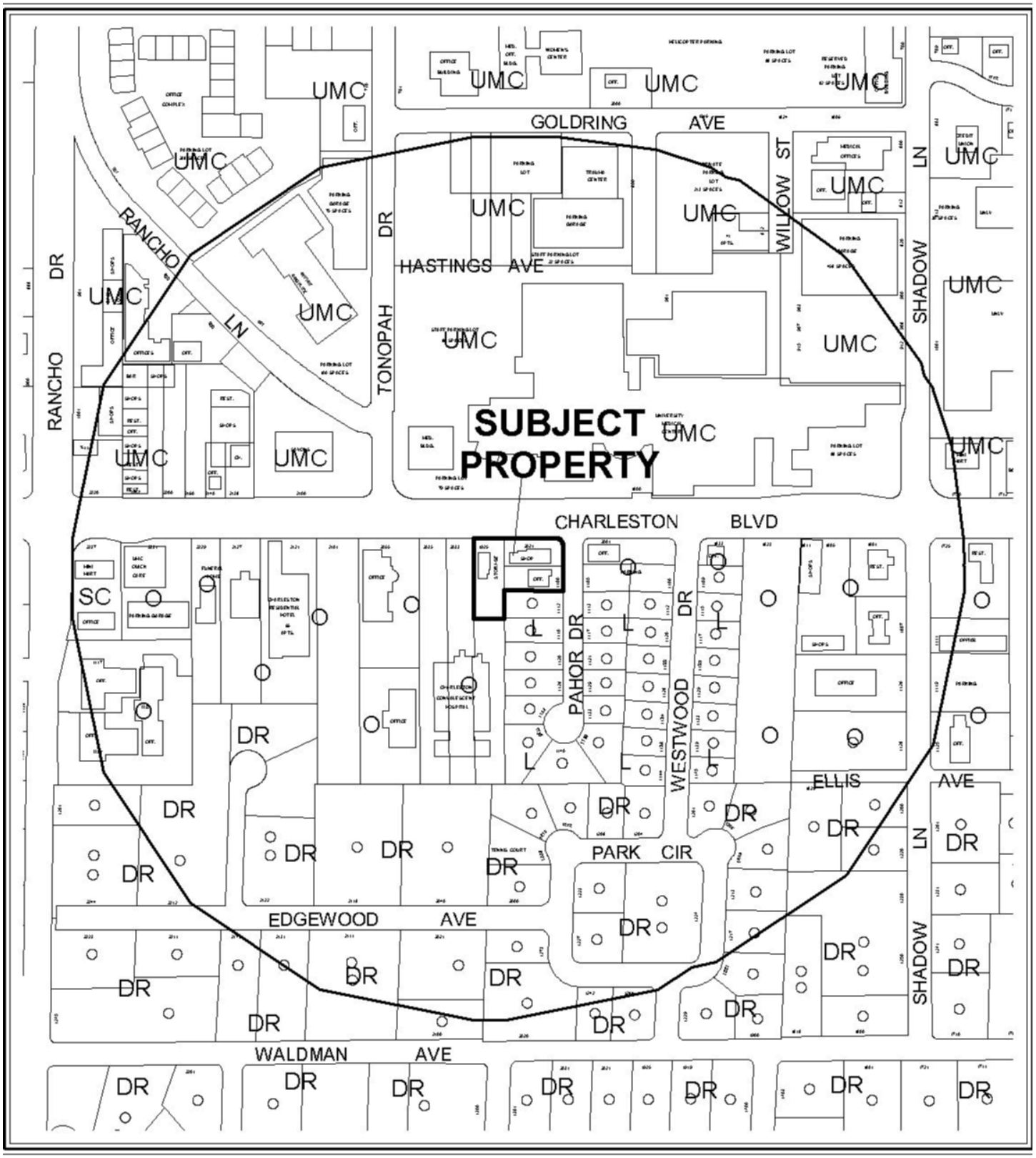
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
GPA-29565 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: DIBELLA LIVING TRUST - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: O (OFFICE) TO: SC (SERVICE COMMERCIAL) on 0.76 acres at the southwest corner of Charleston Boulevard and Pahor Drive (APN 162-04-110-001, 002 and 162-04-101-010), Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**1**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcard
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 15

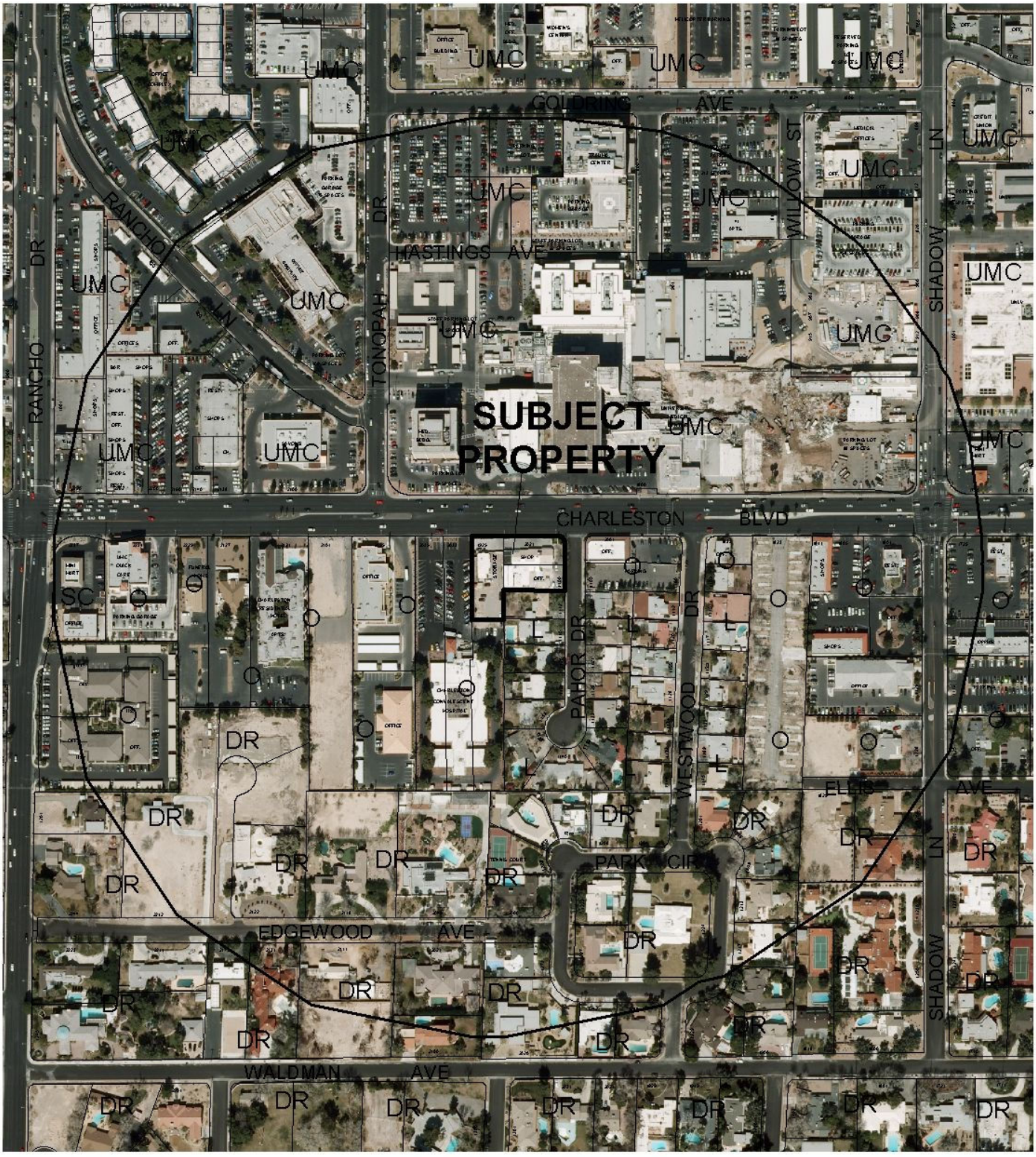


CASE: **GPA-29565**

RADIUS: 1000 FT

GENERAL LAND USE OF SUBJECT PROPERTY:
O (OFFICE)

PROPOSED GENERAL LAND USE OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)



CASE: **GPA-29565**

RADIUS: 1000 FT

GENERAL LAND USE OF SUBJECT PROPERTY:
O (OFFICE)

PROPOSED GENERAL LAND USE OF SUBJECT PROPERTY:
SC (SERVICE COMMERCIAL)

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-29565 - APPLICANT/OWNER: DIBELLA LIVING TRUST

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request to amend a portion of the Southeast Sector Plan of the General Plan from O (Office) to SC (Service Commercial) on 0.78 acres at the southwest corner of Charleston Boulevard and Pahor Drive. In addition to this application, the applicant has submitted a request for a Rezoning (ZON-29566) of 0.55 acres from R-1 (Single Family Residential) and P-R (Professional Office and Parking) to C-1 (Limited Commercial) and a Site Development Plan Review (SDR-31595) for a 5,105 square-foot Retail Development with Waivers of the Building Placement and Orientation Standards, to allow a five-foot landscape buffer along a portion of the east perimeter and to allow a four-foot landscape buffer along the west perimeter where eight feet is required.

Staff has determined that the range of uses within the SC (Service Commercial) land use category and the C-1 (Limited Commercial) zoning district are not compatible with the approved Rancho Charleston Land Use Study, which was developed to preserve the older, stable neighborhoods within the surrounding areas. Therefore, staff recommends denial of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
09/16/64	The Board of City Commissioners denied a request to Reclassify property (Z-0037-63) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at the southwest corner of West Charleston Boulevard and Pahor Drive. The Planning Commission recommended approval of this request.
01/20/65	The Board of City Commissioners denied a request to Reclassify property (Z-0092-64) generally located on the south side of West Charleston Boulevard between Rancho Road and Pahor Drive from R-E (Residence Estates) to C-1 (Limited Commercial). The Planning Commission recommended denial of this request.
07/03/74	The Board of City Commissioners approved a request to Reclassify property (Z-0022-74) generally located on the south side of Charleston Boulevard between Pahor Drive and Rancho Road from R-E (Residence Estates) to C-1 (Limited Commercial) and R-1 (Single Family Residential). The Planning Commission recommended approval of this request.
09/05/84	The City Council approved a request to Reclassify property (Z-0058-84) from R-1 (Single Family Residential) to C-1 (Limited Commercial), located at 2021 West Charleston Boulevard for a proposed Floral Shop. The Planning Commission recommended and staff recommended approval of this request.

12/07/88	The City Council approved a request to Reclassify property (Z-0115-88) from R-1 (Single Family Residential) to C-1 (Limited Commercial) located at the west side of Pahor Drive, south of Charleston Boulevard for a proposed Office and Storage Facility for a Floral Shop. The Planning Commission and staff recommended approval of this request.
02/23/89	The Board of Zoning Adjustments approved a request for a Variance (V-0009-89) to allow storage for an existing flower shop on the adjoining property to the north (1106 Pahor Drive), where commercial storage is not permitted. Staff recommended denial of this request.
11/07/02	The Planning Commission approved a request for a Site Development Plan Review (SDR-1014) and a reduction of the on-site perimeter landscape requirements for a proposed restaurant at 7185 West Charleston Boulevard. Staff recommended approval of this request.
10/09/08	The Planning Commission approved a request to hold in Abeyance a request for Rezoning (ZON-29566) from R-1 (Single Family Residential) and P-R (Professional Office and Parking) to C-1 (Limited Commercial) and a General Plan Amendment (GPA-29565) to amend a portion of the Southeast Sector Plan of the General Plan from O (Office) to SC (Service Commercial) to allow the applicant time to prepare an associated Site Development Plan Review application.
12/04/08	The Planning Commission recommended approval of companion items ZON-29566 and SDR-SDR-31595 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #15/dc).
Related Building Permits/Business Licenses	
01/01/51	A business license (F04-00065) was issued for a florist at 2021 West Charleston Boulevard. The license is still active.
09/26/90	A building permit (#90083963) was issued for an illuminated pylon sign at 2021 West Charleston Boulevard. The project was completed on 11/27/90.
01/23/96	A business license (N06-00318) was issued for an administrative office at 1106 Pahor Drive. The license is still active.
01/26/96	A business license (L33-00039) was issued for lawn maintenance at 2021 West Charleston Boulevard. The license is still active.
12/17/04	A business license (M18-03076) was issued to a consulting firm at 2021 West Charleston Boulevard. The license was marked out of business on 11/02/06.
Pre-Application Meeting	
08/06/08	A pre-application meeting was held with the applicant to discuss Title 19 and the General Plan Amendment submittal requirements.

Neighborhood Meeting	
09/09/08	A neighborhood meeting was held on Tuesday, September 9, 2008 at 6:00 p.m. at Las Vegas Lodge #1468 located at 4100 West Charleston Boulevard, Las Vegas, Nevada 89102. The applicant gave a brief description of the proposed change in land use designation, rezoning, and future plans for the site. Members of the public had the following questions and concerns relative to the applications: • Residents had concerns about the height of the structure to be built on the site. The applicant responded that the proposed building will be no more than two stories in height, and that a Site Development Plan Review (SDR) application will be filed once the General Plan Amendment and Zoning applications are approved. • Residents requested clarification about the boundaries of the proposed land use change and rezoning. The applicant confirmed that the applications pertained solely to the parcels where the current business/structures are located. • Concerns were expressed that the applicant would "flip" the property upon receiving entitlements. • Concerns were expressed about commercial traffic on Pahor Drive. The applicant explained that the principal access to the property was from Charleston Boulevard, and the driveway on Pahor Drive was only to be used by his own delivery trucks.
Field Check	
09/02/08	A field check of the subject area was performed, where it is noted that the overall appearance of the business was neat and clean.

Details of Application Request	
Site Area	
Gross Acres	0.78 acres

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Flower Shop	O (Office)	C-1 (Limited Commercial)
North	Hospital and Medical Offices	UMC (Las Vegas Medical District)	PD (Planned Development)
South	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
East	Office	O (Office)	C-1 (Limited Commercial)
	Parking	O (Office)	R-1 (Single Family Residential)
West	Convalescent Homes	O (Office)	C-1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan	X		
Rancho Charleston Land Use Study	X		N*
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District (200 feet)	X		Y**
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

* The proposed Rezoning (ZON-29566) to C-1 (Limited Commercial) and General Plan Amendment (GPA-29565) from O (Office) to SC (Service Commercial) is not in conformance with the land use goals and strategies identified within the Rancho Charleston Land Use Study.

** The subject site is within the 200-foot contour limitation and does not exceed the height limitations, and is therefore in compliance with the Airport Overlay District.

ANALYSIS

- **O (Office) Master Plan Land Use Designation**

  The Office category provides for small lot office conversions as a transition along primary and secondary streets from residential and commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

- **SC (Service Commercial) Master Plan Designation**

  The applicant is proposing to amend the current O (Office) Master Plan Land Use designation to the SC (Service Commercial) Master Plan Land Use designation to allow low to medium intensity retail, office, or other commercial uses that primarily serve local area patrons. This particular proposal consists of three parcels totaling 0.78 acres.

  This amendment was submitted in conjunction with a proposed Rezoning (ZON-29566) from R-1 (Single Family Residential) and P-R (Professional Office and Parking) to C-1 (Limited Commercial). The SC (Service Commercial) designation is not compatible with the Rancho Charleston Land Use Study. The Master Plan Land Use Designation of O (Office) was established to provide a buffer to the older, established neighborhoods surrounding the area; therefore, staff recommends denial of this General Plan Amendment.

- **Rancho Charleston Land Use Study**

  The Rancho Charleston Land Use Study was adopted by the City Council on 06/19/02. The study identified five goals for the area which were used to guide the development of specific land use strategies. These goals are to protect the existing residential neighborhoods from any additional encroachment by commercial and/or office uses, to buffer existing residential neighborhoods from more intense uses that currently exist, to eliminate residential blight by establishing specific minimum maintenance standards and enforcement practices, to minimize the impact of traffic on the residential neighborhoods within the Study area and to discourage and minimize the nuisance of obtrusive lighting, noise, odor, signs, etc. near residential neighborhoods.

  Additionally, the land use strategy implemented by this plan included re-designating certain properties along Charleston Boulevard between Paratore Way and Rancho Drive from SC (Service Commercial) to O (Office). This action brought the General Plan into conformance with the land use pattern that had evolved in the vicinity and provided a land use pattern where the potential for conflicts and nuisances would be minimized. If this General Plan Amendment is approved, the resulting land use pattern that would be created would be in direct conflict with the surrounding land uses and negate the efforts of the findings of the Rancho Charleston Land Use Study.

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,

2. The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,

3. There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and

4. The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.

In regard to "1":

The proposed SC (Service Commercial) General Plan designation for the parcels currently designated as O (Office) is not compatible with the existing O (Office) and L (Low Density Residential) properties that surround the subject sites. The increase in the intensity of use will not only create an incompatibility with the surrounding area, but with the Rancho Charleston Land Use Study. Therefore, staff recommends denial of this request, as well as the affiliated application.

In regard to "2":

Staff finds that a commercially zoned district would be inappropriate for this location, as this zoning district is intended to allow retail and general personal services, and may be appropriate for mixed-use developments. This district should be confined to intersections of primary and secondary thoroughfares along major retail corridors.

In regard to "3":

Access to the site is provided by Charleston Boulevard, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. Pahor Drive, a 50-foot Local Street, as designated by the Master Plan of Streets and Highways, provides secondary access to the subject site. The three parcels are in an area of the City where all utilities, fire and police services are currently in place and available to the subject area. Therefore, there are adequate facilities available to accommodate the uses and densities permitted by the proposed General Plan Amendment.

In regard to "4":

This proposed amendment does not conform to the Las Vegas 2020 Master Plan or the Rancho Charleston Land Use Study as the proposed land use designation of SC (Service Commercial) with a C-1 (Limited Commercial) zoning district is incompatible with the existing O (Office) and L (Low Density Residential) land use designations that surround the subject properties. Because the proposed General Plan designation is not compatible with the Las Vegas 2020 Master Plan or the Rancho Charleston Land Use Study, staff recommends denial.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 10

SENATE DISTRICT 9

NOTICES MAILED 86 by City Clerk

APPROVALS 2

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-29565** APN: 162-04-110-001, 002 & ~~010~~ 162-04-101-010

Name of Property Owner: Dibella Living Trust

Name of Applicant: John Dibella

Name of Representative: Baughman & Turner Inc.

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: John M. DiBella

Print Name: John M. DiBella

Subscribed and sworn before me

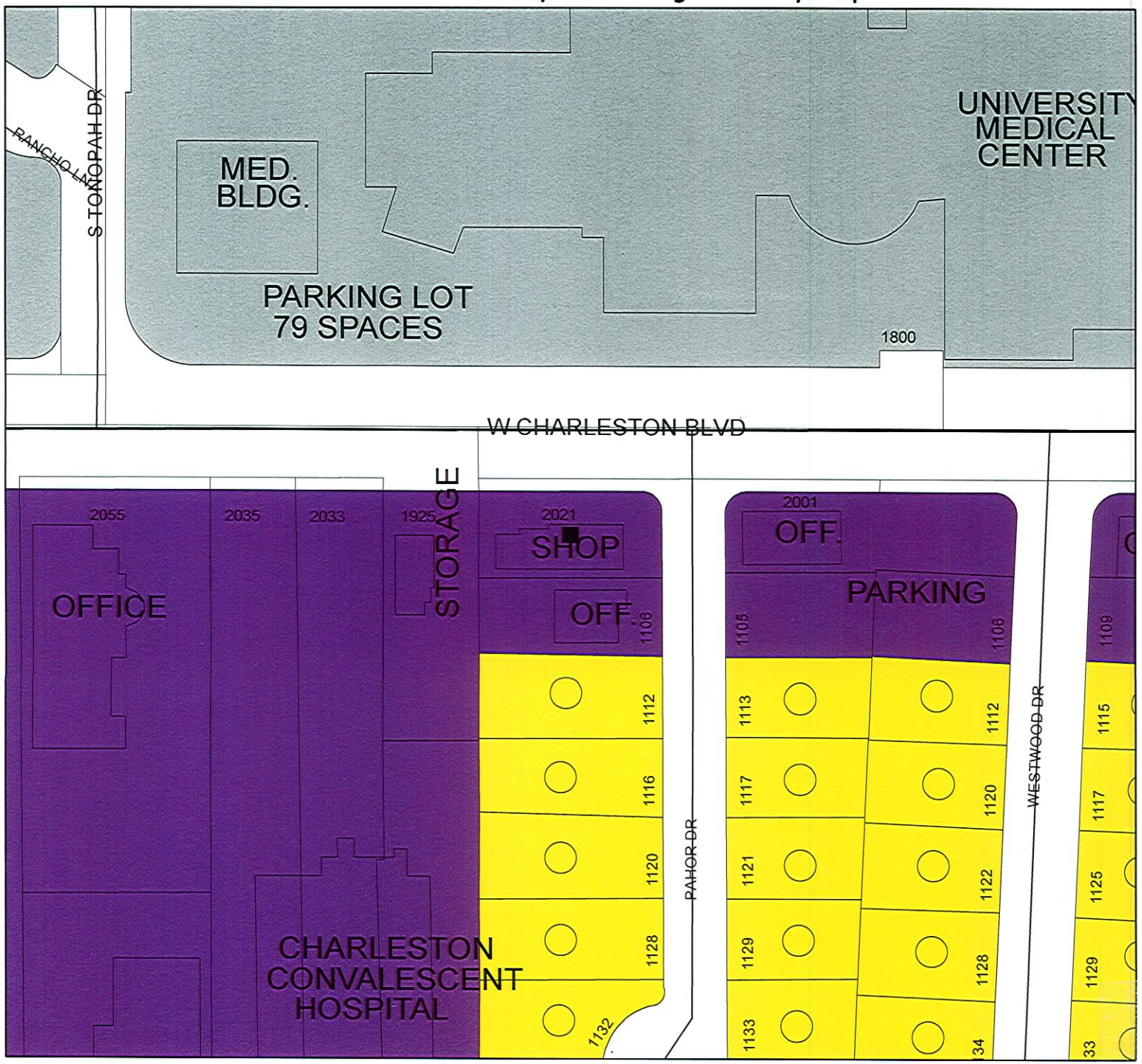
This 12th day of August, 2008

Carole Levy

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
CAROLE LEVY
My Appointment Expires
August 7, 2010
No: 02-77162-1

City of Las Vegas Vicinity Map



General Plan Designations

- Rural Neighborhood Preservation
- Rural Estates
- Desert Rural
- Rural
- Low
- Medium - Low
- Medium - Low Attached
- Medium
- High
- Office
- Service Commercial
- General Commercial
- Tourist Commercial
- Las Vegas Medical District
- Light Industrial / Research
- Planned Community Development
- Traditional Neighborhood Developr
- Downtown Redevelopment Area
- Parks/Recreation/Open Space
- Public Facility
- Public Facility - School
- Public Facility - Clark County
- Town Center
- Resource Conservation
- Downtown - Commercial
- Downtown - Mixed Use
- Not in City
- Right - of - Way

AUG 20 2008

N

GPA-29565
ZON-29566
10/09/08 PC

GPA-29565 - APPLICANT/OWNER: DIBELLA LIVING TRUST
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND PAHOR DRIVE
DECEMBER 4, 2008 PLANNING COMMISSION

09/02/08

GPA-29565 - APPLICANT/OWNER: DIBELLA LIVING TRUST
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10/29/08

Baughman & Turner, Inc.

Consulting Engineers & Land Surveyors

1210 HINSON ST. PHONE (702) 870-8771

LAS VEGAS, NEVADA 89102-1604 FAX (702) 878-2695

August 19, 2008

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

Re: APNs 162-04-101-010 and 162-04-110-001 & 002

To Whom It May Concern,

Please let this letter serve as justification for a General Plan Amendment on the above-referenced properties. The current general plan designation is "Office" and the proposed designation is "Service Commercial". The owner is proposing to develop the site as a C-1 use (flower shop). One of the three properties (APN 162-04-110-001) is already zoned C-1.

There is C-1 zoning directly adjacent to the west and across Pahor Drive to the east. University Medical Center is across Charleston Blvd. to the north.

We feel this request is consistent with the uses in the area, and the approval of this application will not have a negative effect on the neighborhood or surrounding area.

I hope this addresses the proposed request. Should you have any questions, please feel free to contact me at this office.

Sincerely,
Baughman & Turner, Inc.

David S. Turner
President

DST/aw

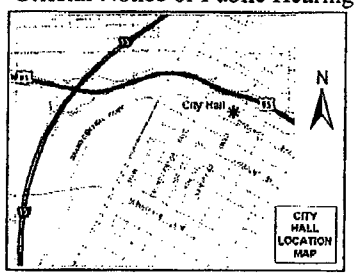
GPA-29565
10/09/08 PC

RECEIVED
CITY CLERK

2008 DEC 29 A 11:23

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-29565 & ZON-29566 & SDR-31595

City Council Meeting of 1/7/2009

LEWIS TERRY R & CAROL J
2021 EDGEWOOD AVE
LAS VEGAS NV 89102-2202

JAVD811 89102

December 4, 2008

The residents of Pahor Street have been courteous to the Dibella Flower Shop and the business they have brought to our street over the last 20 years and have extended a working relationship with them as they have had **commercial traffic on our street for business, employees and commercial vehicle traffic, and commercial disposal usage off Pahor street.**

We have been accommodating to the Dibella's as our neighbor and have not asked him to go to any expense to lessen the commercialbility to our street due to the fact he has kept a somewhat residential house appearance on his professional building site, even though it has been hard to live with the constant commercial ongoings.

This new building will be acceptable to the neighbors with 2 concessions:

1. Have a recessed landscape area facing Pahor and a 6' wall behind the landscape matching the East side of the street the length of the proposed commercial site, thus blocking the commercial view of the new parking and new building.

2. The newly proposed driveway onto Pahor street is **DIRECTLY ACROSS** from the residence at 1113 Pahor and will be a constant nuisance **and a hazard** .

   We **DO NOT WANT** commercial trucks and Vans accessing any deeper into the residential street and this should not be allowed to happen.

[illegible]

Larry & Lynn King 1113 Pahor

J E Hoover 1120 PAHOR
NO 2 STORY

John Fricko 1129 PAHOR

DAVID ESTRADA 1121 PAHOR

LARRY FERGUSON 1128 PAHOR DR

Willie R. Cherry 1140 PAHOR DR

Submitted at Planning Commission

Date 12-04-08 Item 15-17

City of Las Vegas Agenda Item No.: **97.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

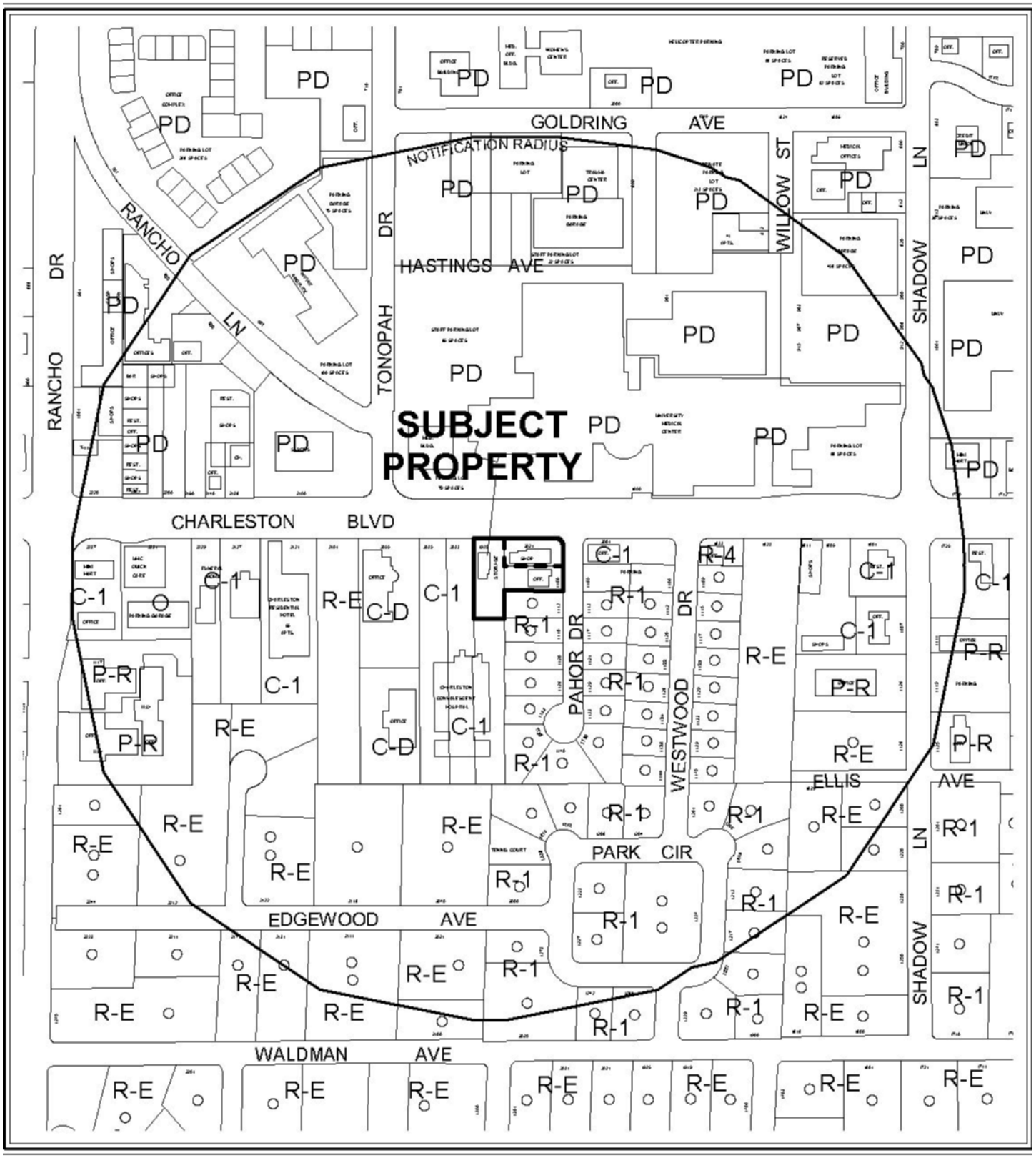
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
ZON-29566 - REZONING - RELATED TO GPA-29565 - PUBLIC HEARING - APPLICANT/OWNER: DIBELLA LIVING TRUST - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 0.76 acres at the southwest corner of Charleston Boulevard and Pahor Drive (APN 162-04-110-002 and 162-04-101-010), Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**2**
City Council Meeting	**0**	**City Council Meeting**	**1**

RECOMMENDATION:
Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcard
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 16



0 300 600 Feet

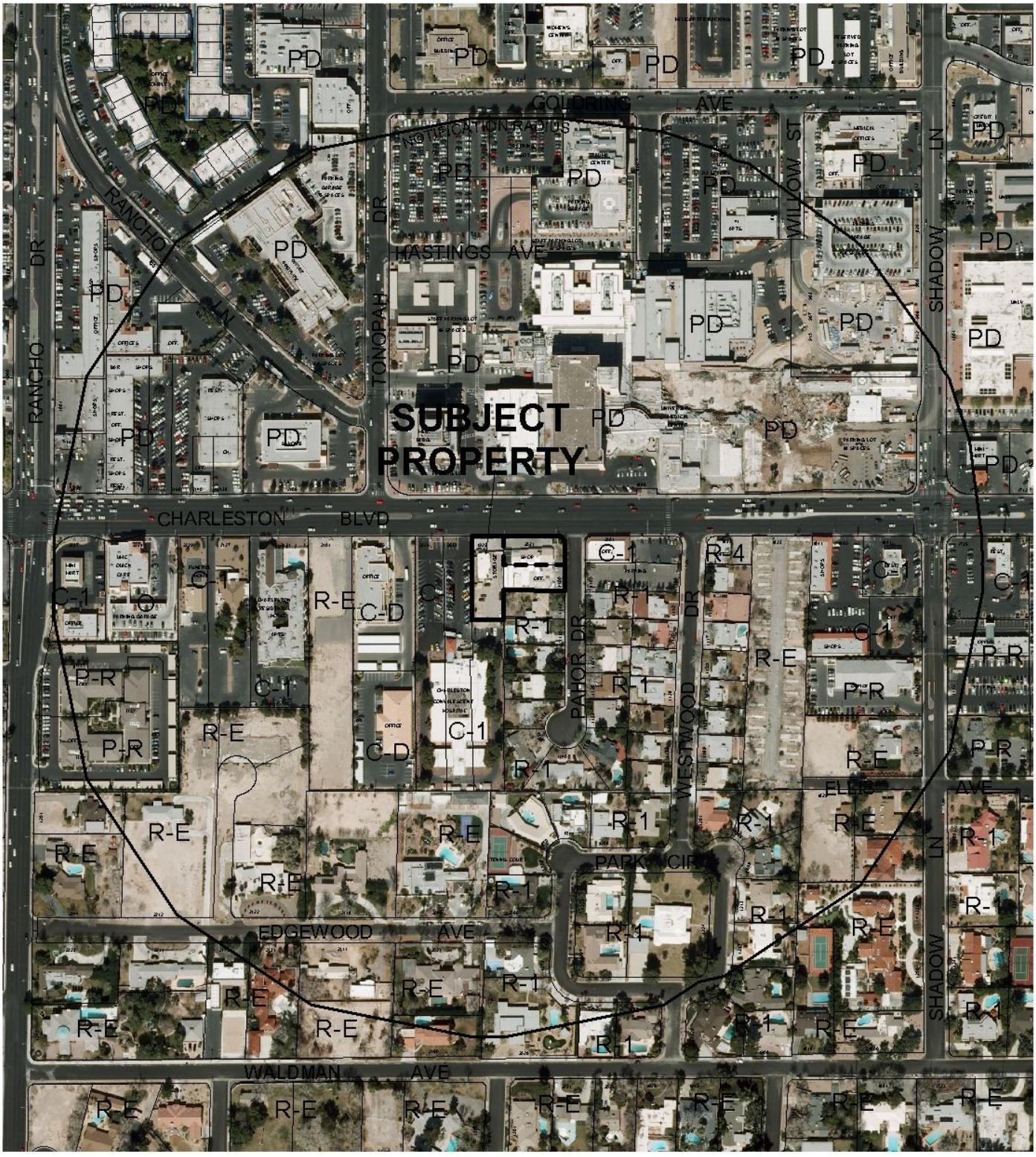
CASE: **ZON-29566**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

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

N



0 300 600 Feet

CASE: **ZON-29566**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-29566 - APPLICANT/OWNER: DIBELLA LIVING TRUST

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

** STAFF REPORT **

PROJECT DESCRIPTION

This application is a request for Rezoning of 0.55 acres from R-1 (Single Family Residential) and P-R (Professional Office and Parking) to C-1 (Limited Commercial) on 0.76 acres at the southwest corner of Charleston Boulevard and Pahor Drive. The site consists of three parcels used for a floral shop, office, and storage. Two of the subject parcels are to be rezoned, while the third parcel has an existing zoning of C-1 (Limited Commercial).

A General Plan Amendment (GPA-29565) to amend a portion of the Southeast Sector Plan of the General Plan from the O (Office) land use designation to a SC (Service Commercial) land use designation and a Site Development Plan Review (SDR-31595) for a 5,105 square-foot Retail Development with Waivers of the Building Placement and Orientation Standards, to allow a five-foot landscape buffer along a portion of the east perimeter and to allow a four-foot landscape buffer along the west perimeter where eight feet is required have been submitted as companion items to this application. Staff is recommending denial of this Rezoning request as it is an inappropriate zoning district for the area, pursuant to the land use strategy denoted by the Rancho Charleston Land use Study.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
09/16/64	The Board of City Commissioners denied a request to Reclassify property (Z-0037-63) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at the southwest corner of West Charleston Boulevard and Pahor Drive. The Planning Commission recommended approval of this request.
01/20/65	The Board of City Commissioners denied a request to Reclassify property (Z-0092-64) generally located on the south side of West Charleston Boulevard between Rancho Road and Pahor Drive from R-E (Residence Estates) to C-1 (Limited Commercial). The Planning Commission recommended denial of this request.
07/03/74	The Board of City Commissioners approved a request to Reclassify property (Z-0022-74) generally located on the south side of Charleston Boulevard between Pahor Drive and Rancho Road from R-E (Residence Estates) to C-1 (Limited Commercial) and R-1 (Single Family Residential). The Planning Commission recommended approval of this request.
09/05/84	The City Council approved a request to Reclassify property (Z-0058-84) from R-1 (Single Family Residential) to C-1 (Limited Commercial), located at 2021 West Charleston Boulevard for a proposed Floral Shop. The Planning Commission recommended and staff recommended approval of this request.

12/07/88	The City Council approved a request to Reclassify property (Z-0115-88) from R-1 (Single Family Residential) to C-1 (Limited Commercial) located at the west side of Pahor Drive, south of Charleston Boulevard for a proposed Office and Storage Facility for a Floral Shop. The Planning Commission and staff recommended approval of this request.
02/23/89	The Board of Zoning Adjustments approved a request for a Variance (V-0009-89) to allow storage for an existing flower shop on the adjoining property to the north (1106 Pahor Drive), where commercial storage is not permitted. Staff recommended denial of this request.
11/07/02	The Planning Commission approved a request for a Site Development Plan Review (SDR-1014) and a reduction of the on-site perimeter landscape requirements for a proposed restaurant at 7185 West Charleston Boulevard. Staff recommended approval of this request.
10/09/08	The Planning Commission approved a request to hold in Abeyance a request for Rezoning (ZON-29566) from R-1 (Single Family Residential) and P-R (Professional Office and Parking) to C-1 (Limited Commercial) and a General Plan Amendment (GPA-29565) to amend a portion of the Southeast Sector Plan of the General Plan from O (Office) to SC (Service Commercial) to allow the applicant time to prepare an associated Site Development Plan Review application.
12/04/08	The Planning Commission recommended approval of companion items GPA-29565 and SDR-31595 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #16/dc).
Related Building Permits/Business Licenses	
01/01/51	A business license (F04-00065) was issued for a florist at 2021 West Charleston Boulevard. The license is still active.
09/26/90	A building permit (#90083963) was issued for an illuminated pylon sign at 2021 West Charleston Boulevard. The project was completed on 11/27/90.
01/23/96	A business license (N06-00318) was issued for an administrative office at 1106 Pahor Drive. The license is still active.
01/26/96	A business license (L33-00039) was issued for lawn maintenance at 2021 West Charleston Boulevard. The license is still active.
12/17/04	A business license (M18-03076) was issued to a consulting firm at 2021 West Charleston Boulevard. The license was marked out of business on 11/02/06.
Pre-Application Meeting	
08/06/08	A pre-application meeting was held with the applicant to discuss Title 19 and Rezoning submittal requirements.

Neighborhood Meeting	
09/09/08	A neighborhood meeting was held on Tuesday, September 9, 2008 at 6:00 p.m. at Las Vegas Lodge #1468 located at 4100 West Charleston Boulevard, Las Vegas, Nevada 89102. The applicant gave a brief description of the proposed change in land use designation, rezoning and future plans for the site. Members of the public had the following questions and concerns relative to the applications: • Residents had concerns about the height of the structure to be built on the site. The applicant responded that the proposed building will be no more than two stories in height, and that a Site Development Plan Review (SDR) application will be filed once the General Plan Amendment and Zoning applications are approved. • Residents requested clarification about the boundaries of the proposed land use change and rezoning. The applicant confirmed that the applications pertain solely to the parcels where the current business/structures are located. • Concerns were expressed that the applicant would "flip" the property upon receiving entitlements. • Concerns were expressed about commercial traffic on Pahor Drive. The applicant explained that the principal access to the property was from Charleston Boulevard, and the driveway on Pahor Drive was only to be used by his own delivery trucks.
Field Check	
09/02/08	A field check of the subject area was performed, where it is noted that the overall appearance of the business was neat and clean.
Details of Application Request	

Site Area	
Gross Acres	0.76

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Flower Shop	O (Office)	C-1 (Limited Commercial)
North	Hospital and Medical Offices	UMC (Las Vegas Medical District)	PD (Planned Development)
South	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
East	Office	O (Office)	C-1 (Limited Commercial)
	Parking	O (Office)	R-1 (Single Family Residential)
West	Convalescent Homes	O (Office)	C-1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan	X		
Rancho Charleston Land Use Study	X		N*
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District (200 feet)	X		Y**
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

* The proposed Rezoning (ZON-29566) to C-1 (Limited Commercial) and General Plan Amendment (GPA-29565) from O (Office) to SC (Service Commercial) is not in conformance with the land use goals and strategies identified within the Rancho Charleston Land Use Study.

** The subject site is within the 200-foot contour limitation and does not exceed the height limitations, and is therefore in compliance with the Airport Overlay District.

ANALYSIS

This is a request for a Rezoning of property from R-1 (Single Family Residential) and P-R (Professional Office and Parking) to C-1 (Limited Commercial). The C-1 (Limited Commercial) zoning district is intended to provide most retail and personal services, and may be appropriate for mixed-use development. This district should be confined to the intersections of primary and secondary thoroughfares along major retail corridors.

There is an affiliated application, General Plan Amendment (GPA-29565), proposing to change the current land use designation of O (Office) to SC (Service Commercial). The subject parcels are designated O (Office) on the Southeast Sector Plan Map of the General Plan and on the Rancho Charleston Land Use Study Map. The Office category allows for small lot office conversions as a transition, along primary and secondary streets, from residential and commercial uses, and for large planned office areas. Permitted uses include business, professional, and financial offices as well as offices for individuals, civic, social, fraternal, and other non-profit organizations.

The Rezoning of this property is not compatible with the surrounding areas. The Rancho Charleston Land Use Study was initiated to address the concerns of those families residing in the older, more established neighborhoods. It helped to preserve the quality, character, and style of existing neighborhoods by adding a buffer from the impacts of non-residential uses to the single-family dwellings in the surrounding areas.

Additionally, if the C-1 (Limited Commercial) zoning district is approved for the subject properties, the development standards for allowable uses and building height will increase significantly. Within the existing O (Office) zoning district, which is in conformance with the existing General Plan land use designation, the maximum building height allowed for the proposed parcel would remain at 35 feet. Within the proposed C-1 (Limited Commercial) zoning district the maximum building height allowed increases to ten stories or 150 feet, whichever is less, on the subject property. The uses permitted within the existing O (Office) zoning district include medical or dental offices, business offices, copy centers, small restaurants and other similar professional uses. The uses permitted in the proposed C-1 (Limited Commercial) zoning district include all General Retail uses, Smog Check facilities, Wedding Chapels, Restaurants with Drive-Through uses, Service Stations, Self Service Laundries, Clinics, Emergency Ambulatory Services and other similarly intense uses. Therefore, staff is recommending denial of this request, along with the affiliated General Plan Amendment (GPA-29565).

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **"The proposal conforms to the General Plan."**

   The applicant has submitted a General Plan Amendment (GPA-29565) to amend the current O (Office) General Plan designation to SC (Service Commercial) to allow low to medium intensity retail, office, or other commercial uses that primarily serve local area patrons. The Rezoning of the subject sites from R-1 (Single Family Residential) and P-R (Professional Office and Parking) to C-1 (Limited Commercial) does not conform to the current General Plan designation. If the proposed General Plan Amendment (GPA-29565) is approved, the proposed zoning will conform to the General Plan. However, the Rancho Charleston Land Use Study deemed this site O (Office) and the proposed General Plan Amendment (GPA-29565) would contradict the intent of this study.

2. **"The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."**

   Although the requested C-1 (Limited Commercial) zoning district is the appropriate zoning district for the requested SC (Service Commercial) General Plan Land Use designation, this zoning district is incompatible with the surrounding residentially zoned properties and with the Rancho Charleston Land Use Study.

3. **"Growth and development factors in the community indicate the need for or appropriateness of the rezoning."**

Growth and development factors in the community do not indicate the need for the Rezoning, nor its appropriateness. The subject sites are designated O (Office) by the Las Vegas 2020 Master Plan and Rancho Charleston Land Use Study in order to provide a transition along primary and secondary streets from residential to commercial uses. The subject site provides this transition for the R-1 (Single Family Residential) and P-R (Professional Office and Parking) zones properties to the east, west and south, and the PD (Planned Development) zoned properties to the north.

4. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."**

Adequate access to the site is provided by Charleston Boulevard, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. Pahor Drive, a 51-foot Local Street as designated by the Master Plan of Streets and Highways, provides secondary access to the subject site. Rezoning the properties to a C-1 (Limited Commercial) zoning district will intensify the land use and vehicular traffic.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 10

SENATE DISTRICT 9

NOTICES MAILED 86 by City Clerk

APPROVALS 2

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-29566 APN: 162-04-110-002 & ~~010~~ 9 162-04-101-010

Name of Property Owner: Dibella Living Trust

Name of Applicant: John Dibella

Name of Representative: Baughman & Turner Inc.

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: John M DiBella

Print Name: John M. DiBella

Subscribed and sworn before me

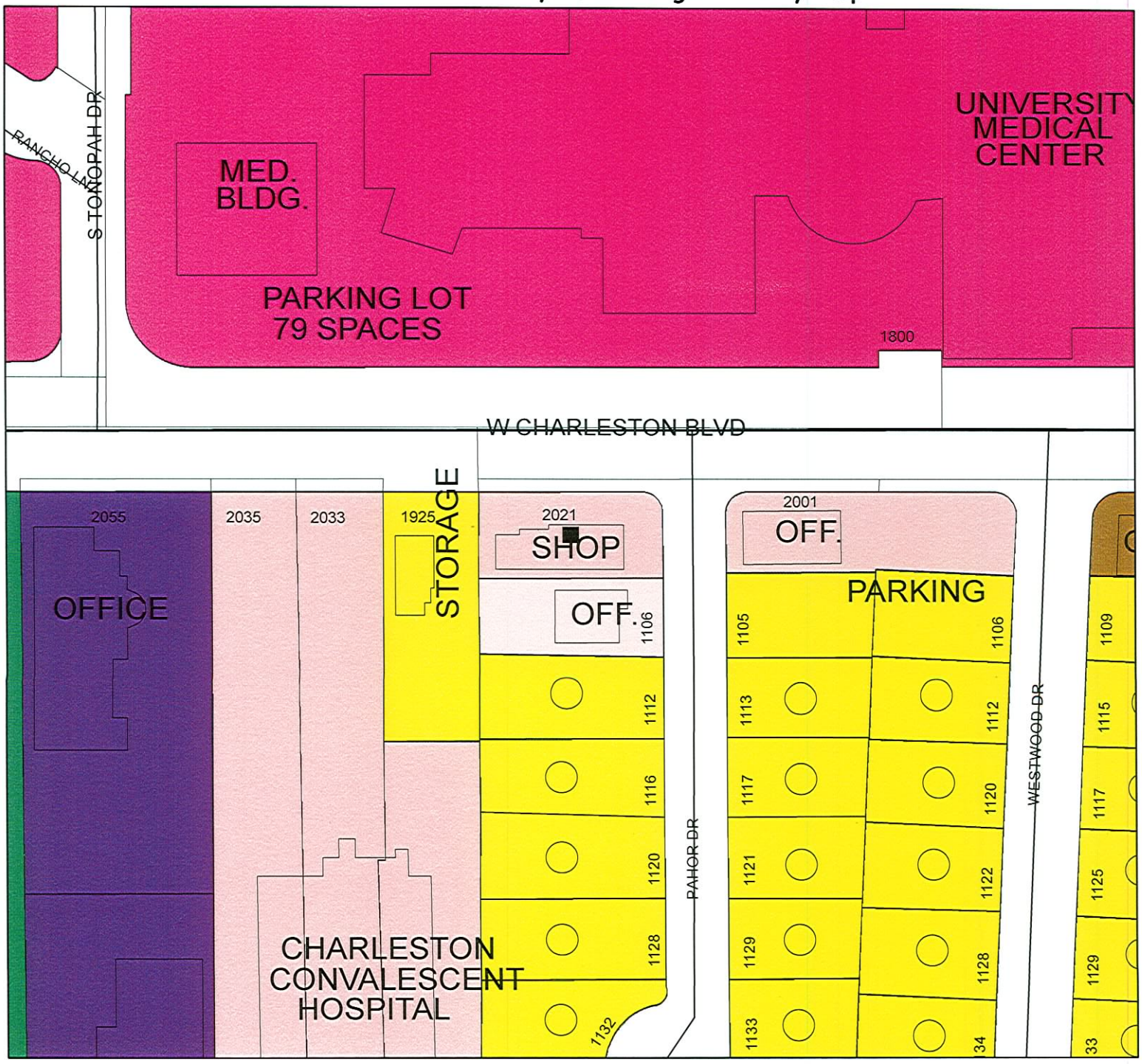
This 12th day of August, 2008

Carole Levy

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
CAROLE LEVY
My Appointment Expires
August 7, 2010
No: 02-77162-1

City of Las Vegas Vicinity Map



Zoning Designations

- U
- R-A
- R-E
- R-D
- R-PD
- R-1
- R-MH
- R-CL
- R-2
- R-3
- R-4
- R-5
- R-MHP
- P-R
- N-S
- O
- C-D
- C-1
- C-2
- C-M
- M
- C-V
- C-PB
- P-C
- PD
- T-D
- TC

GPA-29565
ZON-29566
10/09/08 PC

RECEIVED
AUG 20 2008
CITY CLERK

N

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Consulting Engineers & Land Surveyors

1210 HINSON ST. PHONE (702) 870-8771

LAS VEGAS, NEVADA 89102-1604 FAX (702) 878-2695

August 19, 2008

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

Re: APNs 162-04-101-010 and 162-04-110-002

To Whom It May Concern,

Please let this letter serve as justification for Re-Zoning on the above-referenced properties. The zoning classification we are requesting is C-1. APN 162-04-101-010 is currently zoned R-1 and APN 162-04-110-002 is zoned P-R. The intention is to join the above-referenced parcels with APN 162-04-110-001 (currently zoned C-1) for the development of a flower shop.

There is C-1 zoning directly adjacent to the west and across Pahor Drive to the east. University Medical Center is across Charleston Blvd. to the north.

We feel this request is consistent with the uses in the area, and the approval of this application will not have a negative effect on the neighborhood or surrounding area.

I hope this addresses the proposed request. Should you have any questions, please feel free to contact me at this office.

Sincerely,
Baughman & Turner, Inc.

David S. Turner
President

DST/aw

RECEIVED
AUG 20 2008

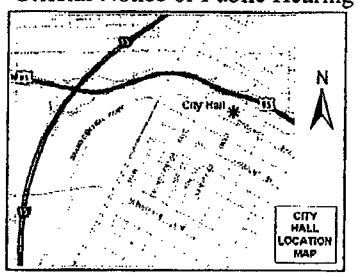
ZON-29566
10/09/08 PC

RECEIVED
CITY CLERK

2008 DEC 29 A 11:23

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-29565 & ZON-29566 & SDR-31595

City Council Meeting of 1/7/2009

LEWIS TERRY R & CAROL J
2021 EDGEWOOD AVE
LAS VEGAS NV 89102-2202

JAVD811 89102

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

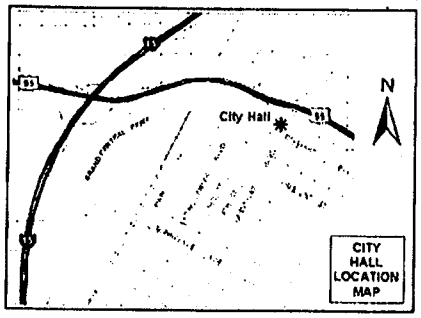
PRESORTED FIRST CLASS

UNITED STATES POSTAGE

$ 00.394

MAILED FROM ZIP CODE

Return Service Requested
Official Notice of Public Hearing



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DEC 03 2008

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

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GPA-29565 & ZON-29566 & SDR-31595

Planning Commission Meeting of 12/4/2008

Case: GPA-29565
16204113001
VANHAVERBEKE C JOSEPH TR NO II
800 NW 6TH AVE #200
PORTLAND OR 97209-3783

Commercial w/ Parking, Lights will Definitly Affect The Back of This Project Relating to The Residential Adjacent

IAVDS11 97209

Submitted after final agenda
Date P Item 15-17

Submitted after final agenda
Date 12/3/08 Item 15-17

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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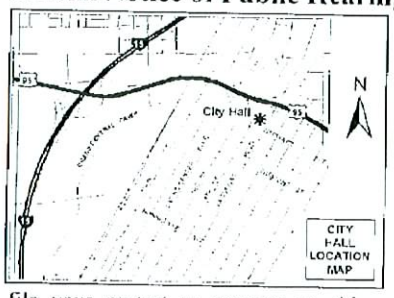

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SEP 29 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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Case: GPA-29565

16204102006
LEWIS TERRY R & CAROL J
2021 EDGEWOOD AVE
LAS VEGAS NV 89102-2202

☒ I SUPPORT this Request ☐ I OPPOSE this Request

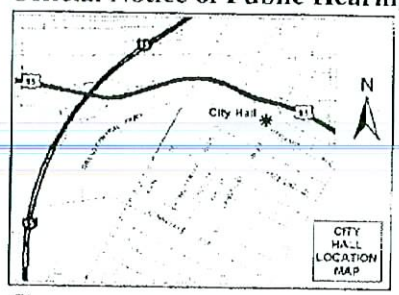
Please use available blank space on card for your comments.

GPA-29565 & ZON-29566
Planning Commission Meeting of 10/9/2008

#20-21
A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



RECEIVED
NOV 25 2008

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Case: GPA-29565

16204102006
LEWIS TERRY R & CAROL J
2021 EDGEWOOD AVE
LAS VEGAS NV 89102-2202

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GPA-29565 & ZON-29566 & SDR-31595
Planning Commission Meeting of 12/4/2008

#15-17
A

December 4, 2008

The residents of Pahor Street have been courteous to the Dibella Flower Shop and the business they have brought to our street over the last 20 years and have extended a working relationship with them as they have had **commercial traffic on our street for business, employees and commercial vehicle traffic, and commercial disposal usage off Pahor street.**

We have been accommodating to the Dibella's as our neighbor and have not asked him to go to any expense to lessen the commercialbility to our street due to the fact he has kept a somewhat residential house appearance on his professional building site, even though it has been hard to live with the constant commercial ongoings.

This new building will be acceptable to the neighbors with 2 concessions:

1. Have a recessed landscape area facing Pahor and a 6' wall behind the landscape matching the East side of the street the length of the proposed commercial site, thus blocking the commercial view of the new parking and new building.

2. The newly proposed driveway onto Pahor street is **DIRECTLY ACROSS** from the residence at 1113 Pahor and will be a constant nuisance **and a hazard** .

   We **DO NOT WANT** commercial trucks and Vans accessing any deeper into the residential street and this should not be allowed to happen.

[illegible]

Larry & Lynn King 1113 Pahor

J E Hoover 1120 PAHOR
NO 2 STORY

John Fricko 1129 PAHOR

DAVID ESTRADA 1121 PAHOR

LARRY FERGUSON 1128 PAHOR DR

Willie R. Cherry 1140 PAHOR DR

Submitted at Planning Commission

Date 12-04-08 Item 15-17

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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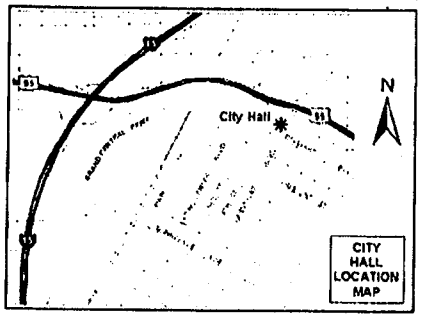

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GPA-29565 & ZON-29566 & SDR-31595

Planning Commission Meeting of 12/4/2008

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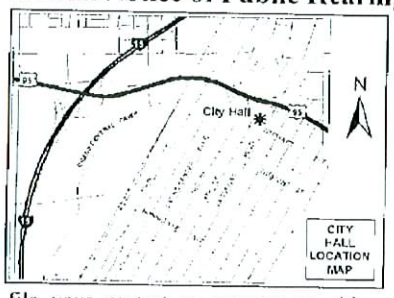

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Case: GPA-29565

16204102006
LEWIS TERRY R & CAROL J
2021 EDGEWOOD AVE
LAS VEGAS NV 89102-2202

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GPA-29565 & ZON-29566
Planning Commission Meeting of 10/9/2008

#20-21
A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
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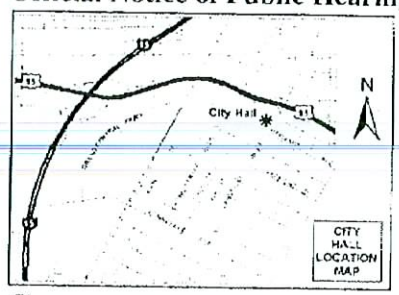

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Case: GPA-29565

16204102006
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Please use available blank space on card for your comments.

GPA-29565 & ZON-29566 & SDR-31595
Planning Commission Meeting of 12/4/2008

#15-17
A

City of Las Vegas Agenda Item No.: **98.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:

SDR-31595 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-29565 AND ZON-29566 - PUBLIC HEARING - APPLICANT/OWNER: DIBELLA LIVING TRUST - Request for a Site Development Plan Review FOR A 5,105 SQUARE-FOOT RETAIL DEVELOPMENT WITH WAIVERS OF THE BUILDING PLACEMENT AND ORIENTATION STANDARDS, TO ALLOW A FIVE-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE EAST PERIMETER AND TO ALLOW A FOUR-FOOT LANDSCAPE BUFFER ALONG THE WEST PERIMETER WHERE EIGHT FEET IS REQUIRED on 0.76 acres at the southwest corner of Charleston Boulevard and Pahor Drive (APN 162-04-110-001, 002 and 162-04-101-010), R-1 (Single Family Residential), P-R (Professional Office and Parking) and C-1 (Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial)], Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

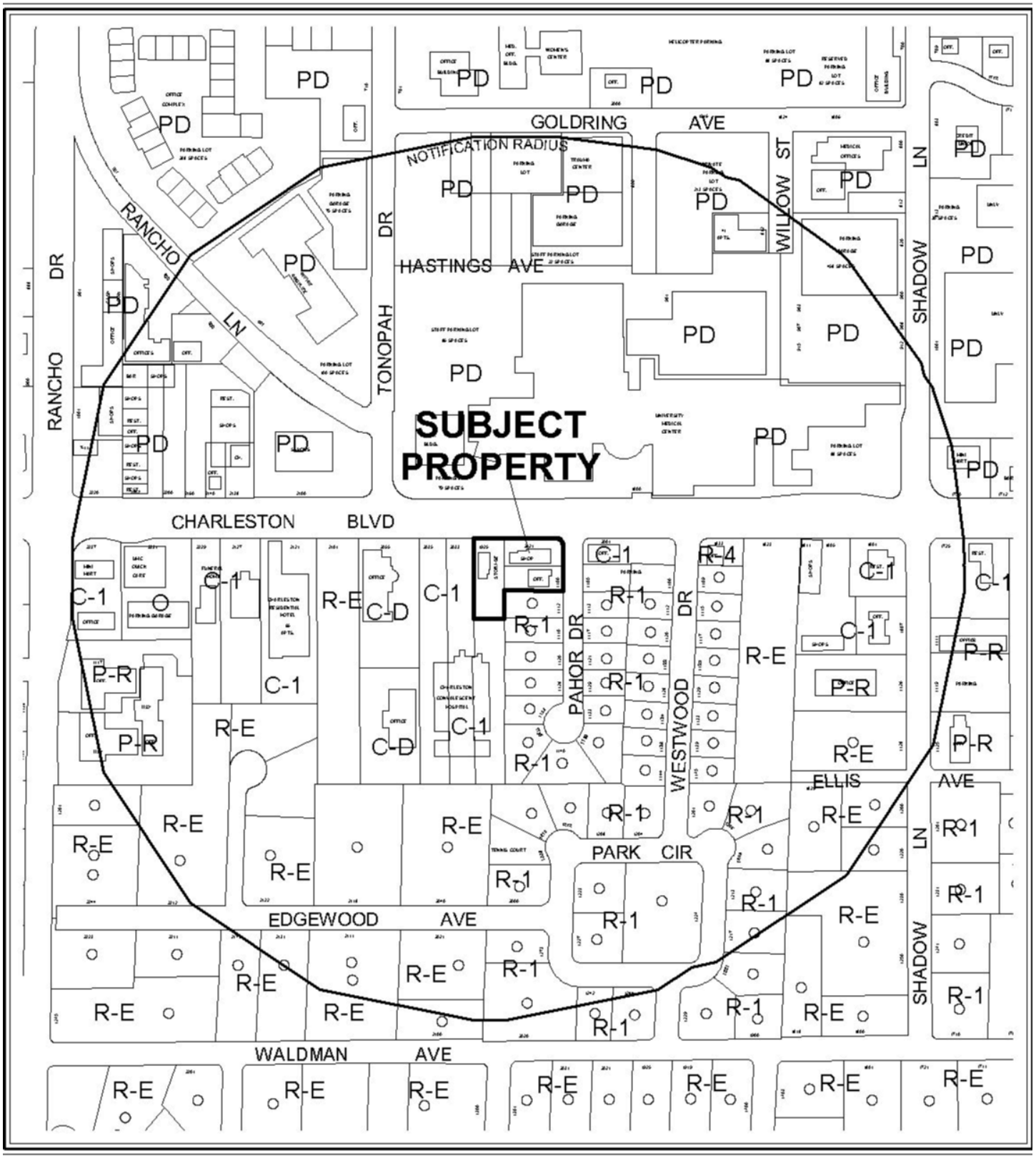
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**1**

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcard
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 17



0 300 600 Feet

CASE: **SDR-31595**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-1 (SINGLE FAMILY RESIDENTIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING)

PROPOSED ZONING OF SUBJECT PROPERTY:

C-1 (LIMITED COMMERCIAL)

N

0 300 600 Feet

CASE: **SDR-31595**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-1 (SINGLE FAMILY RESIDENTIAL) AND P-R (PROFESSIONAL OFFICE AND PARKING)

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

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-31595 - APPLICANT/OWNER: DIBELLA LIVING TRUST

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. A gate shall be provided on Pahor Drive that meets approval by the Department of Fire and Rescue. The gate shall be closed and secured between the hours of 7:00 p.m. to 6:00 a.m.

2. The landscaping along Pahor Drive will be twice the density of the City's normal standards.

3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. 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, landscape plan, and building elevations, date stamped 10/30/08, except as amended by conditions herein.

5. A Waiver from Title 19.12.040(A) is hereby approved to allow a four-foot wide landscape buffer along the west property line where eight feet is required.

6. A Waiver from Title 19.12.040(A) is hereby approved to allow a five-foot wide landscape buffer along a portion of the east property line where eight feet is required.

7. A Waiver from Title 19.08.050(D)(2) is hereby approved, to allow the building to be offset from the front and corner side setback.

8. 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. The technical landscape plan shall include the following changes from the conceptual landscape plan: Provide a minimum of one, 24-inch box shade tree and four, five-gallon shrubs per parking lot landscape island in accordance with the requirements of Title 19.10.010(J)(11); The landscape plan shall be revised to reflect palm tree heights of 15 feet minimum within required landscape buffers.

9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

10. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).

11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

13. 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.

14. 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.

15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

16. Submit a Reversionary Map for this site or coordinate with the City Surveyor to determine an acceptable mapping method; comply with the recommendations of the City Surveyor.

17. Dedicate an additional 10 feet of right-of-way for a total radius of 25 feet on the southwest corner of Charleston Boulevard and Pahor Drive prior to the issuance of any permits.

18. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

19. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.

20. Landscape and maintain all unimproved rights-of-way, if any, on Charleston Boulevard and Pahor Drive adjacent to this site.

21. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.

22. Submit an Encroachment Agreement for all landscaping, if any, located in the Pahor Drive public right-of-way adjacent to this site prior to occupancy of this site.

23. Submit an application to the Land Development section of the Department of Public Works for a deviation from Standard Drawing #222a for the driveway accessing this site from Charleston Boulevard.

24. Contact the City Engineer's Office at 229-6272 to coordinate the development of this project with the ITS Communication Infrastructure Phase 1B project and any other public improvement projects adjacent to this site. Comply with the recommendations of the City Engineer.

25. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

26. Meet with the Flood Control Section of the Department of Public Works for assistance

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 5,105 square-foot Retail Development with Waivers of the Building Placement and Orientation Standards and the Landscape Buffering Standards, to allow a five-foot landscape buffer along a portion of the east perimeter and to allow a four-foot landscape buffer along the west perimeter where eight feet is required on 0.76 acres at the southwest corner of Charleston Boulevard and Pahor Drive.

In addition to this application, the applicant has submitted a request for a General Plan Amendment (GPA-29565) to amend a portion of the Southeast Sector Plan of the General Plan from O (Office) to SC (Service Commercial) and a Rezoning (ZON-29566) of 0.55 acres from R-1 (Single Family Residential) and P-R (Professional Office and Parking) to C-1 (Limited Commercial). The proposed General Plan Amendment (GPA-29565) and Rezoning (ZON-29566) are inconsistent with the surrounding land uses and single-family residences to the south of the subject property. Additionally, the Waivers requested indicate the proposed development is too intense for the subject location; therefore, staff recommends denial of this request.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
09/16/64	The Board of City Commissioners denied a request to Reclassify property (Z-0037-63) from R-1 (Single Family Residential) to P-R (Professional Office and Parking) at the southwest corner of West Charleston Boulevard and Pahor Drive. The Planning Commission recommended approval of this request.
01/20/65	The Board of City Commissioners denied a request to Reclassify property (Z-0092-64) generally located on the south side of West Charleston Boulevard between Rancho Road and Pahor Drive from R-E (Residence Estates) to C-1 (Limited Commercial). The Planning Commission recommended denial of this request.
07/03/74	The Board of City Commissioners approved a request to Reclassify property (Z-0022-74) generally located on the south side of Charleston Boulevard between Pahor Drive and Rancho Road from R-E (Residence Estates) to C-1 (Limited Commercial) and R-1 (Single Family Residential). The Planning Commission recommended approval of this request.
09/05/84	The City Council approved a request to Reclassify property (Z-0058-84) from R-1 (Single Family Residential) to C-1 (Limited Commercial), located at 2021 West Charleston Boulevard for a proposed Floral Shop. The Planning Commission recommended and staff recommended approval of this request.

12/07/88	The City Council approved a request to Reclassify property (Z-0115-88) from R-1 (Single Family Residential) to C-1 (Limited Commercial) located at the west side of Pahor Drive, south of Charleston Boulevard for a proposed Office and Storage Facility for a Floral Shop. The Planning Commission and staff recommended approval of this request.
02/23/89	The Board of Zoning Adjustments approved a request for a Variance (V-0009-89) to allow storage for an existing flower shop on the adjoining property to the north (1106 Pahor Drive), where commercial storage is not permitted. Staff recommended denial of this request.
11/07/02	The Planning Commission approved a request for a Site Development Plan Review (SDR-1014) and a reduction of the on-site perimeter landscape requirements for a proposed restaurant at 7185 West Charleston Boulevard. Staff recommended approval of this request.
10/09/08	The Planning Commission approved a request to hold in Abeyance a request for Rezoning (ZON-29566) from R-1 (Single Family Residential) and P-R (Professional Office and Parking) to C-1 (Limited Commercial) and a General Plan Amendment (GPA-29565) to amend a portion of the Southeast Sector Plan of the General Plan from O (Office) to SC (Service Commercial) to allow the applicant time to prepare an associated Site Development Plan Review application.
12/04/08	The Planning Commission recommended approval of companion items GPA-29565 and ZON-29566 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #17/dc).
Related Building Permits/Business Licenses	
01/01/51	A business license (F04-00065) was issued for a florist at 2021 West Charleston Boulevard. The license is still active.
09/26/90	A building permit (#90083963) was issued for an illuminated pylon sign at 2021 West Charleston Boulevard. The project was completed on 11/27/90.
01/23/96	A business license (N06-00318) was issued for an administrative office at 1106 Pahor Drive. The license is still active.
01/26/96	A business license (L33-00039) was issued for lawn maintenance at 2021 West Charleston Boulevard. The license is still active.
12/17/04	A business license (M18-03076) was issued to a consulting firm at 2021 West Charleston Boulevard. The license was discontinued on 11/02/06.
Pre-Application Meeting	
08/06/08	A pre-application meeting was held with the applicant to discuss Title 19 and Rezoning submittal requirements.

Neighborhood Meeting	
09/09/08	A neighborhood meeting was held on Tuesday, September 9, 2008 at 6:00 p.m. at Las Vegas Lodge #1468 located at 4100 West Charleston Boulevard, Las Vegas, Nevada 89102. The applicant gave a brief description of the proposed change in land use designation, rezoning and future plans for the site. Members of the public had the following questions and concerns relative to the applications: • Residents had concerns about the height of the structure to be built on the site. The applicant responded that the proposed building will be no more than two stories in height, and that a Site Development Plan Review (SDR) application will be filed once the General Plan Amendment and Zoning applications are approved. • Residents requested clarification about the boundaries of the proposed land use change and rezoning. The applicant confirmed that the applications pertain solely to the parcels where the current business/structures are located. • Concerns were expressed that the applicant would "flip" the property upon receiving entitlements. • Concerns were expressed about commercial traffic on Pahor Drive. The applicant explained that the principal access to the property was from Charleston Boulevard, and the driveway on Pahor Drive was only to be used by his own delivery trucks.
Field Check	
09/02/08	A field check of the subject area was performed, where it is noted that the overall appearance of the business was neat and clean.
Details of Application Request	
Site Area	
Gross Acres	0.78

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Flower Shop	O (Office)	C-1 (Limited Commercial)
North	Hospital and Medical Offices	UMC (Las Vegas Medical District)	PD (Planned Development)
South	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
East	Office	O (Office)	C-1 (Limited Commercial)
	Parking	O (Office)	R-1 (Single Family Residential)
West	Convalescent Homes	O (Office)	C-1 (Limited Commercial)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan	X		
Rancho Charleston Land Use Study	X		N*
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District (200 feet)	X		Y**
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

* The proposed Rezoning (ZON-29566) to C-1 (Limited Commercial) and General Plan Amendment (GPA-29565) from O (Office) to SC (Service Commercial) is not in conformance with the land use goals and strategies identified within the Rancho Charleston Land Use Study.

** The subject site is within the 200-foot contour limitation and does not exceed the height limitations, and is therefore in compliance with the Airport Overlay District.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	N/A	32,981 SF	N/A
Min. Lot Width	100 Feet	132 Feet	Y
Min. Setbacks			
• Front	20 Feet	44 Feet	Y
• Side	10 Feet	57 Feet	Y
• Corner	15 Feet	15 Feet	Y
• Rear	20 Feet	33 Feet	Y
Max. Lot Coverage	50%	20.74%	Y
Max. Building Height	N/A	15 Feet	Y
Trash Enclosure	Screened, Enclosed	Screened, Enclosed	Y
Mech. Equipment	Screened	Not Indicated	N*

* The elevations submitted do not indicate if any rooftop mechanical equipment will be located on the roof. A condition has been added requiring all rooftop mechanical equipment, if any, to be screened in views from the abutting streets.

Pursuant to Title 19.08.060, the following standards apply:

Residential Adjacency Standards	*Required/Allowed*	*Provided*	*Compliance*
Building Height	15 Feet	15 Feet	Y
Trash Enclosure	50 Feet	51 Feet	Y

Pursuant to Title 19.12, the following standards apply:

Landscaping and Open Space Standards				
Standards	***Required***		***Provided***	***Compliance***
	Ratio	***Trees***		
Parking Area	1 Tree/6 Spaces	6 Trees	0 Trees	N*
Buffer: Min. Trees (North, South & East Perimeters) (West Perimeter)	1 Tree/20 Linear Feet 1 Tree/30 Linear Feet	29 Trees 7 Trees	29 Trees 7 Trees	Y Y
TOTAL			36 Trees	N*
Min. Zone Width (Adj. to R.O.W.) (All other areas)	15 Feet 8 Feet		15 Feet 4 Feet	Y N**
Wall Height	6-8 Feet		6 Feet	Y

* The landscape plans submitted do not indicate trees provided within the parking lot landscape islands. A condition has been added requiring the applicant to provide trees within the parking lot landscape islands in accordance with Title 19.10.010(J)(11).

** The applicant has requested a Waiver to allow a five-foot landscape buffer along a portion of the east perimeter and to allow a four-foot landscape buffer along the west perimeter.

Pursuant to Title 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	
General Personal Service	5,105 SF	1 / 250 SF	20	1	29	2	
TOTAL			21		31		Y
Loading Spaces			1		1		Y

Waivers		
Request	**Requirement**	**Staff Recommendation**
To allow a five-foot landscape buffer along a portion of the east perimeter	Eight-foot landscape buffer	Denial
To allow a four-foot landscape buffer along the west perimeter	Eight-foot landscape buffer	Denial
To allow the building to be setback from the corner side and front setback line	Buildings on corner lots should be oriented toward the corner and to the street fronts	Denial

ANALYSIS

- **Land Use and Zoning**

  The subject site is located within the Southeast Sector of the General Plan with a land use designation of O (Office). A proposed General Plan Amendment (GPA-29565), if approved, would allow a SC (Service Commercial) land use designation. The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services. The Service Commercial category may also allow mixed-use development with a residential component where appropriate.

  There is a request for a Rezoning (ZON-29566) from R-1 (Single Family Residential) and P-R (Professional Office and Parking) to C-1 (Limited Commercial). The C-1 (Limited Commercial) district is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) district is consistent with the Service Commercial and the Neighborhood Center categories of the General Plan.

  With approval of the proposed Rezoning (ZON-29566) to the C-1 (Limited Commercial) zoning district, the proposed General Personal Service use associated with this development will be permissible.

- **Site Plan**

  The site is located at the southwest corner of Charleston Boulevard and Pahor Drive. The site plan indicates a proposed single-story, 5,105 square-foot building will be located on the property, setback approximately 44 feet from Charleston Boulevard. The applicant has requested a Waiver of the Building Placement and Orientation Standards to allow the building to be setback from the street frontage in order to meet the parking requirements of Title 19.04.010. The applicant is providing 31 total parking spaces where 21 are required; 29 standard and two handicapped van-accessible parking spaces will be provided on site, in addition to one loading zone per Title 19.10.020 standards. Parking will be provided along the western perimeter of the site, along the north face of the proposed building and along a portion of the east perimeter of the parcel.

  Access to the site will be provided from one 32-foot wide driveway fronting Charleston Boulevard and one 24-foot driveway fronting Pahor Drive. The proposed driveway accessing Pahor Drive will be the only commercial driveway in the vicinity accessing a residential street. The commercial traffic which will be generated by this use will have a negative impact on the single-family homes to the south, which currently utilize Pahor Drive as the only means of ingress/egress to the existing neighborhood.

- **Landscape Plan**

  The landscape plan submitted depicts a 15-foot landscape buffer along Charleston Boulevard and Pahor Drive and an eight-foot landscape buffer along the south perimeter. The applicant has requested a Wiaver to allow a five-foot landscape buffer along a portion of the east perimeter adjacent to an existing single-family home and a four-foot landscape buffer along the west perimeter adjacent to an existing commercial property. The requested Waivers have not been justified as the applicant provides 10 parking spaces in excess of Title 19.04 requirements; a revised site design could accommodate the requirements set forth by Title 19.

  Landscape material has been provided within the buffer zones which meet the requirements of Title 19.12, by providing a total of 36 trees where 36 trees are required. The plans indicate the plant material will consist of 24-inch box Phoenix Date Palms, with no height specified. Title 19.12.040 requires the minimum height of palms within the landscape buffers to be 15 feet in height. A condition has been added requiring the applicant to provide minimum 15-foot high palm trees within the landscape buffers. A total of 185 five-gallon shrubs will be provided on site; however, staff notes that the species indicated on the landscape plan are typically slow growing low shrubs, which will not provide a solid buffer or screen.

The applicant has provided a 24-inch tall landscape berm fronting Charleston Boulevard and Pahor Drive, which conforms to the required Title 19.10 parking lot screening requirements. Parking lot landscape islands have also been provided on the site; however, no shade trees that are required by Title 19.10 have been provided within the islands. A condition has been added requiring the applicant to provide a minimum of one, 24-inch box shade tree per parking lot landscape island in conformance with the requirements of Title 19.10.010(J)(11).

- **Elevations**

The provided elevations for the proposed building indicate a single-story 15-foot high building. The building meets the requirements of Title 19.08.060 Residential Adjacency Standards, which limits commercial buildings adjacent to residential properties to measure 15 feet in height or less, or be setback from residential property at a three to one ratio. The elevations depict a stucco building with stone veneer accents placed as pilasters along each of the four façades of the building and at the roofline level. Decorative tile elements will be placed in the stucco façades along the north, east and west sides of the building. Storefront glass windows will be located along the north elevation only, with no other windows provided on the exterior of the building.

In addition, the elevations indicate that a single access door and a double doorway will be provided on both the north and south facades. Box lighting will be provided above the two doors located on the south face of the building, which must be directed away from or screened from the adjacent single-family home. No indication is made if any rooftop mechanical equipment will be provided on the building. A condition has been added requiring all rooftop mechanical equipment, if any, to be screened in views from the abutting streets.

- **Floor Plan**

The floor plan for the proposed building depicts a display area, display box area, an office and storage room, a sales counter, preparation area, walk-in cooler, break room and rest rooms. A customer entrance and private entrance will be provided on the north side of the building and a delivery and dispatch and employee entrance will be provided along the south side of the building.

FINDINGS

The following findings must be made for an SDR:

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

The proposed development is not compatible with adjacent development and development in the area as the applicant is seeking a zoning designation and land use designation which is too intense for the surrounding area. The proposed access onto Pahor Drive will negatively impact the existing single-family residences to the south, as Pahor serves as the only means of ingress/egress to the residential cul-de-sac.

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;**

   With the approval of the associated request for a General Plan Amendment (GPA-29565) to the SC (Service Commercial) General Plan designation for the site, the proposed development will become the only SC (Service Commercial) property within the surrounding area. Additionally, the applicant has requested multiple Waivers of Title 19, including the Building Placement Standard and the Landscape Buffer Standards.

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

   The site provides access to Charleston Boulevard, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways, which will provided adequate access the site. Additionally, access is gained from Pahor Drive, a 51-foot Local Street which provides the only means of ingress and egress to Charleston Boulevard for the existing single-family homes the south of the subject property. By choosing to provide access to Pahor Drive, this proposal will negatively impact the quality of life for the existing single-family residences.

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

   The building materials are appropriate for the area and for the City. The landscape material chosen for the site will do little to provide shade, screening and buffering as the applicant has specified palm trees to be provided within the landscape buffers. The shrubs chosen, while drought tolerant, are typically slow growing low shrubs which will not provide a solid buffer or screen.

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 building elevations and design characteristics proposed are not overly decorative and are minimal in nature. The building, in its simplest form, is a large box with stone veneer accents and tiles for visual interest. While not architecturally captivating or inspiring, the building will not be undesirable or obnoxious to the surrounding area.

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

   The proposed plan will not impact public health, safety or welfare since the development will be subject to the International Building Code and City inspections during construction.

PLANNING COMMISSION ACTION

The Planning Commission added conditions 1 and 2 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 10

SENATE DISTRICT 9

NOTICES MAILED 86 by City Clerk

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-31595** APN: 162-04-110-001, 002 & 162-04-101-010

Name of Property Owner: Dibella Living Trust

Name of Applicant: John Dibella

Name of Representative: Baughman & Turner Inc.

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: John Dibella

Print Name: John Dibella

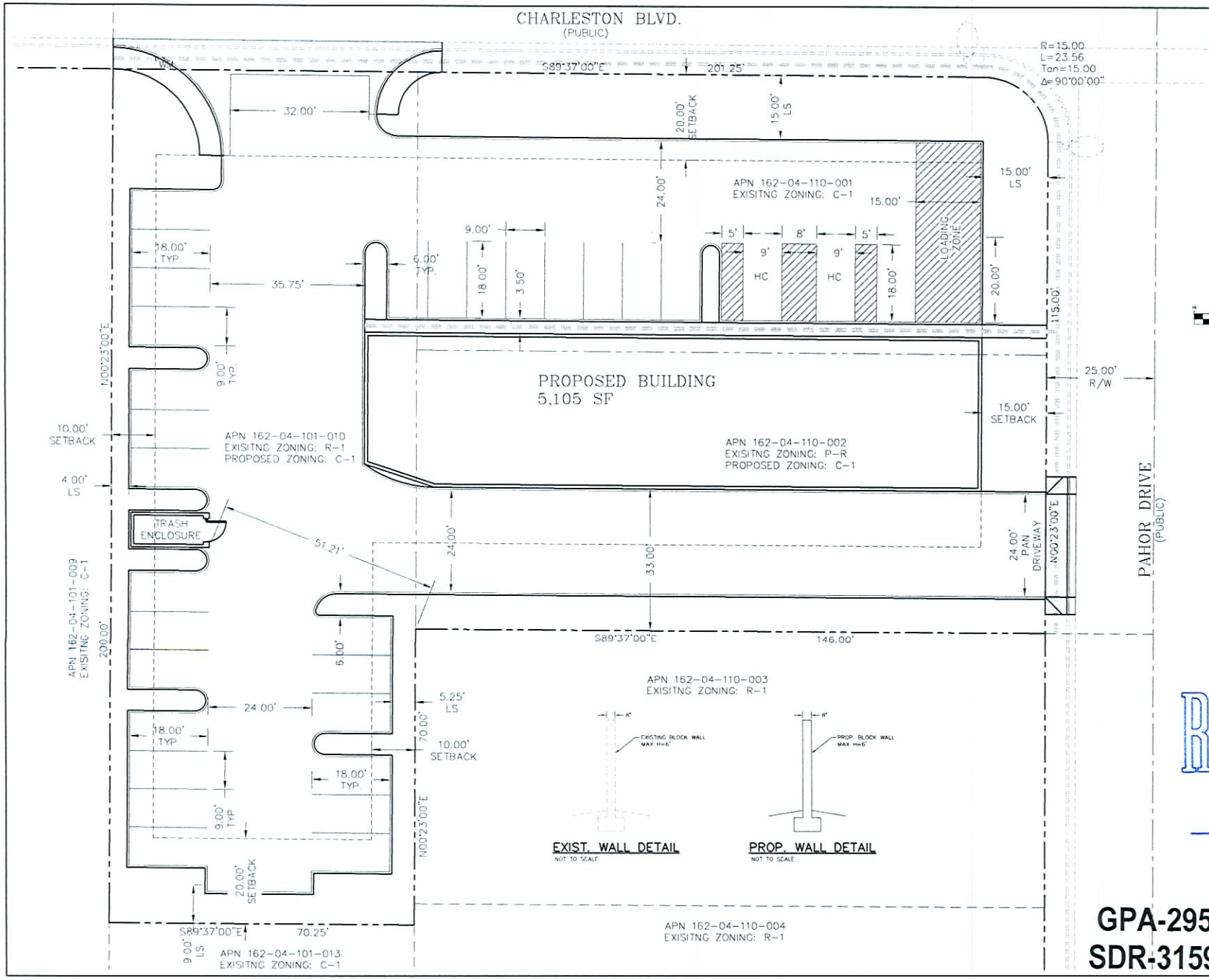
Subscribed and sworn before me

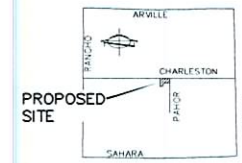
This 29th day of October, 2008

Carole Levy

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
CAROLE LEVY
My Appointment Expires
No: 02-77162-1 August 7, 2010





VICINITY MAP
NOT TO SCALE

GRAPHIC SCALE
(IN FEET)
1 inch = 10 ft.

LEGEND

- PROPERTY LINE
- STREET CENTERLINE
- LOT LINE
- BUILDING SETBACK LINE
- EXISTING "L" CURB & GUTTER
- PROPOSED "L" CURB & GUTTER
- ADA PATHWAY

PARKING ANALYSIS

PARKING REQUIRED:

COMMERCIAL: 1/250 SF * 5105 SF = 20.42 SPACES

TOTAL SPACES REQUIRED = 21

PARKING PROVIDED:

STANDARD SPACES = 29
HANDICAP SPACES = 2

LANDSCAPE ANALYSIS

LOT SF: 32,981.71
LANDSCAPE SF: 6,841.72

LOT COVERAGE PERCENTAGE: 20.74%

SITE INFORMATION

FLOOR AREA RATIO

5,105 SF / 32,981.71 SF = 15.48%

DENSITY

1 LOT / 0.76 ACRES

RECEIVED
OCT 30 2008

GPA-29565 ZON-29566
SDR-31595 12/04/08 PC

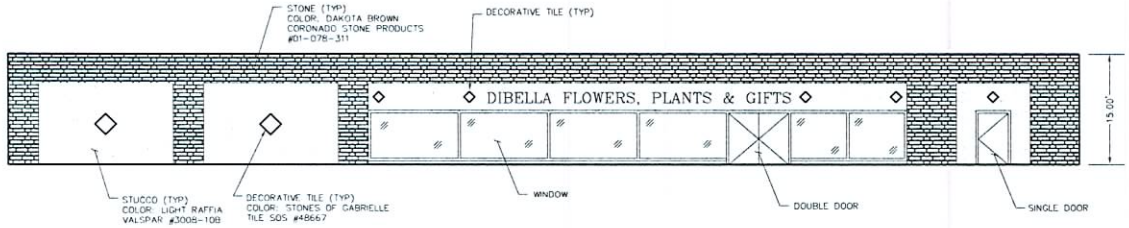
#	DATE:	REV.:	APP'D

SCALE: 1"=10'
DATE: 10/27/08

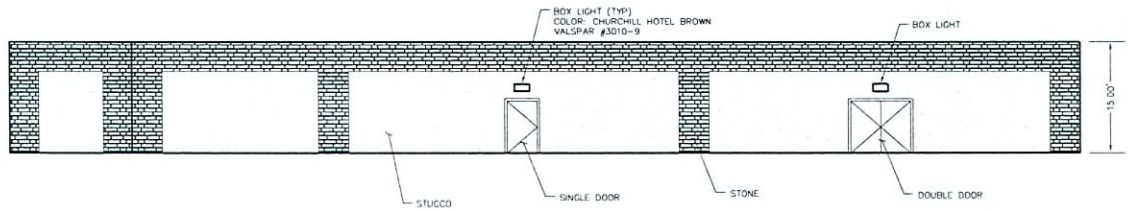
PROJECT: DIBELLA FLOWER SHOP
FOR: JOHN DIBELLA

SITE PLAN
CHARLESTON AND PAHOR
CITY OF LAS VEGAS NEVADA

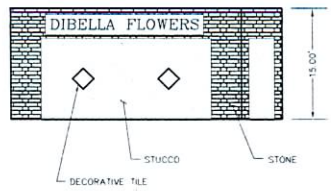
A-1 OF 4



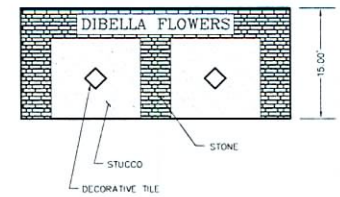
FRONT ELEVATION (NORTH)



REAR ELEVATION (SOUTH)



SIDE ELEVATION (WEST)



SIDE ELEVATION (EAST)

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OCT 30 2008

GPA-29565 ZON-29566
SDR-31595 12/04/08 PC

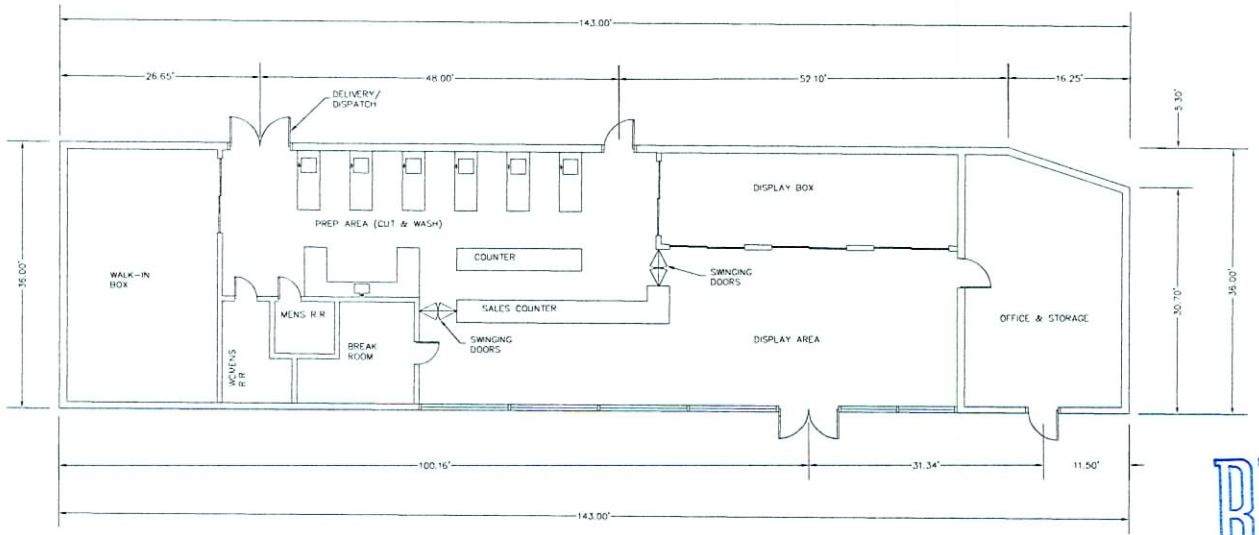
APP'D
REV.:
DATE:

SCALE: 1/8"=1'
DATE: 10/27/08

PROJECT: DIBELLA FLOWER SHOP
FOR: JOHN DIBELLA

ELEVATIONS
CITY OF LAS VEGAS AND PAHOR CHARLESTON NEVADA

A-3
OF
4



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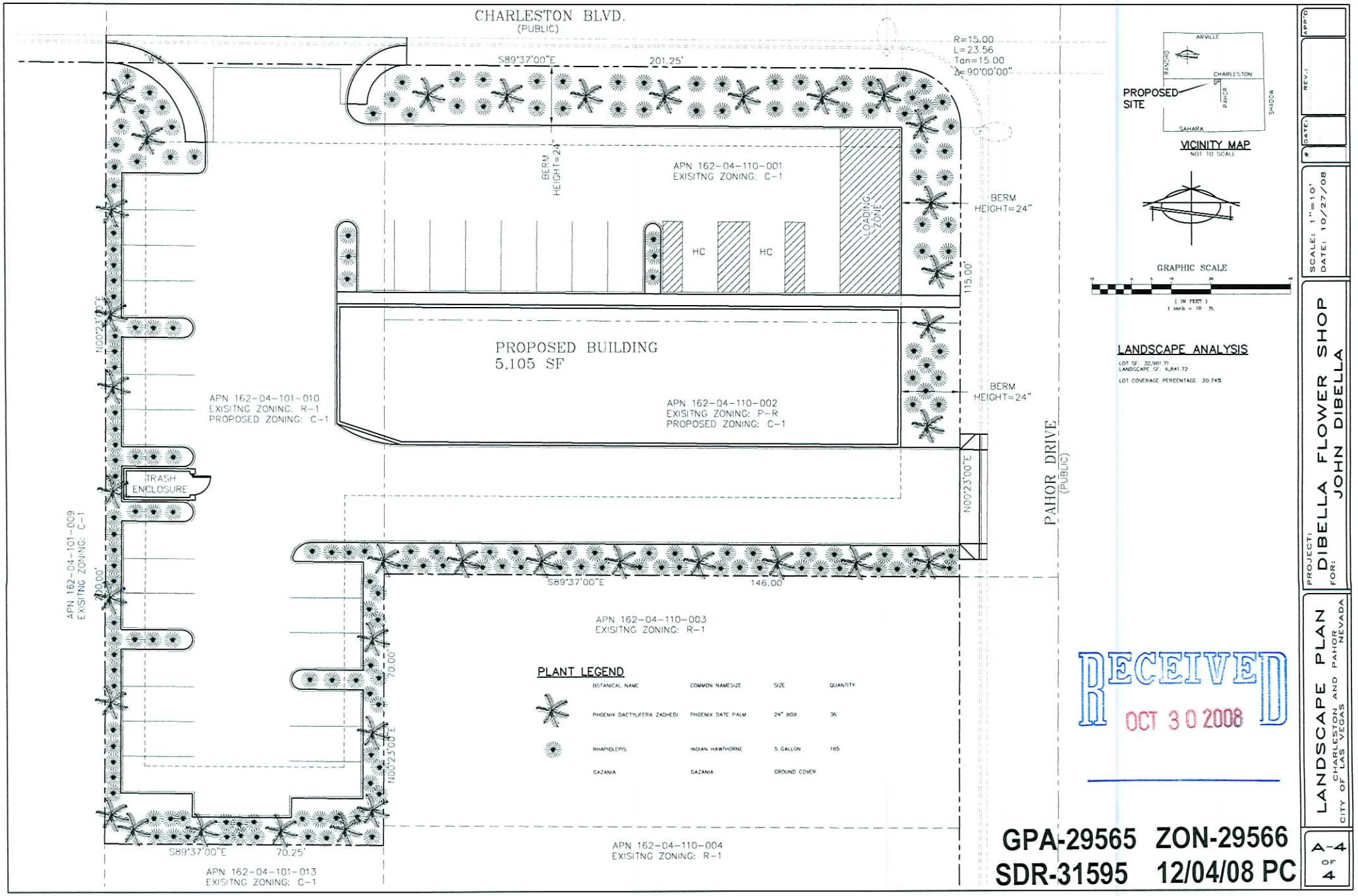
GPA-29565 ZON-29566
SDR-31595 12/04/08 PC

APP'D
REV.:
DATE:
SCALE: 1/8"=1'
DATE: 10/27/08
PROJECT: DIBELLA FLOWER SHOP
FOR: JOHN DIBELLA
FLOOR PLAN
CHARLESTON AND PAIGE
CITY OF LAS VEGAS NEVADA
A-2
4 OF 4



PLANT LEGEND

BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
PHOENIX DACTYLIFERA ZAGHEDI	PHOENIX DATE PALM	24" BOX	36
RHAPIOLEPIS	INDIAN HAWTHORNE	5 GALLON	185
GAZANIA	GAZANIA	GROUND COVER	

LANDSCAPE ANALYSIS

LOT SF: 32,981.71
LANDSCAPE SF: 6,841.72

LOT COVERAGE PERCENTAGE: 20.74%

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GPA-29565 ZON-29566
SDR-31595 12/04/08 PC

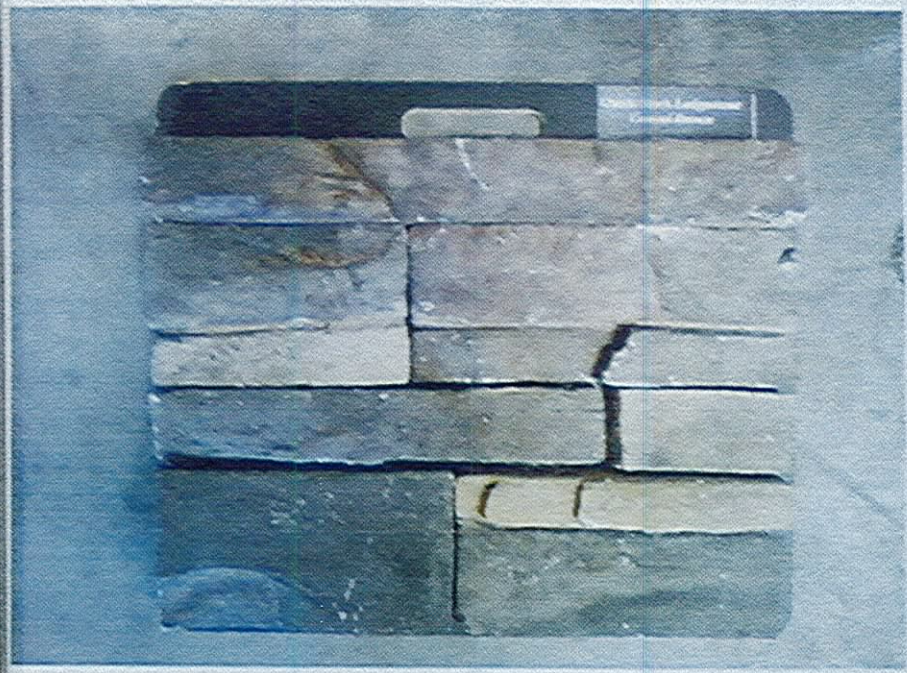
APP'D | REV.: | # | DATE:

SCALE: 1"=10'
DATE: 10/27/08

PROJECT:
DIBELLA FLOWER SHOP
FOR: JOHN DIBELLA

LANDSCAPE PLAN
CITY OF LAS VEGAS AND PAHOR NEVADA

A-4
OF
4



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GPA-29565 ZON-29566
SDR-31595 12/04/08 PC

SDR-31595 - APPLICANT/OWNER: DIBELLA LIVING TRUST
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND PAHOR DRIVE
DECEMBER 4, 2008 PLANNING COMMISSION

09/02/08

SDR-31595 - APPLICANT/OWNER: DIBELLA LIVING TRUST
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND PAHOR DRIVE
DECEMBER 4, 2008 PLANNING COMMISSION

09/02/08

SDR-31595 - APPLICANT/OWNER: DIBELLA LIVING TRUST
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND PAHOR DRIVE
DECEMBER 4, 2008 PLANNING COMMISSION

09/02/08

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DECEMBER 4, 2008 PLANNING COMMISSION

09/02/08

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DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

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10/29/08

SDR-31595 - APPLICANT/OWNER: DIBELLA LIVING TRUST
SOUTHWEST CORNER OF CHARLESTON BOULEVARD AND PAHOR DRIVE
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

Baughman & Turner, Inc.

Consulting Engineers & Land Surveyors

1210 HINSON ST. PHONE (702) 870-8771

LAS VEGAS, NEVADA 89102-1604 FAX (702) 878-2695

October 29, 2008

City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, Nevada 89101

Re: DiBella Flowers; GPS-29565/ZON-29566

To Whom It May Concern,

Please let this letter serve as justification for a Site Development Plan Review on the above-referenced site. The owner has been operating a flower shop at this location (the southwest corner of Charleston Blvd. and Pahor Drive) for the past 25 years, and would like to build a new facility for his business. The original building was built in the 1950s. The new 5105 square foot building will have a stucco and stone exterior with tile accents. Parking will be per code.

In conjunction with this application, we are asking for waivers for the following:

- Request for a Waiver of the Building Placement and Orientation standards.

-In order to obtain parking per code, the building was placed accordingly.

- Request for a Waiver to allow a 5.25-foot landscape buffer along a portion of the east perimeter where 8 feet is required.

-In order to provide a 24' wide drive aisle and 18' deep parking stalls, the waiver is needed. In addition, the owner of this project owns the adjacent parcel that would be most affected.

- Request for a Waiver to allow a 4-foot landscape buffer along the west perimeter where 8 feet is required.

-In order to provide the aforementioned 24' wide drive aisle and 18' deep parking stalls, the waiver is needed. The portion of the adjacent property to the west that is most directly affected is a parking lot that has no perimeter landscaping.

We believe this project will be beneficial to the neighborhood and surrounding area in general. Landscaping adjacent to the streets will meet or exceed code and the new building will give the corner a vibrant new look.

GPA-29565 ZON-29566
SDR-31595 12/04/08 PC

I hope this letter addresses the proposed request for a Site Development Plan Review. Should you have any questions, please feel free to contact me at this office.

Sincerely,
Baughman & Turner, Inc.

David S. Turner
President

DST/aw

GPA-29565 ZON-29566
SDR-31595 12/04/08 PC

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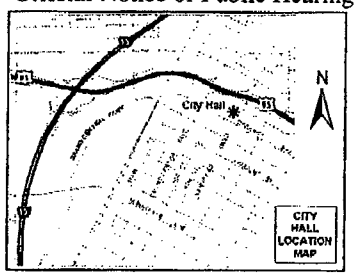
CITY CLERK

2008 DEC 29 A 11:23

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-29565 & ZON-29566 & SDR-31595

City Council Meeting of 1/7/2009

LEWIS TERRY R & CAROL J
2021 EDGEWOOD AVE
LAS VEGAS NV 89102-2202

JAVD811 89102

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE

$ 00.394

MAILED FROM ZIP CODE

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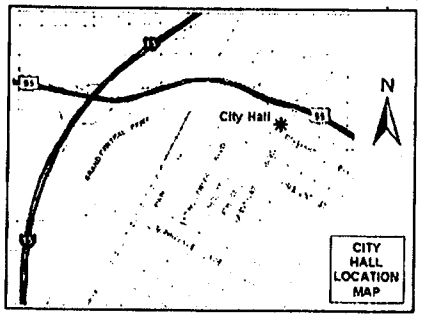
Official Notice of Public Hearing



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DEC 03 2008

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-29565 & ZON-29566 & SDR-31595

Planning Commission Meeting of 12/4/2008

Case: GPA-29565
16204113001
VANHAVERBEKE C JOSEPH TR NO II
800 NW 6TH AVE #200
PORTLAND OR 97209-3783

Commercial w/ Parking, Lights will Definitly Affect The Back of This Project Relating to The Residential Adjacent

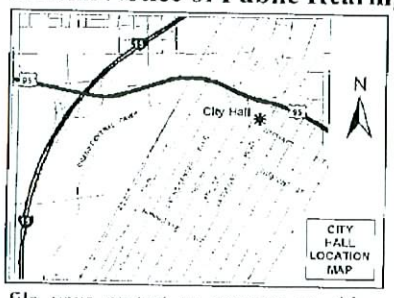
IAVDS11 97209

Submitted after final agenda
Date P Item 15-17

Submitted after final agenda
Date 12/3/08 Item 15-17

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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SEP 29 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

Case: GPA-29565

16204102006
LEWIS TERRY R & CAROL J
2021 EDGEWOOD AVE
LAS VEGAS NV 89102-2202

☒ I SUPPORT this Request ☐ I OPPOSE this Request

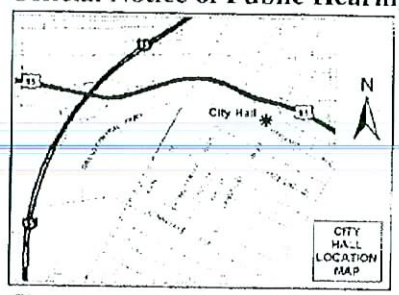
Please use available blank space on card for your comments.

GPA-29565 & ZON-29566
Planning Commission Meeting of 10/9/2008

#20-21
A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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Case: GPA-29565

16204102006
LEWIS TERRY R & CAROL J
2021 EDGEWOOD AVE
LAS VEGAS NV 89102-2202

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

GPA-29565 & ZON-29566 & SDR-31595
Planning Commission Meeting of 12/4/2008

#15-17
A

December 4, 2008

The residents of Pahor Street have been courteous to the Dibella Flower Shop and the business they have brought to our street over the last 20 years and have extended a working relationship with them as they have had **commercial traffic on our street for business, employees and commercial vehicle traffic, and commercial disposal usage off Pahor street.**

We have been accommodating to the Dibella's as our neighbor and have not asked him to go to any expense to lessen the commercialbility to our street due to the fact he has kept a somewhat residential house appearance on his professional building site, even though it has been hard to live with the constant commercial ongoings.

This new building will be acceptable to the neighbors with 2 concessions:

1. Have a recessed landscape area facing Pahor and a 6' wall behind the landscape matching the East side of the street the length of the proposed commercial site, thus blocking the commercial view of the new parking and new building.

2. The newly proposed driveway onto Pahor street is **DIRECTLY ACROSS** from the residence at 1113 Pahor and will be a constant nuisance **and a hazard** .

   We **DO NOT WANT** commercial trucks and Vans accessing any deeper into the residential street and this should not be allowed to happen.

[illegible]

Larry & Lynn King 1113 Pahor

J E Hoover 1120 PAHOR
NO 2 STORY

John Fricko 1129 PAHOR

DAVID ESTRADA 1121 PAHOR

LARRY FERGUSON 1128 PAHOR DR

Willie R. Cherry 1140 PAHOR DR

Submitted at Planning Commission

Date 12-04-08 Item 15-17

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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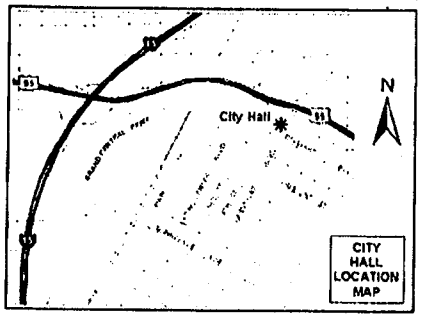

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GPA-29565 & ZON-29566 & SDR-31595

Planning Commission Meeting of 12/4/2008

Case: GPA-29565
16204113001
VANHAVERBEKE C JOSEPH TR NO II
800 NW 6TH AVE #200
PORTLAND OR 97209-3783

Commercial w/ Parking, Lights will Definitly Affect The Back of This Project Relating to The Residential Adjacent

IAVDS11 97209

Submitted after final agenda
Date P Item 15-17

Submitted after final agenda
Date 12/3/08 Item 15-17

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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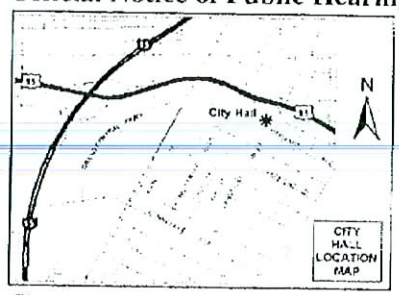

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GPA-29565 & ZON-29566 & SDR-31595
Planning Commission Meeting of 12/4/2008

#15-17
A

City of Las Vegas Agenda Item No.: **99.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

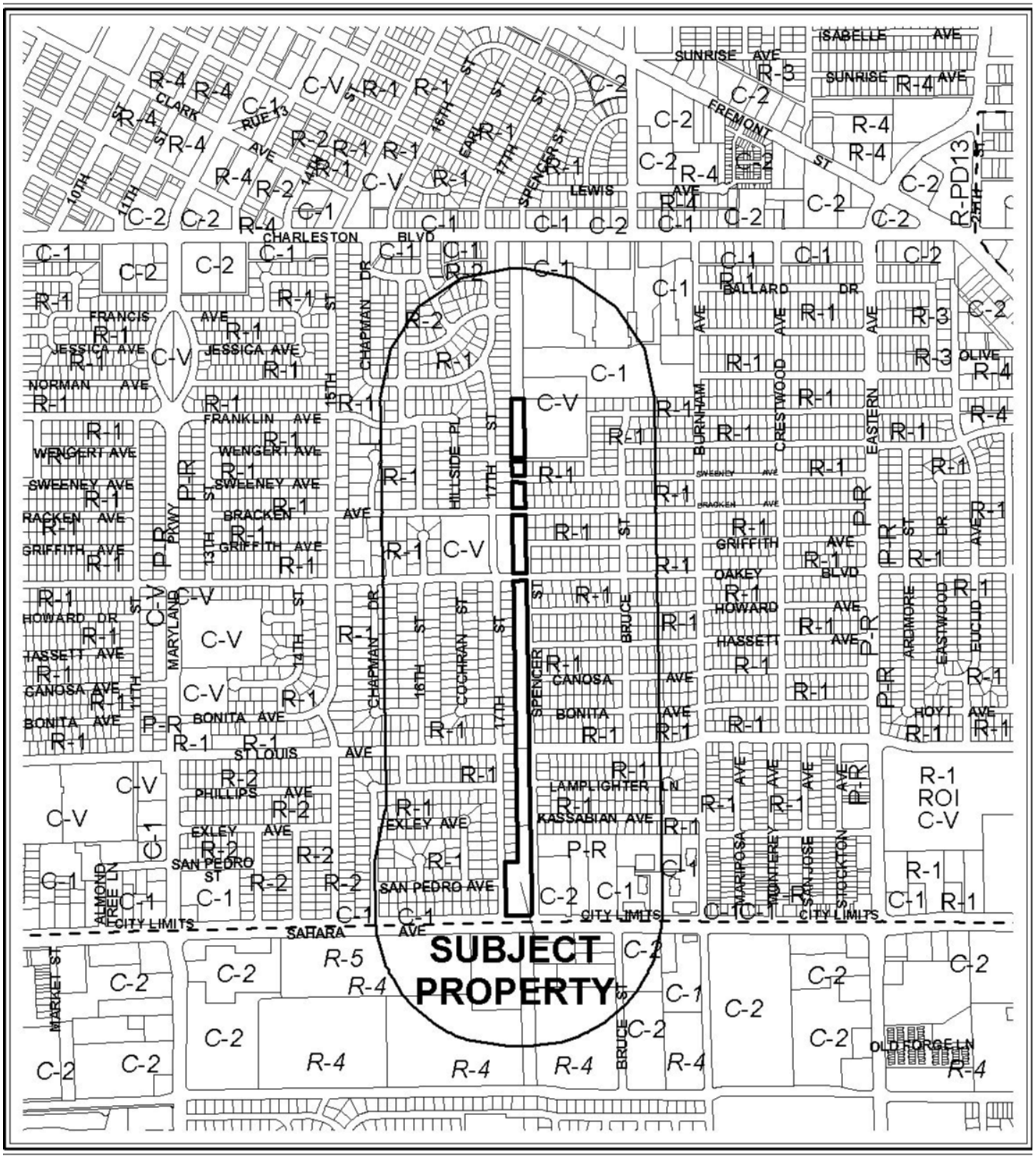
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
ZON-29204 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: NEVADA POWER - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 12.33 acres at the southwest corner of Sahara Avenue and Spencer Street (APNs 162-02-203-007, 162-02-205-001, 162-02-206-002, 162-02-209-002, 162-02-302-001, 162-02-403-001, and 162-02-403-002), Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**12**	**Planning Commission Mtg.**	**4**
City Council Meeting	**2**	**City Council Meeting**	**1**

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 13

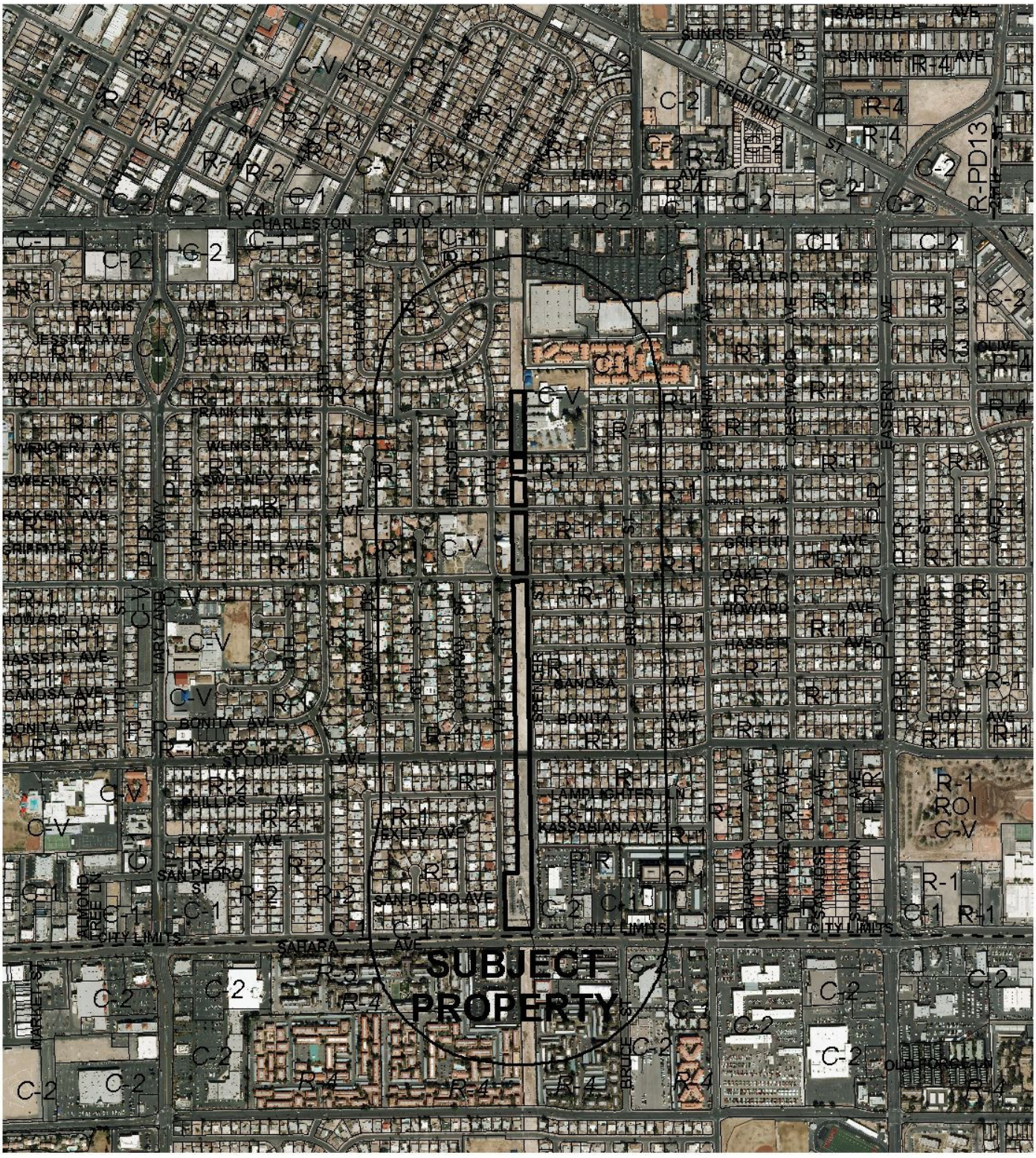


CASE: **ZON-29204**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)



0 1000 2000 Feet

CASE: **ZON-29204**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-29204 - APPLICANT/OWNER: NEVADA POWER

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Rezoning from R-1 (Single Family Residential) to C-V (Civic) on 12.33 acres at the southwest corner of Sahara Avenue and Spencer Street.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
09/11/08	The Planning Commission held in abeyance a request for a Site Development Plan Review (SDR-29203) for a Utility Substation located on 3.86 acres at the southeast corner of Sahara Avenue and Spencer Street to give the applicant time to address the commission's concerns. Staff recommended approval
12/04/08	The Planning Commission recommended approval of companion item SDR-29203 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #13/sg).
Related Building Permits/Business Licenses	
There are no related Building Permits or Business License that pertains to this site.	
Pre-Application Meeting	
07/17/08	A pre-application meeting was held with the applicant.
Neighborhood Meeting	
07/22/08	An open house was held at Cambridge Recreation Center at 3930 Cambridge Street from 4:30-7:30 PM, one member of the public was in attendance. No members of city staff were present at this meeting.
Field Check	
08/21/08	A field check was conducted on site. The Electric Substation is screened by a chain link fence around its perimeter and Oleander trees. On the residential masonry wall there is some graffiti and debris along the fencing.

Details of Application Request	
Site Area	
Net Acres	3.86

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Utility Substation and Utility Transmission Lines	PF (Public Facilities)	R-1 (Single Family Residential) **Proposed: C-V (Civic)**
North	Utility Transmission Lines	PF (Public Facilities)	R-1 (Single Family Residential) **Proposed: C-V (Civic)**
	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential
South	Office and Commercial	Clark County	Clark County

	Automobile sales	C (Commercial) and O (Office)	C-2 (General Commercial)
East	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Office	O (Office)	C-1 (Limited Commercial)
	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
A-O Airport Overlay District (200 Feet)	X		N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The subject properties are designated PF (Public Facilities) and are located within the boundaries of the Southeast Sector Map of the General Plan. The Public Facilities category allows for large governmental building sites and complexes, police and fire facilities, hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities.

This Rezoning proposes to change the site's zoning from R-1 (Single Family Residential) to C-V (Civic). The proposed C-V District is intended to provide for existing public and quasi public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities. In addition, the C-V District may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The C-V District is consistent with the Public Facilities category of the General Plan.

This Rezoning has been submitted in conjunction with a Site Development Plan Review (SDR-29203) for a renovation of an existing Utility Substation with the addition of transmission line poles ranging from 22 feet to 152 feet in height on 3.86 acres at the southwest corner of Sahara Avenue and Spencer Street. Pursuant to Title 19.06.010, the development standards for a project in a C-V (Civic) District shall be established by the C-V (Civic) District approval and any corresponding Site Development Plan Review approval under Subchapter 19.18.050. Any future

development will require a review for a determination of appropriate development standards. The anticipated use of this property is an appropriate public purpose and the C-V (Civic) zoning district is compatible with the existing residential developments in the area; therefore, staff is in support of this request.

Las Vegas 2020 Master Plan

Objective 2.4: To ensure that the quality of existing residential neighborhoods within the City of Las Vegas is maintained and enhanced.

Policy 2.4.7: That the City maintain and renovate its public infrastructure within existing residential neighborhoods as needed.

The proposed Rezoning meets the intent of the policies and objectives expressed in the Las Vegas 2020 Master Plan with regard to Neighborhood Revitalization areas.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. **"The proposal conforms to the General Plan."**

   The proposed Rezoning would bring the zoning at this site into conformance with the existing PF (Public Facilities) designation under the Southeast Sector Plan of the General Plan. The existing sites can accommodate the range of uses identified and is in compliance with the existing and proposed General Plan category.

2. **"The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."**

   The proposed Rezoning will be compatible with the residential developments and the C-V (Civic) zoning district in this area.

3. **"Growth and development factors in the community indicate the need for or appropriateness of the rezoning."**

   The proposed Rezoning conforms to the policies and objectives expressed in the Las Vegas 2020 Master Plan, which indicate "that the City maintain and renovate its public infrastructure within existing residential neighborhoods as needed." Given the proposed General Plan designation of PF (Public Facilities) on the subject site, the Rezoning to the C-V (Civic) zoning district is appropriate for the area.

4. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district."**

The subject site is adjacent to Sahara Avenue, a 100-foot wide Primary Arterial street that should be adequate to support the proposed use.

PLANNING COMMISSION ACTION

There were two speakers in opposition at the Planning Commission Meeting.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

ASSEMBLY DISTRICT 10

SENATE DISTRICT 12

NOTICES MAILED 773 by City Clerk

APPROVALS 4

PROTESTS 12

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-29204** APN: 162-02-403-002, 403-001, 302-001, 209-002, 206-002, 205-001, 203-007, 101-001

Name of Property Owner: Nevada Power

Name of Applicant: Nevada Power

Name of Representative: Scott Ruedy, WRG Design Michelle Baltz, Nevada Power

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: James R Soaredra

Print Name: James R Soaredra

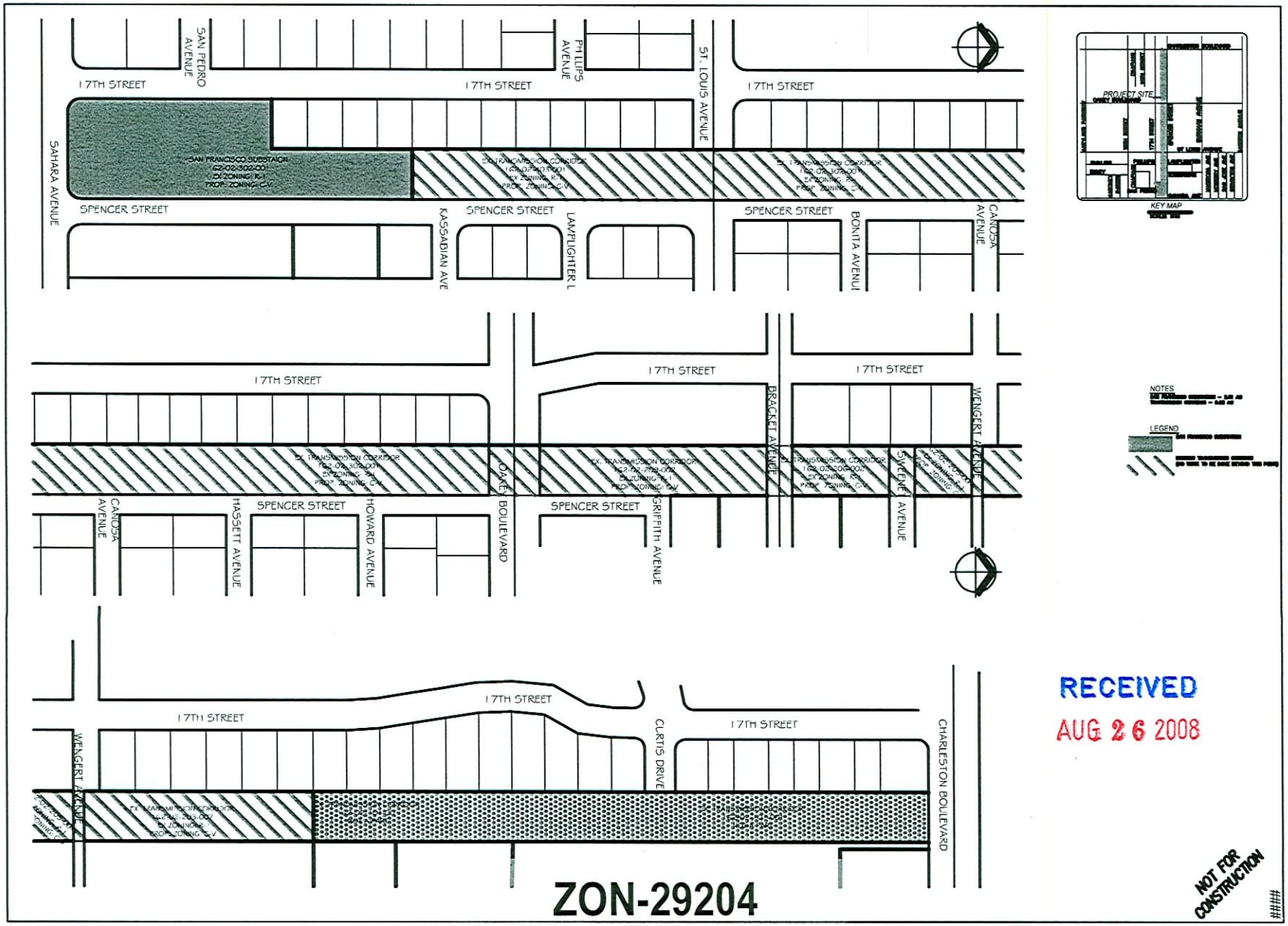
Subscribed and sworn before me

This 25th day of July, 2008

Cathy Mason

Notary Public in and for said County and State

CATHY MASON
Notary Public, State of Nevada
Appointment No. 05993121
Expires Aug. 2, 2009



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NOT FOR CONSTRUCTION

ZON-29204
09/11/08 PC
REVISED

DESIGN INC.
PORTLAND • LAS VEGAS • PHOENIX
SACRAMENTO • BOISE • CHARLOTTE

SITE PLAN
SAN FRANCISCO SUBSTATION & TRANSMISSION CORRIDOR
NEVADA POWER COMPANY
CITY OF LAS VEGAS, NEVADA

FOR REVIEW ONLY

SITE PLAN

1

ZON-29204 - APPLICANT/OWNER: NEVADA POWER
SOUTHWEST CORNER OF SAHARA AVENUE AND SPENCER STREET
DECEMBER 4, 2008 PLANNING COMMISSION

08/22/08

ZON-29204 - APPLICANT/OWNER: NEVADA POWER
SOUTHWEST CORNER OF SAHARA AVENUE AND SPENCER STREET
DECEMBER 4, 2008 PLANNING COMMISSION

08/22/08

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DECEMBER 4, 2008 PLANNING COMMISSION

08/22/08

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DECEMBER 4, 2008 PLANNING COMMISSION

08/22/08

ZON-29204 - APPLICANT/OWNER: NEVADA POWER
SOUTHWEST CORNER OF SAHARA AVENUE AND SPENCER STREET
DECEMBER 4, 2008 PLANNING COMMISSION

08/22/08

W R G
DESIGN INC.

July 23, 2008

Margo Wheeler, AICP, Director
City of Las Vegas
Planning & Development Department
731 South 4th Street
Las Vegas, NV 89101

RE: Rezoning for San Francisco Substation and Transmission Line Corridor

Ms. Wheeler:

On behalf of our client, Nevada Power Company, we respectfully request your review of the attached application to rezone parcels 162-02-403-002 (San Francisco Substation), 162-02-403-001, 162-02-302-001, 162-02-209-002, 162-02-206-002, 162-02-205-001, 162-02-203-007 and 162-02-101-001 (existing transmission corridor). The existing substation site and corridor are currently zoned Single Family Residential (R-1). The General Plan designates the property as Public Facility (P-F). We are requesting to rezone the property to Civic District (C-V). As stated in 19.06.020, this district is intended to provide for the development of electrical transmission facilities. Utility company facilities are a permitted use within the C-V zoning district. This zone change will bring the land use designation and zoning designation into conformance.

The site is currently developed with an existing electrical substation and transmission line. The substation will be upgraded with new equipment, walls and landscaping which is detailed in the Site Development Plan Review. However, there will not be changes to the transmission corridor north of the substation. The existing transmission line goes north from the existing substation and joins with an existing east-west transmission line along Charleston Boulevard. The City of Las Vegas requested Nevada Power to change the zoning of the corridor in order to be consistent with the land use plan.

Nevada Power held an open house on July 22, 2008 at the Cambridge Recreation Center to allow input from the surrounding property owners concerning the San Francisco Substation. There was 1 individual that attended the open house seeking additional information.

We look forward to your favorable recommendation, please feel free to contact our office if you should have any questions or require any additional information.

Sincerely,
WRG Design, Inc.

Scott Ruedy, AICP
Planning Project Manager

ZON-29204
09/11/08 PC

LAND PLANNING
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE
LAND SURVEY
WATER RESOURCES

3011 West
Horizon Ridge Pkwy.
Suite 100
Henderson, NV
89052

PH 702/990-9300
FX 702/990-9305

www.wrgdesign.com

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas. Nevada 89101

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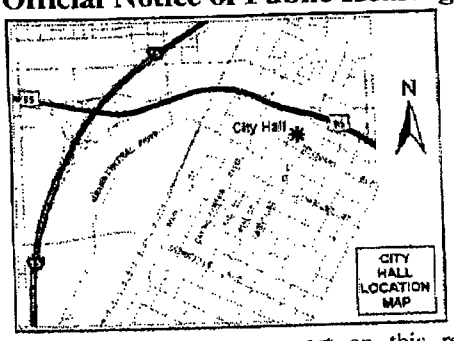

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-29204 & SDR-29203
City Council Meeting of 1/7/2009

GRIFFITH MYRNA JOYCE
2000 SPENCER ST
LAS VEGAS NV 89104-3708

JAVD511 89104

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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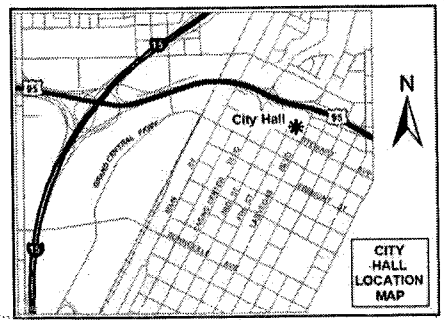

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ZON-29204 & SDR-29203
City Council Meeting of 1/7/2009

CARPI ELIZABETH L RESIDENCE TR
CARPI LEONARD W RESIDENCE TR
%W CARPI TRS
1717 S 16TH ST
LAS VEGAS NV 89104-3501

JAVD511 89104

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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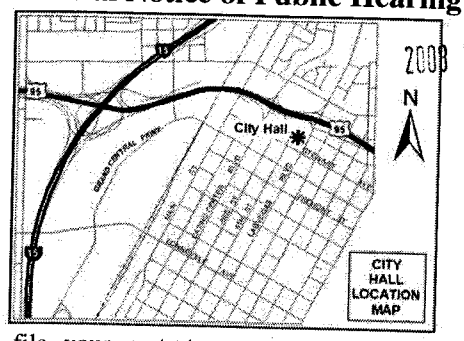

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Please use available blank space on card for your comments.

ZON-29204 & SDR-29203

City Council Meeting of 1/7/2009

KIEFFNER C K FAMILY REV LIV TR
KIEFFNER CLAIRE K TRS
2800 HOWARD DR
LAS VEGAS NV 89104-4233

89104

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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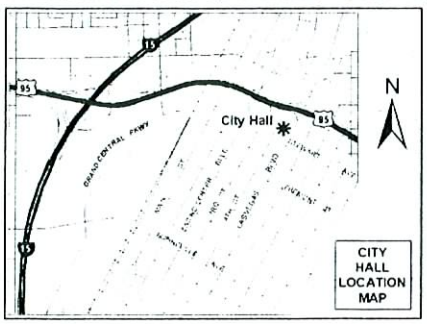
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-29204

Planning Commission Meeting of 9/11/2008

PRESORTED FIRST CLASS

$ 00.39[4]

AUG 29 2008

MAILED FROM ZIP CODE 89101

SEP 03 2008
3:25 PM

Received Planning & Development

Case: ZON-29204

16202411051
SCHNELL CATHERINE T
1522 EXLEY AVE
LAS VEGAS NV 89104-3500

FAVDS11 89104

#15
P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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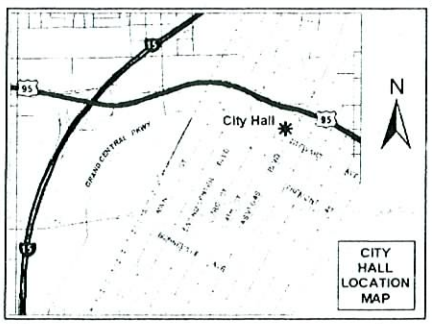
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-29204
Planning Commission Meeting of 9/11/2008

Mr. Robert D. Duboise
1812 Lamplighter Ln.
Las Vegas, NV 89104

PRESORTED FIRST CLASS

$ 00.394

MAILED FROM ZIPCODE 89101

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SEP - 3 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: ZON-29204
16202810068
DUBOISE ROBERT D
1812 LAMPLIGHTER LN
LAS VEGAS NV 89104-3724

#15
P

y of Las Vegas
nning & Development Department
velopment Services Center
l S. Fourth Street
s Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing

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CITY OF LAS VEGAS
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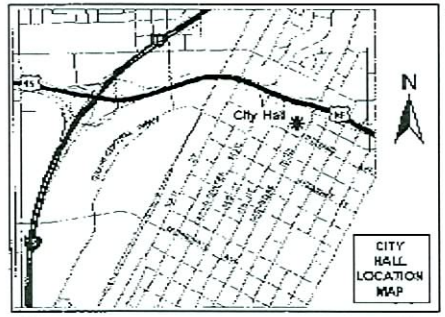

you wish to file your protest or support on this request, check the propriate box below and return this card in an envelope with postage to the anning & Development Department at the address listed above or fax this de of this card to (702) 385-7268. If you would like to contact your Council epresentative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

lease use available blank space on card for your comments.

ON-29204

lanning Commission Meeting of 9/11/2008

PRESORTED FIRST CLASS

16202411045
BURRELL KENNETH
1516 SAN PEDRO A
LAS VEGAS NV 891

FAVOR11 89104

#15

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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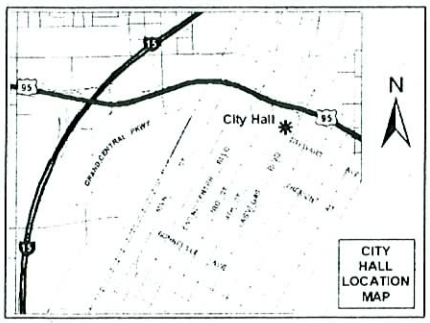

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-29204
Planning Commission Meeting of 9/11/2008

SEP 03 2008
3:25 PM

Received Planning & Development

Case: ZON-29204
16202411050
GINKGO HOLDING TRUST
2620 S MARYLAND PKWY #253
LAS VEGAS NV 89109-8300

#15
P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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ZON-29204

Planning Commission Meeting of 9/11/2008

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: ZON-29204

16202810058
RICCIO GERARD & PAMELA
12719 CALMA CT
SAN DIEGO CA 92128-2304

FAVDS11 92128

#15
P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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0004239954 AUG 29 2008
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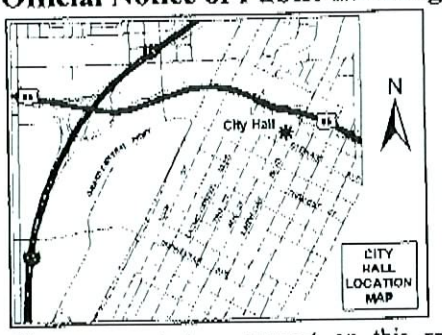

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ZON-29204

Planning Commission Meeting of 9/11/2008

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: ZON-29204

16202712124
LAS MONARCAS L L C II
%J PECHONIS
1917 WENGERT AVE
LAS VEGAS NV 89104-1934

#15
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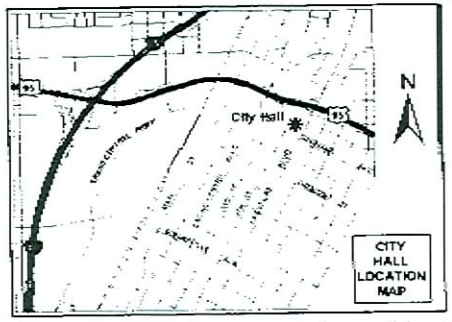
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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Planning Commission Meeting of 9/11/2008

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: ZON-29204
16202712150
RICHARDS DORTHY M
1708 BONITA AVE
LAS VEGAS NV 89104-3702

FAVDS11 89104

#15
S

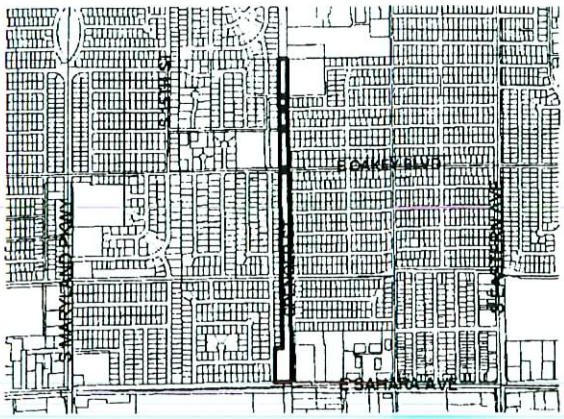
Application Information

ZON-29204 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: NEVADA POWER - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 12.33 acres at the southwest corner of Sahara Avenue and Spencer Street (APNs 162-02-203-007, 162-02-205-001, 162-02-206-002, 162-02-209-002, 162-02-302-001, 162-02-403-001, and 162-02-403-002), Ward 3 (Reese)

This will devalue our property.
At the minimum, appropriate
Compensation should be offered.

David L. Thompson
9/2/08

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***September 11, 2008***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
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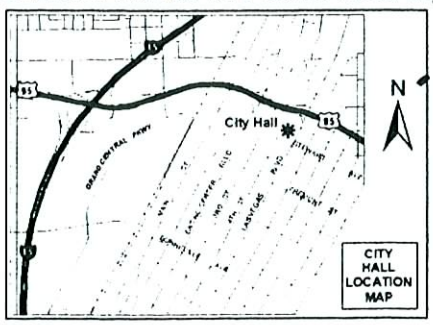

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available ~~blank~~ space on card for your comments.

ZON-29204
Planning Commission Meeting of 9/11/2008

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: ZON-29204
16202810093
THOMPSON DAVID & SHAWN AGERS
17745 S 1ST ST
DEKALB IL 60115-8638

Submitted after final agenda
Date P Item #15

PAID$1.60115

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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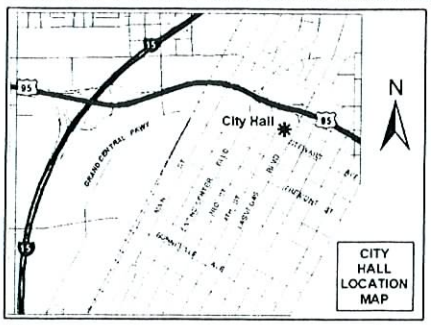
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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ZON-29204

Planning Commission Meeting of 9/11/2008

Case: ZON-29204

16202712110
MAYBERRY HELEN D
1716 CANOSA AVE
LAS VEGAS NV 89104-3615

FAVDS11 89104

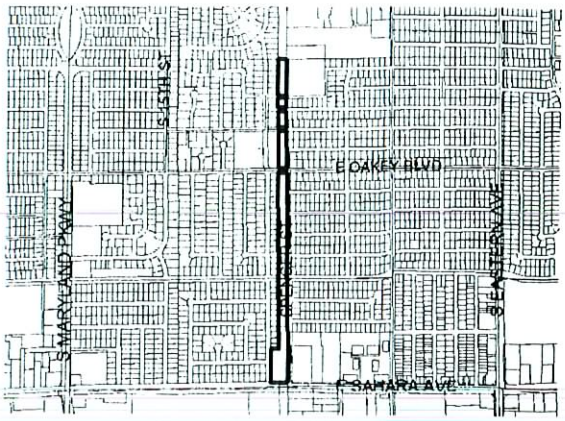
Submitted after final agenda
Date P Item #15

Application Information

ZON-29204 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: NEVADA POWER - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 12.33 acres at the southwest corner of Sahara Avenue and Spencer Street (APNs 162-02-203-007, 162-02-205-001, 162-02-206-002, 162-02-209-002, 162-02-302-001, 162-02-403-001, and 162-02-403-002), Ward 3 (Reese)

KEEP THIS AREA RESIDENTIAL ONLY

Application Location



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Public Hearing Information

Meeting:	Planning Commission
Date:	***September 11, 2008***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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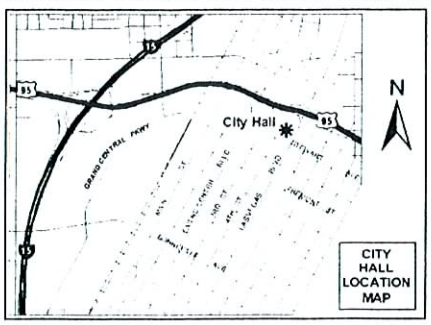
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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ZON-29204
Planning Commission Meeting of 9/11/2008

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PLANNING & DEVELOPMENT

Case: ZON-29204
16202411083
AUER MARY JANE & RHONDA
1619 EXLEY AVE
LAS VEGAS NV 89104-3540

Submitted after final agenda
Date P Item #15

PAGE 1 OF 1

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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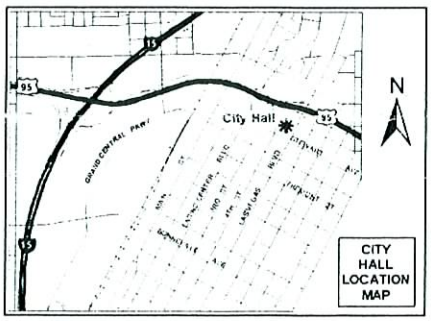

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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ZON-29204

Planning Commission Meeting of 9/11/2008

Case: ZON-29204
16202712040
PAYNE ROBERT L & SHIRLEY JOAN
1705 HASSETT AVE
LAS VEGAS NV 89104-3622

FAVDS11 89104

Submitted after final agenda
Date P Item #15

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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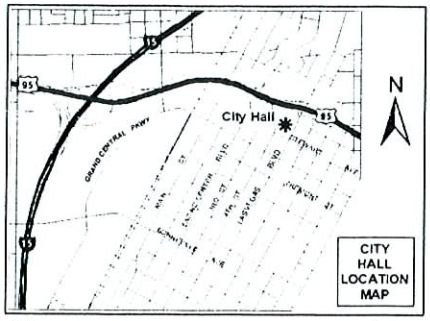
Official Notice of Public Hearing



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ZON-29204

Planning Commission Meeting of 9/11/2008

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SEP - 9 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: ZON-29204
16202712081
PAYNE ROBERT LEE & SHIRLEY
1705 HASSETT
LAS VEGAS NV 89104-3622

FAVDS11 89104

Submitted after final agenda
Date P Item #15

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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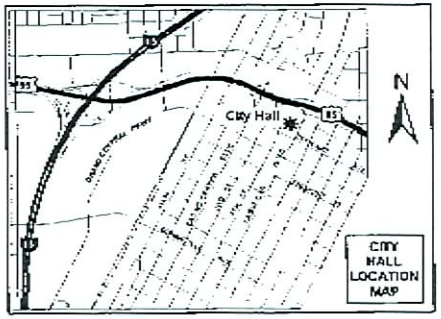

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PLANNING & DEVELOPMENT

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Please use available blank space on card for your comments.

ZON-29204
Planning Commission Meeting of 9/11/2008

Case: ZON-29204
16202810054
SCHORN MAUREEN J
1713 KASSABIAN AVE
LAS VEGAS NV 89104-3718

Submitted after final agenda
Date 9/9
Item # 15

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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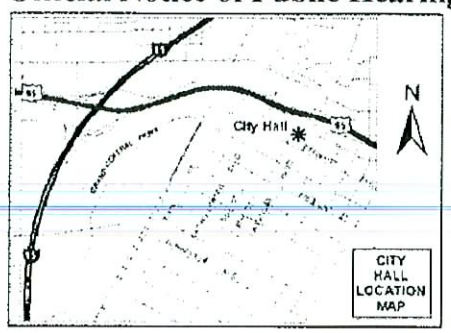
Official Notice of Public Hearing



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NOV 25 2008

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Please use available blank space on card for your comments.

ZON-29204

Planning Commission Meeting of 12/4/2008

Case: ZON-29204
16202810074
MARTIN DOROTHY J &/OR LYNETTE J
1728 LAMPLIGHTER LN
LAS VEGAS NV 89104-3723

#13
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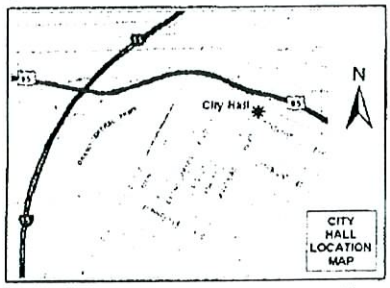
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested

Official Notice of Public Hearing



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NOV 25 2008

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☒ I OPPOSE this Request

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ZON-29204

Planning Commission Meeting of 12/4/2008

Case: ZON-29204
16202810093
THOMPSON DAVID & SHAWN AGERS
17745 S 1ST ST
DEKALB IL 60115-8638

#13
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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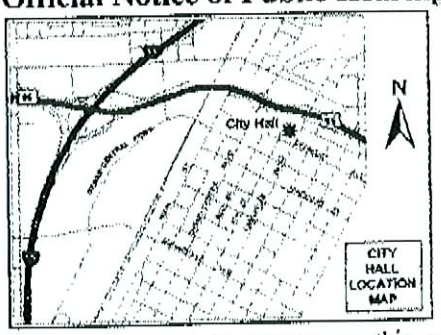

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ZON-29204
Planning Commission Meeting of 12/4/2008

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Case: ZON-29204
16202712124
LAS MONARCAS L L C II
%J PECHONIS
1917 WENGERT AVE
LAS VEGAS NV 89104-1934

#13
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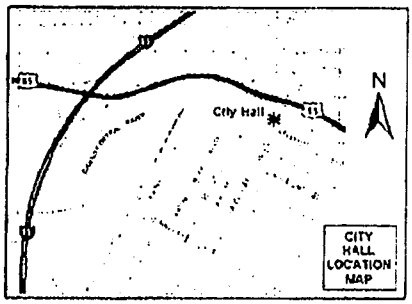
IAVDS11 89104

11/23/2008 17:49 7023824515 JUSTIN PECIONIS PAGE 02

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☑ I OPPOSE this Request

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ZON-29204
Planning Commission Meeting of 12/4/2008

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NOV 26 2008

Case: ZON-29204

16202810006
MORFORD PATRICIA J
1713 LAMPLIGHTER LN
LAS VEGAS NV 89104-3722

ZON29204

Submitted after final agenda
Date P Item 13
~~Submitted after final agenda~~
Date 12/26/08 Item: 13

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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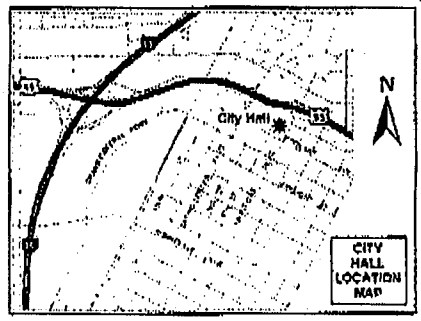

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-29204

Planning Commission Meeting of 12/4/2008

Case: ZON-29204

16202314034
PERICH MERCEDES
12901 N W 7TH LN
MIAMI FL 33182-2363

33182$2363 C084

Submitted after final agenda

Date P Item 13

KEN BURREL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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PITNEY BOWES
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NOV 21 20
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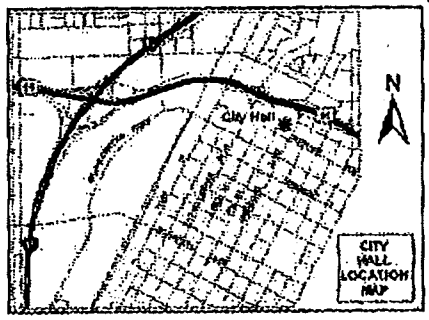

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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ZON-29204

Planning Commission Meeting of 12/4/2008

Case: ZON-29204
16202411045
BURRELL KENNETH WAYNE
1516 SAN PEDRO AVE
LAS VEGAS NV 89104-3534

Submitted after final agenda
Date P Item 13

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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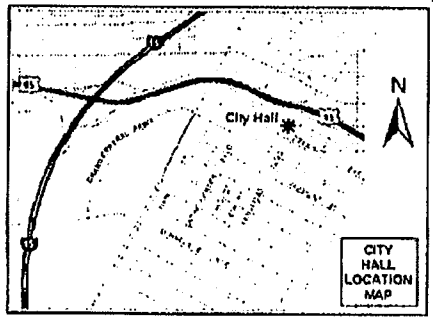

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ZON-29204
Planning Commission Meeting of 12/4/2008

Case: ZON-29204
16202810074
MARTIN DOROTHY J &/OR LYNETTE J
1728 LAMPLIGHTER LN
LAS VEGAS NV 89104-3723

Submitted after final agenda
Date P Item 13

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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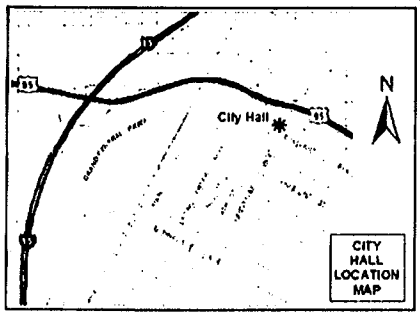

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☒ I OPPOSE this Request

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ZON-29204

Planning Commission Meeting of 12/4/2008

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Case: ZON-29204

16202712013
GALATRO JEANNE
1805 HOWARD AVE
LAS VEGAS NV 89104-3632

I4U0511 89104

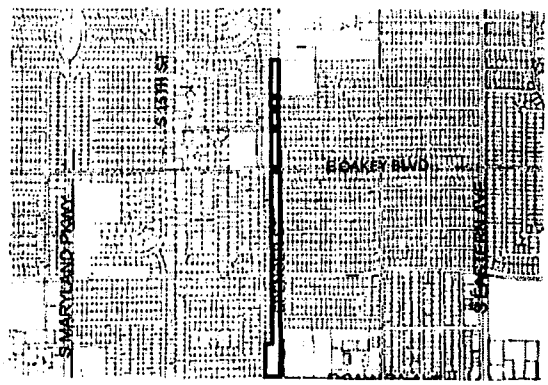
Submitted after final agenda
Date P Item 13

Application Information

ABEYANCE - RENOTIFICATION - ZON-29204 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: NEVADA POWER - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 12.33 acres at the southwest corner of Sahara Avenue and Spencer Street (APNs 162-02-203-007, 162-02-205-001, 162-02-206-002, 162-02-209-002, 162-02-302-001, 162-02-403-001, and 162-02-403-002), Ward 3 (Reese)

TOO CLOSE TO HOMES

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***December 04, 2008***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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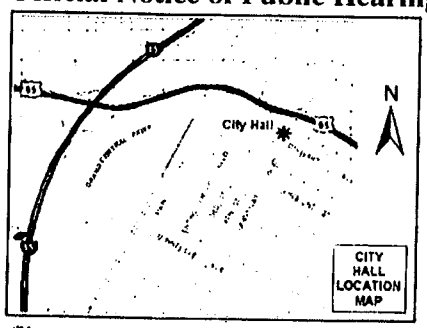

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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-29204
Planning Commission Meeting of 12/4/2008

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16202411051 Case: ZON-29204
SCHNELL CATHERINE T
1522 EXLEY AVE
LAS VEGAS NV 89104-3500

Submitted after final agenda
Date P Item 13

ZON-29204

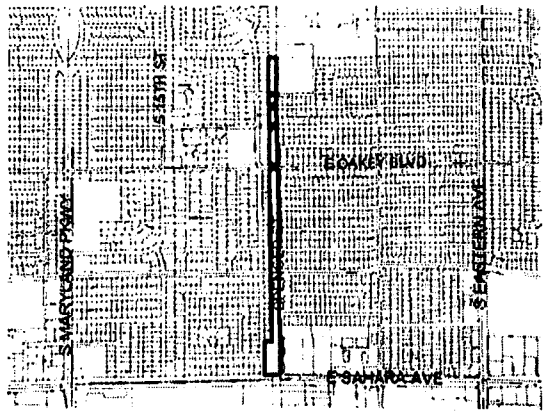
Application Information

ABEYANCE - RENOTIFICATION - ZON-29204 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: NEVADA POWER - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: C-V (CIVIC) on 12.33 acres at the southwest corner of Sahara Avenue and Spencer Street (APNs 162-02-203-007, 162-02-205-001, 162-02-206-002, 162-02-209-002, 162-02-302-001, 162-02-403-001, and 162-02-403-002), Ward 3 (Reese)

TOO CLOSE TO HOME

Theodore E. Mindykowski
Custodian

Application Location



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City of Las Vegas
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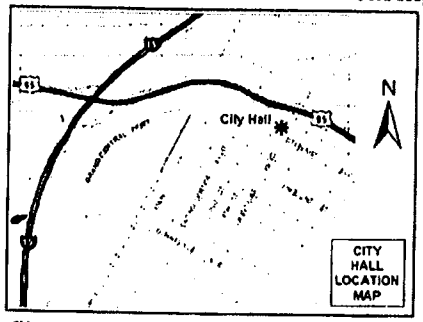

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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ZON-29204
Planning Commission Meeting of 12/4/2008

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Case: ZON-29204
16202411050
GINKGO HOLDING TRUST
2620 S MARYLAND PKWY #253
LAS VEGAS NV 89109-8300

Submitted after final agenda
Date 12/4 Item 13

16202411 89109

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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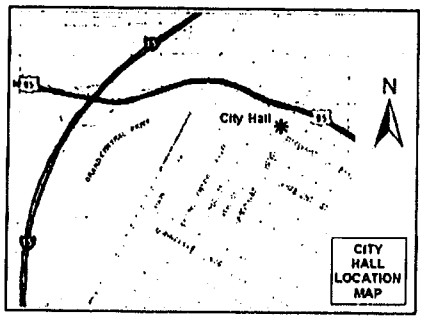

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Case: ZON-29204

16202208001
MESQUITE WOOD 3 L L C
107 E CHARLESTON BLVD
LAS VEGAS NV 89104-1060

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-29204
Planning Commission Meeting of 12/4/2008

Submitted after final agenda
Date A Item 13

City of Las Vegas Agenda Item No.: **100.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:

SDR-29203 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-29204 - PUBLIC HEARING - APPLICANT/OWNER: NEVADA POWER - Request for a Site Development Plan Review FOR A UTILITY SUBSTATION WITH 13 PROPOSED 150-FOOT TALL TRANSMISSION LINE POLES on 3.86 acres at the southwest corner of Sahara Avenue and Spencer Street, (APN 162-02-403-001 and 002), R-1 (Single Family Residential) Zone [PROPOSED: C-V (Civic)], Ward 3 (Reese). NOTE: APPLICATION IS FOR TRANSMISSION LINE POLES RANGING IN HEIGHT FROM 50 FEET TO 155 FEET. Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

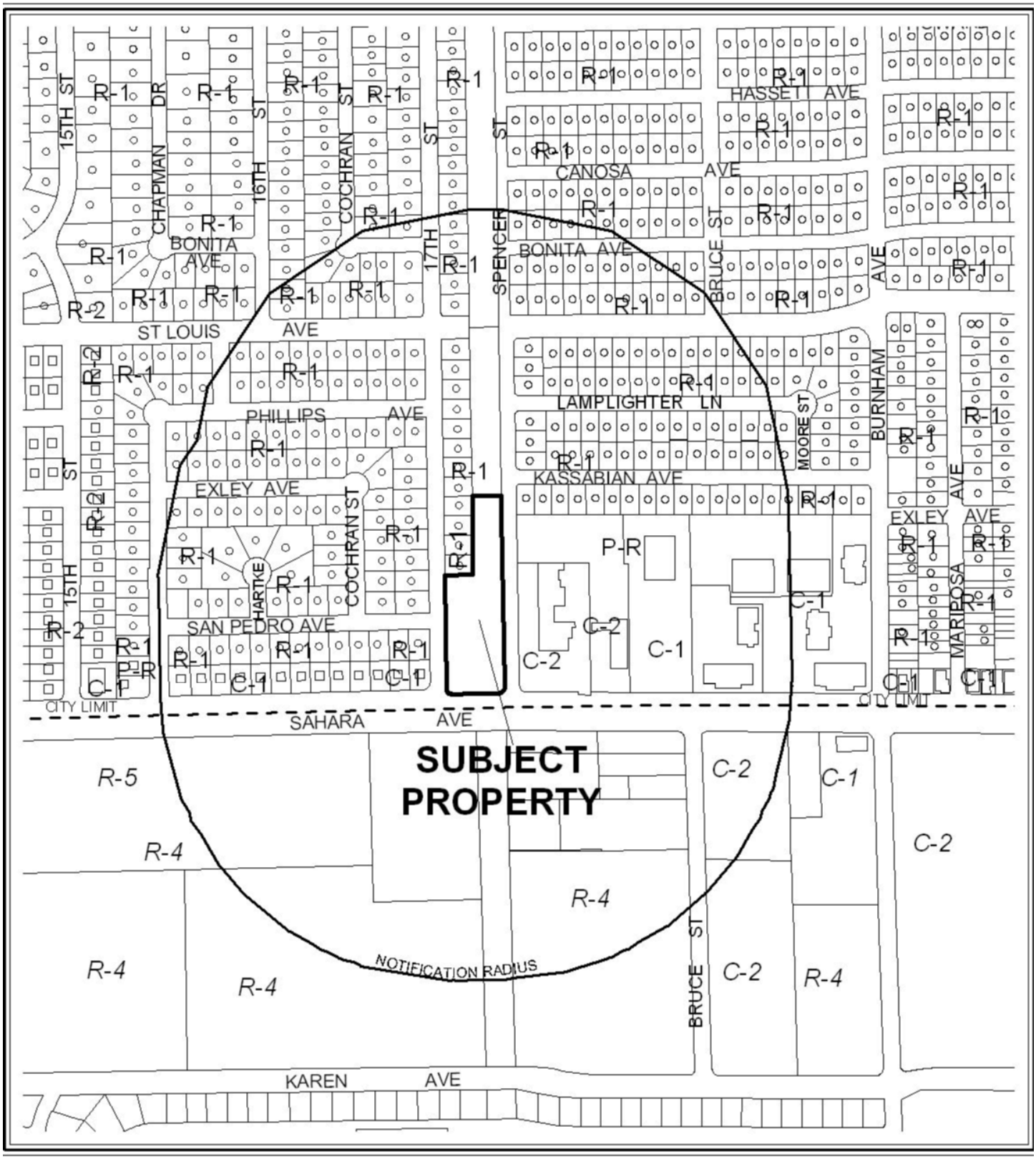
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**18**	**Planning Commission Mtg.**	**4**
City Council Meeting	**2**	**City Council Meeting**	**1**

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 14



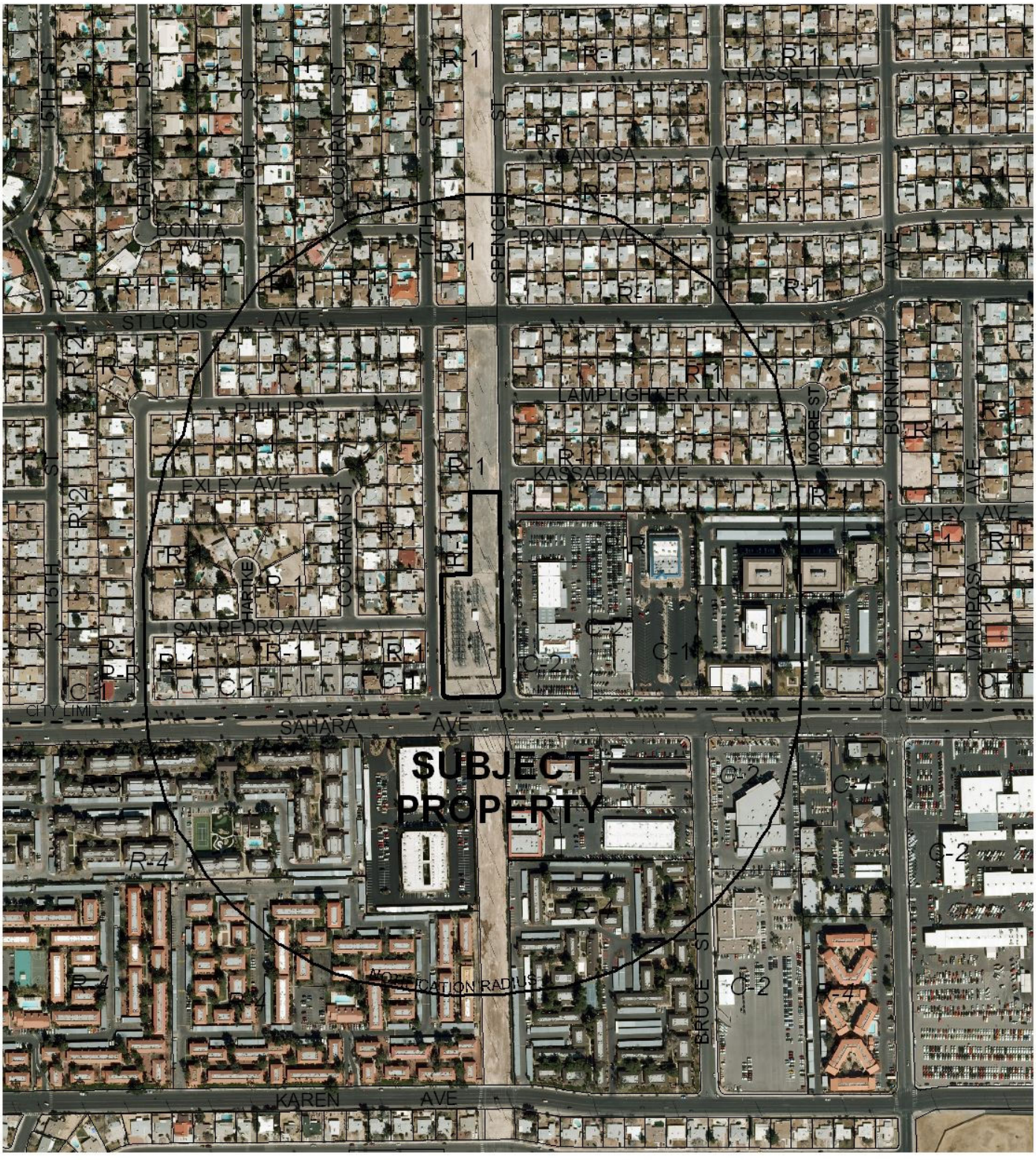
0 500 1000 Fee

CASE: **SDR-29203**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)



0 500 1000 Fee

CASE: **SDR-29203**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)

PROPOSED ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-29203 - SITE APPLICANT/OWNER: NEVADA POWER

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

2. All development shall be in conformance with the site plan, landscape plan, date stamped 11/19/08, and building elevations, date stamped 08/20/08, except as amended by conditions herein.

3. 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.

4. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

5. All perimeter walls shall be decorative and shall have a minimum 20 percent contrasting material. Pilasters, if used, shall have a maximum spacing of 24 feet on center.

6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

8. 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.

9. 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.

10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. Unless documentation can be provided that right-of-way exists; dedicate an additional 20 feet of right-of-way for a total half-street width of 70 feet on Sahara Avenue, dedicate a 25 foot radius corner on the northwest corner of Sahara Avenue and Spencer Street and a 25 foot radius on the northeast corner of Sahara Avenue and Seventeenth Street adjacent to this site prior to the issuance of any permits.

12. Construct all incomplete half-street improvements on Spencer Street and Seventeenth Street adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. However, in lieu of new sidewalk along Spencer Street adjacent to this site, construct sidewalk improvements on the north and south sides of St. Luis Avenue and Oakey Boulevard across the power corridor to provide pedestrian continuity on those streets.

13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

14. Landscape and maintain all unimproved right(s)-of-way, if any, on Sahara Avenue and Seventeenth Street adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

15. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Sahara Avenue and Seventeenth Street public right-of-way adjacent to this site.

16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths 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 drainage ways as recommended.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a Utility Substation with transmission line poles ranging from 22 to 152 feet in height on 3.86 acres at the southwest corner of Sahara Avenue and Spencer Street.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
09/11/08	The Planning Commission held in abeyance a request for a Site Development Plan Review (SDR-29203) for a Utility Substation located on 3.86 acres at the southeast corner of Sahara Avenue and Spencer Street to give the applicant time to address the commission's concerns. Staff recommended denial.
12/04/08	The Planning Commission recommended approval of companion item ZON-29204 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #14/sg).
Related Building Permits/Business Licenses	
There are no related Building Permits or Business License that pertains to this site.	
Pre-Application Meeting	
07/17/08	A pre-application meeting was held with the applicant.
Neighborhood Meeting	
07/22/08	An open house was held at Cambridge Recreation Center at 3930 Cambridge Street from 4:30-7:30 PM, one member of the public was in attendance. No members of city staff were present at this meeting.
Field Check	
08/21/08	A field check was conducted on site. The Electric Substation is screened by a chain link fence around its perimeter and Oleander trees. On the residential masonry wall there is some graffiti and debris along the fencing.

Details of Application Request	
Site Area	
Net Acres	3.86

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Utility Substation and Utility Transmission Lines	PF (Public Facilities)	R-1 (Single Family Residential) **Proposed: C-V (Civic)**
	Utility Transmission Lines	PF (Public Facilities)	R-1 (Single Family Residential) **Proposed: C-V (Civic)**
North	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential
South	Office and Commercial	Clark County	Clark County
	Automobile sales	C (Commercial) and O (Office)	C-2 (General Commercial)
East	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Office	O (Office)	C-1 (Limited Commercial)
	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts		X	N/A
A-O Airport Overlay District (200 feet)	X		Y*
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

**The proposed Electric Substation will not impact the Airport Overlay, as it is 155 feet tall.*

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.010, the following development standards are proposed:

Standard	***Required***	***Provided***	***Compliance***
Min. Setbacks from property line			
• Front (West)	N/A	N/A	N/A*
• Side (North)	N/A	N/A	N/A*
• Side (South	N/A	N/A	N/A*
• Rear (East)	N/A	N/A	N/A*
Min. Distance Between Buildings	N/A	N/A	N/A*
Max. Lot Coverage	N/A	N/A	N/A*
Max. Building Height (Building Addition)	N/A	150 feet	N/A*

**Pursuant to Title 19.06.010, the development standards for a project in a C-V (Civic) Zoning District shall be established by the City Council in conjunction with approval of a Site Development Plan Review. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. The proposed landscaping, parking, setbacks, and maximum building heights for this project are defined below. Any future development will require review for determination of appropriate development standards.*

ANALYSIS

- **Zoning**

  The subject properties are designated PF (Public Facilities) and are located within the boundaries of the Southeast Sector Map of the General Plan. The Public Facilities category allows for large governmental building sites and complexes, police and fire facilities, hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities.

  In a companion application, a Rezoning (ZON-29204) if approved, proposes to change the site's zoning from R-1 (Single Family Residential) to C-V (Civic). The proposed C-V District is intended to provide for existing public and quasi public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities. In addition, the C-V District may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The C-V District is consistent with the Public Facilities category of the General Plan.

  Pursuant to Title 19.06.010, the development standards for a project in a C-V (Civic) Zoning District shall be established by the City Council in conjunction with approval of a Site Development Plan Review. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. The proposed landscaping, parking, setbacks, and maximum building heights for this project are defined below. Any future development will require review for determination of appropriate development standards.

- **Site Plan**

  The applicant is proposing to add 15 power poles and additional electrical equipment to an existing Electric Utility Substation. The proposed site plan depicts two parcels; the existing substation with 13 proposed power poles (Utility Transmission Lines), additional electrical equipment and 13 existing power poles and other structures to be removed, located on a 2.51 acre parcel to the south, and two additional proposed power poles on the 1.36 acre parcel to the north. The proposed power poles include two poles that are 150 and 152 feet, three poles at 140 feet and ten poles that range from 22 to 87 feet in height in the following locations:

  1. Two poles are located in the landscape buffer area along Sahara Avenue, with the west pole at 150 feet in height, and the east pole at 152 feet in height.
  2. Five poles are located just inside the perimeter wall of the substation along Spencer Street. These poles are 75, 140, 42, 140 and 140 feet in height, from south to north.
  3. Two poles are located on the north parcel along Spencer Street at 75 feet in height. The original submittal indicated a single pole at 132 feet in height on this parcel.
  4. One pole is located in the landscape buffer area on 17th Street at 87 feet in height.
  5. Five poles are located at the interior of the substation site (within the perimeter walls) that range from 22 feet to 85 feet in height. In the original submittal, the two poles that are 22 feet high were labeled as "dead ends" and were considered part of the additional proposed equipment. As a result, they were not included in the total number of transmission poles

  In addition to adding the power poles and electrical equipment, the applicant is removing 13 power poles and structures from throughout the site, which range from 25 to 85 feet in height.

  Access to the site is provided by three access driveways, which are all gated. There are two existing 20-foot access driveways off Sahara Avenue and Spencer Street. The applicant has proposed an additional access driveway on Spencer Street approximately 114 feet north of the access driveway on the same street.

  No structures are proposed as a part of this development; therefore, there are no setbacks, building height, or other site development standards applicable. Further, the site plan calls for zero parking spaces as the Electric Utility Substation use has no parking requirement.

- **Landscape Plan**

  A landscape buffer with 24-inch box sized Argentine Mesquite trees, spaced approximately 20 feet on center, is depicted as a 10-foot wide planter along the east property line and the south portion of the west property line, and as a 15-foot wide planter along the south property line. A variety of five-gallon shrubs are located throughout this buffer area, with the plan indicating Centennial Broom, Fairy Duster and Compact Texas Ranger. Within these areas, there are 231, 24-inch box pyracantha planted along the base of the block wall, approximately five feet on-center. There are no trees provided in the landscaping buffers along the north perimeter, or the five-foot landscaping buffer along the north portion of the west property line of the site, adjacent to the single family residences. A three-inch base of decomposed Gold Granite is used as mulching material in all landscape areas.

- **Elevations**

  The proposed 13 power poles on both parcels range from 53 feet to 155 feet in height, which in comparison to the existing power poles, range from 40 to 85 feet in height.

  The elevations depict a brown 16-foot high perimeter wall around the proposed development area that is designed to reduce the visual impact and screen the substation equipment. Further, the wall height, which is above the typical height limitation where development standards restrict the wall height to a maximum of eight feet, is meant to provide added security by discouraging/impeding would-be trespassers and vandals. The elevation notations indicate that a split face block material is intended with pilasters. Since no notation has been provide regarding the contrasting material and the pilaster spacing, a condition of approval has been added to this review that all perimeter walls must be decorative with 20 percent contrasting material and that pilasters are to be spaced a maximum of 24 feet on center.

  Although the 16-foot block wall is meant to provide added security by discouraging/impeding would-be trespassers and vandals, the applicant has created a public safety concern with the location of the 16-foot wall in proximity to residential walls to the west. The 10 feet of space between the proposed wall and the existing residential walls are not visible from the street, which could create a nesting place for illicit activities and pose a public safety hazard.

- **Submittal Comparison Table**

Original Submittal (08/20/08)	**Revised Submittal (11/19/08)**
Number of Poles: 13 (+ two proposed 22' "dead ends")	**Number of Poles:** 15 (with two "dead ends" included as proposed 22' poles)
Range of Height: 50' to 155'	**Range of Height:** 22' to 152'

Location of Poles: • North Parcel (16202403001) – No screen wall or landscaping a. One pole at 132' • South Parcel (16202403002) a. Outside screen wall: i. One pole at 155' (Sahara / Spencer) ii. One pole at 150' (Sahara / 17th Street) iii. One pole at 93' (17th Street) b. Inside screen wall: iv. One pole at 155' v. One pole at 150' vi. Seven poles ranging from 50' to 93'	**Location of Poles:** • North Parcel (16202403001) - No screen wall or landscaping a. Two poles at 75' • South Parcel (16202403002) a. Outside screen wall: vii. One pole at 152' (Sahara / Spencer) viii. One pole at 150' (Sahara / 17th Street) ix. One pole at 87' (17th Street) b. Inside screen wall: x. Three poles at 140' xi. Seven poles ranging from 22' to 85'
Landscape Buffers (south parcel only): • South: 15' a. 24-inch box trees at 30' OC, with four 5-gallon shrubs per tree • East, portions of west and north: 10' a. 24-inch box trees at 30' OC along the east and a portion of the west, with four 5-gallon shrubs per tree b. No landscaping along the north • Portions of the east and north: 5' a. No landscaping	**Landscape Buffers (south parcel only):** • South: 15' a. 24-inch box trees at 20' OC, with two 5-gallon shrubs per tree and 15-gallon pyracantha planted at approximately 5' OC along the base of the wall • East, portions of west and north: 10' a. 24-inch box trees at 20' OC along the east and a portion of the west, with four 5-gallon shrubs per tree and 24-inch box pyracantha planted at approximately 5' OC along the base of the wall b. No landscaping along the north • Portions of the east and north: 5' a. No landscaping
Perimeter Walls (south parcel only): • North Parcel (16202403001): Up to 16' high, no contrasting materials • South Parcel (16202403002): No walls proposed	**Perimeter Walls (south parcel only):** • No changes indicated, and no additional information provided

FINDINGS

The following findings must be made for an SDR:

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

   The proposed 152-foot tall power poles are a 90 percent increase over the existing 80-foot poles, which are not compatible with existing adjacent development and development in the area, as it will provide power poles greater in scale than those around it.

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 is consistent with the General Plan as the proposed Rezoning (ZON-29204) to C-V (Civic) bring the parcels into conformance with the Public Facilities category of the General Plan.

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

   Site access is gained from Sahara Avenue, a 100-foot Primary Arterial, and Spencer Street, a 60-foot Local Street, as designated in the Master Plan Streets and Highways. Site access should be adequate and the adjacent roadways will not be impacted as the facility will only be accessed as necessary by Nevada Power personnel.

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

   The building and landscape materials denoted for this site are appropriate for the area and the City. The landscape plan indicates drought tolerant plants of appropriate sizes and the elevations show that the perimeter walls are to be constructed of a split-face CMU block with gates that utilize a perforated steel fabric covering.

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;**

There are no structures proposed as a part of this development; however, there are elevations that indicate that the design characteristics of the perimeter walls will not present an unsightly, undesirable, or obnoxious appearance. A condition of approval has been added to this review that all perimeter walls must be decorative with 20 percent contrasting material and that pilasters are to be spaced a maximum of 24 feet on center.

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

   Although the 16-foot block wall is meant to provide added security by discouraging/impeding would be trespassers and vandals, the applicant has created a public safety concern with the location of the 16-foot wall in proximity to residential walls to the west. The 10 feet of space between the proposed wall and the existing residential walls are not visible from the street, which could create a nesting place for illicit activities and pose a public safety hazard.

PLANNING COMMISSION ACTION

The Planning Commission amended condition #12 as shown. The Planning Commission discussed the importance of fast growing trees and shrubs along the corridor.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 10

SENATE DISTRICT 12

NOTICES MAILED 773 by City Clerk

APPROVALS 4

PROTESTS 12

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-29203** APN: 162-02-403-002

Name of Property Owner: Nevada Power

Name of Applicant: Nevada Power

Name of Representative: Scott Ruedy, WRG Design Michelle Baltz, Nevada Power

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: James R Soaredra

Print Name: James R Soaredra

Subscribed and sworn before me

This 25th day of July, 2008

Cathy Mason

Notary Public in and for said County and State

CATHY MASON
Notary Public, State of Nevada
Appointment No. 05993121
My Appt. Expires Aug. 2, 2009

LANDSCAPE MATERIAL SCHEDULE

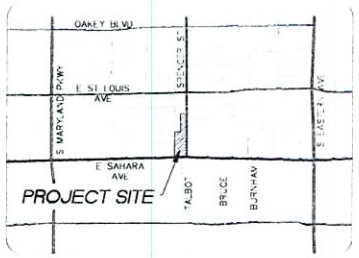
SIZE	DESCRIPTION	BOTANICAL NAME	QUANTITY	SYMBOL	COMMENT
3" THICK	GOLD GRANITE MULCH	N/A	18366 SF		3" THICK
5 GAL	DESERT BROOM	BACCHARIS SERATHOIDES	41 EA		
5 GAL	FAIRY DUSTER	CALLIANDRA ERIOPHYLLA	77 EA		
5 GAL	COMPACT TEXAS RANGER	LEUCOPHYLLUM	39 EA		
24" BOX	ARGENTA MESQUITE	PROSOPIS ALBA	61 EA		
24" BOX	PYRACANTHA	PYRACANTHA KOIDZUMII 'SANTA CRUZ'	23 EA		

GRAPHIC SCALE

30 0 15 30 60

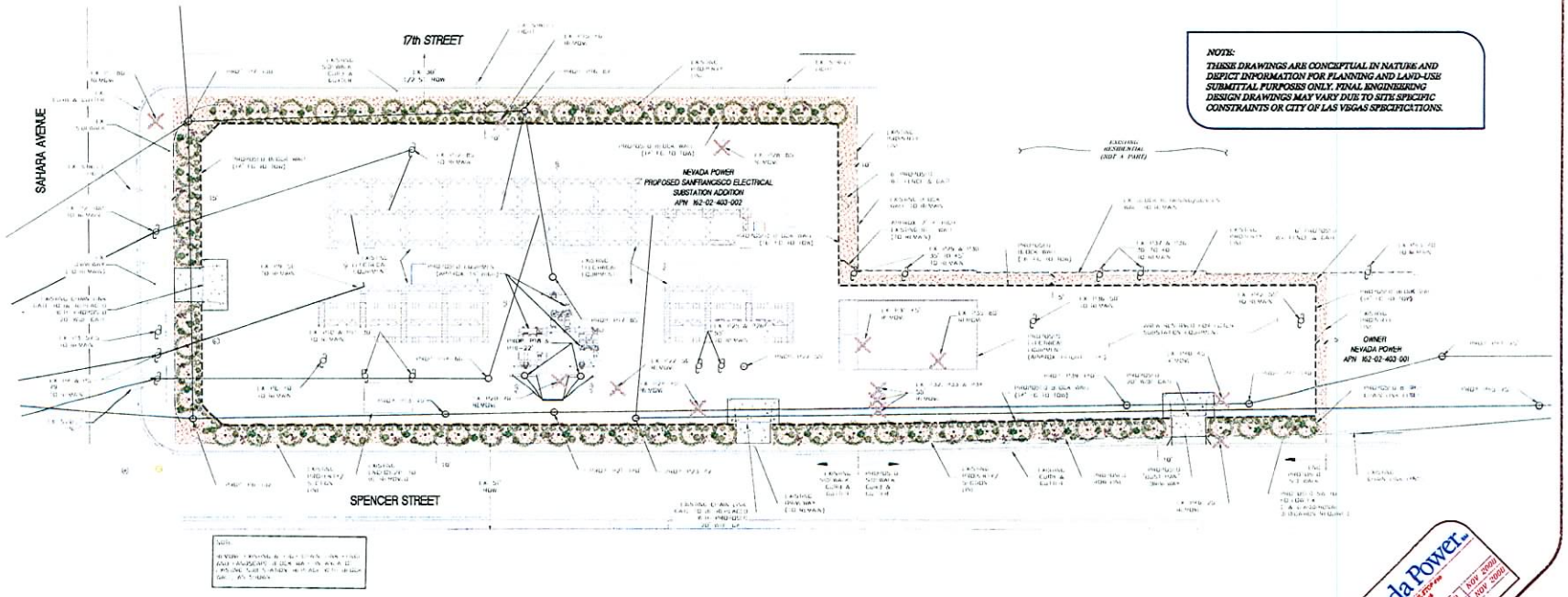
(IN FEET)

1 inch = 30 ft.



VICINITY MAP

N.T.S.



NOTE:
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POLE LEGEND

SYMB.	DESCRIPTION	QUANT.	HEIGHT	REMARKS
	EXISTING SINGLE WOOD POLE	4	70' - 80'	
	EXISTING SINGLE WOOD POLE	19	80' - 90'	
	EXISTING SINGLE WOOD POLE	9	90' - 95'	
	EXISTING SINGLE WOOD POLE	6	95' - 100'	
	EXISTING SINGLE WOOD POLE	1	100' - 105'	
	EXISTING SINGLE WOOD POLE	1	105' - 110'	
	EXISTING SINGLE WOOD POLE	1	110' - 115'	
	EXISTING SINGLE WOOD POLE	1	115' - 120'	
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	EXISTING SINGLE WOOD POLE	1	170' - 175'	
	EXISTING SINGLE WOOD POLE	1	175' - 180'	
	EXISTING SINGLE WOOD POLE	1	180' - 185'	
	EXISTING SINGLE WOOD POLE	1	185' - 190'	
	EXISTING SINGLE WOOD POLE	1	190' - 195'	
	EXISTING SINGLE WOOD POLE	1	195' - 200'	

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NOV 19 2008

SDR-29203
12/04/08 PC
REVISED

Nevada Power Co.
DWG. NO. 1
PROJ. LDR. TESSENTSON
DRAWN TJD NOV 2008
CHECKED JMD NOV 2008

SITE NO. Fig 1 of 2

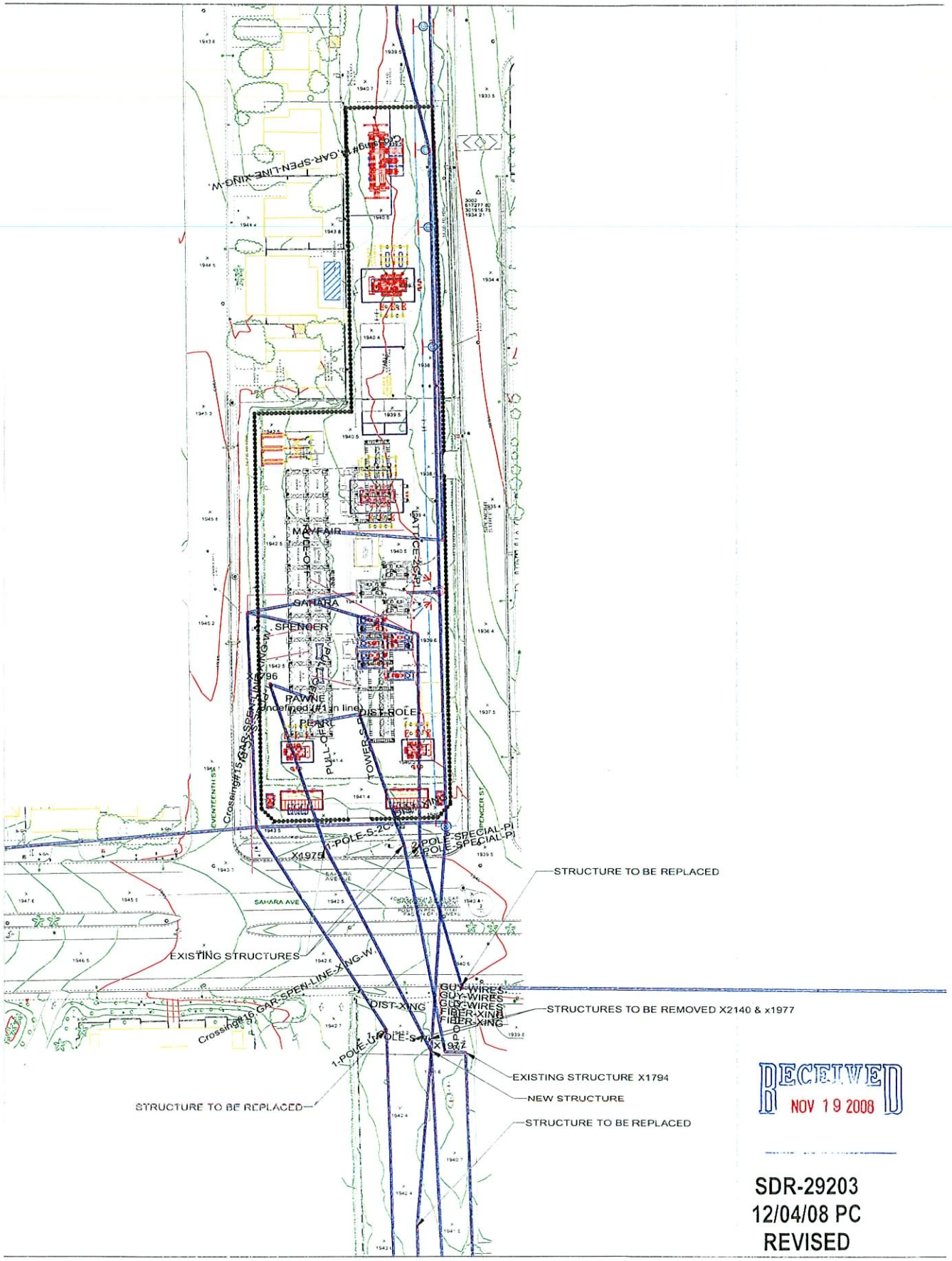
BY	DATE	BY	APPROVAL

REVISIONS

SAN FRANCISCO SUBSTATION

USE PERMIT - SITE PLAN

Nevada Power, Project: "sf buildout 11-08.xyz"
PLS-CADD Version 9.28, 11:21:17 AM Monday, November 17, 2008
Line Title: 'SF - PA 69kV Line'



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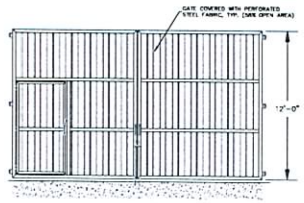
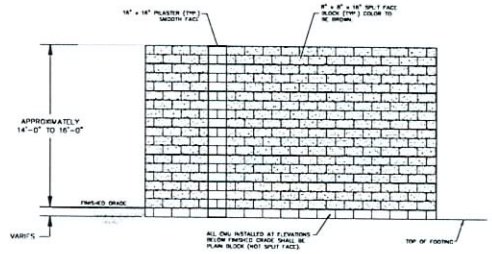
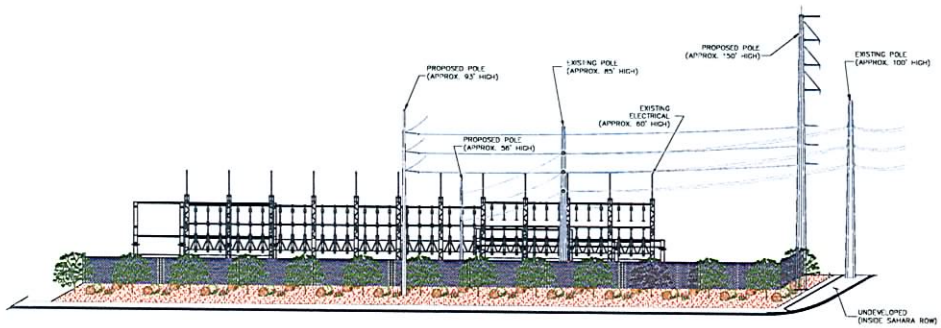
SDR-29203
12/04/08 PC
REVISED



DOUBLE SWING GATE-ELEVATION

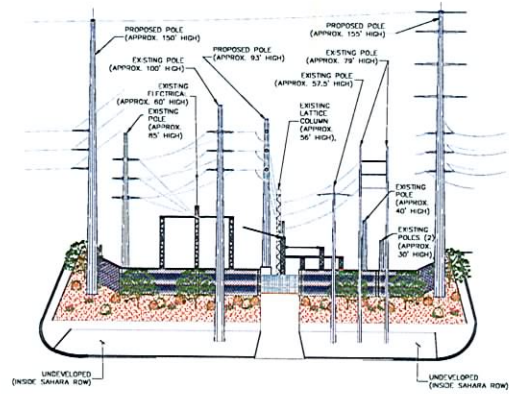


BLOCK WALL DETAIL



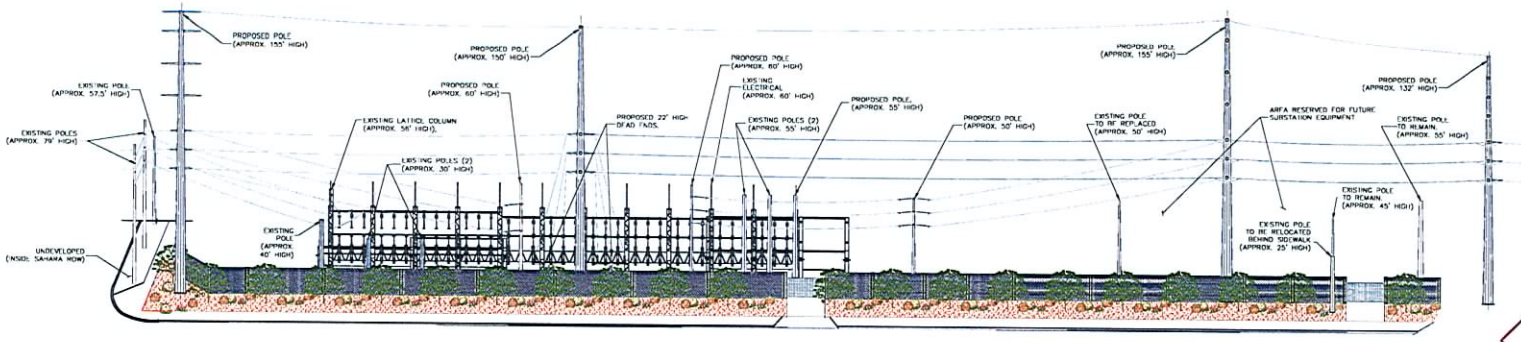
WEST WALL ELEVATION

(VIEW FROM 17th STREET, LOOKING EAST)



SOUTH WALL ELEVATION

(VIEW FROM SAHARA, LOOKING NORTH)



EAST WALL ELEVATION

(VIEW FROM SPENCER, LOOKING WEST)

BY	DATE	APPROVAL	REVISIONS
			Proj ID

SAN FRANCISCO SUBSTATION

USE PERMIT - SITE PLAN

Nevada Power Co.

DWG. NO.	UP-Fig 1
PROJ. ENG.	TOSHIYA/TROUT
DRAWN	MD
DESIGNED	FLD
APPD.	
DATE	MAY 2008
	MAY 2008

SHEET NO. Fig 2 OF 2

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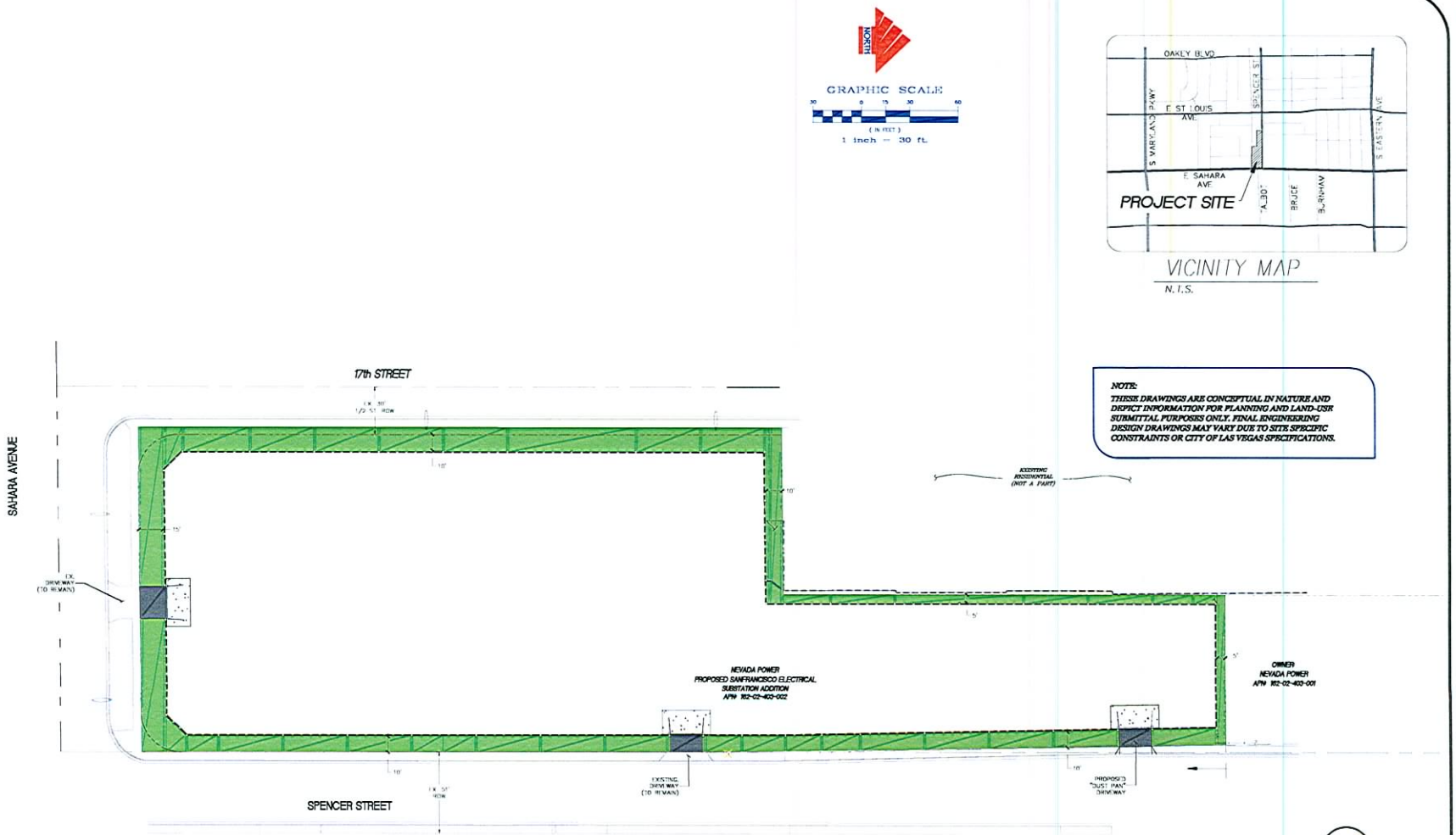
SDR-29203
09/11/08 PC
REVISED

S:\Civil\San Francisco\Drawings\08-08-15- 92 138 Civil SAN FRANCISCO.DWG Aug 19, 2008 - 3:47pm



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BY	DATE	REV	APPROVAL	Proj. ID

REVISIONS

SAN FRANCISCO SUBSTATION

COLORED DRAWING

Nevada Power

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PROJ. I.D.
DRAWN
CHECKED
APP'D

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JUL 28 2008

SHT. NO. Fig 1 OF 2

SDR-29203
09/11/08 PC

SDR-29203 - APPLICANT/OWNER: NEVADA POWER
SOUTHWEST CORNER OF SAHARA AVENUE AND SPENCER STREET
DECEMBER 4, 2008 PLANNING COMMISSION

08/22/08

SDR-29203 - APPLICANT/OWNER: NEVADA POWER
SOUTHWEST CORNER OF SAHARA AVENUE AND SPENCER STREET
DECEMBER 4, 2008 PLANNING COMMISSION

08/22/08

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SOUTHWEST CORNER OF SAHARA AVENUE AND SPENCER STREET
DECEMBER 4, 2008 PLANNING COMMISSION

08/22/08

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08/22/08

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08/22/08

SDR-29203 - APPLICANT/OWNER: NEVADA POWER
SOUTHWEST CORNER OF SAHARA AVENUE AND SPENCER STREET
DECEMBER 4, 2008 PLANNING COMMISSION

08/22/08

W R G
DESIGN INC.

July 23, 2008

Margo Wheeler, AICP, Director
City of Las Vegas
Planning & Development Department
731 South 4th Street
Las Vegas, NV 89101

RE: Site Development Plan Review San Francisco Substation

Ms. Wheeler:

On behalf of our client, Nevada Power Company, we respectfully request your review of the attached application for a site development plan review on parcel #162-02-403-002. The site is currently zoned Single Family Residential (R-1). The General Plan designates the property as Public Facility (P-F). A request to change the zoning has also been submitted along with this request to zone the property Civic (C-V). Utility company facilities are a permitted use within the C-V zoning district, subject to a review of the site.

The existing substation is intended to be upgraded. The proposed project is being developed to better serve and provide greater reliability to the new and existing Nevada Power customers in the area.

The upgrade of the substation will be developed on approximately 2.5 acres. The substation site will be upgraded from the current configuration. This includes the removal and addition of equipment and poles, a new block wall and landscaping. There will be a total of 13 new poles added to the site ranging in height from 50' to 155'. An existing lattice tower and three existing poles will be removed from the site. The facility will be surrounded by a 14' to 16' split-face block wall in order to help screen the equipment, assist in noise attenuation and deter unauthorized entry into the substation. There will be a 15' landscape buffer along the south property line adjacent to Sahara Avenue. There will be a 10' landscape buffer adjacent to Spencer Street and 17th Street. All trees placed in the landscape buffers will be a minimum of 24" box in size. The north and a portion of the west side of the substation will have a 5' gravel mulch area between the property lines and block wall.

Off-site improvements will be extended along the property along Spencer Street. Access will be provided to the site along Sahara Avenue and from two points along Spencer Street. There is and will be no access to the substation from 17th Street.

LAND PLANNING

CIVIL ENGINEERING

LANDSCAPE ARCHITECTURE

LAND SURVEY

WATER RESOURCES

3011 West
Horizon Ridge Pkwy.
Suite 100
Henderson, NV
89052

PH 702/990-9300
FX 702/990-9305

www.wrgdesign.com

SDR-29203
09/11/08 PC

Nevada Power held an open house on July 22, 2008 at the Cambridge Recreation Center to allow input from the surrounding property owners concerning the San Francisco Substation. There was 1 individual that attended the open house seeking additional information.

We look forward to your favorable recommendation, please feel free to contact our office if you should have any questions or require any additional information.

Sincerely,
WRG Design, Inc.

Patricia Ortiz - (For Scott Ruedy)

Scott Ruedy, AICP
Planning Project Manager

SDR-29203
09/11/08 PC

W R G
DESIGN INC.

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas. Nevada 89101

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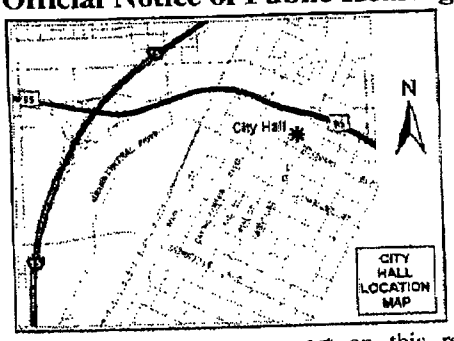
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-29204 & SDR-29203
City Council Meeting of 1/7/2009

GRIFFITH MYRNA JOYCE
2000 SPENCER ST
LAS VEGAS NV 89104-3708

JAVD511 89104

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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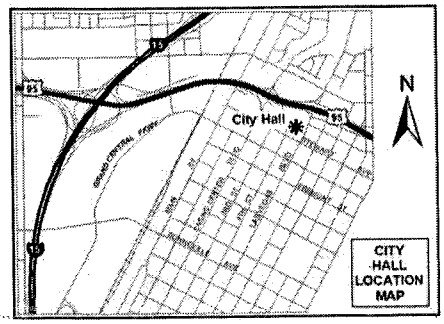

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-29204 & SDR-29203
City Council Meeting of 1/7/2009

CARPI ELIZABETH L RESIDENCE TR
CARPI LEONARD W RESIDENCE TR
%W CARPI TRS
1717 S 16TH ST
LAS VEGAS NV 89104-3501

JAVD511 89104

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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MAILED FROM ZIP CODE 89101

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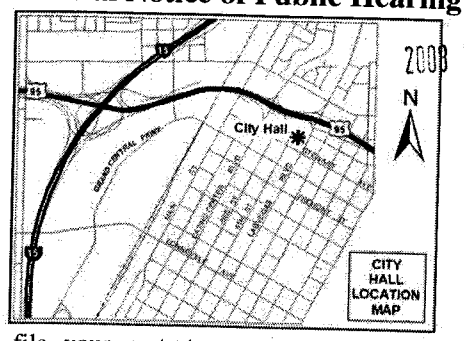

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

ZON-29204 & SDR-29203

City Council Meeting of 1/7/2009

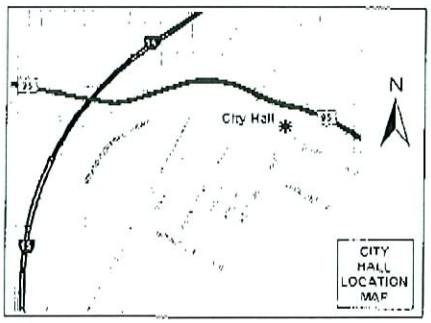
KIEFFNER C K FAMILY REV LIV TR
KIEFFNER CLAIRE K TRS
2800 HOWARD DR
LAS VEGAS NV 89104-4233

89104

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

[X] I SUPPORT this Request [ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-29203
Planning Commission Meeting of 9/11/2008

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-29203
16202712124
LAS MONARCAS L L C II
%J PECHONIS
1917 WENGERT AVE
LAS VEGAS NV 89104-1934

#16
S

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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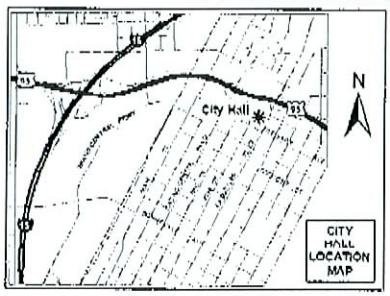
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-29203
Planning Commission Meeting of 9/11/2008

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-29203

16202810058
RICCIO GERARD & PAMELA
12719 CALMA CT
SAN DIEGO CA 92128-2304

#16
S

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

$ 00.39⁴
AUG 29 2008

PLANNING + DEVELOPMENT DEPT
731 S. FOURTH

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SEP 03 2008

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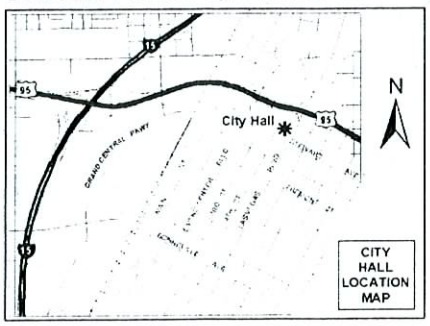
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-29203
Planning Commission Meeting of 9/11/2008

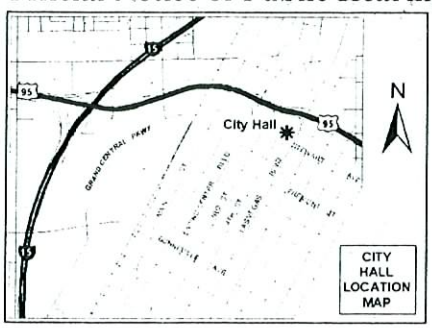
Case: SDR-29203
16202411051
SCHNELL CATHERINE T
1522 EXLEY AVE
LAS VEGAS NV 89104-3500

FAU0511 89104

#16
P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-29203

Planning Commission Meeting of 9/11/2008

Mr. Robert D. Duboise
1812 Lamplighter Ln.
Las Vegas, NV 89104

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AUG 29 2008
FROM ZIPCODE 89101

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PLANNING & DEVELOPMENT

Case: SDR-29203
16202810068
DUBOISE ROBERT D
1812 LAMPLIGHTER LN
LAS VEGAS NV 89104-3724

#16
P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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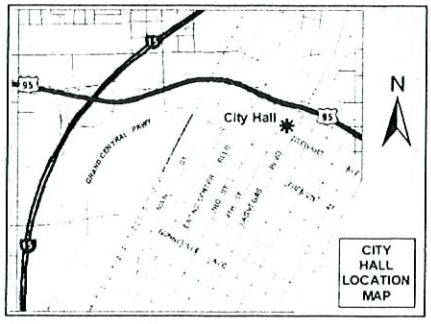

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SDR-29203

Planning Commission Meeting of 9/11/2008

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SEP 03 2008

Case: SDR-29203
16202411050
GINKGO HOLDING TRUST
2620 S MARYLAND PKWY #253
LAS VEGAS NV 89109-8300

FAVDS11 89109

#16
P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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0004239954 AUG 28 2008
MAILED FROM ZIP CODE 89101

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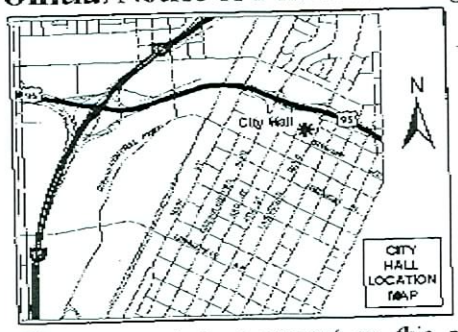
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SDR-29203

Planning Commission Meeting of 9/11/2008

Case: SDR-29203
16202411045
BURRELL KENNETH WAYNE
1516 SAN PEDRO AVE
LAS VEGAS NV 89104-3534

FOLD AND TAPE

96 #

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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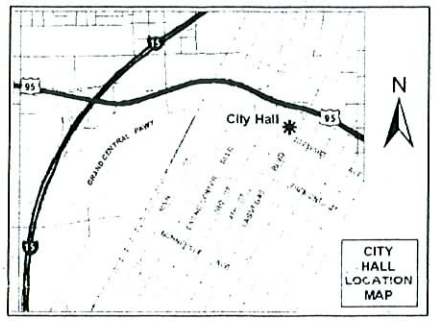
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SDR-29203

Planning Commission Meeting of 9/11/2008

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-29203
16202810006
MORFORD PATRICIA J
1713 LAMPLIGHTER LN
LAS VEGAS NV 89104-3722

FAVDS11 89104

#16
P

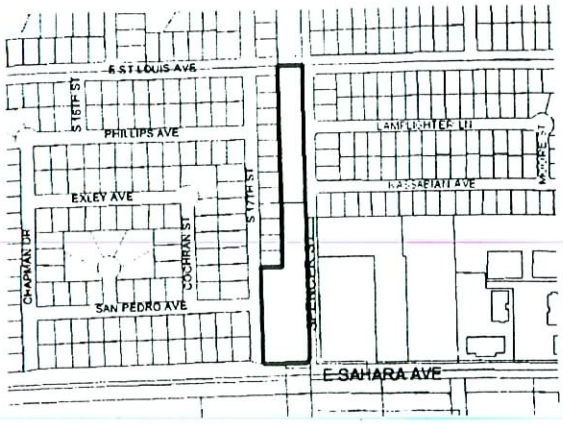
Application Information

SDR-29203 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-29204 - PUBLIC HEARING - APPLICANT/OWNER: NEVADA POWER - Request for a Site Development Plan Review FOR A UTILITY SUBSTATION WITH 13 PROPOSED 150-FOOT TALL TRANSMISSION LINE POLES on 3.86 acres at the southwest corner of Sahara Avenue and Spencer Street, (APN 162-02-403-001 and 002), R-1 (Single Family Residential) Zone [PROPOSED: C-V (Civic)], Ward 3 (Reese)

This will devalue our property.
At the minimum appropriate
compensation should be offered

9/2/08 Dave & Thompson

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***September 11, 2008***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.39⁴
0004239954 AUG 29 2008
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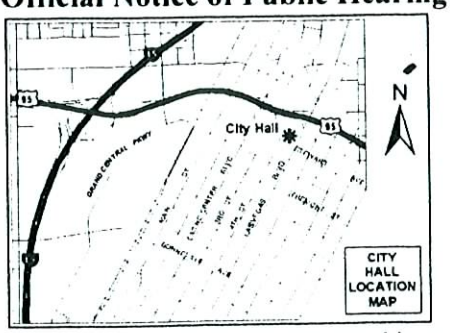
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-29203
Planning Commission Meeting of 9/11/2008

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-29203
16202810093
THOMPSON DAVID & SHAWN AGERS
17745 S 1ST ST
DEKALB IL 60115-8638

Submitted after final agenda
Date 9 Item #16

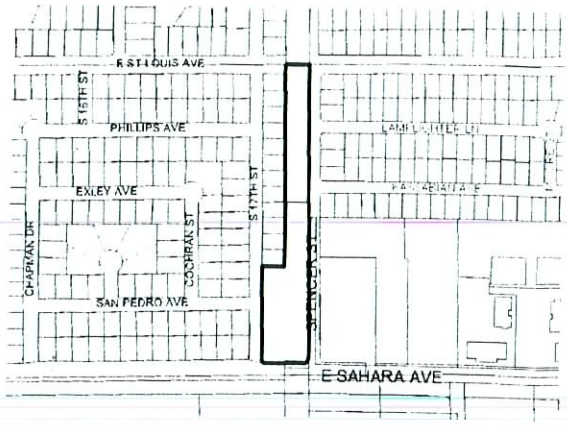
PAGE 1 OF 1

Application Information

SDR-29203 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-29204 - PUBLIC HEARING - APPLICANT/OWNER: NEVADA POWER - Request for a Site Development Plan Review FOR A UTILITY SUBSTATION WITH 13 PROPOSED 150-FOOT TALL TRANSMISSION LINE POLES on 3.86 acres at the southwest corner of Sahara Avenue and Spencer Street, (APN 162-02-403-001 and 002), R-1 (Single Family Residential) Zone [PROPOSED: C-V (Civic)], Ward 3 (Reese)

KEEP THIS AREA RESIDENTIAL ONLY

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***September 11, 2008***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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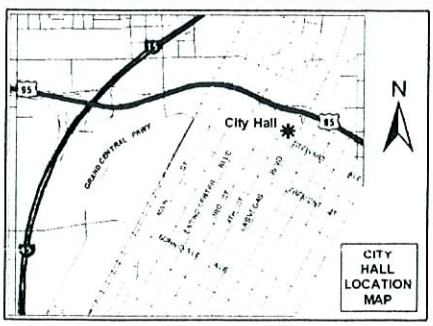
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-29203
Planning Commission Meeting of 9/11/2008

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-29203
16202411083
AUER MARY JANE & RHONDA
1619 EXLEY AVE
LAS VEGAS NV 89104-3540

Submitted after final agenda
Date P Item #116

POSTAL CARD

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE
PITNEY BOWES
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0004239954
$ 00.394
AUG 29 2008
MAILED FROM ZIPCODE 89101

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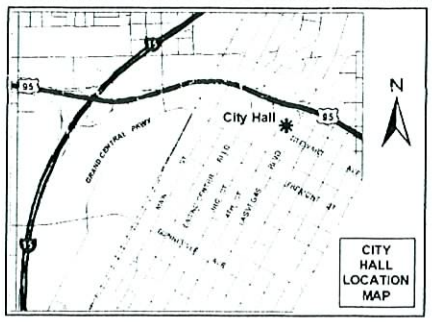
Official Notice of Public Hearing



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☐ I SUPPORT this Request

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SDR-29203
Planning Commission Meeting of 9/11/2008

RECEIVED
SEP - 9 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-29203
16202712040
PAYNE ROBERT L & SHIRLEY JOAN
1705 HASSETT AVE
LAS VEGAS NV 89104-3622

PAYNE 1 1 89104

Submitted after final agenda
Date P Item #16

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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UNITED STATES POSTAGE
PITNEY BOWES
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0004239954 AUG 29 2008
MAILED FROM ZIP CODE 89101

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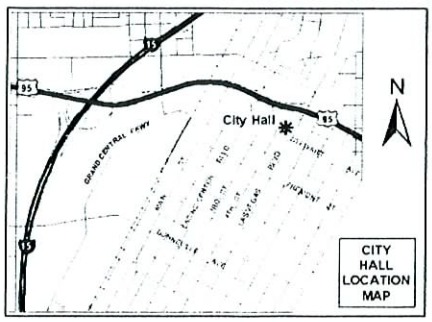
Official Notice of Public Hearing



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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SDR-29203
Planning Commission Meeting of 9/11/2008

Case: SDR-29203
16202712081
PAYNE ROBERT LEE & SHIRLEY
1705 HASSETT
LAS VEGAS NV 89104-3622

FAVDS11 89104

Submitted after final agenda
Date P Item #16

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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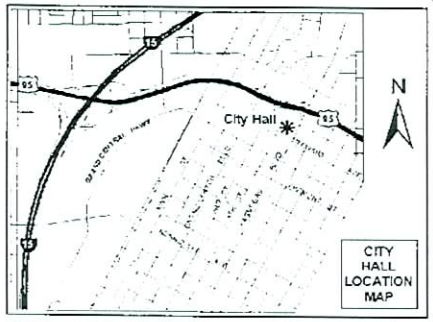

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SDR-29203

Planning Commission Meeting of 9/11/2008

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SEP - 9 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

Case: SDR-29203

16202411105
LIVICH JOSEPHINE
2118 S 17TH ST
LAS VEGAS NV 89104-3530

Submitted after final agenda
Date 9/11
Item #10

Sep 04 08 09:33p

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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SDR-29203

Planning Commission Meeting of 9/11/2008

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CITY OF LAS VEGAS
PLANNING & DEVELOPMENT

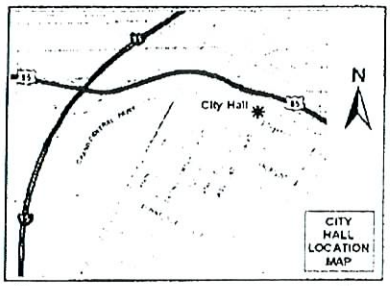
16202810054 Case: SDR-29203
SCHORN MAUREEN J
1713 KASSABIAN AVE
LAS VEGAS NV 89104-3718

Submitted after final agenda
Date S Item #16

FAVDS11 89104

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street,
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

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SDR-29203
Planning Commission Meeting of 12/4/2008

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Case: SDR-29203
16202810093
THOMPSON DAVID & SHAWN AGERS
17745 S 1ST ST
DEKALB IL 60115-8638

#14
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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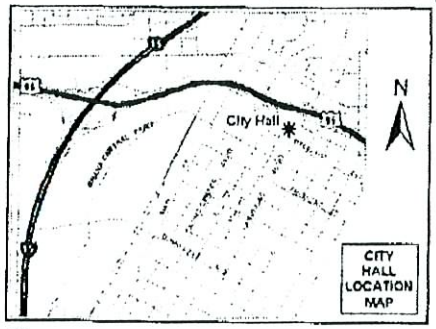
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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SDR-29203
Planning Commission Meeting of 12/4/2008

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NOV 25 2008

Case: SDR-29203
16202810001
GRIFFITH MYRNA JOYCE
2000 SPENCER ST
LAS VEGAS NV 89104-3708

702-731-5662

Myrna DiPaolo

#14
P

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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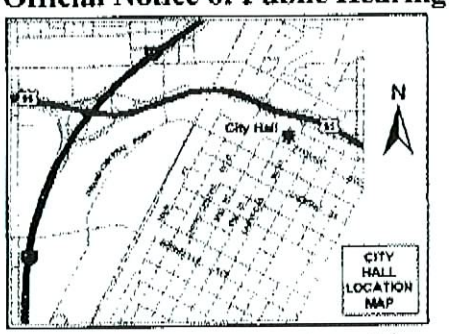
Official Notice of Public Hearing



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SDR-29203
Planning Commission Meeting of 12/4/2008

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NOV 25 2008

Case: SDR-29203
16202712124
LAS MONARCAS L L C II
%J PECHONIS
1917 WENGERT AVE
LAS VEGAS NV 89104-1934

#14
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IAVDS11 89104

11/23/2008 17:49 7023824515 JUSTIN PECIONIS PAGE 01

ATCO Noise Management

NOISE CONTOUR MAPS
SAN FRANCISCO SUBSTATION

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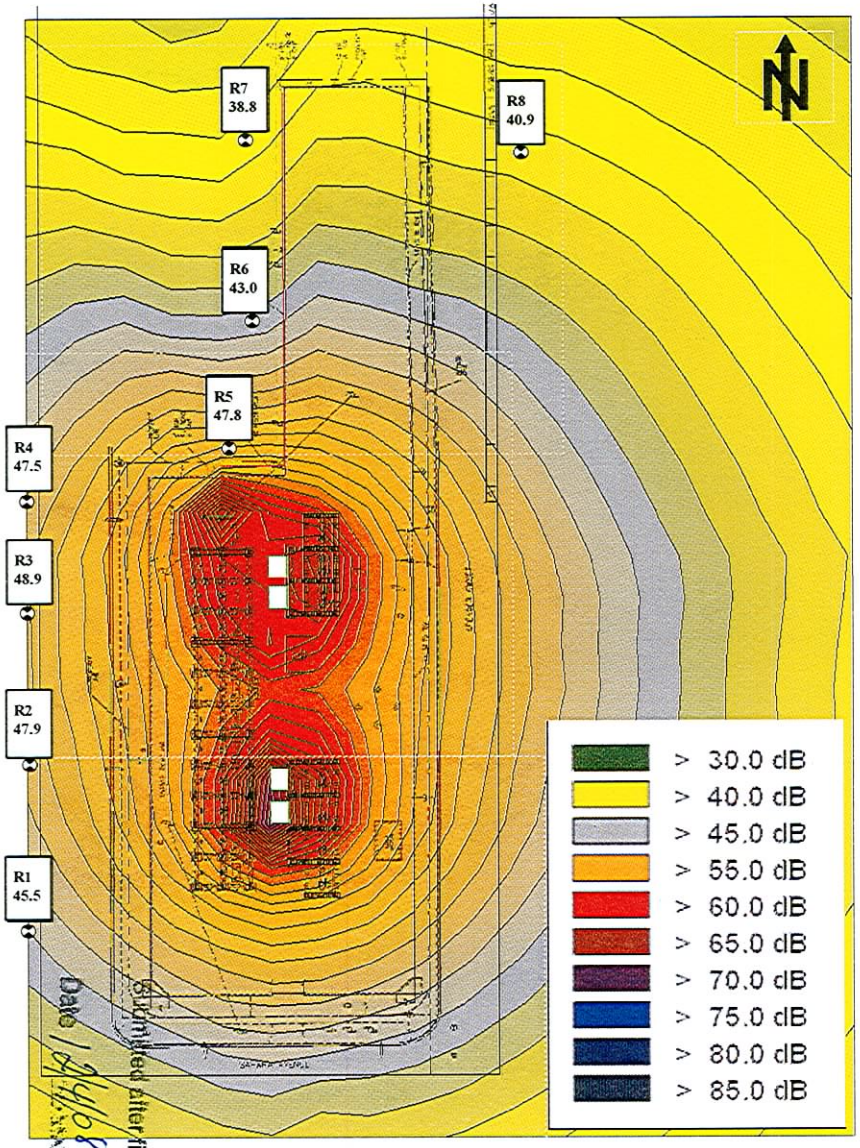
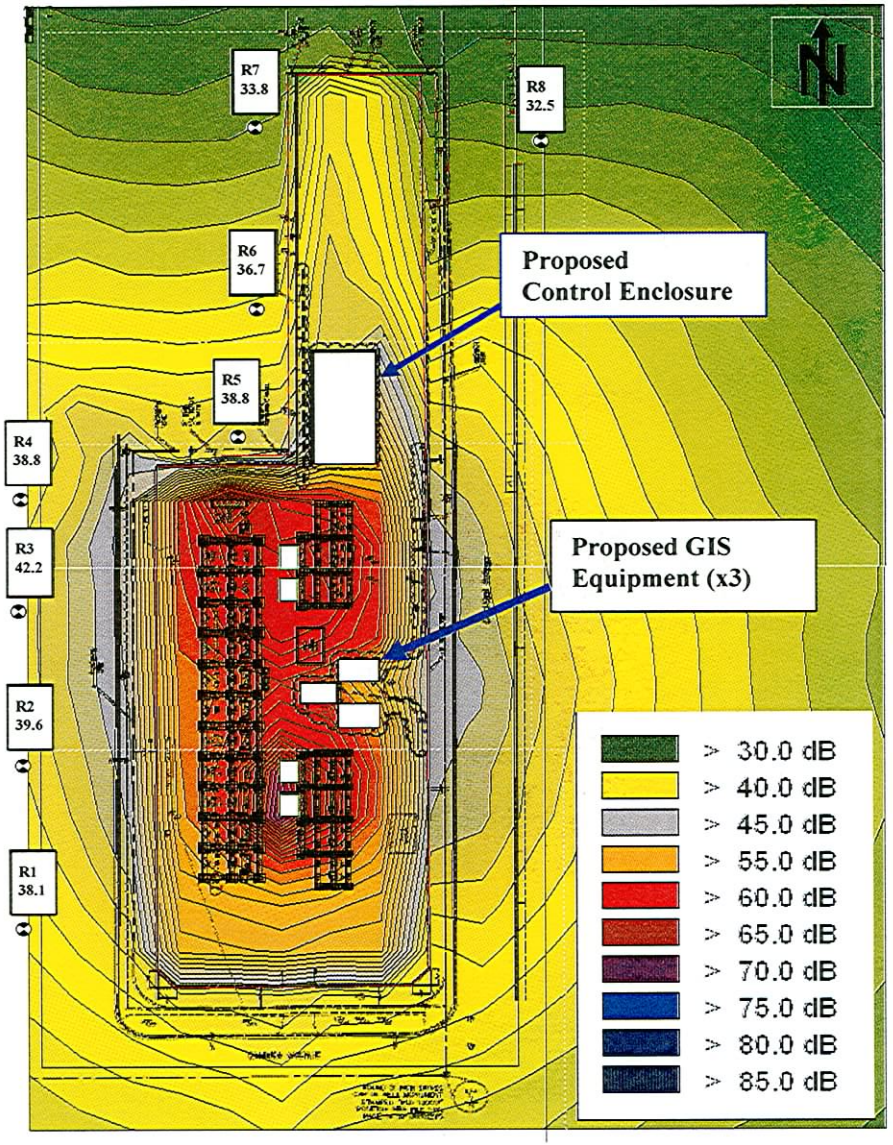
DEC 04 2008



Noise Contour – Existing (before construction)



Noise Contour - After Construction (incl. proposed GIS, control enclosure & perimeter walls)

Submitted after final agenda
Date 12/4/08 Item 14

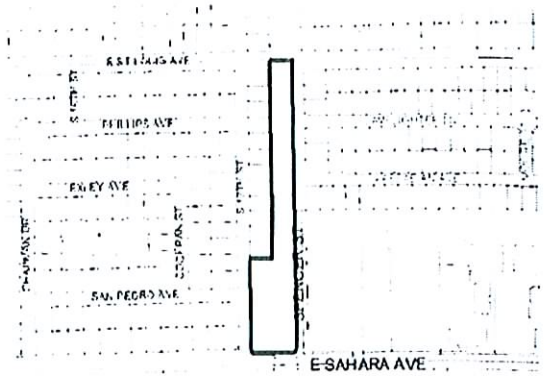
SDR-29203
12/04/08 PC

Application Information

ABEYANCE - RENOTIFICATION - SDR-29203 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-29204 - PUBLIC HEARING - APPLICANT/OWNER: NEVADA POWER - Request for a Site Development Plan Review FOR A UTILITY SUBSTATION WITH ~~12~~ PROPOSED 150-FOOT TALL TRANSMISSION LINE POLES on 3.86 acres at the southwest corner of Sahara Avenue and Spencer Street, (APN 162-02-403-001 and 002), R-1 (Single Family Residential) Zone [PROPOSED: C-V (Civic)], Ward 3 (Reese). NOTE: APPLICATION IS FOR TRANSMISSION LINE POLES RANGING IN HEIGHT FROM 50 FEET TO 155 FEET

This is a quiet old neighborhood. Please don't spoil it with traffic etc.!
Thelen Mayberry

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***December 04, 2008***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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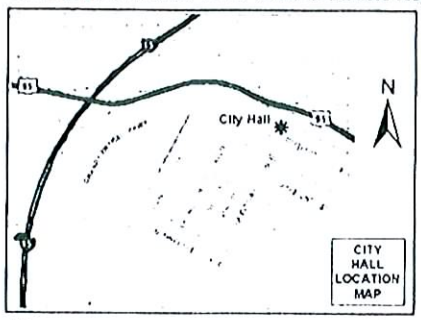
Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-29203
Planning Commission Meeting of 12/4/2008

Case: SDR-29203

16202712110
MAYBERRY HELEN D
1716 CANOSA AVE
LAS VEGAS NV 89104-3615

Submitted after final agenda
Date 12/3/08 Item 14

Submitted after final agenda

Date 12/3/08 Item 14

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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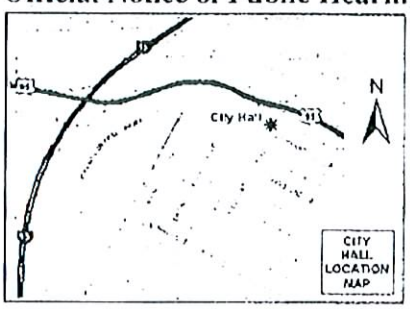
Official Notice of Public Hearing



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Please use available blank space on card for your comments.

SDR-29203
Planning Commission Meeting of 12/4/2008

Case: SDR-29203
16202810006
MORFORD PATRICIA J
1713 LAMPLIGHTER LN
LAS VEGAS NV 89104-3722

Submitted after final agenda
Date 12/4 Item 14

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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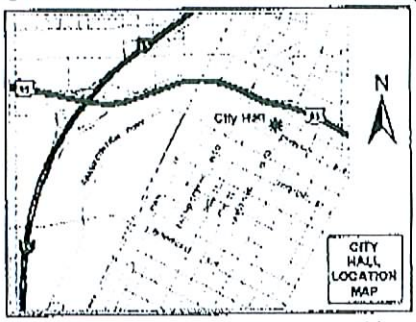

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SDR-29203
Planning Commission Meeting of 12/4/2008

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DEC 01 2008

Case: SDR-29203

16202314034
PERICH MERCEDES
12901 N W 7TH LN
MIAMI FL 33182-2363

0016242063 C084

Submitted after final agenda
Date P Item 14

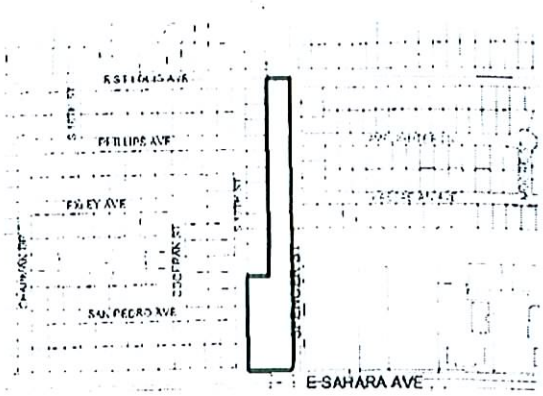
Application Information

ABEYANCE - RENOTIFICATION - SDR-29203 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-29204 - PUBLIC HEARING - APPLICANT/OWNER: NEVADA POWER - Request for a Site Development Plan Review FOR A UTILITY SUBSTATION WITH 13 PROPOSED 150-FOOT TALL TRANSMISSION LINE POLES on 3.86 acres at the southwest corner of Sahara Avenue and Spencer Street, (APN 162-02-403-001 and 002), R-1 (Single Family Residential) Zone [PROPOSED: C-V (Civic)], Ward 3 (Reese). NOTE: APPLICATION IS FOR TRANSMISSION LINE POLES RANGING IN HEIGHT FROM 50 FEET TO 155 FEET

TOO CLOSE TO HOME

Theodore E Mendalski
Custodian

Application Location



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Public Hearing Information

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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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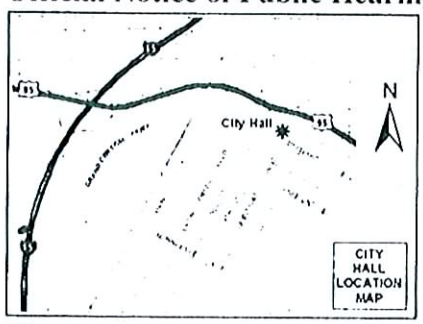
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-29203
Planning Commission Meeting of 12/4/2008

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16202411050 Case: SDR-29203
GINKGO HOLDING TRUST
2620 S MARYLAND PKWY #253
LAS VEGAS NV 89109-8300

Submitted after final agenda
Date P Item 14

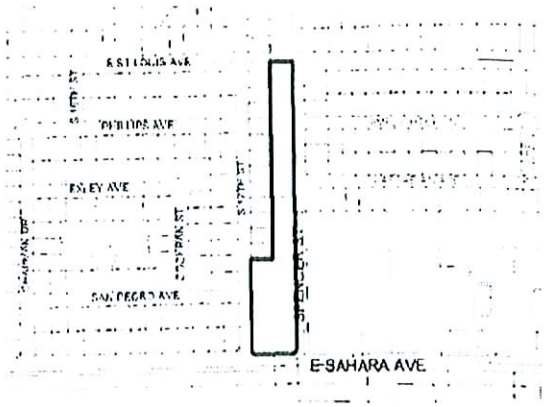
IAVDS11 89109

Application Information

ABEYANCE - RENOTIFICATION - SDR-29203 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-29204 - PUBLIC HEARING - APPLICANT/OWNER: NEVADA POWER - Request for a Site Development Plan Review FOR A UTILITY SUBSTATION WITH 13 PROPOSED 150-FOOT TALL TRANSMISSION LINE POLES on 3.86 acres at the southwest corner of Sahara Avenue and Spencer Street, (APN 162-02-403-001 and 002), R-1 (Single Family Residential) Zone [PROPOSED: C-V (Civic)], Ward 3 (Reese). NOTE: APPLICATION IS FOR TRANSMISSION LINE POLES RANGING IN HEIGHT FROM 50 FEET TO 155 FEET

TOO CLOSE TO HOMES

Application Location



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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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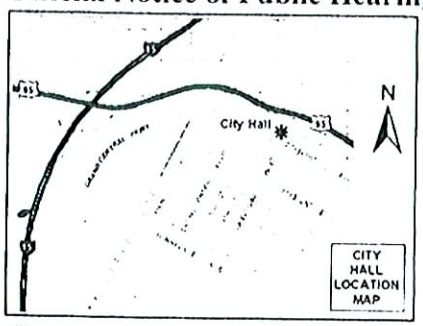
Official Notice of Public Hearing



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☐ I SUPPORT this Request ☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-29203
Planning Commission Meeting of 12/4/2008

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DEC 02 2008

Case: SDR-29203
16202411051
SCHNELL CATHERINE T
1522 EXLEY AVE
LAS VEGAS NV 89104-3500

Submitted after final agenda
Date P Item 14

69104B350 C011

KEN BURREL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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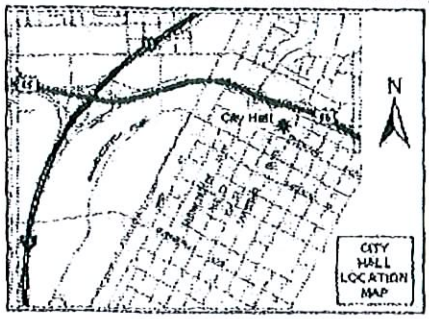
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

SDR-29203

Planning Commission Meeting of 12/4/2008

RECEIVED
DEC 01 2008

Case: SDR-29203

16202411045
BURRELL KENNETH WAYNE
1516 SAN PEDRO AVE
LAS VEGAS NV 89104-3534

89104$3534 C011

Submitted after final agenda
Date P Item 14

City of Las Vegas Agenda Item No.: **101.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

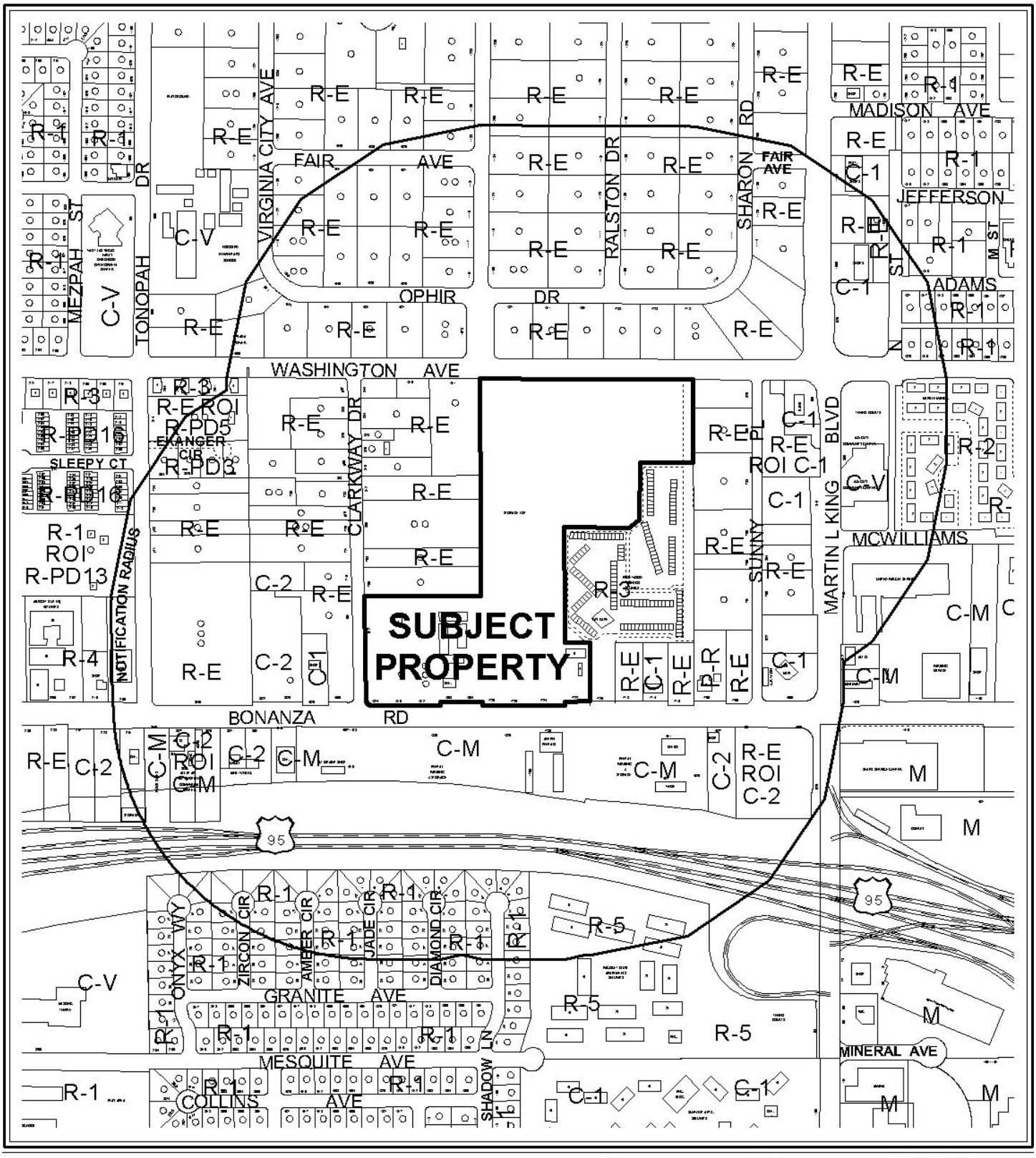
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
RQR-30432 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: DFA, LLC, ET AL - Required Review of an approved Special Use Permit (SUP-13836) FOR A RENTAL STORE WITH OUTSIDE STORAGE on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APN 139-28-302-034), R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**1**	**Planning Commission Mtg.**	**6**
City Council Meeting	**0**	**City Council Meeting**	**2**

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for SUP-13836
6. Support Postcards
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 8



0 600 1200 Feet

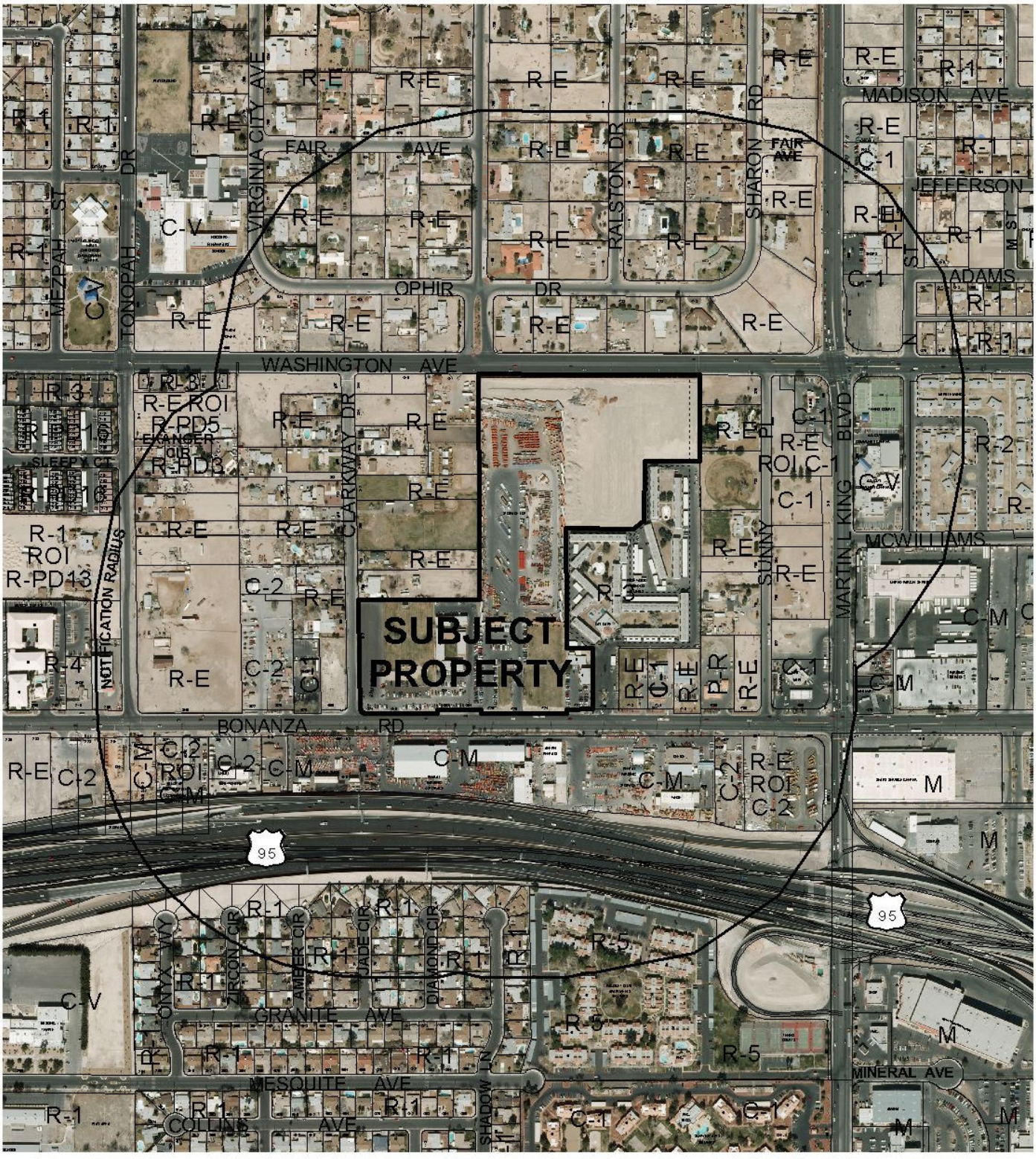
CASE: **RQR-30432**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES), R-3 (MEDIUM DENSITY RESIDENTIAL), AND C-1 (LIMITED COMMERCIAL) UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

N



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N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-30432 - APPLICANT/OWNER: DFA, LLC, ET AL

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Payment of the required application and notification costs of $800 within 10 days of City Council.

2. Conformance to the conditions for Special Use Permit (SUP-13836), if approved.

3. This Special Use Permit shall be reviewed one year (1) after the final issuance of a Certificate of Occupancy.

4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Required One-Year Review of an approved Special Use Permit (SUP-13836) for a Rental Store with Outside Storage on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. In addition to this request, the applicant has submitted an Extension of Time (EOT-30014) request of an approved Special Use Permit (SUP-13836) for a Rental Store with Outside Storage to be heard at the December 3, 2008 City Council meeting. As the site plan proposed through Site Development Plan Review (SDR-13833) has not yet been exercised, staff recommends approval of this Required Review with the next review to follow one-year after the final issuance of a Certificate of Occupancy for the subject site.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
05/03/72	The Board of City Commissioners approved a request to Reclassify property (Z-0039-71) at 1804 and 1808 West Bonanza Road from R-E (Residence Estates) to R-3 (Medium Density Residential). The Planning Commission recommended approval of this request.
05/21/75	The Board of City Commissioners approved a request to Reclassify property (Z-0012-75) generally located on the south side of Washington Avenue between Clarkway Drive and Sunny Place from R-E (Residence Estates) to R-3 (Medium Density Residential). The Planning Commission recommended approval of this request.
06/28/94	The Board of Zoning Adjustment approved a request for a Variance (V-0086-94) to allow a Residential Security Living Quarters where such is not permitted at 1724 West Bonanza Road.
05/08/97	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice a request for a Rezoning (Z-0023-97) on property located on the south side of Washington Avenue, approximately 1,000 feet west of Martin L. King Boulevard from R-E (Residence Estates) to R-PD15 (Residential Planned Development- 15 Units per Acre) for a proposed 130-unit townhome development.
12/01/98	The Board of Zoning Adjustment approved a request for a Variance (V-0082-98) for a commercial development that requires a zero-foot front, rear, and side setback where 50, 10, and 35 feet are required setbacks on property located at 1824 West Bonanza Road.
12/21/98	The City Council approved a request for a Rezoning (Z-0026-98) on property located on the northeast corner of Bonanza Road and Clarkway Drive from R-E (Residence Estates) to C-1 (Limited Commercial). The Planning Commission recommended approval of this request, whereas staff recommended denial.

01/12/99	The City Council approved a Petition to Vacate (VAC-0048-98) a portion of Clarkway Drive north of Bonanza Road.
05/21/03	The City Council approved a request for Rezoning (ZON-1992) from R-3 (Medium Density Residential) to C-1 (Limited Commercial) on 0.57 acres at 1722 West Bonanza Road. The Planning Commission and staff recommended approval of this request.
05/21/03	The City Council approved a request for a Site Development Plan Review (SDR-1991) for a proposed 5,255 square-foot Office Development with a Waiver to allow a reduction of the proposed landscape on 0.57 acres at 1722 West Bonanza Road. The Planning Commission and staff recommended approval of this request.
05/18/04	A Code Enforcement case (#15224) was processed for abandoned vehicles on the property at the northwest corner of Bonanza Road and Clarkway Drive. The case was resolved on 05/26/04.
03/14/06	A Code Enforcement case (#39208) was processed to check for all zoning violations. The case was resolved on 07/06/06.
03/14/06	A Code Enforcement case (#39215) was processed to check for all zoning violations. The case was resolved on 10/15/06.
03/24/06	A Code Enforcement case (#39561) was processed to check for all zoning violations. The case was resolved on 06/05/06.
03/24/06	A Code Enforcement case (#39560) was processed for property being used as a storage lot. The case was resolved on 06/05/06.
04/05/06	The City Council approved a request for a Variance (VAR-11006) to allow an eight-foot wrought iron fence where four feet is the maximum height allowed and a Waiver of the 20 percent contrasting material requirement at 1700, 1710, 1714, 1718, 1722, 1804, 1808 1812, 1816, and 1824 West Bonanza Road. The Planning Commission recommended approval of this request, whereas staff recommended denial.
05/17/06	The City Council approved a General Plan Amendment (GPA-9219) to change the future land use designations to Commercial, Mixed Use, Industrial or Public Facilities on various parcels within the proposed Las Vegas Redevelopment Plan Area and within the proposed Redevelopment Plan expansion area. The Planning Commission and staff recommended approval of this request.
05/25/06	The Planning Commission approved an Appeal of Director's Decision (DIR-11779) to deny a Temporary Commercial Permit per Title 19.18.100(D) that would allow a temporary Contractor's Construction Yard on 15.54 acres adjacent to the north side of Bonanza Road, approximately 460 feet east of Clarkway Drive. Staff recommended denial of this request.
07/24/06	Code Enforcement cases (#44792 and #44794) were processed for violations of Conditions per Director's Decision (DIR-11779). The cases were resolved on 10/15/06 and 10/18/06.

10/04/06	The City Council approved a request for a Special Use Permit (SUP-14329) for an Auto Repair Garage (Major) on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommended denial.
10/04/06	The City Council approved a request for a Special Use Permit (SUP-14324) for a Truck Rental Establishment on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommended denial.
10/04/06	The City Council approved a request for a Special Use Permit (SUP-13836) for a Rental Store with Outside Storage on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommended denial.
10/04/06	The City Council approved a request for a Variance (VAR-16049) to allow a proposed 10-foot high block wall where eight feet is the maximum allowed on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommended denial.
10/04/06	The City Council approved a request for a Variance (VAR-14320) to allow a setback of 73-foot where residential adjacency setback standards require a minimum 84-foot setback, and to allow a zero-foot side yard building setback where 10 feet is the minimum required in conjunction with a Rental Store with Outside Storage on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommended denial.
10/04/06	The City Council approved a request for a Site Development Plan Review (SDR-13833) for a proposed Rental Store with Outside Storage; a 99,000 square-foot covered storage area; a 21,600 square-foot Auto Repair Garage, Major; a 25,200 square-foot Hardware Store and Waivers of the perimeter landscape buffer and wall design requirements on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommended denial.
10/04/06	The City Council approved a request for Rezoning (ZON-13837) from R-E (Residence Estates), R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial), R-3 (Medium Density Residential), and C-1 (Limited Commercial) to C-2 (General Commercial) on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommended denial.

07/12/07	The Planning Commission approved a request for a Major Amendment to an approved Site Development Plan Review (SDR-22206) for a Commercial Development consisting of a 30,000 square-foot Hardware store, 30,000 square feet of Office, 40,000 square feet of covered storage area, and 60,000 square feet of Auto Repair Garage, Major with a Waiver of perimeter landscape requirements to allow a 10-foot wide buffer where 15 feet is required along the south property line on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. Staff recommended approval of this request.
07/12/07	The Planning Commission approved a request for a Variance (VAR-22723) to allow a wall to contain no contrasting material where twenty percent contrasting material is required on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. Staff recommended denial of this request.
08/15/07	The City Council approved a request for a Review of Condition Number 6 (ROC-22207) of an approved Rezoning (ZON-13837) which required construction of all half-street improvements on Bonanza Road and Clarkway Drive along with the removal of all substandard public street improvements and unused driveway cuts for replacement with new improvements constructed to current City standards on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive. The Planning Commission recommended approved of this request, whereas staff recommend denial.
12/03/08	The City Council will consider requests for an Extension of Time (EOT-30014) of an approved Special Use Permit (SUP-13836) for a Rental Store with Outside Storage, an Extension of Time (EOT-30016) of an approved Special Use Permit (SUP-14324) for a Truck Rental Establishment, an Extension of Time (EOT-30017) of an approved Variance (VAR-14320) to allow a setback of 73 feet where Residential Adjacency Standards require a minimum 84-foot setback, and to allow a zero-foot side yard building setback where 10 feet is the minimum setback required in conjunction with a Rental Store with Outside Storage, an Extension of Time (EOT-30019) of an approved Special Use Permit (SUP-14329) for an Auto Repair Garage, Major and an Extension of Time (EOT-30020) of an approved Rezoning (ZON-13837) from R-E (Residence Estates), R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial), R-3 (Medium Density Residential) and C-1 (Limited Commercial) to C-2 (General Commercial) on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive.
12/04/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #8/dc).
Related Building Permits/Business Licenses	
05/15/98	A business license was issued (#E02-00031) for Trailer/Equipment Rental. The license is still active.
08/14/03	A building permit (#03017452) was issued for tenant improvements for a Certificate of Occupancy for Building B. The permit was not finalized.

Pre-Application Meeting
A pre-application meeting is not required for this type of application, nor was one held.

Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
10/29/08	Staff conducted a field check of the site and noted a large political sign placed on the property, the surrounding area appeared in good condition and two large construction vechicles/cranes parked on site visible from the adjacent right-of-way (Clarkway Drive).

Details of Application Request	
Site Area	
Gross Acres	20.53

Surrounding Property	**Existing Land Use**	**Planned Land Use**	**Existing Zoning**
Subject Property	Rental Storage	MXU (Mixed Use) and C (Commercial)	R-E (Residence Estates) with a Resolution of Intent to C-2 (General Commercial)
North	Single-Family Residential	R (Rural Density Residential)	R-E (Residence Estates)
South	Rental Parking and Storage	LI/R (Light Research/Industry)	C-M (Commercial/Industrial)
East	Condominiums	MXU (Mixed Use)	R-3 (Medium Density Residential and Apartments)
	Single-Family Residential and Undeveloped	MXU (Mixed Use)	R-E (Residence Estates)
West	Single-Family Residential and Undeveloped	MXU (Mixed Use)	R-E (Residence Estates)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan	X		Y
West Las Vegas Plan	X		Y
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts	X		
A-O Airport Overlay District (140 feet)	X		Y*

Trails	X		Y**
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

* The subject property is located within the North Las Vegas Airport Overlay Map within the 140-foot height limitation contour. None of the buildings on the subject property extend beyond this limitation.

** Pioneer's Trail – The subject site has a non-equestrian recreation trail that has already been constructed and therefore conforms to the requirements of this trail.

ANALYSIS

This is the first Required One-Year Review of an approved Special Use Permit (SUP-13836) for a Rental Store with Outside Storage at the northeast corner of Bonanza Road and Clarkway Drive. A field check performed by Staff at the subject site confirmed that the buildings proposed through Site Development Plan Review (SDR-13833) have not been built at this time. The existing structures from the previous uses on the property remain in place. The subject property is currently used for vehicle parking around the periphery of the site and equipment storage near the center of the subject property. Additionally, at the time of the field check, staff noted two cranes parked adjacent to Clarkway Drive, visible from the single-family residence to the west of the subject property.

FINDINGS

The site plan approved through Site Development Plan Review (SDR-13833) has not been implemented at this time. The applicant is currently utilizing the periphery of the site for parking and the interior area for Outside Storage, with the exception of the two cranes parked adjacent to Clarkway Drive. As the site plan proposed through Site Development Plan Review (SDR-13833) has not yet commenced, staff recommends approval of this Required Review with the next review to follow one-year after the final issuance of a Certificate of Occupancy for the subject site.

PLANNING COMMISSION ACTION

The Planning Commission added condition #1 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

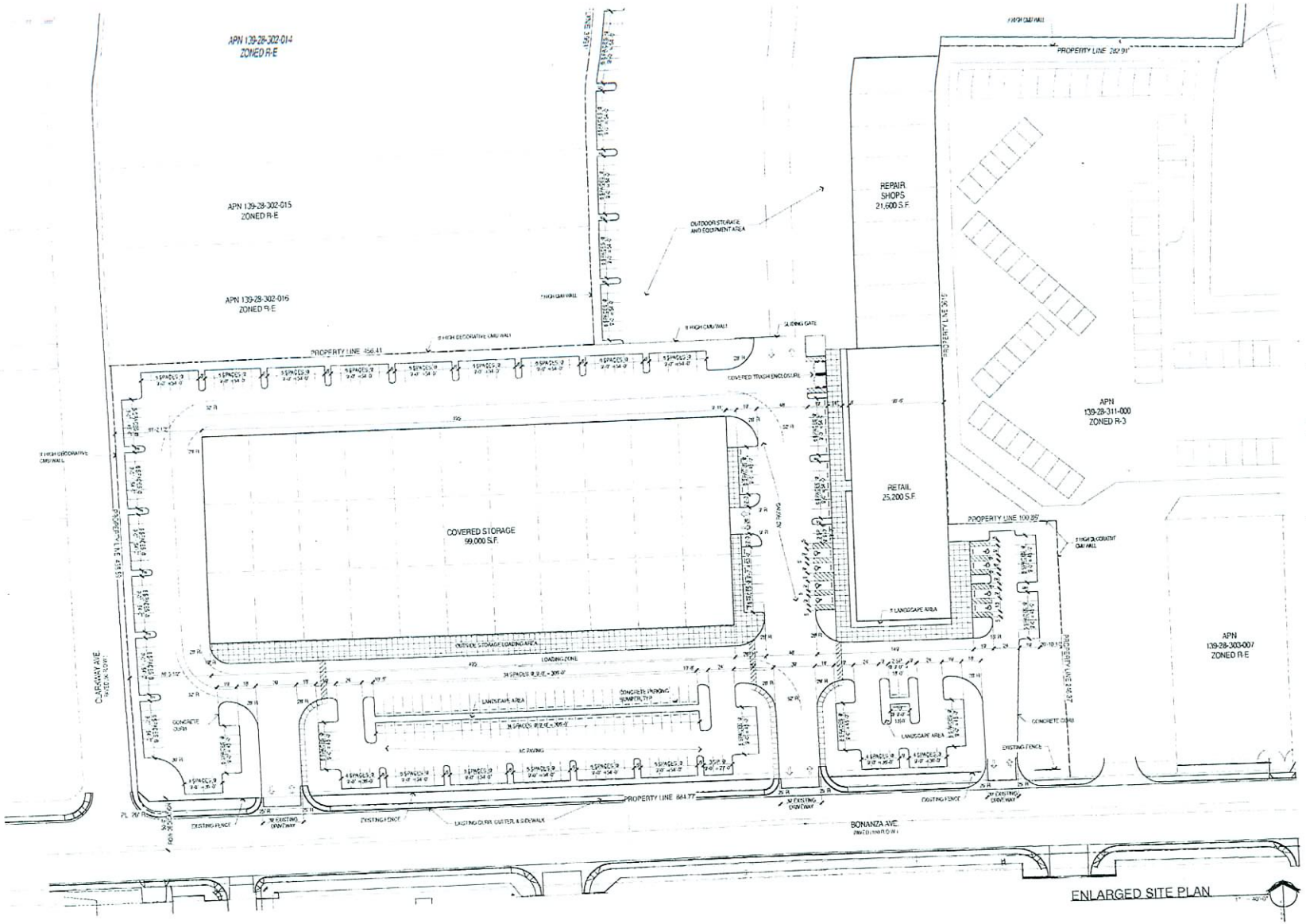
ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 243 by City Clerk

APPROVALS 1

PROTESTS 1



Ahern Rentals
Design Review / Rezoning
1800 Bonanza
Las Vegas, Nevada 89106

APTUS Architecture
1200 South 4th Street
Suite 206
Las Vegas, Nevada 89104
P 702.819.1700
F 702.819.1213
info@aptusarchitecture.com

APTUS PROJECT NO 06.082

ARCHITECT

ENGINEER

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NO	DESCRIPTION	DATE
1	City of Las Vegas Submittal	4.13.06
	ISSUED	

TITLE
ENLARGED SITE PLAN

DRAWING NO
AS101

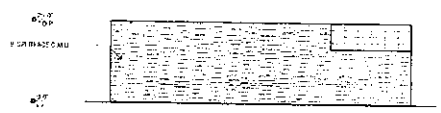
RQR-30432
12/04/08 PC

SUP-13836
07/27/06 PC

WEST ELEVATION

SOUTH ELEVATION

EAST ELEVATION



NORTH ELEVATION

Ahern Rentals
Design Review / Rezoning
1800 Bonanza
Las Vegas, Nevada 89106

APTUS Architecture

APTUS PROJECT NO. 06.082

ISSUED

ACE
HARDWARE
BUILDING
ELEVATIONS

A200

RQR-30432
12/04/08 PC

SUP-13836
07/27/06 PC

WEST ELEVATION

SOUTH ELEVATION

EAST ELEVATION

NORTH ELEVATION

Ahern Rentals
Design Review / Rezoning
1800 Bonanza
Las Vegas, Nevada 89106

APTUS Architecture

APTUS PROJECT NO: 06.082

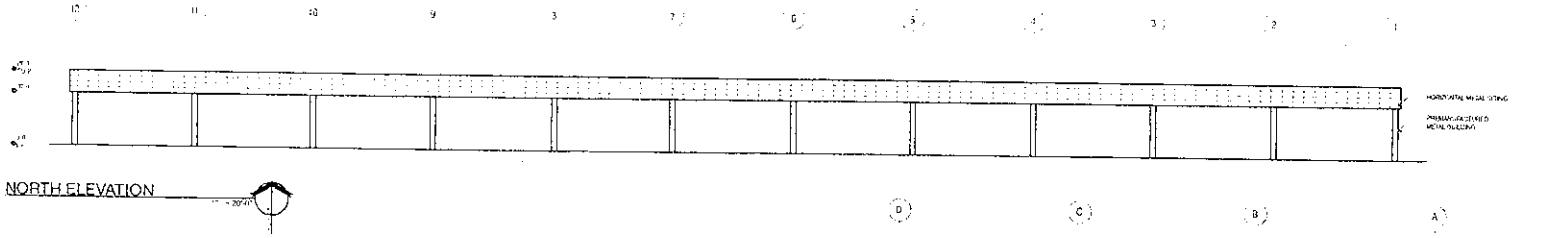
ISSUED

REPAIR BUILDING ELEVATIONS

DRAWING NO.: A201

RQR-30432
12/04/08 PC

SUP-13836



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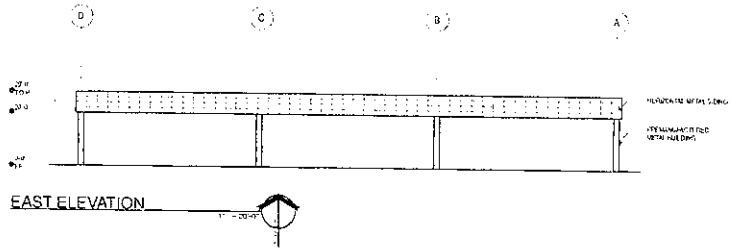

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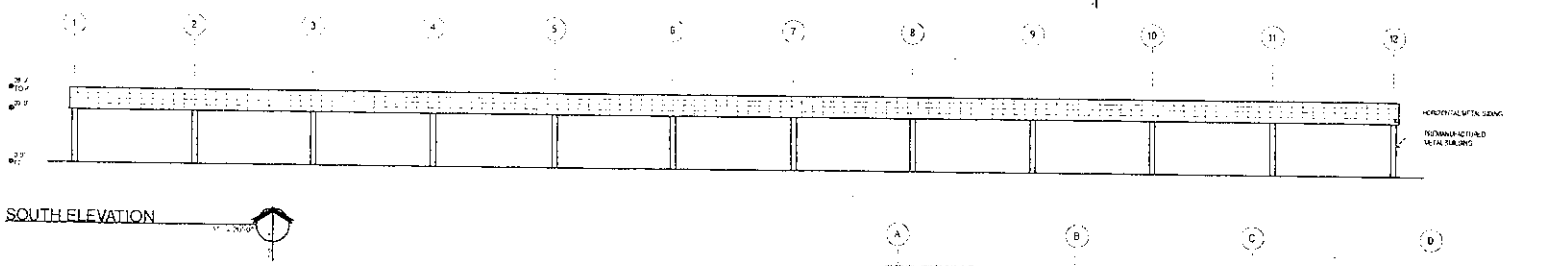
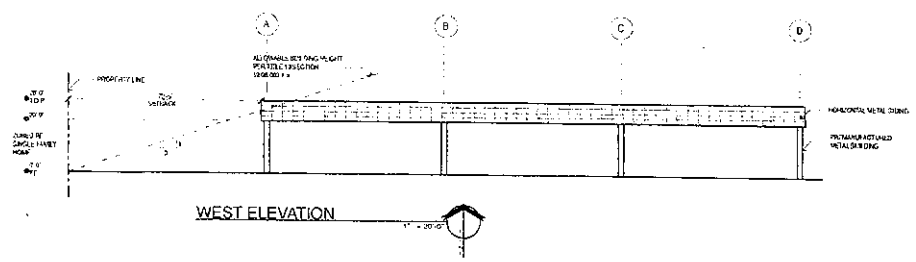


SOUTH ELEVATION



WEST ELEVATION

Ahern Rentals
Design Review / Rezoning
1800 Bonanza
Las Vegas, Nevada 89106

APTUS Architecture

APTUS PROJECT NO. 06.002

ARCHITECT

ENGINEER

NOTES

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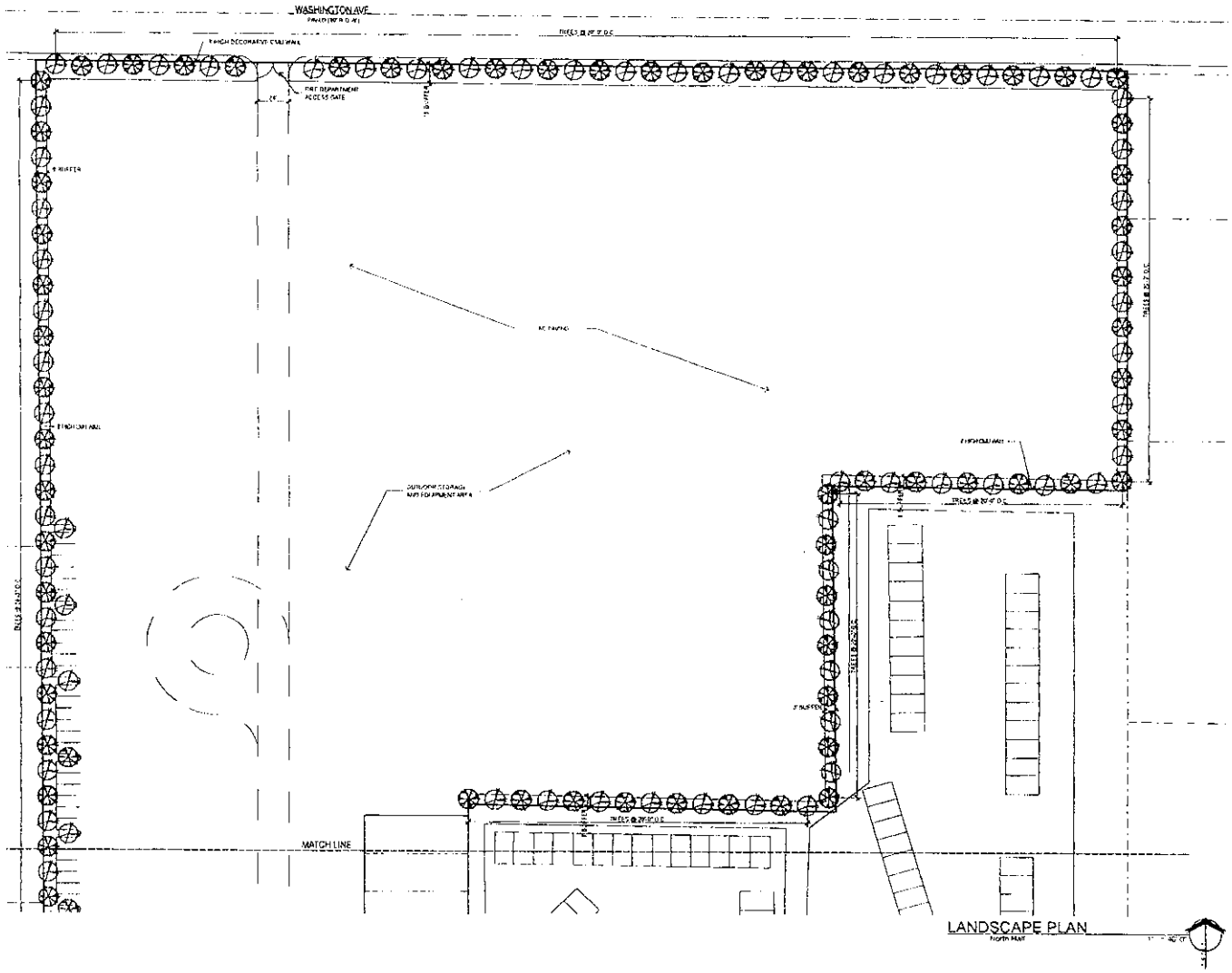
TITLE
COVERED
STORAGE
BUILDING
ELEVATIONS

DRAWING NO.
A202

RQR-30432
12/04/08 PC

07/27/06 PC



Landscape Schedule

SYMBOL	COMMON NAME	BOTANICAL NAME	SIZE	QTY
	CHILEAN MESQUITE	prosopis chilensis	24" Box	173
	DESERT MUSEUM	[illegible]	24" Box	173
	MONDELL PINE	pinus pedernica	5 gal	15
	DESERT HONEYSUCKLE	[illegible]	5 gal	52
	BOTTLEBRUSH	[illegible]	5 gal	52
	LANTANA	[illegible]	5 gal	52
	DEER GRASS	[illegible]	5 gal	52
	SOFT BLUE MEXICAN SAGE	[illegible]	5 gal	52
	RED YUCCA	[illegible]	5 gal	52
	FANNY BUCKTER	[illegible]	5 gal	52

LANDSCAPE BUFFERS (WAIVER REQUESTED)

	REQD	PROVIDED
FRONT	15'-0"	[illegible]
RIVERSIDE SIDE	[illegible]	[illegible]
SIDE STREET	15'-0"	15'-0"
REAR	[illegible]	[illegible]

Ahern Rentals
1800 Bonanza
Las Vegas, Nevada 89106

APTUS Architecture

06 092

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NO	DESCRIPTION	DATE
	ISSUED	

LANDSCAPE PLAN - NORTH HALF

L101

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JUL 28 2006

RQR-30432
12/04/08 PC

ZON-13837 VAR-14320
SUP-13836 SUP-14324
SUP-14329 SDR-13883
REVISED 09/07/06 PC

RQR-30432 - APPLICANT/OWNER: DFA, LLC, ET AL
NORTHEAST CORNER OF BONANZA ROAD AND CLARKWAY DRIVE
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

RQR-30432 - APPLICANT/OWNER: DFA, LLC, ET AL
NORTHEAST CORNER OF BONANZA ROAD AND CLARKWAY DRIVE
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

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NORTHEAST CORNER OF BONANZA ROAD AND CLARKWAY DRIVE
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

November 9, 2006

Mr. Don Ahern
DEA, LLC
4241 South Arville Street
Las Vegas, Nevada 89103

RE: SUP-13836 – SPECIAL USE PERMIT
CITY COUNCIL MEETING OF OCTOBER 4, 2006
RELATED TO ZON-13837, VAR-14320, VAR-16049, SUP-14324, SUP-14329 AND SDR-13833

Dear Mr. Ahern:

The City Council at a regular meeting held October 4, 2006 APPROVED the request for a Special Use Permit FOR A RENTAL STORE WITH OUTSIDE STORAGE on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APNs 139-28-302-013, 017 through 026, and 033), R-E (Residence Estates) Zone, R E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, R-3 (Medium Density Residential) Zone, and C-1 (Limited Commercial) Zone [PROPOSED: C-2 (General Commercial) Zone]. The Notice of Final Action was filed with the Las Vegas City Clerk on October 5, 2006. This approval is subject to:

Planning and Development

1. Conformance to the Conditions for Rezoning (ZON-13837), Variance (VAR-14320), Variance (VAR-16049), Special Use Permit (SUP-14329), Special Use Permit (SUP-14324) and Site Development Plan Review (SDR-13833) if approved.

2. Rental product shall not include heavy machinery or heavy equipment used for manufacturing or commercial building construction. Said equipment shall be a maximum height of 12 feet.

3. All rental products shall be screened from view of rights-of-way.

4. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

18112-001-06-05
CLV 2006

RQR-30432
12/04/08 PC

6. There will be a one year review at a public hearing of the Planning Commission.

Sincerely,

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

M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Mr. Bruce Bilyeu
1611 West Bonanza Road
Las Vegas, Nevada 89103

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

RQR-30432
12/04/08 PC

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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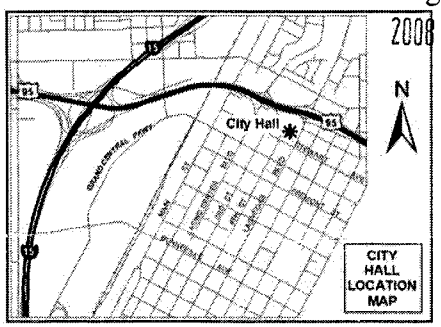
2008 DEC 29 A 11:17



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30432
City Council Meeting of 1/7/2009

DEMARCO ANGELO THOMAS & JANET
651 CLARKWAY DR
LAS VEGAS NV 89106-3629

JAVOE11 89106

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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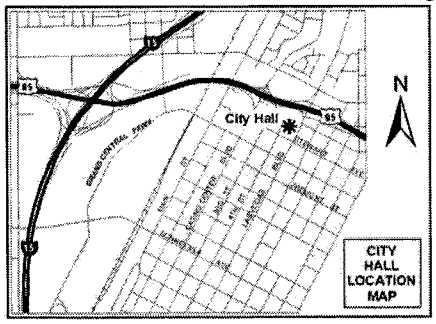

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Please use available blank space on card for your comments.

RQR-30432
City Council Meeting of 1/7/2009

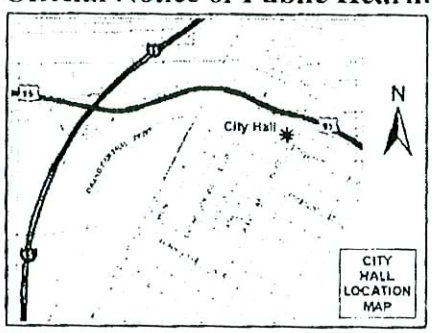
TAYLOR SHERRY
820 CLARKWAY DR
LAS VEGAS NV 89106-3610

JAVOE11 89106

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☐ I SUPPORT this Request

☒ I OPPOSE this Request

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RQR-30432
Planning Commission Meeting of 12/4/2008

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Case: RQR-30432

13928302015
SLACK ELWIN C
708 CLARKWAY DR
LAS VEGAS NV 89106-3642

#8
P

Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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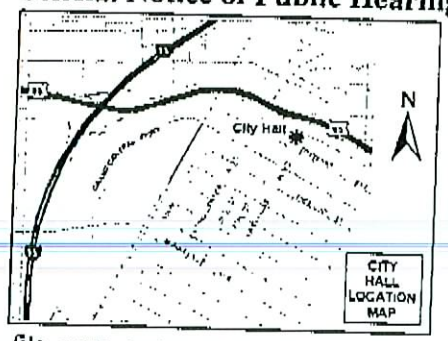

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30432

Planning Commission Meeting of 12/4/2008

13928311100 Case: RQR-30432
HOFFMAN GINA
20555 PALM WY
TORRANCE CA 90503-3113

90503 1

#8
A

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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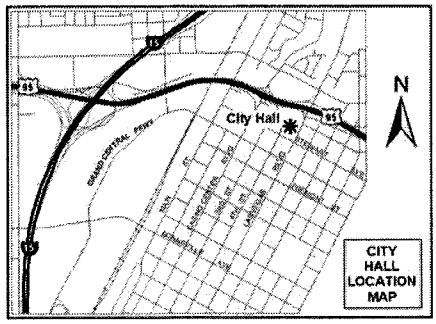

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RQR-30432

Planning Commission Meeting of 12/4/2008

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Case: RQR-30432

13928401021
GARCIA ZARQUIS L & MOISES A JR
1527 W BONANZA RD
LAS VEGAS NV 89106-4778

Submitted after final agenda

Date 12/1/08 Item 8

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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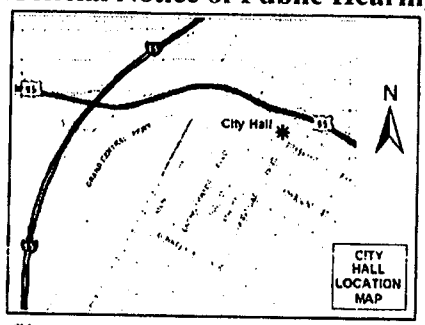

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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

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RQR-30432

Planning Commission Meeting of 12/4/2008

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Case: RQR-30432

13928301030
DEMARCO ANGELO THOMAS & JANET L
651 CLARKWAY DR
LAS VEGAS NV 89106-3629

Submitted after final agenda
Date A Item 8

Submitted after final agenda
Date 12/3/08 Item 8

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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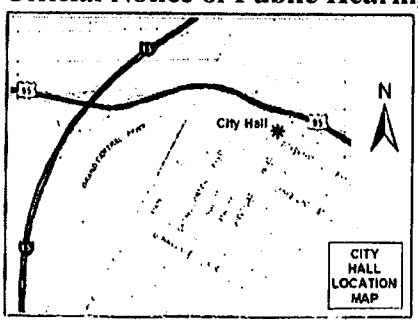

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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RQR-30432
Planning Commission Meeting of 12/4/2008

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Case: RQR-30432
13928210033
MURRAY LAWRENCE & M FAM TR
1121 SHARON RD
LAS VEGAS NV 89106-2035

Submitted after final agenda
Date A Item 8

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

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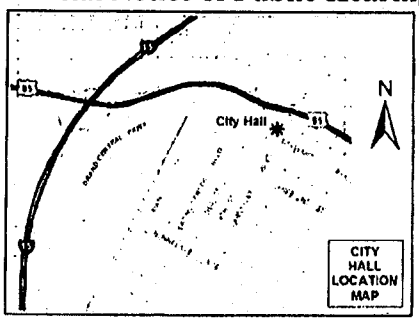
Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30432

Planning Commission Meeting of 12/4/2008

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DEC 02 2008

Case: RQR-30432

13928302031
TAYLOR SHERRY
820 CLARKWAY DR
LAS VEGAS NV 89106-3610

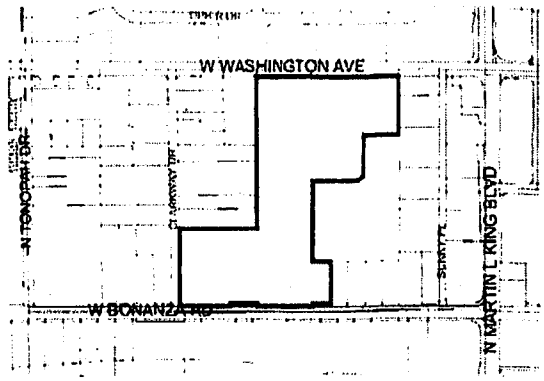
Submitted after final agenda
Date A Item 8

Application Information

RQR-30432 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: DFA, LLC, ET AL - Required Review of an approved Special Use Permit (SUP-13836) FOR A RENTAL STORE WITH OUTSIDE STORAGE on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APN 139-28-302-034), R-E (Residence Estates) and R-E (Residence Estates) under Resolution of Intent to C-2 (General Commercial) Zone, Ward 5 (Barlow)

IF.. There is a wall around the perimeter of the project, there are no high powered pole lights that project into yards of private residences on Clarkway, there is NO Traffic Coming onto Clarkway from the project and that the view coming off Clarkway onto Bonanza is not obstructed by structures, ie walls, plants, or building, and there is a Traffic signal at corner of Tonopah and Bonanza.

Application Location



The proposed project may not pertain to the entire highlighted project site.

Public Hearing Information

Meeting:	Planning Commission
Date:	***December 04, 2008***
Time:	6:00 P.M.
Location:	City Council Chambers 400 Stewart Avenue Las Vegas, Nevada

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

Thank you for asking. Sydney Wooten

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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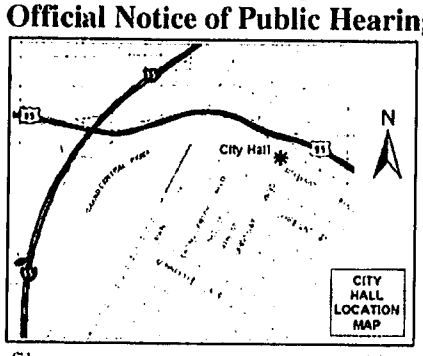

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If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

[X] I SUPPORT this Request (IF) [ ] I OPPOSE this Request over please...

Please use available blank space on card for your comments.

RQR-30432
Planning Commission Meeting of 12/4/2008

Case: RQR-30432
13928301004
WOOTEN DAVID L & SYDNEY ANN WOOTEN
829 CLARKWAY DR
LAS VEGAS NV 89106-3645

Submitted after final agenda
Date A Item 8

IAVDS11 89106

City of Las Vegas Agenda Item No.: **102.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

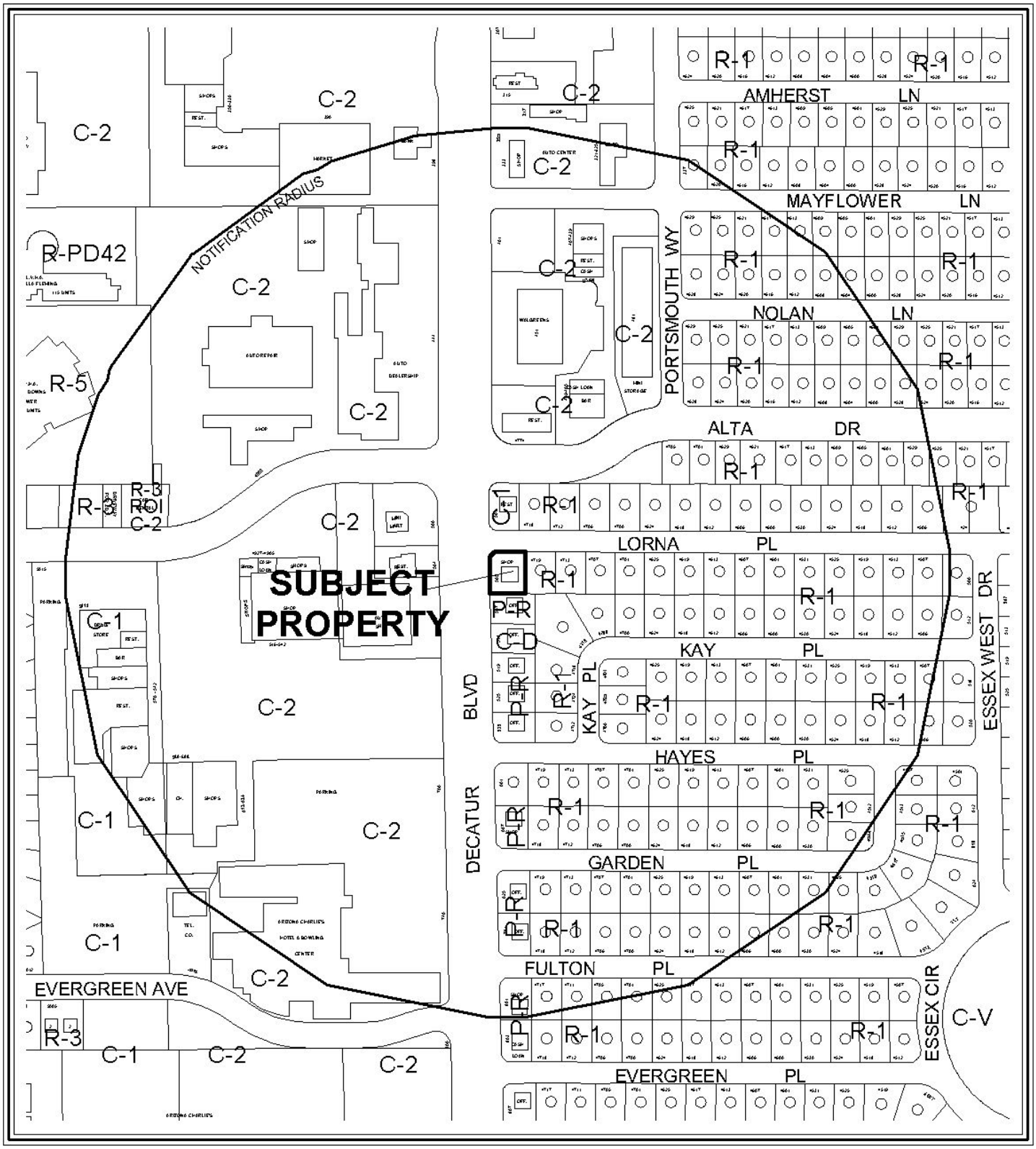
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
RQR-30442 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: YONG H. JUNG - Required Review of a Variance (VAR-16165) TO ALLOW 7 PARKING SPACES WHERE 13 PARKING SPACES ARE THE MINIMUM REQUIRED on 0.19 acres at 505 South Decatur Boulevard (APN 139-31-310-133), P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**0**
City Council Meeting	**0**	**City Council Meeting**	**2**

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. City Council Approval Letter for VAR-16165
6. Support Postcards
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 7



0 200 400 Feet

CASE: **RQR-30442**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

N

0 200 400 Feet

CASE: **RQR-30442**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: P-R (PROFESSIONAL OFFICE AND PARKING)

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: RQR-30442 - APPLICANT/OWNER: YONG H. JUNG

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. The handicap accessible parking space shall be shown to meet all requirements of City codes prior to City Council hearing.

2. All signage on site obtain the proper permits or be removed prior to City Council hearing.

3. Conformance to the conditions for Variance (VAR-16165), if approved.

4. The handicap accessible parking space shall be re-striped within 30 days of approval of this Required Review to meet the minimum requirements of LVMC Title 19.10.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a required six-month review of an approved Variance (VAR-16165) to allow seven (7) parking spaces where 13 parking spaces are the minimum required on 0.19 acres at 505 South Decatur Boulevard. Staff has no objections to this request for a Required Review.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
11/20/91	The City Council approved a request for the reclassification of property (Z-0090-91) located at 4725 Lorna Place from R-1 (Single Family Residential) to P-R (Professional Office and Parking) for a proposed Insurance Agency. The Planning Commission recommended approval on 10/22/91.
12/01/99	The City Council accepted the Withdrawal Without Prejudice of the request for Rezoning (Z-0055-99) on property located adjacent to the southeast corner of the intersection of Decatur Boulevard and Alta Drive from C-1 (Limited Commercial), P-R (Professional Office and Parking) and R-1 (Single family Residential) to C-1 (Limited Commercial) for a proposed 15,332 square-foot Drug Store. The Planning Commission recommended denial on 10/28/99.
12/01/99	The City Council accepted the Withdrawal Without Prejudice of the request for a Site Development Plan Review [Z-0055-99(1)] on property located adjacent to the southeast corner of the intersection of Decatur Boulevard and Alta Drive for a proposed Drug Store. The Planning Commission recommended denial on 10/28/99.
12/01/99	The City Council accepted the Withdrawal Without Prejudice of the request for a Special Use Permit (U-0098-99) on property located adjacent to the southeast corner of the intersection of Decatur Boulevard and Alta Drive for the sale of Packaged Liquor in conjunction with a proposed 15,332 square-foot Drug Store. The Planning Commission recommended denial on 10/28/99.
12/01/99	The City Council accepted the Withdrawal Without Prejudice of the request to Amend a portion of the Southeast Sector of the general Plan (GPA-0028-99) for properties located on the southeast corner of Decatur Boulevard and Alta Drive from L (Low Density Residential) and SC (Service Commercial) to SC (Service Commercial). The Planning Commission recommended denial on 10/28/99.
11/15/06	A Code Enforcement case (48026) was processed for vehicles for sale on a vacant lot at 505 South Decatur Boulevard. The case was closed on 11/29/06.

01/17/07	The City Council approved a request for a Variance (VAR-16165) to allow 7 Parking spaces where 13 parking spaces are the minimum required on 0.19 acres at 505 South Decatur Boulevard. The Planning Commission recommended approval on 10/05/06.
11/12/08	A Code Enforcement case (71733) was processed for illegal signage at 505 S. Decatur Boulevard. The case is pending.
12/04/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #7/sg).
Related Building Permits/Business Licenses	
12/02/91	A building permit (91127634) was issued for paving at 505 South Decatur Boulevard. The permit was finalized on 04/17/92.
12/18/91	A building permit (91129915) was issued for paving and landscaping at 505 South Decatur Boulevard. The permit was finalized on 04/17/92.
04/20/07	A building permit (7001374) was issued for parking lot onsite and hardscape. The permit was finalized ob 06/27/07.
05/07/07	A business license (H13-00193) was issued for the sale of Health/Medical Supplies at 505 South Decatur Boulevard. The license is still active.
05/07/07	A business license (Q07-00045) was issued to a Medical Office (Chiropractic Clinic) at 505 South Decatur Boulevard. The license is still active.
08/30/07	A business license (Q07-01405) was issued to a medical Office (Acupuncture) at 505 South Decatur Boulevard. The license is still active.
Pre-Application Meeting	
A pre-application meeting is not required for this type of application, nor was one held.	
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
10/29/08	Staff conducted a field inspection and noted that the handicap parking space is not properly marked according to Title 19.10. A triangular wooden sign is placed on property at the corner of Lorna Place and Decatur Boulevard, there is a wall sign on the chimney of the building, and there is a banner on the side of the building advertising the types of services. These signs have not been permitted in accordance with LVMC Title 19.14.

Details of Application Request	
Site Area	
Gross Acres	0.19

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office	O (Office)	P-R (Professional Office and Parking)
North	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
South	Offices	O (Office)	P-R (Professional Office and Parking)

East	Single-Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residential)
West	Minor Auto Repair Garage	SC (Service Commercial)	C-2 (General Commercial)

Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Area Plan		X	N/A
Special Districts/Zones	***Yes***	***No***	***Compliance***
Special Purpose and Overlay Districts	X		Y
A-O Airport Overlay District (175 feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Per 19.08.050, the following standards apply:

Standard	***Required/Allowed***	***Provided***	***Compliance***
Min. Lot Size	N/A	0.19 Acres	Y
Min. Lot Width	60 Feet	63 Feet	Y
Min. Setbacks:			
• Front	20 Feet	20 Feet	Y
• Side	5 Feet	8 Feet	Y
• Corner	15 Feet	20 Feet	Y
• Rear	15 Feet	34 Feet	Y
Max. Lot Coverage	50 %	29 %	Y
Max. Building Height	2 stories/35 feet	1 story/15 feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
		Required			***Provided***		***Compliance***
			Parking		*Parking*		
Use	***Gross Floor Area***	***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Medical Office	2,411 Square Feet	One space for each 200 SF of GFA up to 2,000 SF, plus one space for each additional 175 SF.	12 Spaces	1 Space	6 Spaces	1 Space	Y*
TOTAL			13 Spaces		7 Spaces		Y*
Deviation			54%				

**A Variance (VAR-16165) was approved to allow seven parking spaces where 13 are required.*

ANALYSIS

This is the first Required Review of a Variance (VAR-16165) to allow seven parking spaces where 13 are required at a Medical Office located at 505 S. Decatur Boulevard. A field check of the subject site was conducted to determine compliance with the Conditions of Approval for the original Variance (VAR-16165) and LVMC Title 19. The Conditions of Approval have been met in that a landscaping plan, including an irrigation system, was submitted and approved by the Planning and Development Department, and installed according to the plan. The Variance was exercised with the issuance of business licenses (H13-00193 and Q07-00045) for the accessory sale of Health / Medical Supplies and a Medical Office, respectively, on 05/07/07. There were some non-permitted signs (one freestanding sign, a wall sign and a temporary banner) located on site that have been referred to the City of Las Vegas Code Enforcement division. The handicap accessible parking space does not meet the minimum requirements of Title 19.10 and is not marked as shown in the plan approved by Variance (VAR-16165); a condition has been added to re-stripe the space within 30 days to meet these requirements.

FINDINGS

The subject site was determined to be in substantial compliance with the Conditions of Approval for the original Variance (VAR-16165) and LVMC Title 19, with exceptions as noted. A condition has been added to ensure that the handicap parking space meets the minimum standards of Title 19 within 30 days of this Required Review, if approved. Staff recommends approval of this request.

PLANNING COMMISSION ACTION

The Planning Commission added conditions 1 and 2 at the Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 3

SENATE DISTRICT 11

NOTICES MAILED 189 by City Clerk

APPROVALS 0

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: RQR-30442 APN: 139-31-310-133

Name of Property Owner: Yong H Jung

Name of Applicant: Yong H Jung

Name of Representative: _____

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 _____X_____ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Yong H Jung

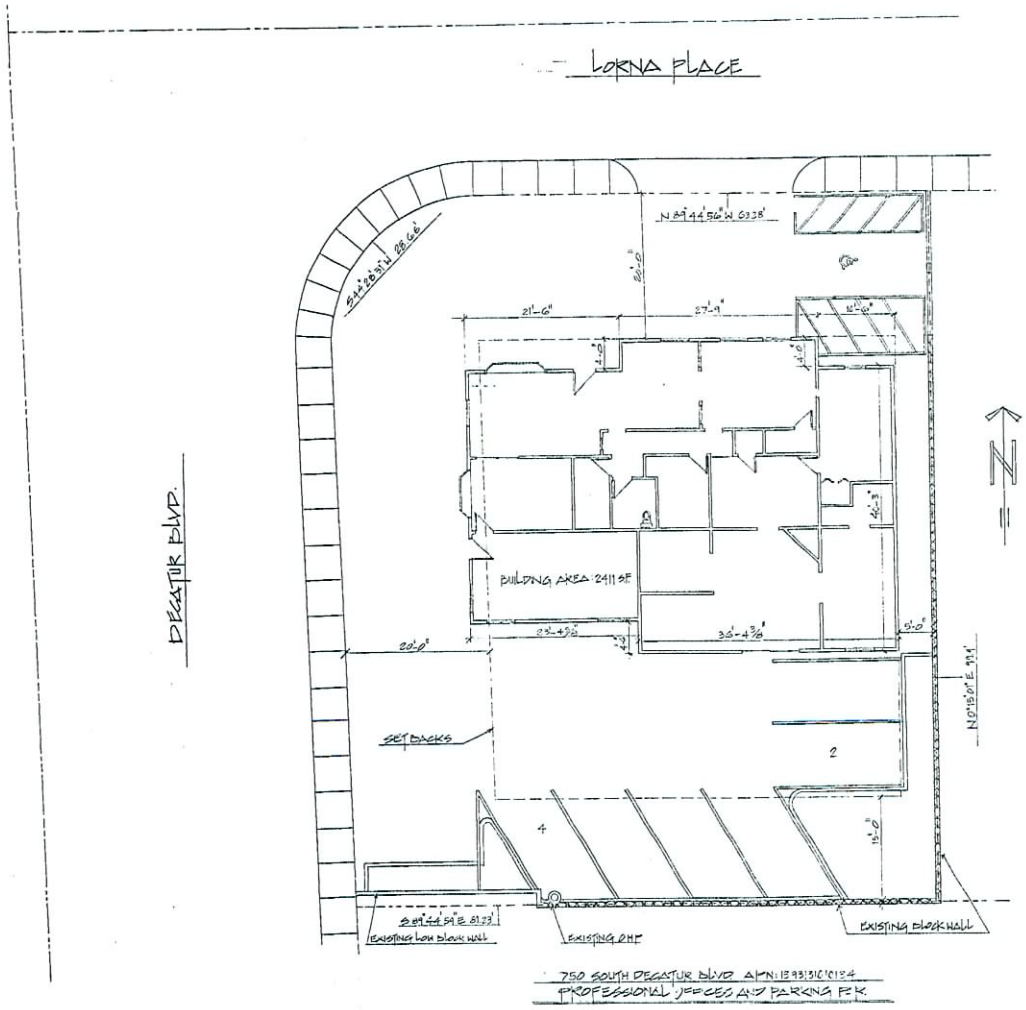
STATE OF NEVADA }
COUNTY OF CLARK } ss.

Subscribed and sworn before me

This 23 day of OCTOBER, 2008

_____
Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
EDDIE FIGUEROA
My Appointment Expires
August 6, 2011
No: 07-4434-1



SITE PLAN 1"/8=1'-0"

PARKING STANDARDS UTILIZED: OFFICE, MEDICAL AND DENTAL
ONE SPACE FOR EACH 200 SF OF GFA UP TO
2000 SF, PLUS ONE SPACE FOR EACH 175 SF
PARKING REQUIRED: 2000 SF/200 = 10 PLUS 411 SF/175 = 2.34 (3), TOTAL = 13 SPACES REQUIRED.
PARKING PROVIDED: REGULAR SPACES = 6, COMPACT SPACES = 0, HANDICAP SPACES = 1, TOTAL = 7 SPACES PROVIDED

RQR-30442
12/04/08 PC

RECEIVED
OCT 23 2008

REVISIONS	BY

CONTRACTOR:
PINE CONSTRUCTION CORP.
NEVADA LIC.# B-55657

PROJECT: DR. LUNA RE-PURP.
LOCATION: SE CORNER OF DECATUR BLVD & LORNA PLACE
OWNER/AGENT: DR. LUNA

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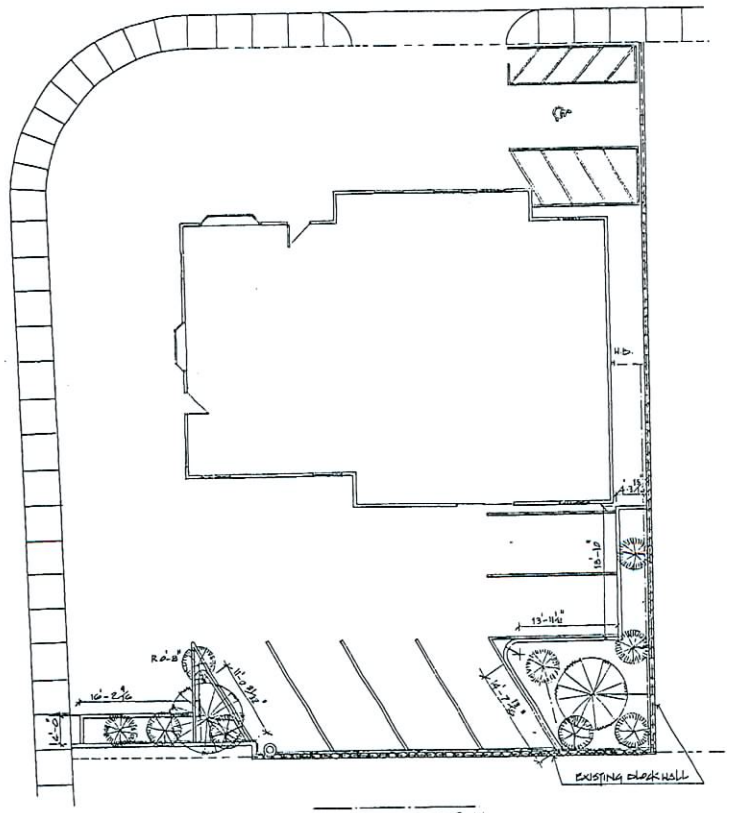
CHECKED	
DATE	
SCALE	
JOB NO.	
SHEET	
OF	SHEETS

LORNA PLACE

DECATUR BLVD.



DRIP IRRIGATION

LANDSCAP PLAN 1/8"=1'-0"

24" BOX GHEEN MESQUITE (THORNLESS) PROSOPIS CHILENSIS

5 GAL. FOUNTAIN GRASS PENNISETUM SETACEUM

PLANTING GENERAL NOTES

1. ALL PLANTS AND INGROUND LIGHTING LOCATIONS ARE TO BE FIELD LOCATED AND APPROVED W/DESIGNER PRIOR TO FINAL IMPLEMENTATION.
2. LANDSCAP CONTRACTOR TO COORDINATE WITH EXCAVATION CONTRACTOR WHERE REQ'D FOR PLANTER AREAS TO ENSURE POSITIVE DRAINAGE IN CONFORMANCE WITH CIVIL ENGINEER REQUIREMENTS. KEEP ALL PLANTING A MIN. OF 5'-0" FROM BLDG. FOUNDATIONS AND UNDERGROUND SEWER. ENSURE POSITIVE DRAINAGE AWAY FROM STRUCTURES
3. PROVIDE MIN. OF 2" DG (DECOMPOSED GRANITE)-TYPE AS PERMITTED BY SUMMERLIN DSIG REVIEW REQUIREMENTS AT ALL PLANTER LOCATIONS U.N.O. TO WITHIN 1" OF TOP OF ADJACENT CURBS & SIDEWALKS.
4. DG INSTALL/PREP: PROVIDE PRE-EMERGENT HERBICIDE TO PLANTER SOILS. INSTALL DG, RAKE SMOOTH AND WATER TO FULL DEPTH OF DG, LET DRY AND LIGHTLY SCARIFY SURFACE RELEASING FINE LOOSE GRANUALS ON TOP LAYER.
5. KEEP TREE PLANTING A MIN. OF 3'-0" FROM ALL SIDEWALKS. PLANTING WHICH EXCEEDS 24" IN HEIGHT ARE NOT PERMITTED WITHIN SIGHT VISIBILITY ZONE.

NOTE:
A PERMANENT UNDER GROUND SPRINKLER SHALL BE INSTALLED IN ALL LANDSCAPE AREAS AS REQUIRED BY CITY OF LAS VEGAS AND SHALL BE PERMANENTLY MAINTAINED IN A SATISFACTORY MANNER.

RECEIVED

OCT 23 2008

RQR-30442
12/04/08 PC

REVISIONS	BY

CONTRACTOR:
PINE CONSTRUCTION CO INC.
NEVADA LIC# B55657

PROJECT: PJUNG RESIDENCE
LOCATION: SE CORNER OF DECATUR BLVD & LORNA PLACE
OWNER/AGENT: PK JUNG

DRAWN	
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SCALE	
JOB NO.	
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OF	SHEETS

RQR-30442 - APPLICANT/OWNER: YONG H. JUNG
505 SOUTH DECATUR BOULEVARD
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

RQR-30442 - APPLICANT/OWNER: YONG H. JUNG
505 SOUTH DECATUR BOULEVARD
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

RQR-30442 - APPLICANT/OWNER: YONG H. JUNG
505 SOUTH DECATUR BOULEVARD
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

RQR-30442 - APPLICANT/OWNER: YONG H. JUNG
505 SOUTH DECATUR BOULEVARD
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

RQR-30442 - APPLICANT/OWNER: YONG H. JUNG
505 SOUTH DECATUR BOULEVARD
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

RQR-30442 - APPLICANT/OWNER: YONG H. JUNG
505 SOUTH DECATUR BOULEVARD
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

LAS VEGAS CITY COUNCIL

OSCAR B. GOODMAN
MAYOR

GARY REESE
MAYOR PRO TEM

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

DOUGLAS A. SELBY
CITY MANAGER

February 21, 2007

Mr. Nolan Carl
Stratus Construction
113 New York Avenue
Las Vegas, Nevada 89123

RE: VAR-16165 - VARIANCE
CITY COUNCIL MEETING OF JANUARY 17, 2007

Dear Mr. Carl:

The City Council at a regular meeting held January 17, 2007 APPROVED the request for a Variance TO ALLOW 7 PARKING SPACES WHERE 13 PARKING SPACES ARE THE MINIMUM REQUIRED on 0.19 acres at 505 South Decatur Boulevard (APN 139-31-310-133), P-R (Professional Office and Parking) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on January 18, 2007. This approval is subject to:

Added Conditions

A. A landscape plan shall be submitted and approved by the Planning and Development Department staff prior to the time application is made for a building permit, depicting current landscape planters adjacent to the parking spaces located along the southern property line of the site. The landscape planters are to contain a minimum of two, 24-inch box trees and a minimum of four, five-gallon shrubs for each tree provided within the planters.

B. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.

Planning and Development

1. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

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

VOICE 702.229.6011
TTY 702.386.9108
www.lasvegasnevada.gov

18112-001-06-05
CLV 7009

RQR-30442
12/04/08 PC

2. This approval shall be reviewed in six months at a public hearing before the Planning Commission.

Sincerely,

Angela Crolli
Deputy City Clerk II for
Beverly K. Bridges, CMC, Acting City Clerk

M. Margo Wheeler, AICP
Director
Planning and Development Department

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

Dr. Yong H. Jung
3841 West Charleston Boulevard
Las Vegas, Nevada 89102

RQR-30442
12/04/08 PC

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Of The City Clerk
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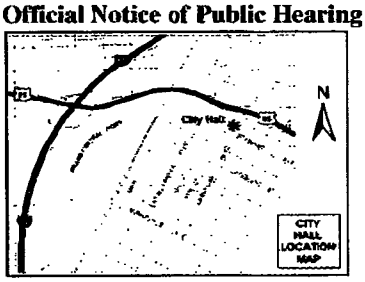

wish to file your protest or support on this request, check the riate box below and return this card in an envelope with postage to the Of The City Clerk at the address listed above or fax this side of this) (702) 382-4803. If you would like to contact your Council entative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

use available blank space on card for your comments.

30442

Council Meeting of 1/72009

$ 00.39

DEC 26 2008

BROWN JOHN A & SADIE M
4613 ALTA DR
LAS VEGAS NV 89107-2952

JAV0511 89107

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

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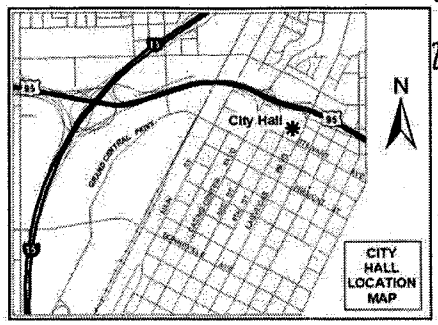

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30442
City Council Meeting of 1/72009

KILLIAN DENNIS G
601 S DECATUR BLVD
LAS VEGAS NV 89107-3912

JAV0311 89107

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

CITY OF LAS VEGAS

ONE MOTION / ONE VOTE

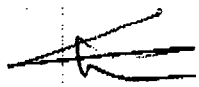
Planning and Development Department
Case Planning Division
731 South Fourth Street
Las Vegas, Nevada 89101
(702) 229-6301 Phone (702) 385-7268 Fax

SUBJECT: RQR-30442 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: YONG H. JUNG

The above item has been placed on the One Motion/One Vote portion of the Planning Commission Agenda for the *December 4, 2008* Planning Commission meeting. All of these items will be placed at the beginning of the agenda. The Chairman of the Planning Commission will open them at the same time.

Enclosed please find the proposed conditions of approval. If you agree to these conditions, please sign this form and fax it to Nora Lares at 385-7268. If there is no one present at the Planning Commission meeting who wants to discuss this item, you will not be called to the podium to discuss the case. However, you must be present in case any Planning Commissioner or member of the public wants to discuss the item. If you have any questions, please contact my office at (702) 229-6301.

Please sign and date that you have read and agree to the conditions.



Signature

12/02/08

Date

Yong H Jung.

Please print name

Sunny Hills Pain Clinic

Company Name

Sincerely,

Peter Lowenstein
Planning Supervisor
Case Planning Division

Submitted after final agenda

Date 12/02/08 Item 7

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

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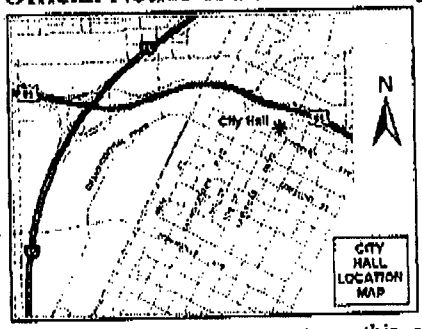
Return Service Requested

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT this Request

☒ I OPPOSE this Request

Please use available blank space on card for your comments.

RQR-30442

Planning Commission Meeting of 12/4/2008

RECEIVED
DEC 03 2008

Case: RQR-30442
13931310010
LOPEZ JORGE & ISABEL
4600 LORNA PL
LAS VEGAS NV 89107-4153

Submitted after final agenda
Date 12/3/08 Item 7

Submitted after final agenda
Date 12/3/08 Item 7

City of Las Vegas Agenda Item No.: **103.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:

SUP-31153 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: LAWRENCE MURRAY - Request for a Special Use Permit FOR A GROUP RESIDENTIAL CARE FACILITY (10 PERSONS MAXIMUM) WITH A WAIVER TO ALLOW A 1,130-FOOT DISTANCE SEPARATION FROM ANOTHER GROUP RESIDENTIAL CARE FACILITY WHERE 1,500 FEET IS REQUIRED at 2080 La Salle Street (APN 139-21-612-011), R-2 (Medium-Low Density Residential) Zone, Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

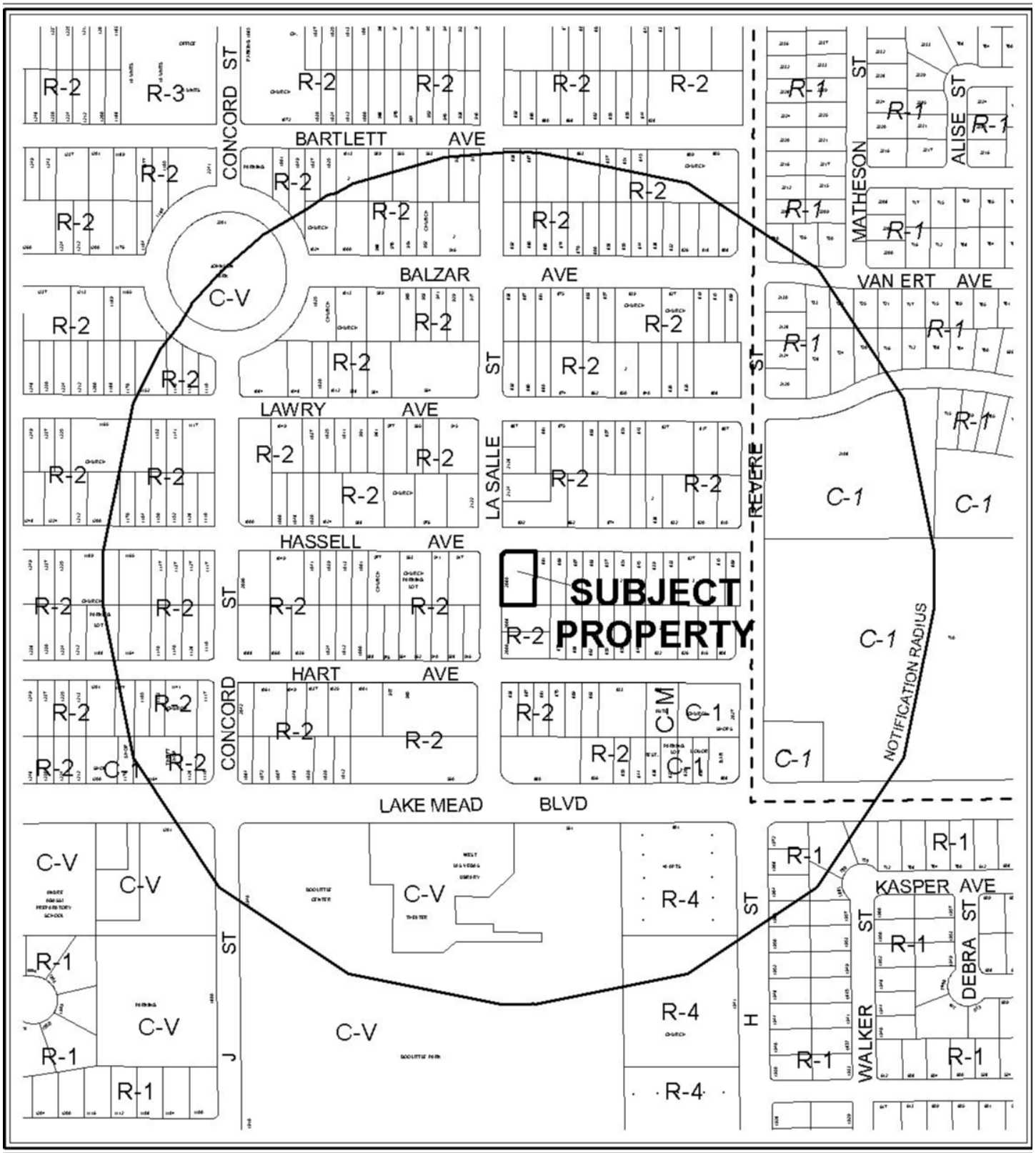
PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**19**
City Council Meeting	**0**	**City Council Meeting**	**3**

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcards
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 20



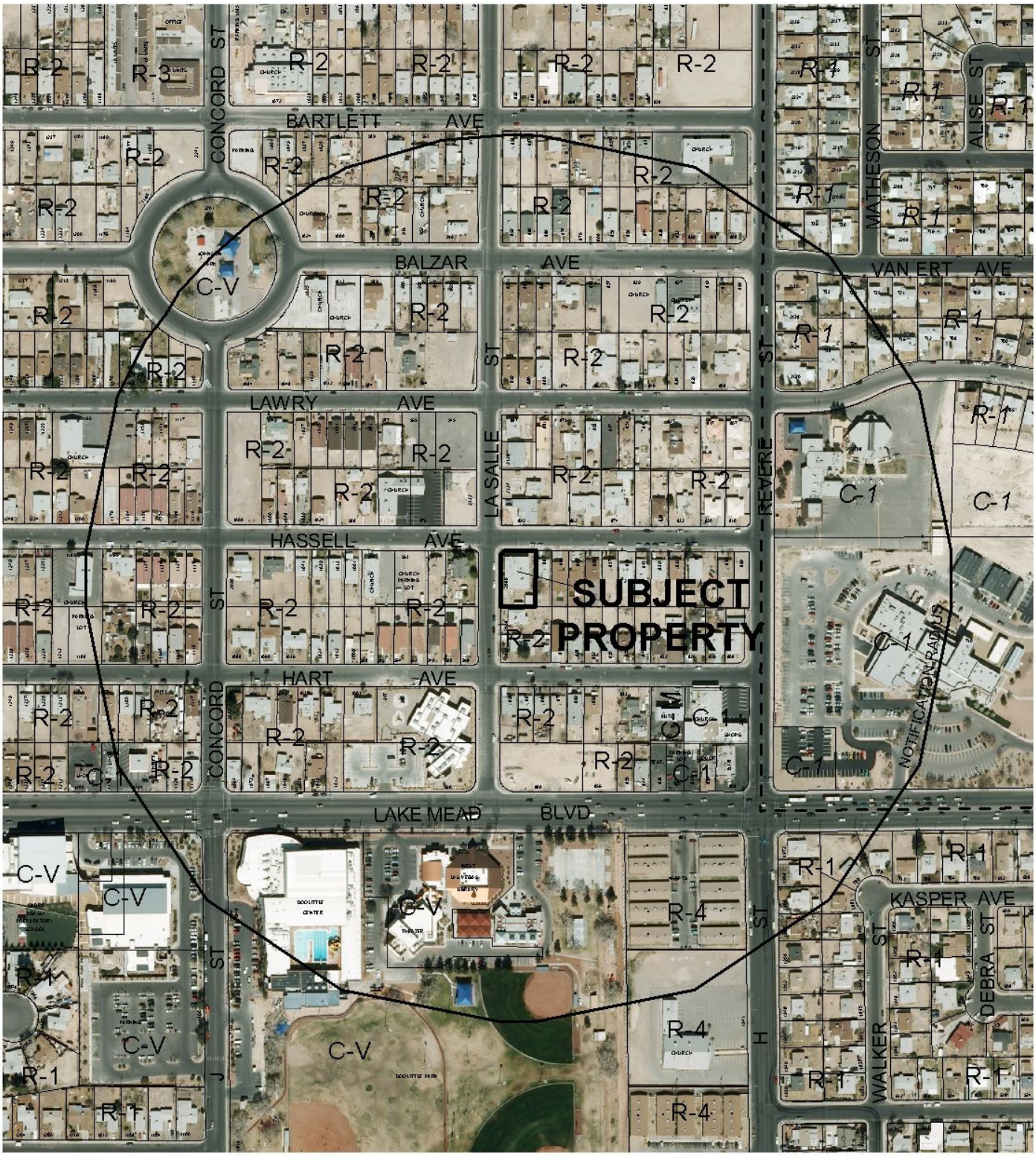
0 300 600 Feet

CASE: **SUP-31153**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

N



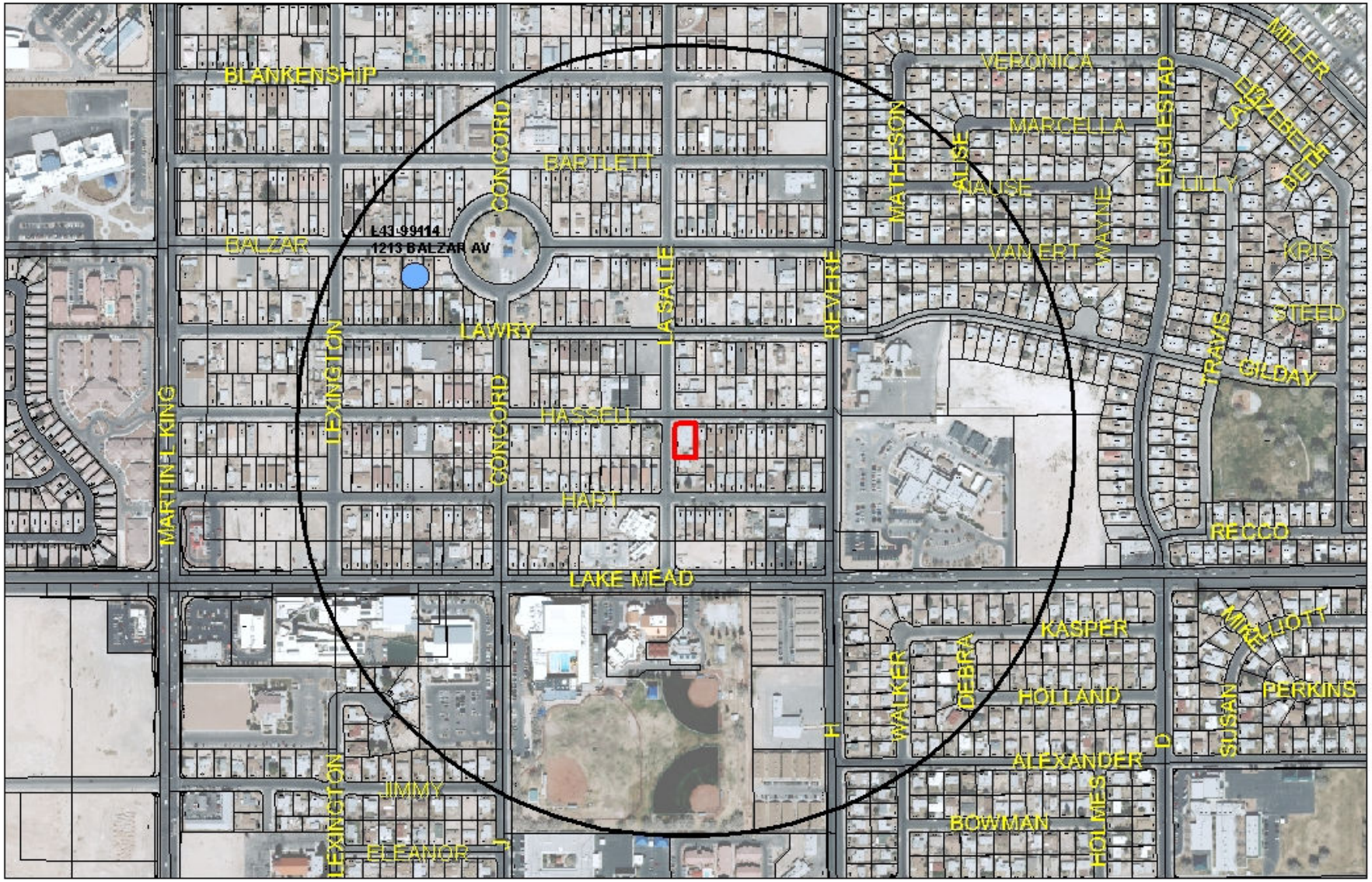
0 300 600 Feet

CASE: **SUP-31153**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: R-2 (MEDIUM-LOW DENSITY RESIDENTIAL)

N



SUP-31153

Business Licenses

- Group Residential Care Facility
- Halfway House for Drug and Alcohol Abuser
- Facility for Transitional Living for Released Offenders

Subject Property

1500 Feet Buffer

0 350 700 1,400 Feet

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-31153 - APPLICANT/OWNER: LAWRENCE MURRAY

** CONDITIONS **

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Approval is subject to a one-year administrative review.

2. Conformance to all minimum requirements under LVMC Title 19.04.010 for a Group Residential Care Facility, including parking requirements.

3. A revised site plan shall be submitted to and approved by the Planning and Development Department prior to the time application is made for a building permit to reflect a parking area meeting all requirements of LVMC Title 19.10. The approval is pursuant to the site plan submitted 10/17/2008 except as amended herein.

4. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a Group Residential Care Facility with a Waiver to allow a 1,130-foot distance separation where 1,500 feet is required at 2080 La Salle Street. The facility will serve a maximum of ten residents. Staff cannot support the requested Waiver of the minimum separation distance as the requirement is intended to prevent the oversaturation of this use within a limited area; therefore, staff is recommending denial of this request for a Special Use Permit.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
11/20/90	The Board of Zoning Adjustment approved a request for a Special Use Permit (U-0228-90) to allow a residential facility for adult care for a maximum of five (5) adults on property located at 893 Hassell Avenue. This Special Use Permit has expired. [The correct address is 2080 La Salle Street.]
10/04/06	Code Enforcement received a complaint that a single-family residence had been converted into a boarding house, and that multiple building code violations existed. The complaint was resolved on 10/24/06.
12/04/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #20/sg).
Related Building Permits/Business Licenses	
05/09/91	A gas permit (#M-3449-91) was issued for a single-family home located at 2080 La Salle Street. The permit was finaled on 09/11/91.
12/06/07	An electrical permit (#103460) was issued to replace a damaged 200 amp panel at 2080 La Salle Street. The permit was finaled on 10/15/08.
Pre-Application Meeting	
10/06/08	A pre-application meeting was held to discuss the minimum requirements for a Group Residential Care Facility, including the need for a Waiver of the required separation distance and minimum parking requirements.
Field Check	
10/29/08	A field check was conducted by staff of the subject site. It was observed to be a single-family residence in good condition.

Details of Application Request	
Site Area	
Gross Acres	0.26 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-Family Residences	MLA (Medium Low Attached Density Residential	R-2 (Medium-Low Density Residential)
North	Single-Family Residences	MLA (Medium Low Attached Density Residential	R-2 (Medium-Low Density Residential)
South	Single-Family Residences	MLA (Medium Low Attached Density Residential	R-2 (Medium-Low Density Residential)
East	Single-Family Residences	MLA (Medium Low Attached Density Residential	R-2 (Medium-Low Density Residential)
West	Single-Family Residences	MLA (Medium Low Attached Density Residential	R-2 (Medium-Low Density Residential)

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan	X		
West Las Vegas Plan	X		Y
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		
A-O Airport Overlay District (140 Feet)	X		Y*
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

**The subject site consists of an existing single-story residence and accessory structure; no additional structures are proposed.*

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following parking standards apply:

Standard	*Required/Allowed*	*Provided*	*Compliance*
Min. Lot Size	6,500 SF	11,232 SF	Y
Min. Lot Width	N/A	83 Feet	Y
Min. Setbacks			
• Front	20 Feet	24 Feet	Y
• Side	5 Feet	16 Feet	Y
• Corner	5 Feet	17 Feet	Y
• Rear	20 Feet	44 Feet	Y

Min. Distance Between Buildings	10 Feet	N/A	N/A
Max. Lot Coverage	N/A	N/A	N/A
Max. Building Height	Two stories or 35 feet, whichever is less	1 Story (14 Feet)	Y

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

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Group Residential Care Facility	Maximum 10 Residents	1 Space per 5 Residents, plus 1 space for the administrator	3	Zero	4	1	Y*
TOTAL			3		5		Y*

**The submitted site plan shows parking spaces, including one handicapped accessible space, that do not meet the minimum dimensional requirements of Title 19.10. A condition has been added to meet or exceed all minimum requirements of Title 19.10 for the parking area.*

Waivers		
Request	**Requirement**	**Staff Recommendation**
Allow a distance separation of 1,030 feet from another Group Residential Care Facility	A minimum distance separation of 1,500 feet from another Group Residential Care Facility	Denial

Waiver Information for Distance Separation				
Type of Use	**Name and License Number**	**Address**	**Required Distance**	**Distance Provided**
Group Residential Care Facility	Covenant of Love (#N43-99114)	1213 Balzar Avenue	1,500 Feet	1,130 Feet

ANALYSIS

This is a request to provide a Group Residential Care Facility at 2080 La Salle Street to house up to ten elderly residents. The facility is located approximately 1,030 feet from an existing Group Residential Care Facility at 1213 Balzar Avenue, and does not meet the minimum required distance separation of 1,500 feet from a like use. The minimum distance separation was established to prevent an oversaturation of this use within a limited area, so that local community services and resources are not taxed beyond the levels that a community can provide. Therefore, staff cannot support the Waiver of the minimum distance separation required for approval of this Special Use Permit request.

- **Zoning**

  This project is located within the R-2 (Medium-Low Density Residential) zoning district. The purpose of this R-2 (Medium-Low Density Residential) zoning district is to establish lots primarily for medium to low density single-family detached units and duplex units. The R-2 District is consistent with the policies of the Medium-Low Density and Medium-Low Attached Residential categories of the General Plan. The subject property carries a General Plan land use designation of MLA (Medium Low Attached Density).

- **Use**

  A Group Residential Care Facility is defined by Title 19.04 as a dwelling of a residential character which is used or intended to be used to provide long-term housing and care for up to ten persons who are aged, infirm, physically or mentally handicapped, or physically dependant, and are living together for the purpose of training, observation, common support, or a combination thereof. The term does not include an individual residential care facility; a facility for transitional living for released offenders, a halfway house for recovering alcohol and drug abusers, a convalescent care facility/nursing home, or any facility which:

  1. Provides surgical, medical, psychiatric or other specialized treatment on a regular basis; or

  2. Provides housing, care or treatment to persons whose occupancy would constitute a direct threat to the health or safety of other individuals or their property.

- **Minimum Special Use Permit Requirements**

  1. The facility must comply on an ongoing basis with all governmental requirements.

  2. The facility must be located on a parcel with a minimum size of 6,500 square feet.

3. Off-street parking shall be provided on the basis of at least one space per 5 residents, plus an additional space for the administrator.

4. Indoor common area shall be provided on the basis of a minimum 15 square feet per resident.

5. The facility shall not be established or modified in a manner that would make it inconsistent with the scale and architectural character of the neighborhood.

6. No signage, graphics, display or other visual representation that is visible from a public street be used to identify the facility as a Group Residential Care Facility.

7. A facility may not be located closer than one thousand five hundred feet (measured by means of the shortest distance from property line to property line) from another Group Residential Care Facility, a Facility for Transitional Living for Released Offenders, or a Halfway House for Recovering Alcohol and Drug Abusers, except where there in an intervening street, freeway or drainage channel wider than one hundred feet. The provisions of 19.04.040(B) do not apply to this Condition. However, a waiver of the distance limitation may be obtained from the City Council, after a recommendation from the Planning Commission as follows:

    a. A public hearing must be conducted by both the Planning Commission and City Council, after notice of hearing has been provided as in the case of a Special Use Permit.

    b. The applicant must demonstrate to the satisfaction of the Council that:

        i. Approval of the waiver will not adversely affect the health and safety of the general public or the residents of any existing or proposed facility whose location is being considered in connection with the waiver;

        ii. The location of the proposed facility in proximity to the facilities whose location is being considered will not inhibit the integration of disabled persons into the community or neighborhood in question;

        iii. The proposed facility will be operated in compliance with Condition 1;

        iv. The proposed facility will comply with Conditions 2 through 6 and Condition 8, unless any such condition has been waived in connection with the approval of a Special Use Permit.

    c. Approval of a waiver may be conditioned upon measures designed to ensure compatibility of the use

8. The number of occupants within a Group Residential Care Facility shall not exceed the following occupancy standards:

    a. For the first bedroom (deemed to be the largest bedroom), a maximum of two adults (eighteen years of age or older).

    b. For each bedroom thereafter;

        i. A maximum of one adult, for bedrooms less than one hundred square feet in area; an
        ii. A maximum of two adults, for bedrooms one hundred square feet in area or greater.

9. In connection with approval of a Special use Permit, the City Council may waive any of the occupancy standards in Condition 8 for disabled adults if the applicant demonstrates that:

    a. There will be adequate parking based on the number of occupants;

    b. The number of occupants will not exceed the number permitted in the zoning district in which the proposed facility is to be located; and

    c. The facility is adequate to accommodate the number of residents requested, including but not limited to adequate bathroom and kitchen facilities and eating and sleeping areas.

10. Conditions 2-9 shall not apply to a Group Residential Care Facility whose proposed location is not closer than one thousand five hundred feet to any of the following uses:

    a. Another Group Residential Care Facility;

    b. A Facility for Transitional Living for Released Offenders;

    c. A Halfway House for Recovering Alcohol and Drug Abusers.

The proposed Group Residential Care Facility does not meet all of the Minimum Special Use Permit Requirements. Specifically, condition number seven cannot be met. Failure to meet this minimum condition is an indication that the subject site is not a suitable location for a Group Residential Care Facility as similar uses exist within close proximity, leading to a saturation of use within the area. Therefore, staff recommends denial of this request.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Group Residential Care Facility does not meet the required distance separation requirements and would constitute an increase in land use intensity within the subject neighborhood. While the use is permitted within a Medium-Low Density residential zoning district, the distance separation requirement was established to prevent oversaturation within established neighborhoods.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The subject site is not physically suitable for the type and intensity of land use proposed as it located approximately 830 feet from another Group Residential Care Facility where a 1,500-foot distance separation is required.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

   The site is accessed from La Salle Street, a 60-foot Local Road according to the Master Plan of Streets and Highways. A secondary driveway is located on Hassell Avenue, a 60-foot Local Road, according to the Master Plan of Streets and Highways. Both roadways are adequate in size to meet the requirements of the proposed use.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   The County Health Department and other code enforcement agencies will monitor the Group Residential Care Facility; therefore public health and safety will be protected.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed Group Residential Care Facility is within 1,030 feet of another group home. This site constraint does not meet the required distance separation of 1,500 feet between Group Residential Care Facilities per Title 19.04.

PLANNING COMMISSION ACTION

The Planning Commission added condition #1 and amended condition #3 as shown.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 233 by City Clerk

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-31153 APN: 139-21-612-011

Name of Property Owner: Lawrence H. Murray

Name of Applicant: Living Word Ministry

Name of Representative: Lawrence H. Murray

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: Lawrence H. Murray

Print Name: Lawrence H. Murray

Subscribed and sworn before me

This 17th day of October, 2008

Deidra R. Houston

Notary Public in and for said County and State

DEIDRA R. HOUSTON
Notary Public, State of Nevada
Appointment No. 98-49068-1
My Appt. Expires Aug 20, 2010

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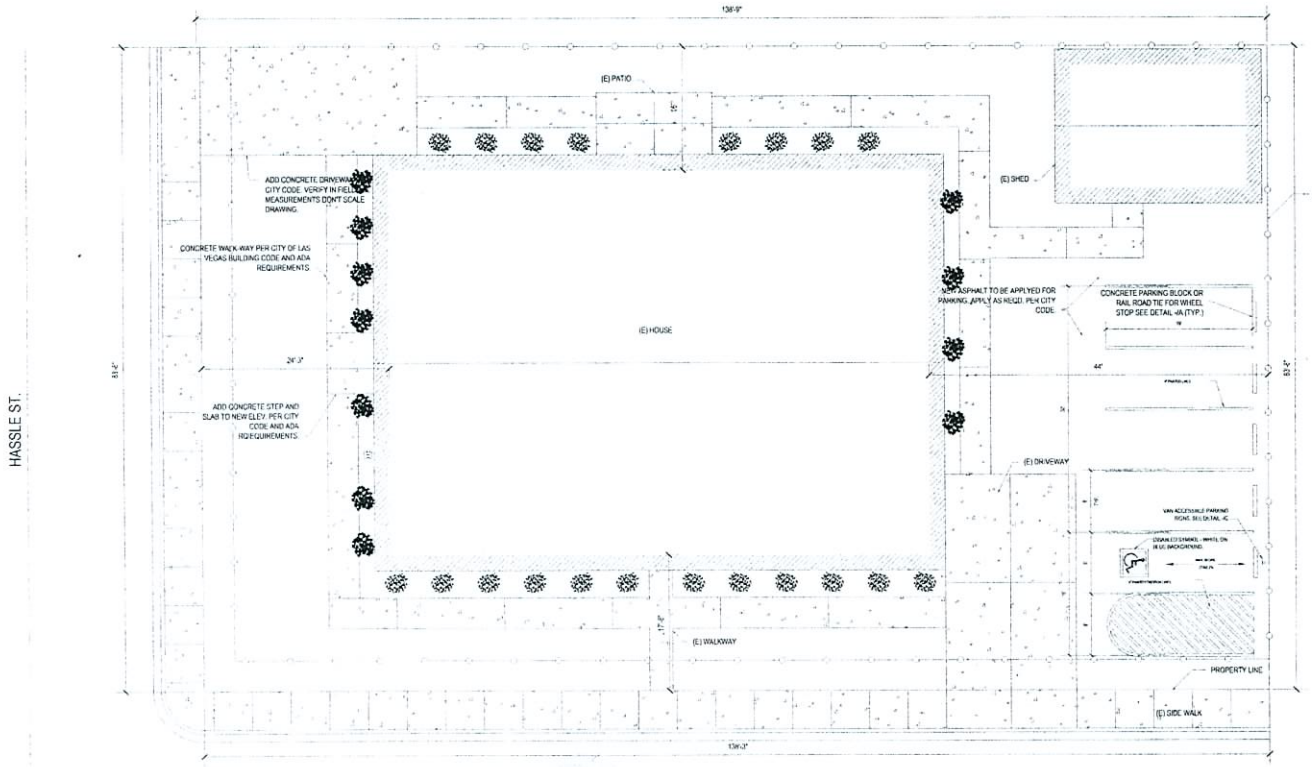

2 VICINITY MAP
SCALE NTS

1 NORTH

1 SITE PLAN
SCALE 1/8"=1'-0"

NORTH

1. ADDITIONAL SIGN ONLY REQUIRED AT VAN ACCESSIBLE SPACES.
2. VERIFY WITH LOCAL CONDITIONS.
3. VERIFY SIZE, COLOR, WORDING, ETC. WITH TRAFFIC ENGINEERING DEPARTMENT.

B ACCESSIBILITY SIGN
Scale: NTS

SUP-31153
12/04/08 PC

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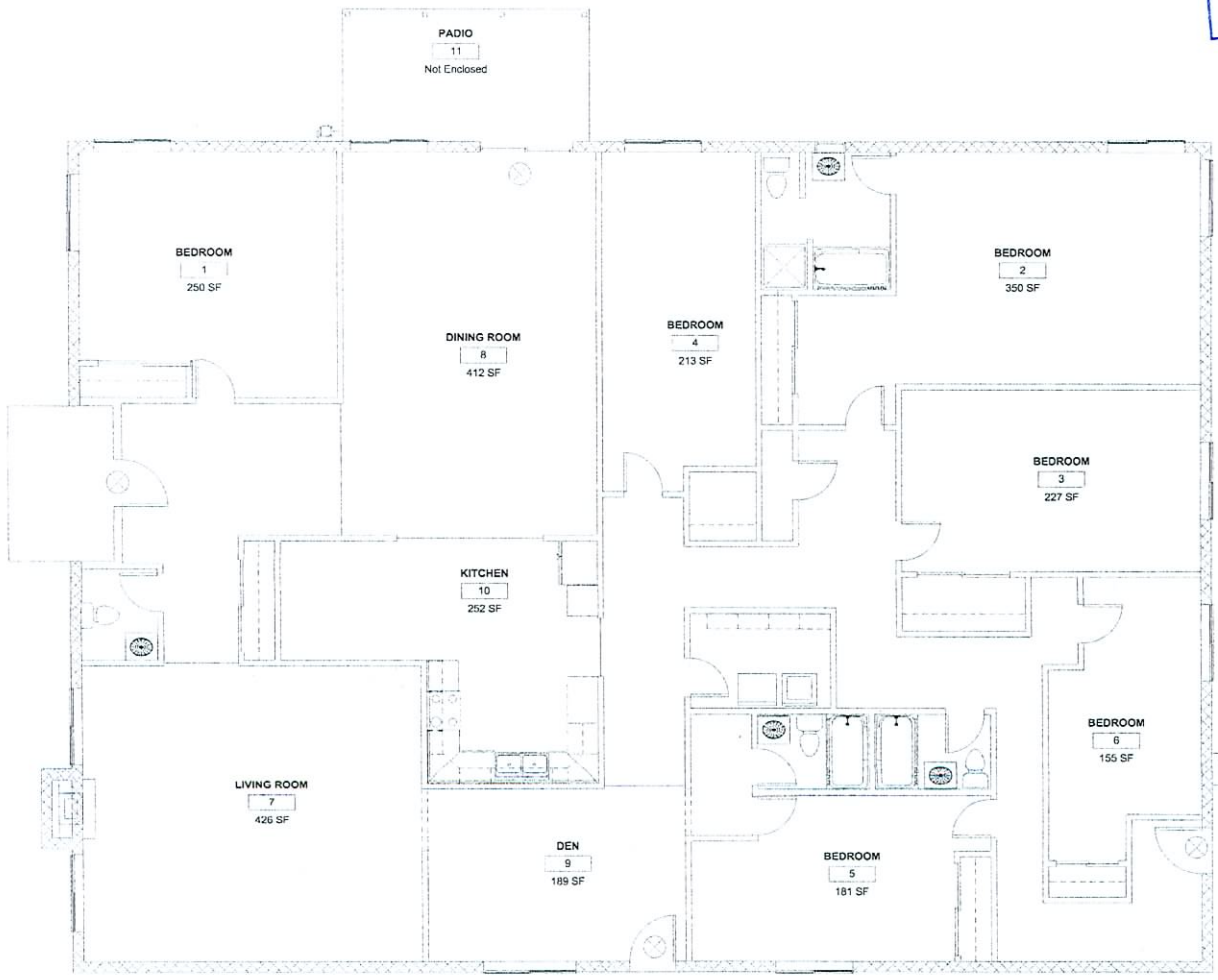

1 First Floor
1/4" = 1'-0"

SUP-31153
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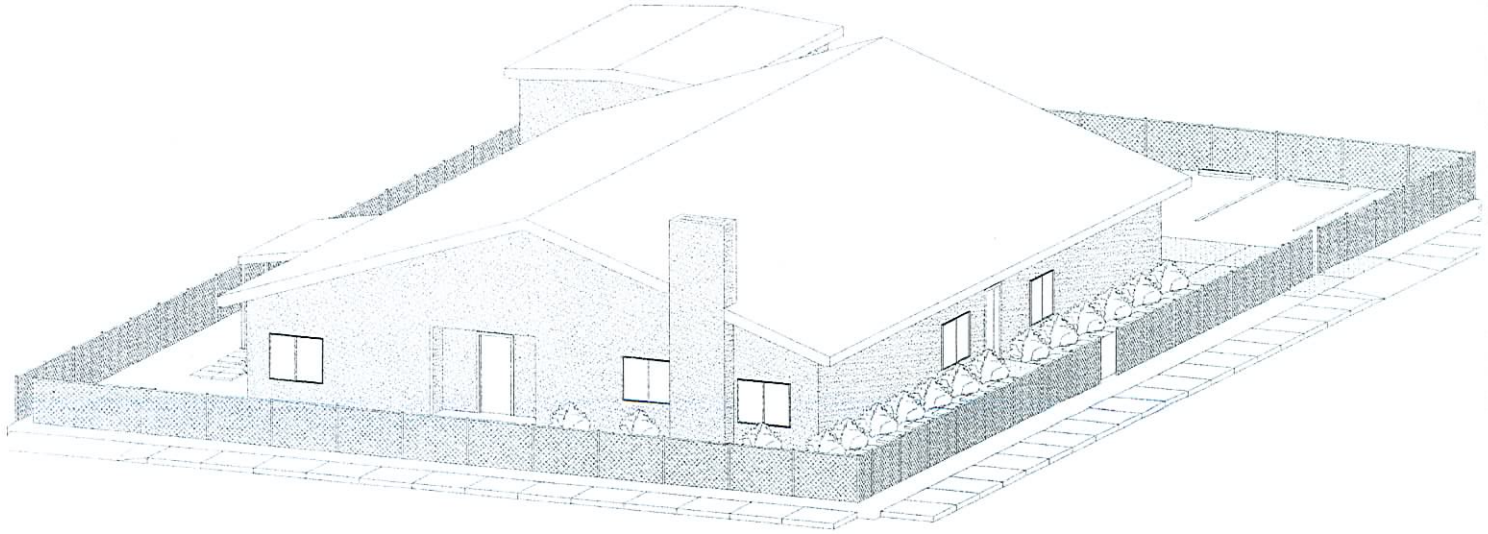

1 ISO VEIW
SCALE NTS

SUP-31153
12/04/08 PC

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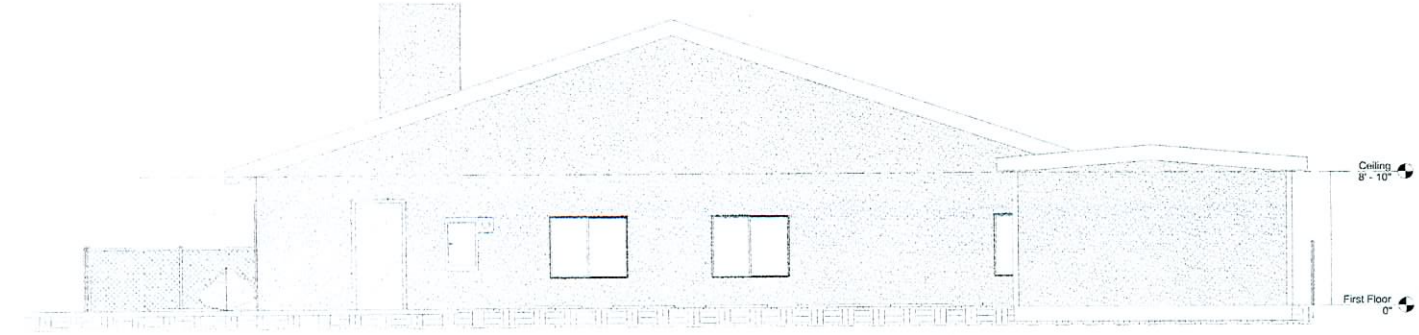
1 SOUTH ELEV.
1/4" = 1'-0"



2 NORTH ELEV.
1/4" = 1'-0"

SUP-31153
12/04/08 PC

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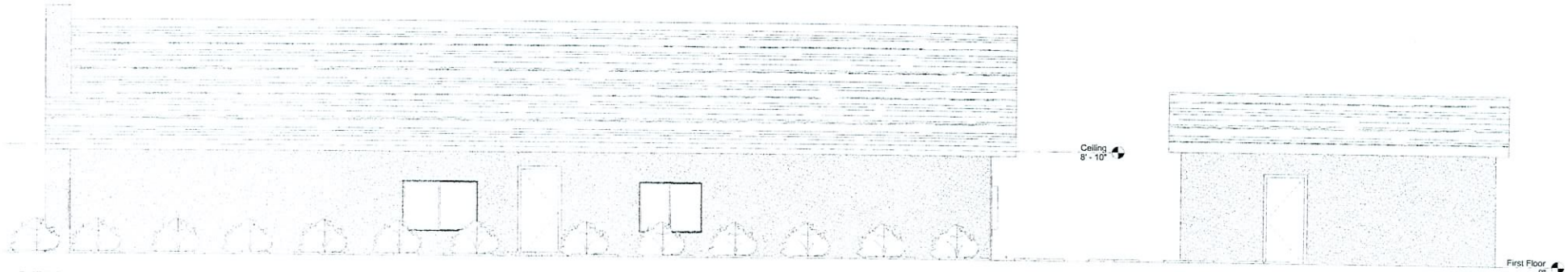
PLANNING & DEVELOPMENT



1 EAST ELEV.
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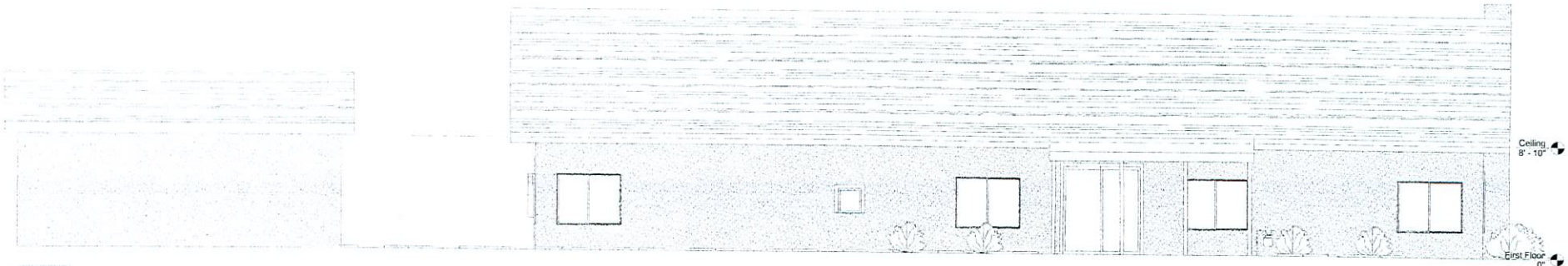

2 WEST ELEV.
1/4" = 1'-0"

LIVING WORD MINISTRY HOME

SUP-31153
12/04/08 PC

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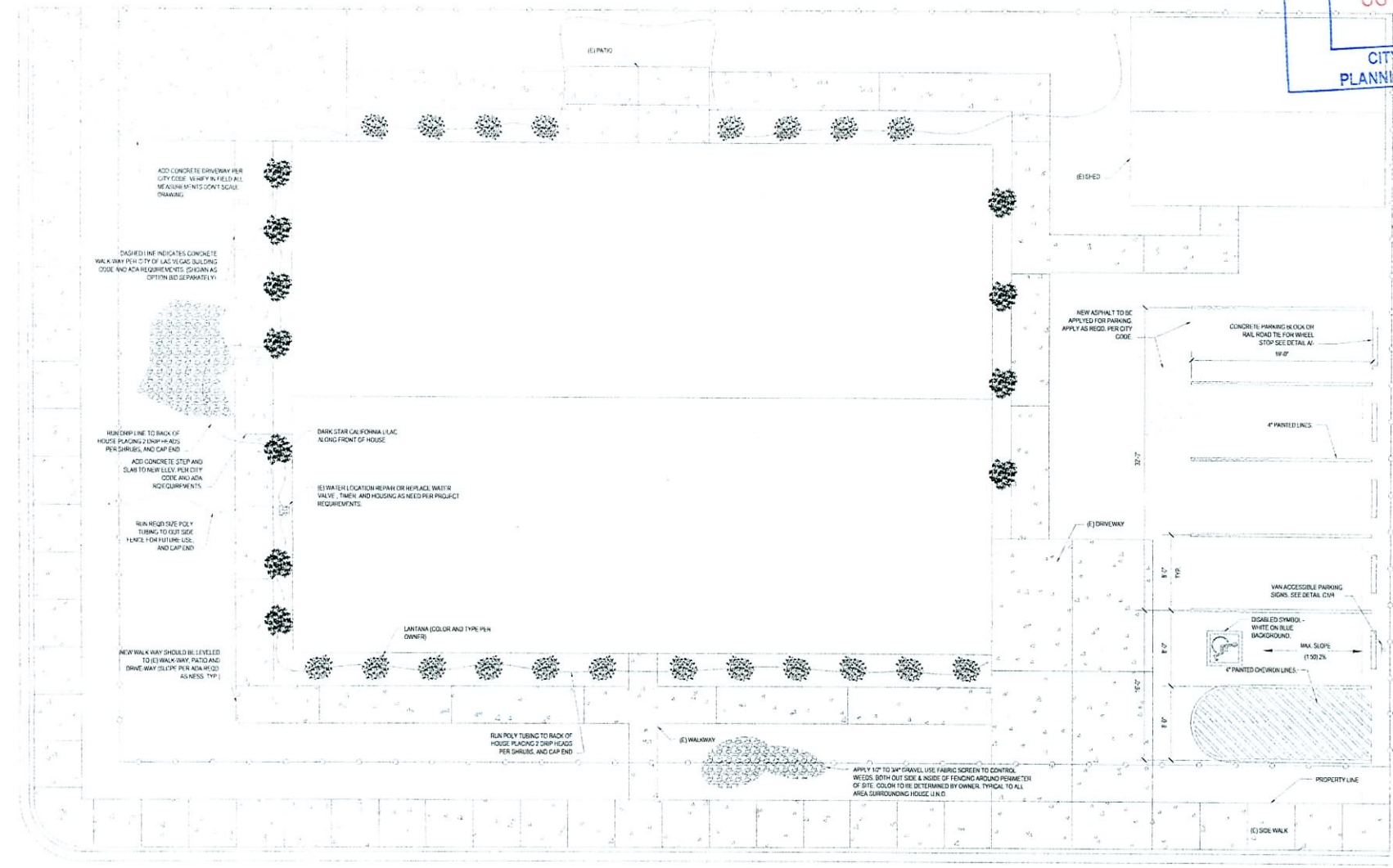
OCT 17 2008
CITY OF LAS VEGAS
PLANNING & DEVELOPMENT



1 LANDSCAPE PLAN (FOR BIDDING ONLY)

FERTILIZATION NOTES

SHRUBS AND TREES

ALL TREES AND SHRUBS SHALL BE FERTILIZED WITH "AGRIFORM" 20-10-5 PLANTING TABLETS AT TIME OF INSTALLATION AND PRIOR TO COMPLETION OF PIT BACKFILLING. TABLETS SHALL BE PLACED UNIFORMLY AROUND THE ROOT MASS AT A DEPTH THAT IS BETWEEN THE MIDDLE AND BOTTOM OF THE ROOT MASS.

APPLICATION RATE:

1 GALLON CAN:	1 - 21 GRAM TABLET
3 GALLON CAN:	2 - 21 GRAM TABLETS
5 GALLON CAN:	3 - 21 GRAM TABLETS
7 GALLON CAN:	4 - 21 GRAM TABLETS
TREES:	3 - 21 GRAM TABLETS EACH 1/2" OF CALIPER
PALMS:	7 - 21 GRAM TABLETS

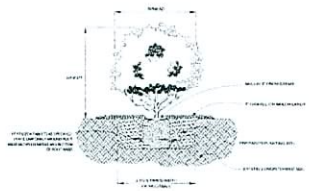
GROUNDCOVER AREAS

ALL GROUNDCOVER AREAS SHALL RECEIVE FERTILIZATION WITH "OSMOCOTE" TIME RELEASE FERTILIZER AS PER MANUFACTURER'S SPECIFICATIONS.

IRRIGATION NOTES

1. A LOW VOLUME IRRIGATION SYSTEM, THAT PROVIDES 100% COVERAGE TO ALL PROPOSED PLANTINGS, WILL BE DESIGNED AND INSTALLED BY THE CONTRACTOR.
2. THE PROPOSED IRRIGATION SYSTEM MUST MEET OR EXCEED ALL APPLICABLE CITY CODE REQUIREMENTS. (I.E., BACK FLOW PREVENTION, AUTOMATIC RAIN SHUTOFF DEVICE, ETC...)
3. IRRIGATION SHOP DRAWINGS MUST BE SUBMITTED AND APPROVED BY THE CITY PRIOR TO THE COMMENCEMENT OF WORK.
4. IRRIGATION AS-BUILT DRAWINGS, WHICH ACCURATELY AND CLEARLY IDENTIFY ALL MODIFICATIONS &/OR SUBSTITUTIONS, MUST BE SUBMITTED PRIOR TO FINAL INSPECTION AND ACCEPTANCE.
5. THE EXISTING 5/8" WATER METER WILL BE UTILIZED FOR THIS IRRIGATION SYSTEM.
6. THE LANDSCAPE CONTRACTOR MUST COORDINATE THE PLACEMENT AND POWER SUPPLY FOR THE IRRIGATION CONTROL TIMER WITH THE OWNER.

A DETAIL



B SHRUB & GROUNDCOVER PLANTING DETAIL

SUP-31153
12/04/08 PC

SUP-31153 - APPLICANT/OWNER: LAWRENCE MURRAY
2080 LA SALLE STREET
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

SUP-31153 - APPLICANT/OWNER: LAWRENCE MURRAY
2080 LA SALLE STREET
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

SUP-31153 - APPLICANT/OWNER: LAWRENCE MURRAY
2080 LA SALLE STREET
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

SUP-31153 - APPLICANT/OWNER: LAWRENCE MURRAY
2080 LA SALLE STREET
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

Living Word Senior Manor

2080 LaSalle Street
Las Vegas, Nevada 89106

Summary

Purpose: To **provide housing to low income seniors as well as veterans living in Las Vegas.**

Plan: In response to the shortage and burgeoning need of senior housing throughout the Las Vegas Valley particularly in Old Historic West Las Vegas, Living Word Ministry (LWM) has rehabbed a **three thousand nine hundred and ninety six 3,996 square foot single family home located at 2080** La Salle to offer **affordable rental rooms to senior citizens**. Pastor Lawrence H. Murray is a Certified Master Carpenter, and did the majority of the labor and carpentry work. The home will **house a maximum of 10 residents.**

The Facility: This home consists of **six (6) spacious bedrooms** including **a master suite** with separate bath and three **(3) additional bathrooms**. The common areas highlight a huge family bonus room, a completely spacious renovated kitchen with upgraded appliances, enclosed well-appointed dining room, and a **beautiful formal living room,** all distinctively furnished. Two upgraded tile entry foyer, large patios side and rear yard plus a seating space located on the front near the street-affording occupants to enjoy people watching or quite time. Additionally there is a **large laundry room complete with washer and dryer. Smoke detectors are in each room, and handicap ramps are on both the north and east entrances.**

Location: The location of LWSM is unique as it is **accessible from three (3) major thoroughfares, Lake Mead Blvd heading east or west, Martin Luther King heading north and "H" street heading north.** This vibrant community boasts additional amenities that make living in this centrally located area enjoyable and convenient. Two major bus stops are in walking distance, as is Doolittle Senior Center, The West Las Vegas Library, A strip Shopping Mall that includes Mario's Grocery Store and Deli, CVS Pharmacy, Beauty & Barber Salons, Several Fast-food Franchises, the U.S. Post Office, UMC Medical Clinic, Schools, and various Houses of Worship. What's more, about a mile further on West Lake Mead are two prominent Hotel Casinos, Station's, Fiesta and a Super Wal-Mart Center. A new grocery store is now opened at Owens and "J" street.

SUP-31153
12/04/08 PC

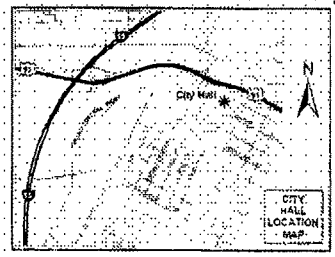
RECEIVED
CITY CLERK

2008 DEC 29 A 8:06

City of Las Vegas
Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested

Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Office Of The City Clerk at the address listed above or fax this side of this card to (702) 382-4803. If you would like to contact your Council Representative, please call (702) 229-6405.

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153

City Council Meeting of 1/7/2009

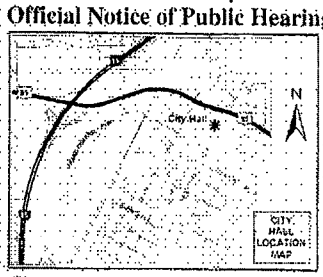
CHURCH OF GOD CHRIST LIVING
1121 SHARON RD
LAS VEGAS NV 89106-2035

RECEIVED
CITY CLERK

2008 DEC 29 A 8:06

y of Las Vegas
ice Of The City Clerk
Stewart Avenue
Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



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MURRAY LAWRENCE H
1121 SHARON RD
LAS VEGAS NV 89106-2035

☒ I SUPPORT this Request ☐ I OPPOSE this Request

ase use available blank space on card for your comments.

P-31153

y Council Meeting of 1/7/2009

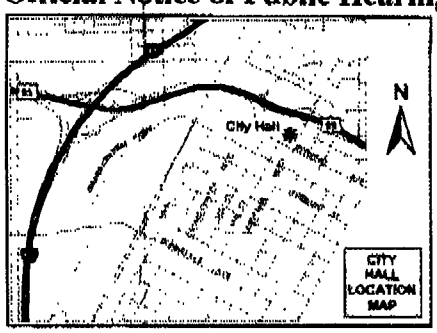
RECEIVED
CITY CLERK

2008 DEC 29 A 10:50

City of Las Vegas

Office Of The City Clerk
400 Stewart Avenue
Las Vegas, Nevada 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153
City Council Meeting of 1/7/2009

PRESORTED FIRST CLASS

UNITED STATES POSTAL SERVICE PITNEY BOWES
02 1M $ 00.39⁴
0004239954 DEC 24 2008
MAILED FROM ZIPCODE 89101

BLACKSHEAR FAMILY TRUST
BLACKSHEAR MATTIE B TRS
892 HASSELL AVE
LAS VEGAS NV 89106-2320

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

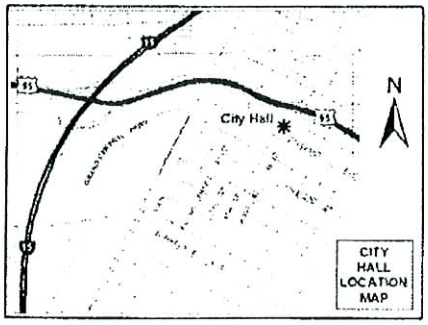
642-7760

NEW HOPE COGIC

3:03p

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153
Planning Commission Meeting of 12/4/2008

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.39
0004239954 NOV 21 2008
MAILED FROM ZIP CODE 89101

RECEIVED
NOV 25 2008

Case: SUP-31153
13921610025
CHURCH GOD CHRIST INC
839 BALZAR AVE
LAS VEGAS NV 89106-2201

IAV0811 89106

#20
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City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
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MAILED FROM ZIPCODE 89101

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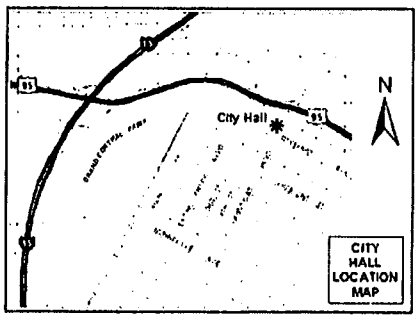
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153
Planning Commission Meeting of 12/4/2008

RECEIVED
DEC 03 2008

SUP-31153 Occupant
Milage Trailer Park
964 Lawry Avenue, Space 3
Las Vegas, Nevada 89106

Submitted after final agenda
Date A Item 20

Submitted after final agenda
Date 12/3/08 Item 20

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
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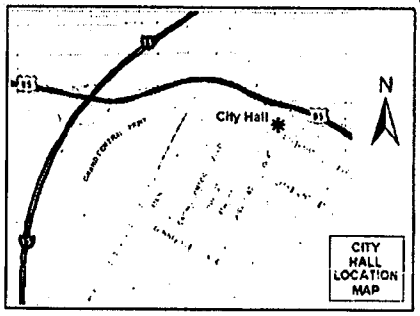
0004239954 NOV 21 2008
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153

Planning Commission Meeting of 12/4/2008

RECEIVED
DEC 03 2008

Case: SUP-31153

13921610021
WELCH ALICE LEE
887 BALZAR AVE
LAS VEGAS NV 89106-2201

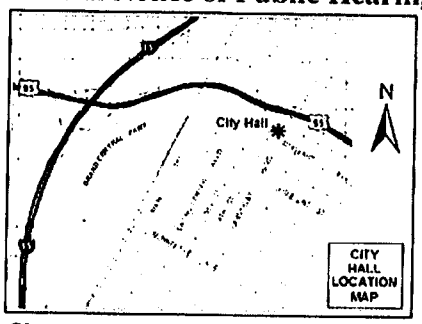
Submitted after final agenda
Date A Item 20

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

$ 00.39[4]
NOV 21 2008
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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Please use available blank space on card for your comments.

SUP-31153

Planning Commission Meeting of 12/4/2008

RECEIVED
DEC 03 2008

Case: SUP-31153

13921510248
EVANS JIMMIE L
1025 BARTLETT AVE
LAS VEGAS NV 89106-2217

891063217 C008

Submitted after final agenda
Date A Item 20

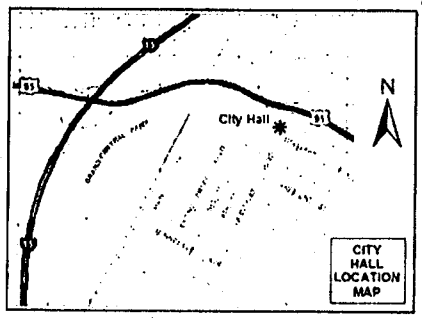
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

$ 00.39[4]

MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153

Planning Commission Meeting of 12/4/2008

RECEIVED
DEC 03 2008

Case: SUP-31153

13921612010
LOGAN WILLIE B
917 HASSELL AVE
LAS VEGAS NV 89106-2309

FAVOS11 89106

Submitted after final agenda
Date A Item 20

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
$ 00.39⁴
04259954 NOV 21 2008
MAILED FROM ZIPCODE 89101

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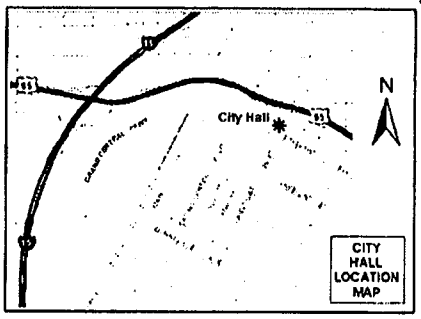

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[X] I SUPPORT this Request
[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153
Planning Commission Meeting of 12/4/2008

RECEIVED
DEC 03 2008

Case: SUP-31153
13921612004
RICHARD ELNORA
1039 HASSELL AVE
LAS VEGAS NV 89106-2321

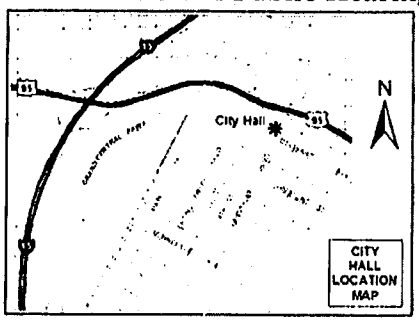
Submitted after final agenda
Date A Item 20

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
FIRST-CLASS
$ 00.39⁴
NOV 21 2008
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153
Planning Commission Meeting of 12/4/2008

RECEIVED
DEC 03 2008

SUP-31153 Occupant
Milage Trailer Park
964 Lawry Avenue, Space 1
Las Vegas, Nevada 89106

Submitted after final agenda
Date A Item 20

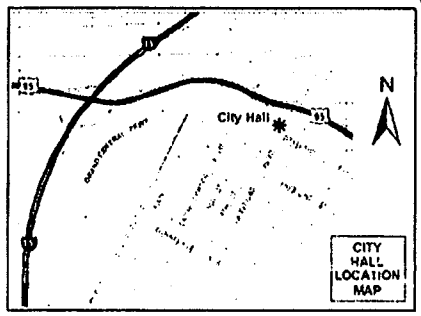
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES

$ 00.39⁴
0006229954 NOV 21 2008
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



Please approve this Project we truly need it in our area.

RECEIVED
DEC 03 2008

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Case: SUP-31153

13921610041
GREEN PATRICIA
P O BOX 270546
LAS VEGAS NV 89127-4546

☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153
Planning Commission Meeting of 12/4/2008

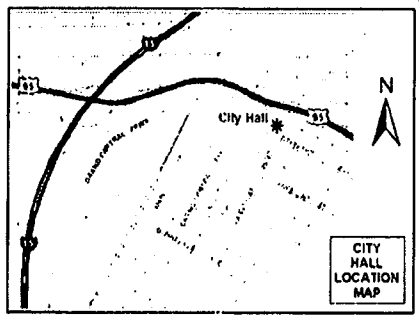
Submitted after final agenda
Date A Item 20

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

$ 00.39[4]
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



I am all for it.

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DEC 03 2008

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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

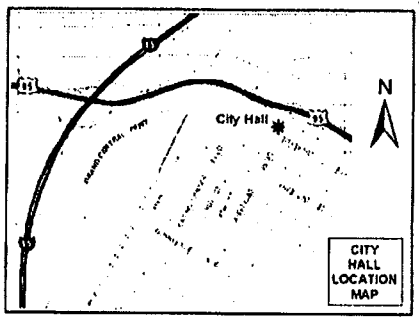
SUP-31153
Planning Commission Meeting of 12/4/2008

SUP-31153 Occupant
Milage Trailer Park
964 Lawry Avenue, Space 6
Las Vegas, Nevada 89106

Submitted after final agenda
Date A Item 20

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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[X] I SUPPORT this Request

[ ] I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153

Planning Commission Meeting of 12/4/2008

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UNITED STATES POSTAGE
PITNEY BOWES
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NOV 21 2008
MAILED FROM ZIPCODE 89101

RECEIVED
DEC 03 2008

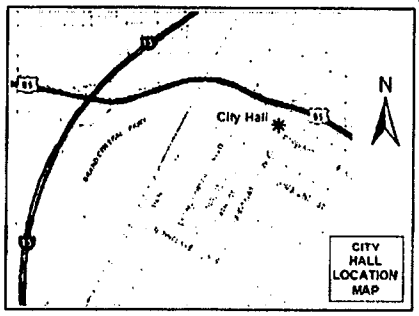
SUP-31153 Occupant
Milage Trailer Park
964 Lawry Avenue, Space 4
Las Vegas, Nevada 89106

IAVDS11 89106

Submitted after final agenda
Date A Item 20

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153
Planning Commission Meeting of 12/4/2008

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
$ 00.39⁴
NOV 21 2008
MAILED FROM ZIPCODE 89101

RECEIVED
DEC 03 2008

SUP-31153 Occupant
Milage Trailer Park
964 Lawry Avenue, Space 5
Las Vegas, Nevada 89106

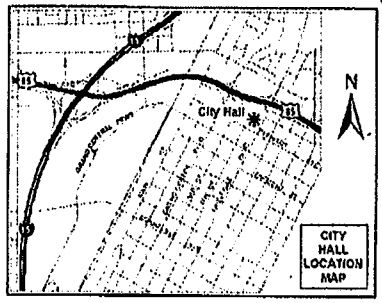
Submitted after final agenda
Date A Item 20

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE PITNEY BOWES
02 1M $ 00.39⁴
0004239954 NOV 21 2008
MAILED FROM ZIP CODE 89101

Return Service Requested
Official Notice of Public Hearing



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☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153

Planning Commission Meeting of 12/4/2008

RECEIVED
DEC 01 2008

Case: SUP-31153

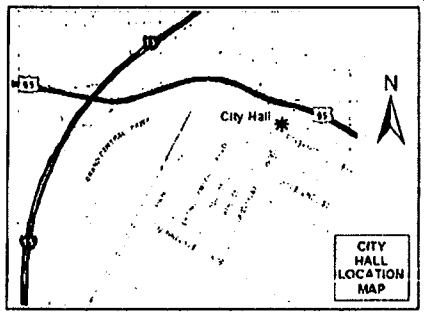
13921610027
CHURCH FIRST GOD MISSION
827 BALZAR AVE
LAS VEGAS NV 89106-2201

89106$2201 C008

Submitted after final agenda
Date A Item 20

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153

Planning Commission Meeting of 12/4/2008

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
PITNEY BOWES
$ 00.39⁴
MAILED FROM ZIP CODE

RECEIVED
DEC 02 2008

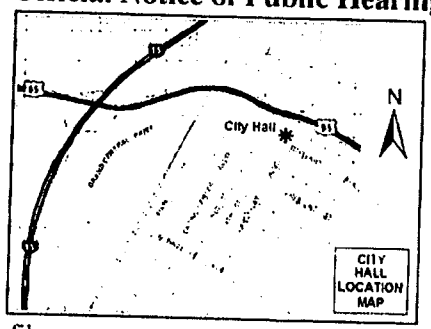
Case: SUP-31153
13921611028
CHURCH GOD CHRIST LIVING WORD
1121 SHARON AVE
LAS VEGAS NV 89106-2035

IAVDS11 89106

Submitted after final agenda
Date A Item 20

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153

Planning Commission Meeting of 12/4/2008

PRESORTED FIRST CLASS

$ 00.39

MAILED FROM ZIPCODE 89101

RECEIVED
DEC 02 2008

Case: SUP-31153

13921601010
CHURCH GOD CHRIST LIVING WORD
%L MURRAY
1121 SHARON RD
LAS VEGAS NV 89106-2035

Submitted after final agenda
Date A Item 20

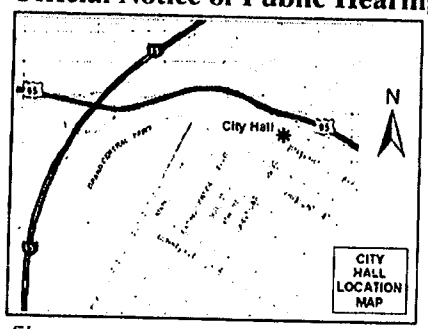
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

UNITED STATES POSTAGE
$ 00.39
MAILED FROM ZIPCODE

RECEIVED
DEC 02 2008

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153

Planning Commission Meeting of 12/4/2008

13921611007 Case: SUP-31153
CHURCH OF GOD CHRIST LIVING WORD
1121 SHARON RD
LAS VEGAS NV 89106-2035

Submitted after final agenda
Date A Item 20

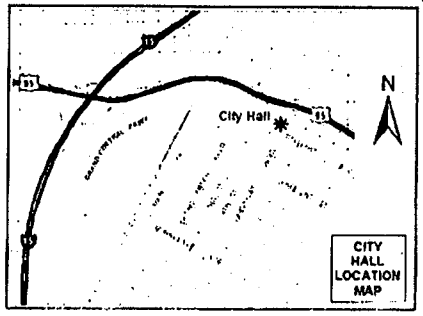
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

$ 00.39

MAILED FROM ZIPCODE

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153

Planning Commission Meeting of 12/4/2008

RECEIVED
DEC 02 2008

Case: SUP-31153
13921611026
CHURCH GOD CHRIST LIVING WORD
976 HASSELL AVE
LAS VEGAS NV 89106-2322

Submitted after final agenda
Date A Item 20

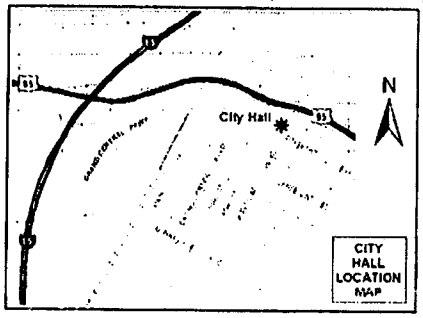
City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

$ 00.39

MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

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SUP-31153

Planning Commission Meeting of 12/4/2008

RECEIVED
DEC 02 2008

Case: SUP-31153

13921612011
MURRAY LAWRENCE H
1121 SHARON RD
LAS VEGAS NV 89106-2035

Submitted after final agenda
Date A Item 20

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

$ 00.39

MAILED FROM ZIPCODE

RECEIVED
DEC 02 2008

Return Service Requested
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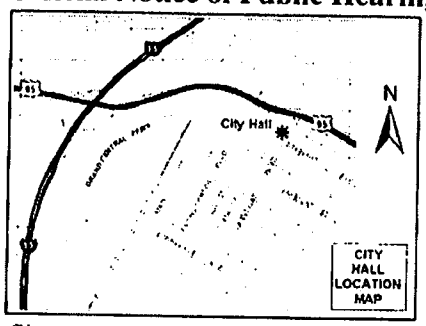

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☒ I SUPPORT this Request

☐ I OPPOSE this Request

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SUP-31153

Planning Commission Meeting of 12/4/2008

Case: SUP-31153

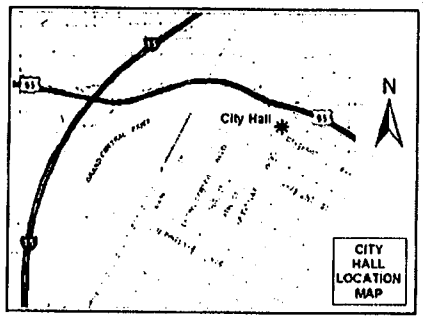
13921611027
CHURCH GOD CHRIST LIVING WORD M
976 HASSELL AVE
LAS VEGAS NV 89106-2322

Submitted after final agenda

Date A Item 20

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153
Planning Commission Meeting of 12/4/2008

PRESORTED FIRST CLASS

$ 00.39⁴
DEC 21 2008
MAILED FROM ZIPCODE 89101

RECEIVED
DEC 02 2008

Case: SUP-31153
13921510254
BUNCH HENRY & DORIS
917 W BARTLETT AVE
LAS VEGAS NV 89106-2217

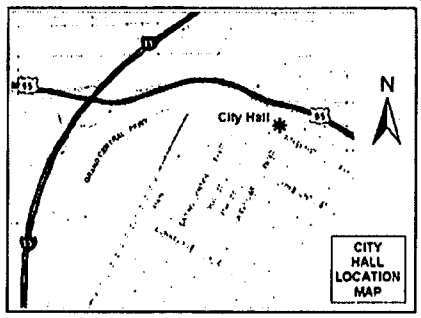
Submitted after final agenda
Date A Item 20

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

PRESORTED FIRST CLASS

$ 00.394
NOV 21 2008
MAILED FROM ZIPCODE 89101

Return Service Requested
Official Notice of Public Hearing



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☒ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31153
Planning Commission Meeting of 12/4/2008

RECEIVED
DEC 02 2008

Case: SUP-31153
13921510276
BUNCH HENRY & DORIS
917 W BARTLETT
LAS VEGAS NV 89106-2217

89106$2217 C008

Submitted after final agenda
Date A Item 20

City of Las Vegas Agenda Item No.: **104.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JANUARY 7, 2009

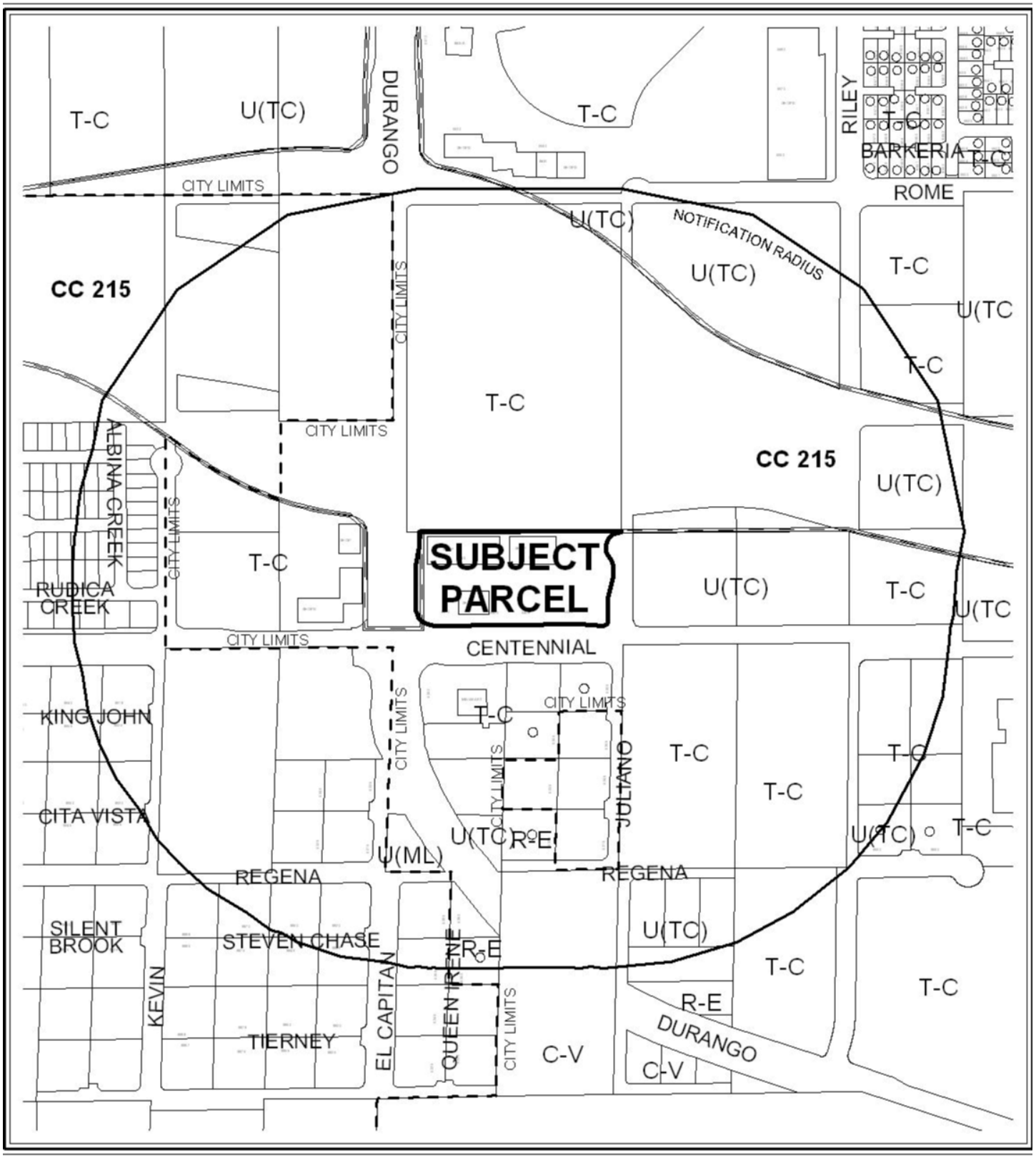
DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER ☐ **Consent** ☒ **Discussion**

SUBJECT:
SUP-31421 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: UPPER CRUST PIZZA - OWNER: DURANGO STRUCTURES, LLC - Request for a Special Use Permit FOR A PROPOSED 1,787 SQUARE-FOOT BEER/WINE/COOLER ON-SALE ESTABLISHMENT at 6440 North Durango Drive (APN 125-20-801-002), T-C (Town Center District) Zone, Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:		**APPROVALS RECEIVED BEFORE:**	
Planning Commission Mtg.	**0**	**Planning Commission Mtg.**	**1**
City Council Meeting	**0**	**City Council Meeting**	**0**

RECOMMENDATION:
The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:
1. Location, Aerial and Special Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Neighborhood Meeting Notice
7. Backup Referenced from the 12-04-2008 Planning Commission Meeting Item 25

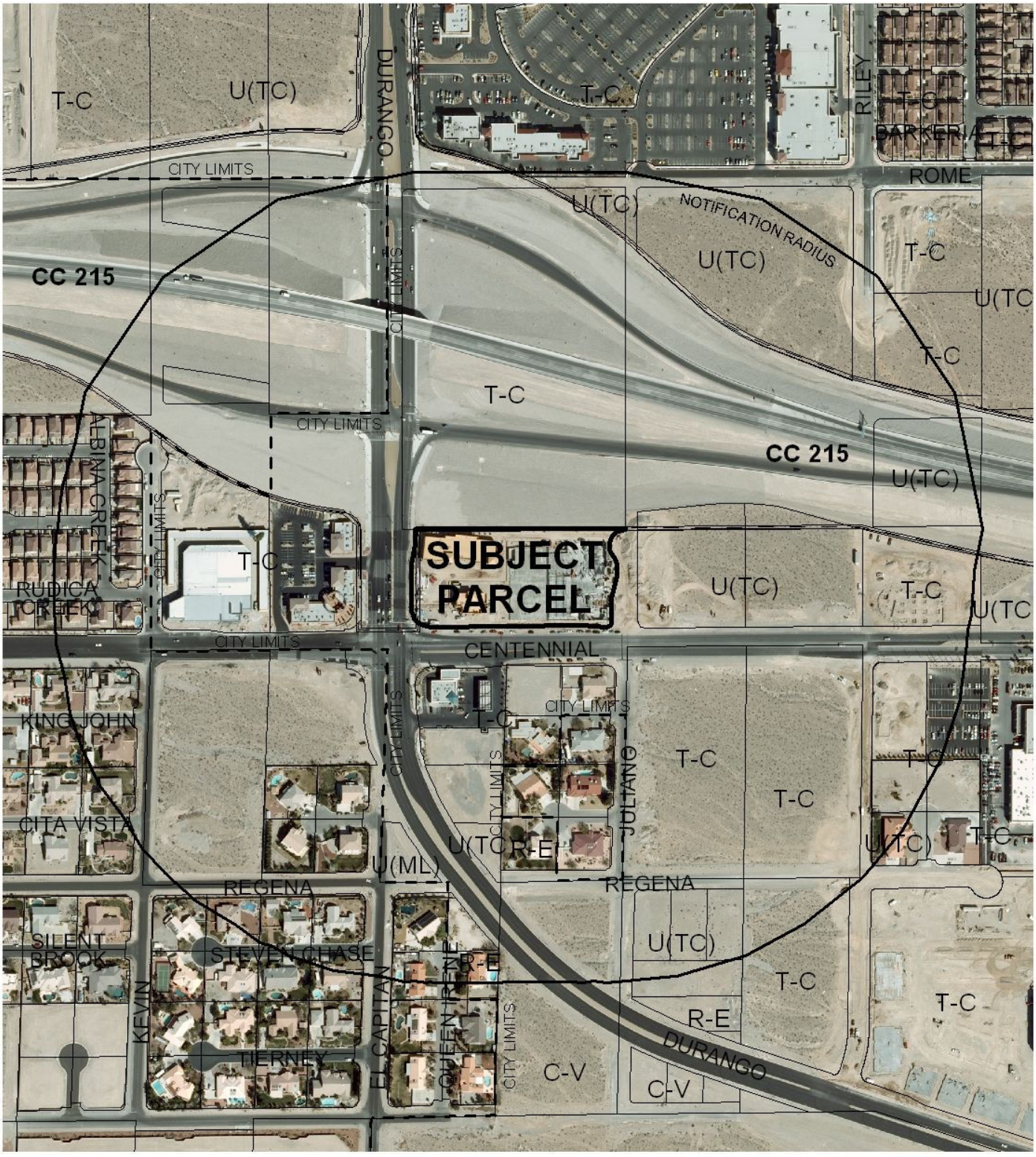


CASE: **SUP-31421**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 500 Feet



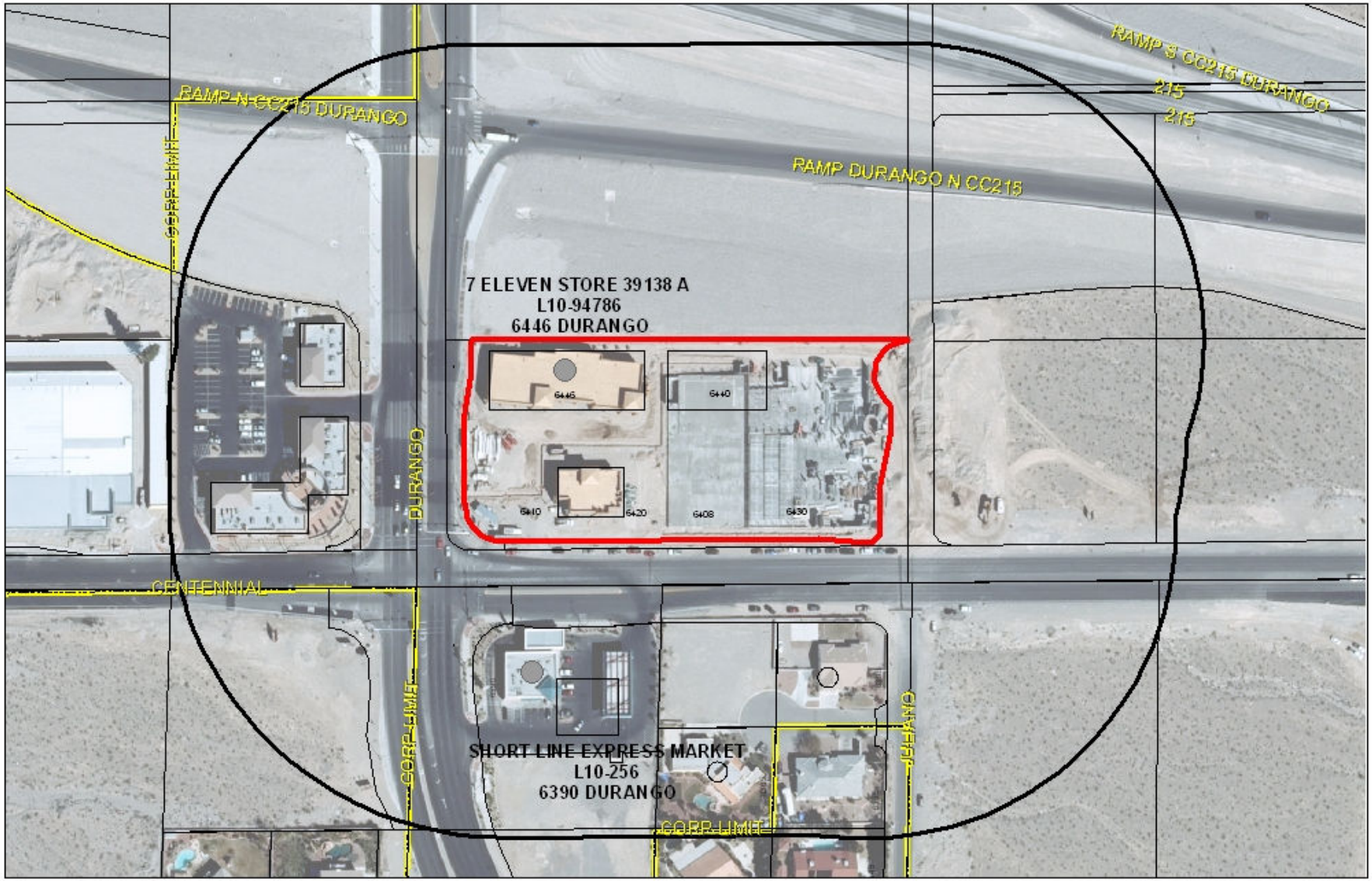
CASE: **SUP-31421**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: T-C (TOWN CENTER)

0 500 Feet

N



SUP-31421

Package Liquor Sales

Business Licenses

- Child Care/ Children Facility
- Supper Club/ Restaurant Service Bar
- Tavern
- Liquor on/off Sales

- RELIGIOUS
- CITY PARKS
- SCHOOLS

- Subject Property
- 400 foot buffer

N

City of Las Vegas

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-31421 - APPLICANT: UPPER CRUST PIZZA - OWNER: DURANGO STRUCTURES, LLC

** CONDITIONS **

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for Beer/Wine/Cooler On-Sale use, including parking requirements.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

3. Approval of this Special Use Permit does not constitute approval of a liquor license.

4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

** STAFF REPORT **

PROJECT DESCRIPTION

This is a request for a Special Use Permit to allow for a Beer/Wine/Cooler On-Sale Establishment within a proposed restaurant at 6440 North Durango Drive. The proposed establishment is 1,787 square feet with seating for 45. The Beer/Wine/Cooler On-Sale use will be ancillary to the proposed restaurant.

BACKGROUND INFORMATION

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
05/17/00	The City Council approved a request for a Special Use Permit (U-0149-99) for a proposed 6,400 square-foot Supper Club; a Special Use Permit (U-0152-99) for Gas Sales in Conjunction with a proposed 4,000 square-foot Convenience Store; a Special Use Permit (U-0153-99) for a proposed 1,000 square-foot Automated Car Wash Facility; a Special Use Permit (U-0154-99) for a proposed 2,800 square-foot Minor Auto Repair Garage; a Special Use Permit (U-0155-99 for a proposed 3,200 square-foot and a 3,400 square-foot Restaurant with Drive-Through; a Special Use Permit (U-0156-99) for the Off-Premise Sale of Beer and Wine in conjunction with a 4,000 square-foot Convenience Store; and a Site Development Plan Review [Z-0076-98(11)] for a proposed 20,800 square-foot Retail Center at the northeast corner of West Centennial Parkway and North Durango Drive. The Planning Commission recommended approval.
05/01/02	The City Council approved a request for an Extension of Time [U-0149-99(1)] for an approved Special Use Permit for a Supper Club; an Extension of Time [U-0152-99(1)] for an approved Special Use Permit for a Convenience Store with Fuel Pumps; an Extension of Time [U-0153-99(1)] for an approved Special Use Permit for an Automatic Car Wash; an Extension of Time [U-0154-99(1)] for an approved Special Use Permit for an Auto Repair Garage, Minor; an Extension of Time [U-0155-99(1)] for an approved Special Use Permit for a Restaurant with Drive-Through; and an Extension of Time [U-0156-99(1)] for an approved Special Use Permit for an Off-Premise Liquor Establishment; at the northeast corner of West Centennial Parkway and North Durango Drive. The Planning Commission recommended approval.

04/07/04	The City Council approved a request for an Extension of Time (EOT-3962) for an approved Special Use Permit (U-0156-99) for Alcoholic Beverage Sales; an Extension of Time (EOT-3963) for an approved Special Use Permit (U-0154-99) for an Auto Repair Garage, Minor; an Extension of Time (EOT-3964) for an approved Special Use Permit (U-0149-99) for a Supper Club; an Extension of Time (EOT-3965) for an approved Special Use Permit (U-0155-99) for a Restaurant with Drive-Through; an Extension of Time (EOT-3966) for an approved Special Use Permit (U-0153-99) for an Automatic Car Wash; and an Extension of Time (EOT-3967) for an approved Special Use Permit (U-0152-99) for a Convenience Store with Fuel Pumps at the northeast corner of West Centennial Parkway and North Durango Drive.
06/13/05	A request for a Site Development Plan Review (SDR-19790) to allow a proposed 60-foot Wireless Communication Facility, Slimline at the northeast corner of West Centennial Parkway and North Durango Drive was administratively approved.
07/12/06	The City Council approved a request for an Extension of Time (EOT-13644) for an approved Special Use Permit (U-0156-99) for Alcoholic Beverage Sales; an Extension of Time (EOT-13645) for an approved Special Use Permit (U-0153-99) for an Automatic Car Wash; an Extension of Time (EOT-13646) for an approved Special Use Permit (U-0154-99) for an Auto Repair Garage, Minor; an Extension of Time (EOT-13647) for an approved Special Use Permit (U-0149-99) for a Supper Club; an Extension of Time (EOT-13648) for an approved Special Use Permit (U-0152-99) for a Convenience Store with Fuel Pumps; and an Extension of Time (EOT-13649) for an approved Special Use Permit (U-0155-99) for a Restaurant with Drive-Through at the northeast corner of West Centennial Parkway and North Durango Drive.
02/07/07	The City Council approved a request for a Special Use Permit (SUP-17737) for a Drive-Through Restaurant, and a Site Development Plan Review (SDR-17735) for a 42,790 square-foot retail shopping center with Waivers of the Build-to-Line requirement and to allow 15 feet of Perimeter Landscape Buffer adjacent to a Drive-Through Aisle where 25 feet is required at the northeast corner of West Centennial Parkway and North Durango Drive. The Planning Commission recommended approval.
05/07/08	The City Council denied an appeal of a denial by Planning Commission (final action) for a Special Use Permit (SUP-26417) for an Auto Title Loan Establishment with Waivers to allow a distance separation of 105 feet from a residential use where 200 feet is required and to allow an Auto Title Loan Establishment to be 1,215 square feet where 1,500 square feet is required at northeast corner of North Durango Drive and West Centennial Parkway.

07/16/08	The City Council approved a request for a Special Use Permit (SUP-27947) for a Beer/Wine/Cooler Off-Sale Establishment within a proposed Convenience Store; and a Special Use Permit (SUP-27945) for a Gaming Establishment, Restricted within a proposed Convenience Store with a Waiver to allow a distance separation of 115 feet from a single-family dwelling where 330 feet is required at 6410 North Durango Drive, Suite #105. The Planning Commission recommended approval.
12/04/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #25/ne).
Related Building Permits/Business Licenses	
09/26/07	A building permit (#07002773) was issued for onsite improvements at 6408 North Durango Drive. The permit expired on 03/29/08.
09/26/07	A building permit (# 07002772) was issued for a trash enclosure at 6408 North Durango Drive. The trash enclosure is currently under construction.
09/26/07	A building permit (#07002771) was issued for an open parking structure at 6408 North Durango Drive. The parking structure is currently under construction.
09/26/07	A building permit (#07002769) was issued for a retail shell building at 6410 North Durango Drive. The retail shell building is currently under construction.
09/26/07	A building permit (#07002770) was issued for a retail shell building at 6420 North Durango Drive. The permit expired on 03/29/08.
09/26/07	A building permit (#07002768) was issued for a retail shell building at 6430 North Durango Drive. The retail shell building is currently under construction.
09/26/07	A building permit (#07002767) was issued for a retail shell building at 6440 North Durango Drive. The retail shell building is currently under construction.
09/26/07	A building permit (#07002766) was issued for a retail shell building and garage at 6446 North Durango Drive. The retail shell building is currently under construction.

Pre-Application Meeting	
10/23/08	A pre-application meeting was held where the submittal requirements for a Special Use Permit within the Town Center Master Plan Area where discussed.

Neighborhood Meeting	
12/02/08	The applicant has scheduled a non-required neighborhood meeting to be held at 6:30 pm at the YMCA Centennial Hills Community Center at 6601 North Buffalo Drive.

Field Check	
10/29/08	A routine field check performed by staff revealed a shopping center currently under construction. No concerns were noted by staff.

Details of Application Request	
Site Area	
Net Acres	3.5

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	TC (Town Center)	T-C (Town Center District) [SC-TC (Service Commercial – Town Center) Special Land Use Designation]
North	Vacant Land / I-215 Beltway	TC (Town Center)	ROW (Right-of-Way)
South	Convenience Store & Gas Station and Single Family Residences	TC (Town Center)	T-C (Town Center District) [SC-TC (Service Commercial – Town Center) Special Land Use Designation]
East	Vacant Land	TC (Town Center)	T-C (Town Center District) [SC-TC (Service Commercial – Town Center) Special Land Use Designation]
West	Shopping Center	TC (Town Center)	T-C (Town Center District) [SC-TC (Service Commercial – Town Center) Special Land Use Designation]

Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Area Plan	X		Y
Centennial Hills Sector Plan	X		Y
T-C Town Center District	X		Y
Special Districts/Zones	*Yes*	*No*	*Compliance*
Special Purpose and Overlay Districts	X		Y
T-C Town Center District	X		Y
Trails – Multi Use Transportation Trail	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		Y

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
	Gross Floor Area or Number of Units	***Required***			***Provided***		***Compliance***
			Parking		*Parking*		
Use		***Parking Ratio***	Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	41,136 sq. ft.	1:250	159	6	246	11	Y
SubTotal			159	6	246	11	
TOTAL (including handicap)			165		257		

ANALYSIS

This request is for a Special Use Permit for a proposed Beer/Wine/Cooler On-Sale Establishment within a proposed restaurant at 6440 North Durango Drive. The applicant is proposing a 1,787 square-foot restaurant with seating for 45. The proposed floor plan includes a dining area, a kitchen with walk-in freezer, and pizza ovens.

The proposed location is part of a newly constructed shopping center at the northeast corner of North Durango Drive and West Centennial Parkway, which adequately supplies the required amount of parking for this site. This shopping center is able to accommodate a variety of uses such as professional offices, personal services, restaurants, and retail stores. The addition of a restaurant with a Beer/Wine/Cooler On-Sale use within this shopping center is compatible with the existing and future land uses as specified by the TC (Town Center) General Plan designation. Therefore, staff recommends approval.

- **General Plan**

  The subject site is currently designated TC (Town Center), which is within the Centennial Hills Sector of the Las Vegas Master Plan 2020.

- **Zoning**

  The proposed site's T-C (Town Center District) zoning is in conformance with the Las Vegas Master Plan 2020, and the Beer/Wine/Cooler On-Sale use is permitted in that district with the approval of a Special Use Permit.

- **Special Land Use Designation**

  The subject site is designated SC-TC (Service Commercial – Town Center) within the Town Center Development Standards Manual. The Service Commercial district allows for low to medium intensity retail, office or other commercial uses that are intended to serve primarily the Centennial Hills area and does not include more intense general commercial characteristics. Examples include neighborhood shopping centers, theaters, bowling alleys and other places of public assembly and public/quasi-public uses.

- **Multi-Use Transportation Trail**

  Adjacent to the west and north perimeters of the proposed site, a Multi-Use Transportation Trail is currently under construction to meet the requirements of the Las Vegas Master Plan, Transportation Trails Element. This trail is intended to be used and shared by bicyclists and persons on other non-motorized vehicles and for pedestrians.

- **Use**

  Per the Town Center Development Standards Manual Section 4.B.12, "The use shall comply with all minimum conditions, standards and requirements applicable to the use "Beer/Wine/Cooler/On-Sale Establishment" under LVMC 19.04.050."

  A Beer/Wine/Cooler On-Sale Establishment is defined by Title 19 as an establishment whose license to sell alcoholic beverages is limited to the sale of beer, wine and coolers for consumption only in connection with a meal on the premises where the same is sold, and is operated in connection with a restaurant in which forty-five or more people may be served with meals at any one time at tables or stools.

- **Minimum Special Use Permit Requirements**

  LVMC Title 19.04.010 lists the following Minimum Special Use Permit Requirements for a Beer/Wine/Cooler On-Sale use:

  1. Except as otherwise provided, no beer/wine/cooler on-sale establishment (hereinafter "establishment") shall be located within 400 feet of any church, synagogue, school, child care facility licensed for more than 12 children, or City park.
  2. Except as otherwise provided in Requirement 3 below, the distances referred to in Requirement 1 shall be determined with reference to the shortest distance between two property lines, one being the property line of the proposed establishment which is closest to the existing use to which

the measurement pertains, and the other being the property line of that existing use which is closest to the proposed establishment. The distance shall be measured in a straight line without regard to intervening obstacles. For purposes of measurement, the term "property line" refers to property lines of fee interest parcels and does not include the property line of:

a. Any leasehold parcel; or
b. Any parcel which lacks access to a public street or has no area for on-site parking and which has been created so as to avoid the distance limitation described in Requirement 1.

3. In the case of an establishment proposed to be located on a parcel of at least 80 acres in size, the minimum distances referred to in Requirement 1 shall be measured in a straight line:
   a. From the nearest property line of the existing use to the nearest portion of the structure in which the establishment will be located, without regard to intervening obstacles; or
   b. In the case of a proposed establishment which will be located within a shopping center or other multiple-tenant structure, from the nearest property line of the existing use to the nearest property line of a leasehold or occupancy parcel in which the establishment will be located, without regard to intervening obstacles.
4. When considering a Special Use Permit application for an establishment which also requires a waiver of the distance limitation in Requirement 1, the Planning Commission shall take into consideration the distance policy and shall, as part of its recommendation to the City Council, state whether the distance requirement should be waived and the reasons in support of the decision.
5. The minimum distance requirements in Requirement 1 do not apply to:
   a. An establishment which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after July 1, 1992; or
   b. A proposed establishment having more than 50,000 square feet of retail floor space.

*6. All businesses which sell alcoholic beverages shall conform to the provisions of LVMC Chapter 6.50.

*Any condition with an asterisk cannot be waived.

The proposed use meets the minimum requirements of a Supper Club use, and staff finds that public health, safety, and welfare will not be compromised. Therefore, staff recommends approval.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **"The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan."**

   The proposed Beer/Wine/Cooler On-Sale Establishment within a proposed restaurant is located within a commercial shopping center that was designed to accommodate a variety of uses. The addition of a Beer/Wine/Cooler On-Sale use within this shopping center is compatible with the existing and future land uses as specified by the TC (Town Center) General Plan designation.

2. **"The subject site is physically suitable for the type and intensity of land use proposed."**

   The proposed site is within a commercial shopping center that was designed to accommodate a variety of uses, including a Beer/Wine/Cooler On-Sale Establishment within a proposed restaurant, and conforms to both the General Plan and Title 19 land use designations of the site with the approval of a Special Use Permit.

3. **"Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use."**

   The proposed Beer/Wine/Cooler On-Sale use is located within a 39,921 square-foot shopping center that is adequately served by North Durango Drive, a 120-foot Primary Arterial and West Centennial Parkway, a 100-foot Primary Arterial as defined by the Master Plan of Streets and Highways.

4. **"Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan."**

   The proposed site is located within the Centennial Hills Sector of the Las Vegas 2020 Master Plan. The site is zoned T-C (Town Center District) and has a General Plan designation of TC (Town Center) within the Special Land Use designation of SC-TC (Service Commercial - Town Center). A Beer/Wine/Cooler On-Sale is a permitted use in the T-C (Town Center District) with the approval of a Special Use Permit. It will not compromise the public health, safety, and welfare or overall objectives of the General Plan.

5. **The use meets all of the applicable conditions per Title 19.04.**

   The proposed Beer/Wine/Cooler On-Sale use meets all of the applicable conditions per Title 19.04.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 7

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 77 by City Clerk

APPROVALS 1

PROTESTS 0

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-31421 APN: 125-20-801-002

Name of Property Owner: Durango Structures LLC

Name of Applicant: Upper Crust Pizza

Name of Representative: G. C. Garcia, Inc.

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: Dina Buceta

Print Name: DINA BUCETA for Upper Crust Pizza

Subscribed and sworn before me

This 24 day of October, 2008

Andrea Cole

Notary Public in and for said County and State

ANDREA COLE
NOTARY PUBLIC
STATE OF NEVADA
APPT. No. 05-97271-1
MY APPT. EXPIRES SEP. 10, 2012

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SUP-31421** APN: 125-20-801-002

Name of Property Owner: ~~Halston Mikai~~ Durango Structures LLC

Name of Applicant: ~~Durango Structure LLC.~~ Upper Crust Pizza

Name of Representative: G. C. Garcia, Inc.

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

☐ **Yes** ☑ **No**

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: _____

Print Name: Halston Mikai for Durango Structures

Subscribed and sworn before me

This 14 day of October, 2008

_____

Notary Public in and for said County and State

YVONNE DURAN
Commission # 1688080
Notary Public - California
Ventura County
My Comm. Expires Sep 12, 2010

PARKING CALCULATION
BUILDING A
RETAIL 13,460 SF / 250 = 53.8 STALLS REQ'D.

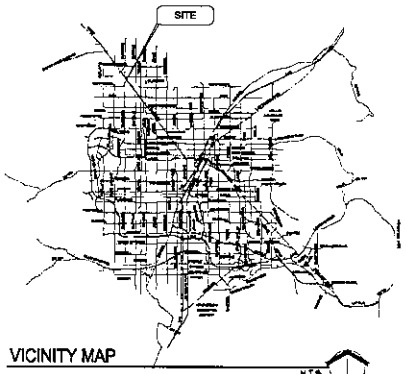
BUILDING B
RESTAURANT 853 SF / 50 = 17 STALLS REQ'D.
834 SF / 200 = 4.7 STALLS REQ'D.
RETAIL 14,026 SF / 250 = 56.1 STALLS REQ'D.

BUILDING C
RETAIL 6,338 SF / 250 = 25.3 STALLS REQ'D.

BUILDING D
DRIVE-THRU 1,700 SF / 100 = 17 STALLS REQ'D.
RETAIL 2,620 SF / 250 = 10.5 STALLS REQ'D.

BUILDING E
RETAIL 1,215 SF / 250 = 4.9 STALLS REQ'D.

TOTAL PARKING REQ'D = 189.3 = 190 STALLS
TOTAL PARKING PROVIDED = 257 STALLS INCL. 11 HANDICAP ACCESSIBLE SPACES



VICINITY MAP N.T.S.

Upper Crust Pizza

Centennial and Durango
Las Vegas, Nevada

APTUS Architecture
1200 South 4th Street
Suite 204
Las Vegas, Nevada 89104
P 702.629.1300
F 702.629.1313

APTUS PROJECT NO. 08.040
ARCHITECT
ENGINEER
NOTE

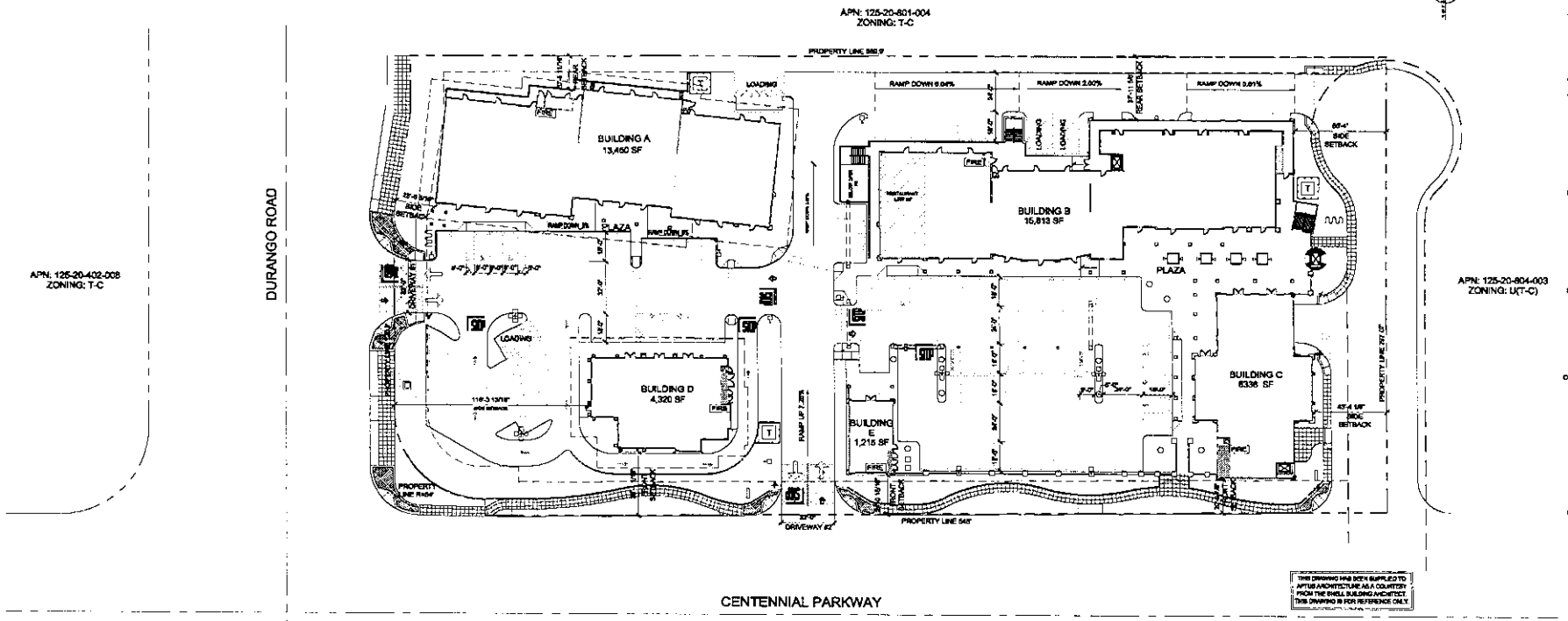
COPYRIGHT 2008 © BY APTUS ARCHITECTURE

NO.	DESCRIPTION	DATE
1	City of Las Vegas SUP	10.31.08

ISSUED

SITE PLAN

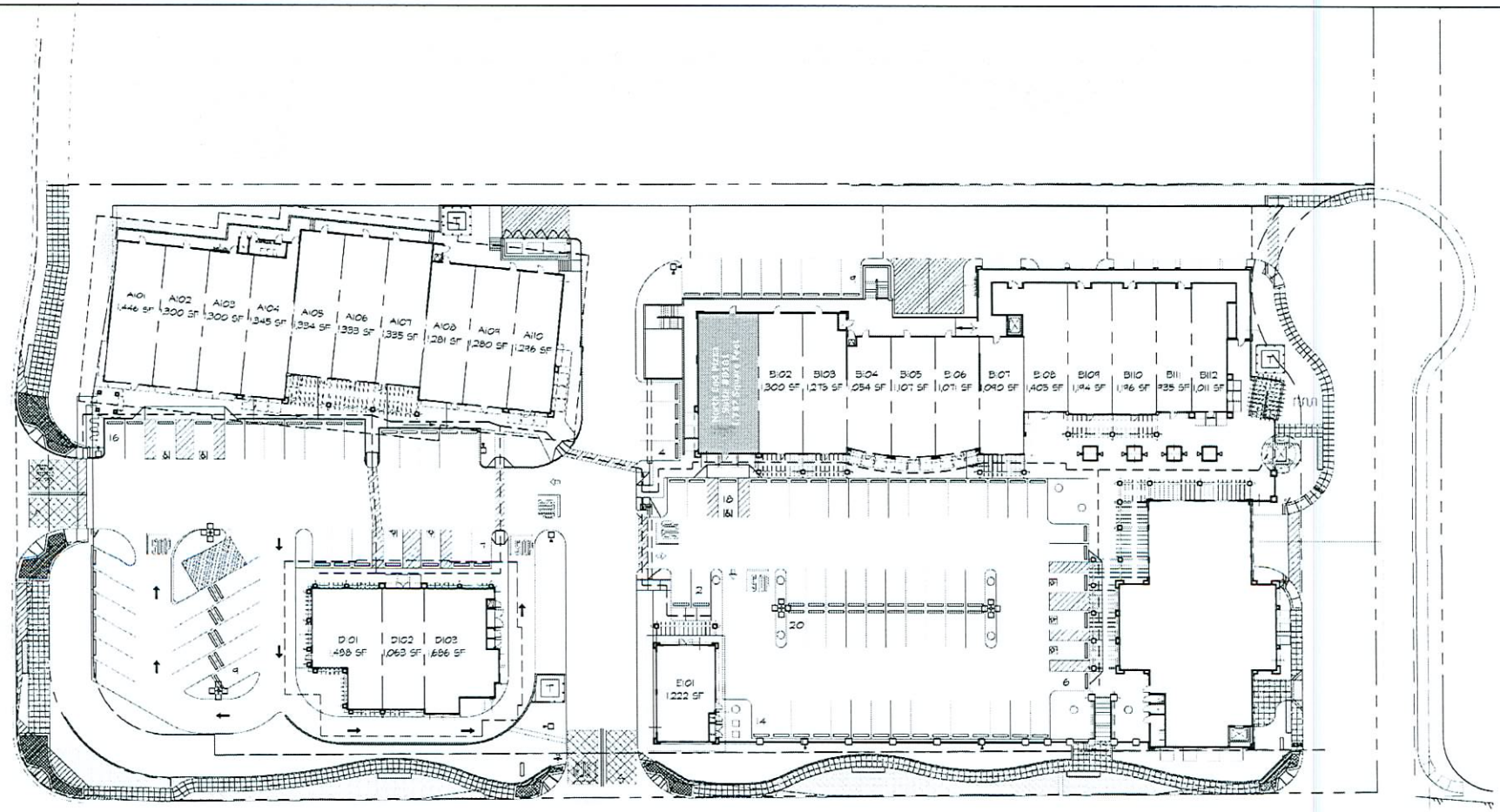
DRAWING NO.
AS100
UPPER CRUST PIZZA



SITE PLAN 1" = 50'-0"

THIS DRAWING HAS BEEN SUPPLIED TO APTUS ARCHITECTURE AS A COURTESY FROM THE SHELL BUILDING ARCHITECT. THIS DRAWING IS FOR REFERENCE ONLY.

SUP-31421
12/04/08 PC



SUP-31421
12/04/08 PC

SITE PLAN 1

NADEL RETAIL
Nadel Architects Nevada, LLP
7180 S. Dean Martin Dr. Suite 800
Las Vegas, NV 89118
T 702.896.2000
F 702.896.7170
www.nadelarc.com

CONSULTANT
CONSULTANT NAME
ADDRESS
ADDRESS
T
F

PROJECT
NEC CENTENNIAL PARKWAY & DURANGO
NORTHEAST CORNER OF CENTENNIAL PARKWAY AND DURANGO
LAS VEGAS, NEVADA

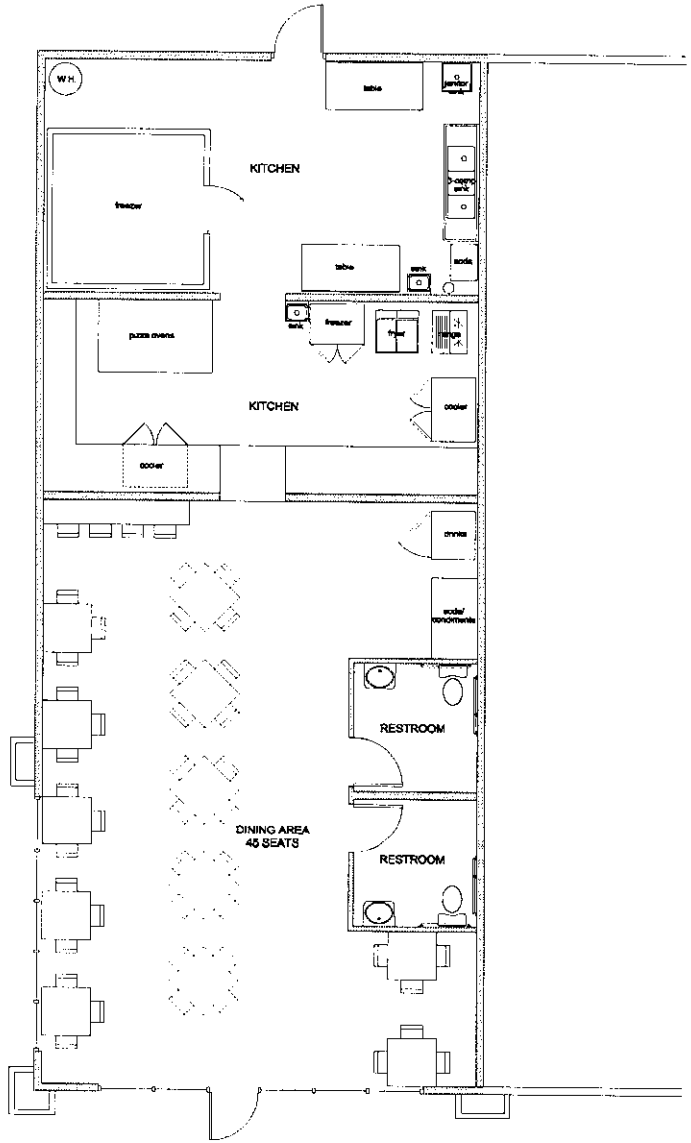
DRAWING
LEASING PLAN

REVISIONS

DATE 05-04-07
JOB NO. 06836

SHEET NUMBER
SD-1.0

D.D. SUBMITTAL 05-08-06 B.S. SUBMITTAL 06-06-06 B.D. SUBMITTAL 05-04-07



APPROVED BY

DATE

UPPER CRUST PIZZA

Centennial & Durango

Las Vegas, Nevada

0 1.3 2.6 5.2

north

DATE: 8.27.08

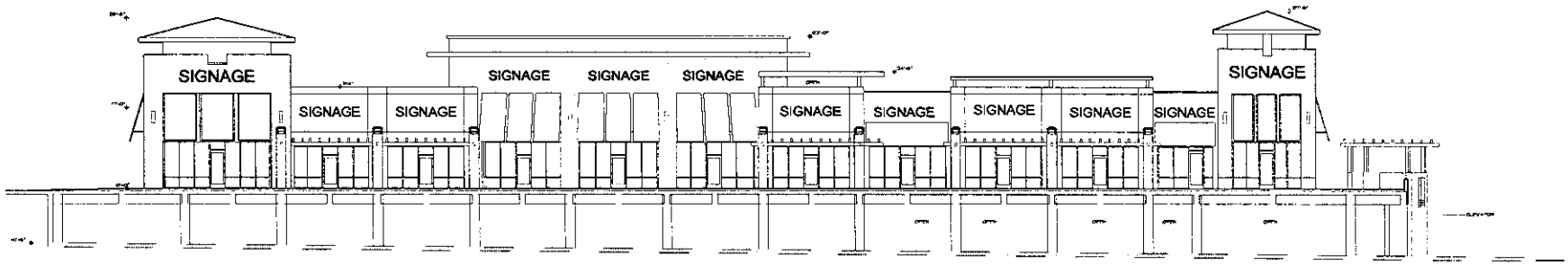
ethos three
ARCHITECTURE

8965 eastern - suite 100
las vegas, nv 89123
p 702.456.1070
f 702.456.7020

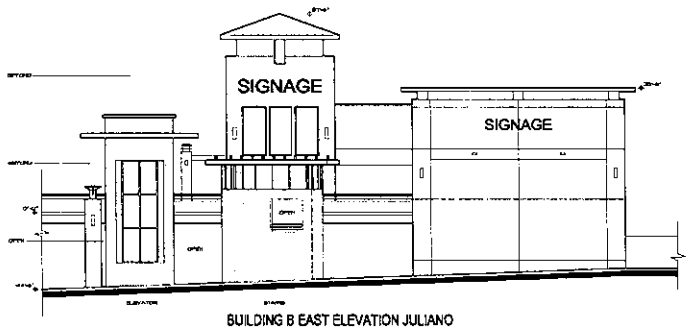
THESE MODIFIED OR OTHER DRAWINGS MAY BE PREPARED, IN WHOLE OR IN PART, ON THE BASIS OF INFORMATION COMPILED AND FURNISHED BY OTHERS UNDER AGREEMENT WITH THE OWNER OF THE PROJECT. VS ARCHITECTURE IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS WHICH MAY EXIST IN SUCH DRAWINGS AS A RESULT. CAREFUL EXAMINATION OF ACTUAL CONSTRUCTION SHOULD BE UNDERTAKEN PRIOR TO EXCAVATION, CUTTING, MODIFICATION, OR DEMOLITION OF SUBSEQUENT CONSTRUCTION

SUP-31421

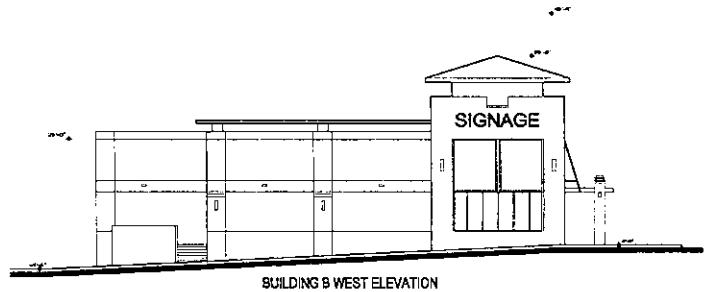
12/04/08 PC



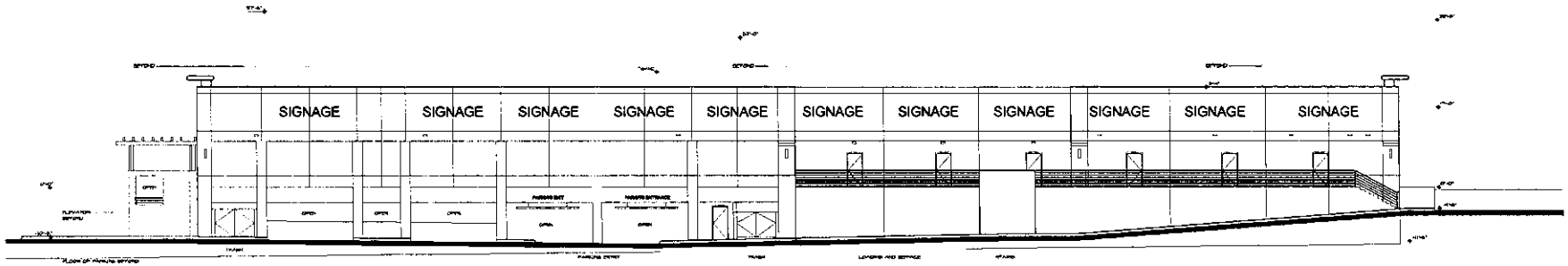
BUILDING B SOUTH ELEVATION CENTENNIAL PARKWAY



BUILDING B EAST ELEVATION JULIANO



BUILDING B WEST ELEVATION



BUILDING B NORTH ELEVATION

ELEVATIONS BUILDING B

NEC CENTENNIAL PARKWAY AND DURANGO
LAS VEGAS, NEVADA

DATE: DECEMBER 21, 2008
NADEL JOB#: 08036

NADEL ARCHITECTS NEVADA, LLP
7160 S. DEAN MARTIN DR., SUITE 200
LAS VEGAS, NV 89118
T 702.896.2000 F 702.896.7170
WWW.NADELARC.COM

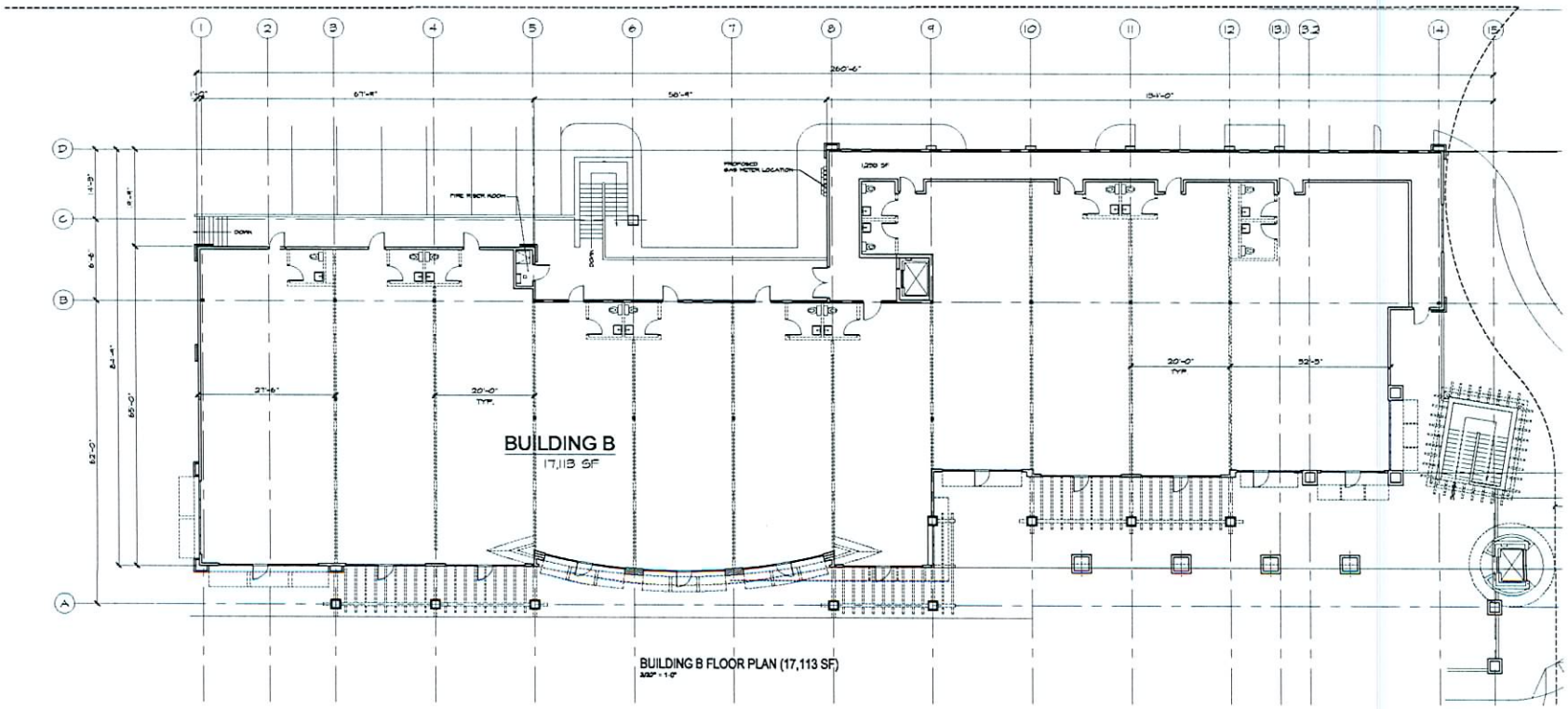
BLACKSTONE
CAPITAL GROUP

SUP-31421
12/04/08 PC

NADEL RETAIL

A3.1 ELEVATIONS BUILDING B

ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF THE ARCHITECT AND THE SAME MAY NOT BE REPRODUCED, USED OR DISCLOSED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT. COPYRIGHT NADEL ARCHITECTS NEVADA, LLP
ALL RIGHTS RESERVED



FLOOR PLAN BUILDING B

NEC CENTENNIAL PARKWAY AND DURANGO
LAS VEGAS, NEVADA

BLACKSTONE
CAPITAL GROUP

DATE: DECEMBER 21, 2008
NADEL JOB#: 06836

NADEL ARCHITECTS NEVADA, LLP
7160 S. DEAN MARTIN DR., SUITE 800
LAS VEGAS, NV 89118
T 702.896.2000 F 702.896.7170
WWW.NADELARC.COM

NADEL RETAIL

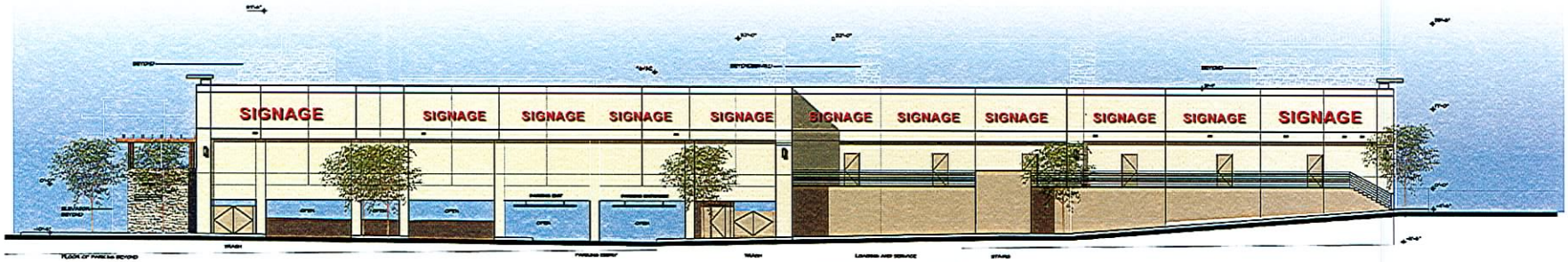
A2.1 ELEVATIONS BUILDING B

SUP-31421
12/04/08 PC

BUILDING B SOUTH ELEVATION CENTENNIAL PARKWAY
3/32" = 1-0"

BUILDING B EAST ELEVATION JULIANO
3/32" = 1-0"

BUILDING B WEST ELEVATION
3/32" = 1-0"



BUILDING B NORTH ELEVATION
3/32" = 1-0"

ELEVATIONS BUILDING B

NEC CENTENNIAL PARKWAY AND DURANGO
LAS VEGAS, NEVADA

DATE: DECEMBER 21, 2006
NADEL JOB#: 06836

NADEL ARCHITECTS NEVADA, LLP
7189 S. DEAN MARTIN DR., SUITE 800
LAS VEGAS, NV 89118
T.702.896.2000 F.702.896.7170
WWW.NADELARC.COM

BLACKSTONE
CAPITAL GROUP

NADEL RETAIL

A3.1 ELEVATIONS BUILDING B

SUP-31421
12/04/08 PC

SUP-31421 - APPLICANT: UPPER CRUST PIZZA - OWNER: DURANGO STRUCTURES, LLC
6440 NORTH DURANGO DRIVE
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

SUP-31421 - APPLICANT: UPPER CRUST PIZZA - OWNER: DURANGO STRUCTURES, LLC
6440 NORTH DURANGO DRIVE
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

SUP-31421 - APPLICANT: UPPER CRUST PIZZA - OWNER: DURANGO STRUCTURES, LLC
6440 NORTH DURANGO DRIVE
DECEMBER 4, 2008 PLANNING COMMISSION

10/29/08

October 23, 2008

Margo Wheeler, Director
Planning and Development Department
City of Las Vegas
731 S. 4th Street
Las Vegas, NV 89131

RE: Justification Letter for a Special Use Permit for on-sale beer and wine for Upper Crust Pizza on the NEC of Centennial and Durango APN -125-20-801-002

Dear Ms. Wheeler:

On behalf of our client, Upper Crust Pizza, please accept this letter as justification for a Special Use Permit for on-site consumption of beer and wine in conjunction with a restaurant and a site plan review within this previously approved commercial center on the northeast corner of Centennial and Durango. The Site Development Plan Review (SDR-17735) was approved by the City Council on February 7, 2007. The center is in the process of being constructed.

We believe the request meets the following criteria for approval of a special use permit:

Approval Criteria of a Special Use Permit: Title 19.18.060 (L)

The following Determinations are to be made by the Planning Commission and City Council to approve a Special Use Permit:

1) The proposed use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses and with future surrounding land uses as projected by the General Plan.

This site is designated SC-TC (Service Commercial) on the Town Center Future Land Use Map. This designation allows retail shopping centers; it is not unusual for a restaurant with on-site consumption of beer and wine to be located on a major intersection.

This proposal will provide another dining opportunity and service for residents of this area of the City. The size and scale is such that it is harmonious and compatible with the surrounding area.

GCGARCIA

SUP-31421
12/04/08 PC

A Planning & Development Services Corporation
1711 Whitney Mesa Drive, Suite 110, Henderson, Nevada 89014-2158
Telephone: 702 435 9909 Facsimile: 702 435 0457 E-Mail: ggarcia@gcgarciainc.com

2) The subject is physically suitable for the type and intensity of land use being proposed.

The site is large enough to accommodate the proposed commercial center and a restaurant. There is adequate parking and access to accommodate the use.

3) Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.

Both Durango and Centennial are major arterials. Also, the site is in close proximity to I-215. Therefore, adequate access is being provided for the overall center and the proposed restaurant.

4) Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety and welfare or the overall objectives of the General Plan.

This site is designated Service Commercial, where restaurants with on-site consumption of beer and wine are typically located.

The site plan, lease plan, and floor plan, showing there will be 45 dining seats in the restaurant are attached for your review. The site plan shows that the restaurant will not affect the conformance to the parking standards of the Code for the overall site. No changes are proposed to the overall design of the retail center.

If you have any questions or need additional information, please do not hesitate to contact our office. Thank you for your consideration.

Sincerely,

David Clapsaddle
Director of Planning

DWC:ac

SUP-31421
12/04/08 PC

Upper Crust Pizza at the Northeast Corner of Centennial and Durango

Sponsored By ***Upper Crust Pizza,*** as the owner ***& G. C. Garcia, Inc.*** as Planning Consultant
Phone: 702-435-9909 Fax: 702-435-0457

Invites You To A Neighborhood Get Together

Dear Neighbor & Homeowner,

We invite you to come meet with us and see first hand the plans for the property on the northeast corner of Durango and Centennial. The owners of Upper Crust Pizza have requested a beer/wine/cooler Special Use Permit as part of the upscale retail center that has been approved and built on this site. This is not a bar or tavern; beer and wine will only be served on-site in conjunction with meals.

At this meeting we will have the site plan, floor-plan, building elevations and landscaping plan for you to view. We will also be on hand to help explain the application and answer questions you may have. City of Las Vegas Department of Planning and Development staff and the Councilman will also be invited to attend.

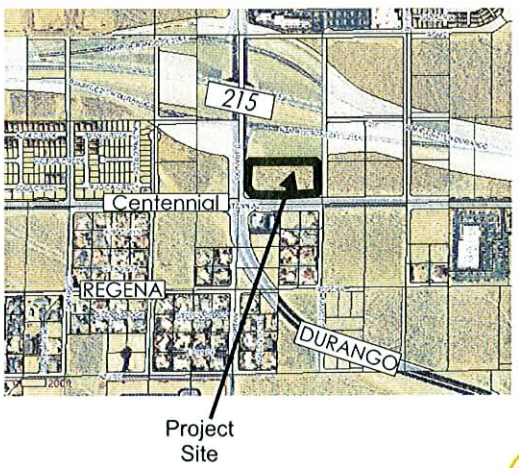
We invite you to view the plans prior to the special use permit being heard at the Planning Commission and City Council meetings.

DATE: **Tuesday, December 2, 2008**
TIME: **6:30 pm**
PLACE: **YMCA Centennial Hills Community Center**
6601 N. Buffalo Dr. (Off of Buffalo & Deer Springs)
Las Vegas, NV 89131

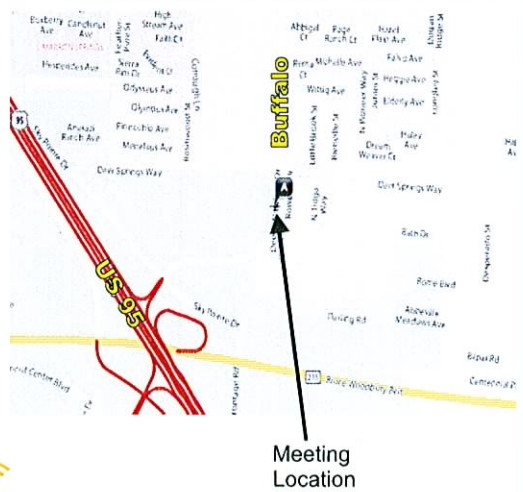
If you have any questions, suggestions, or comments, please feel free to call or write me. Thank you for your consideration of our project.

Dave Clapsaddle
Planning Consultant

PROJECT LOCATION MAP



MEETING LOCATION MAP



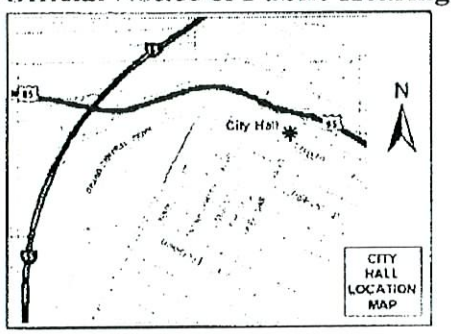
GCGARCIA
A Planning & Development Services Corporation
1711 Whitney Mesa Drive, Suite 110, Henderson, NV 89014
Telephone: (702) 435-9909 Facsimile: (702) 435-0457 E-Mail: ggarcia@gcgarciainc.com

SUP-31421
12/04/08 PC

NOTE: THE FOLLOWING DOCUMENTATION WAS SUBMITTED FOR THE RECORD BEFORE OR AT THE PLANNING COMMISSION HEARING ON THIS ITEM WHICH IS NOW APPEARING BEFORE THE CITY COUNCIL

City of Las Vegas
Planning & Development Department
Development Services Center
731 S. Fourth Street
Las Vegas, Nevada 89101-2986

Return Service Requested
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Planning & Development Department at the address listed above or fax this side of this card to (702) 385-7268. If you would like to contact your Council Representative, please call (702) 229-6405.

☑ I SUPPORT this Request ☐ I OPPOSE this Request

Please use available blank space on card for your comments.

SUP-31421
Planning Commission Meeting of 12/4/2008

RECEIVED
NOV 25 2008

Case: SUP-31421
12529502009
EL CAPITAN INTERCHANGE
%D KANNE
1704 WINCANTON DR
LAS VEGAS NV 89134-6183

#25
A

702-320-5600
Admin

City of Las Vegas Agenda Item No.: **105.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2009

SUBJECT:
SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

City of Las Vegas Agenda Item No.: **106.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2009

SUBJECT:
COUNCIL MEMBER RECOGNITION: COMMENTS MADE BY INDIVIDUAL CITY COUNCIL MEMBERS DURING THIS PORTION OF THE AGENDA WILL NOT BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND SCHEDULED FOR ACTION

City of Las Vegas Agenda Item No.: **107.**

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JANUARY 7, 2009

SUBJECT:
CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED